

New York State Standardized DOMESTIC INCIDENT REPORT (DIR)

(Form 3221-02/2020)

REMEMBER: Whenever possible, ask complainant the DIR questions OUT of earshot and eyesight of suspect

WHEN COMPLETING THE DIR PLEASE BE SURE:

- All handwriting is legible and seen on all 3 copies of the DIR
- Wraparound cover is in place
- To complete every section of the DIR
- To hand Victim Rights Notice to the victim
- Victim understands the Victim Rights Notice
- Victim receives all pink copies at the scene

WHERE TO SEND DIR FORMS

New York City (NYC) DIR forms are sent to NYPD and do not need to be sent directly to DCJS.

State Police forward DCJS copies of DIR to **Zone Headquarters**.

All Other Agencies, send DCJS copies of DIR (Page A and Page B) to:
NYS Division of Criminal Justice Services
Office of Criminal Justice Records-DIR, 5th Floor
80 South Swan Street
Albany, New York 12210

If Suspect is on Probation or Parole Supervision, photocopy the **police copy** of DIR and send to the County Probation Department or the local Parole Office.

Addresses for County Probation Departments and Parole Offices can be found in the Criminal Justice Directory at: <http://criminaljustice.ny.gov>

HOW TO REQUEST MORE DIR FORMS

To order additional forms send an email to:

dcjs.dl.dirform@dcjs.ny.gov

When ordering forms, please provide the **agency name** and **street address** for shipment, no P.O. Boxes accepted. DIR forms come 25 forms to a pad. Please base your order on the **number of pads** needed, not the number of forms.

IMPORTANT HOTLINE NUMBERS

NYS Domestic and Sexual Violence	1-800-942-6906
Child Protective Services (Public)	1-800-342-3720
CPS (Mandated Reporter)	1-800-635-1522
Adult Protective Services	1-800-342-3009 (Option 6)

Local Service
Provider Name: _____

Hotline: _____

Quick Reference Guide

Recommended Wording

(PRIOR DV HISTORY?) “Has _____ ever hurt you, threatened harm to you or others, made you afraid, or forced you to do something that you didn’t want to do (prior to this incident)?”

(VICTIM FEARFUL?) “Are you currently concerned or in **fear** for your safety or the safety of someone else because of _____’s behavior?” (**Note:** Document specific fear and reasons for it. Fear may be an element of an offense (e.g. menacing, coercion, stalking, etc.). Also, document in statement of allegations.

INFORM VICTIM. “A **victim advocate can help you with SAFETY PLANNING, an important issue to be discussed with a local service provider. On the back of a form that I will give you are some phone numbers that can assist you. Do you need assistance with making arrangements for transportation to another location?**” **Note:** CPL 530.11(6) requires a police officer to advise a victim of local available services.)

Officers are NOT required to arrest each person in dual complaint situations.

Officers must identify the PRIMARY PHYSICAL AGGRESSOR. Consider injuries, threats of past and future harm, history of domestic violence, and self-defense responses. An ARREST DECISION shall NOT be based on the willingness of a person to testify or participate in a judicial proceeding (refer to the Primary/Dominant Aggressor Law, (CPL 140.10 (4)(c)).

Below is a list of some frequently seen offenses in domestic violence incidents.

REMEMBER to CHARGE all relevant offenses and charge at the highest degree appropriate for the circumstances.

Family Offenses

CPL articles 140 and 530.11)

Aggravated Family Offense (240.75; E Felony)

Aggravated Harassment 2nd (240.30; A Misd.)

Assault 2nd (120.05; D Felony)

Assault 3rd (120.00; A Misdemeanor)

Attempted Assault (110.00)

Criminal Mischief 1st (145.12; B Felony)

Criminal Mischief 2nd (145.10; D Felony)

Criminal Mischief 3rd (145.05; E Felony)

Criminal Mischief 4th (145.00; A Misdemeanor)

Disorderly Conduct (240.20; Violation)

Forcible Touching (130.52; A Misdemeanor)

Harassment 1st (240.25; B Misdemeanor)

Harassment 2nd (240.26; Violation)

Menacing 2nd (120.14; A Misdemeanor)

Menacing 3rd (120.15; B Misdemeanor)

Reckless Endangerment 1st (120.25; D Felony)

Reckless Endangerment 2nd (120.20; A Misd.)

Sexual Abuse 2nd (130.60(1); A Misdemeanor)

Sexual Abuse 3rd (130.55; B Misdemeanor)

Sexual Misconduct (130.20; A Misd.)

Stalking 1st (120.60; D Felony)

Stalking 2nd (120.55; E Felony)

Stalking 3rd (120.50; A Misdemeanor)

Stalking 4th (120.45; B Misdemeanor)

Criminal Obstruction of Breathing or Blood Circulation (121.11; A Misd.)

Strangulation 1st (121.13; C Felony)

Strangulation 2nd (121.12; D Felony)

Coercion 2nd (135.60(1) (2) (3); A Misd.)

Grand Larceny 3rd (155.35; D Felony)

Grand Larceny 4th (155.30; E Felony)

Identity Theft 1st (190.80; D Felony)

Identity Theft 2nd (190.79; E Felony)

Identity Theft 3rd (190.78; A Misdemeanor)

Agg. Assault Person under 11 (120.12; E Felony)

Often Committed Offenses

Agg. Criminal Contempt (215.52; D Felony)

Agg. Harassment 1st (240.31; E Felony)

Aggravated Cruelty to Animals (NY Agg. & M Section 353-a; Felony)

Assault 1st (120.10; B Felony)

Burglary 1st (140.30; B Felony)

“ 2nd (140.25; C Felony)

“ 3rd (140.20; D Felony)

Robbery 1st (160.15; B Felony)

“ 2nd (160.10; C Felony)

Coercion 1st (135.65; D Felony)

Criminal Contempt 1st (215.51; E Felony)

“ 2nd (215.50; A Misdemeanor)

Criminal Trespass 1st (140.17; D Felony)

“ 2nd (140.15; A Misdemeanor)

“ 3rd (140.10; B Misdemeanor)

Endangering Welfare of Child (260.10; A Misd.)

Endang. Welf. of Vulnerable Elderly Person 1st

(260.34; D Felony)

Intimidating Victim or Witness 1st

(215.17; B Felony)

Intimidating Victim or Witness 2nd

(215.16; D Felony)

Intimidating Victim or Witness 3rd

(215.15; E Felony)

Menacing 1st (120.13; E Felony)

Manslaughter 1st (125.20; B Felony)

Manslaughter 2nd (125.15; C Felony)

Murder 1st (125.27; A-I Felony)

Murder 2nd (125.25; A-I Felony)

Resisting Arrest (205.30; A Misdemeanor)

Unlawful Imprisonment 1st (135.10; E Felony)

“ 2nd (135.05; A Misd.)

Aggravated Sexual Abuse 1st (130.70; B Felony)

“ 2nd (130.67; C Felony)

“ 3rd (130.66; D Felony)

Other Possible Offenses

“ 4th (130.65-a; E Felony)

Computer Tampering 1st (156.27; C Felony)

“ 2nd (156.26; D Felony)

“ 3rd (156.25; E Felony)

“ 4th (156.20; A Misdemeanor)

Computer Trespass (156.10; E Felony)

Criminal Possession of a Dangerous Weapon

1st (265.04; B Felony)

Criminal Possession of a Weapon

2nd (265.03; C Felony)

“ 3rd (265.02; D Felony)

“ 4th (265.01; A Misd.)

Criminal Sexual Act 1st (130.50; B Felony)

“ 2nd (130.45; D Felony)

“ 3rd (130.40; E Felony)

Criminal Tampering 1st (145.20; D Felony)

“ 2nd (145.15; A Misdemeanor)

“ 3rd (145.14; B Misdemeanor)

Criminal Use of a Firearm 1st (265.09; B Felony)

“ 2nd (265.08; A Misd.)

Criminally Negligent Homicide (125.10; E Felony)

Endang. Welf. Vulner. Elderly 2nd (260.32; E Fel)

Facil. a Sex Off. W. a Cont. Sub. (130.90; D Fel)

Kidnapping 1st (135.25; A-I Felony)

“ 2nd (135.20; B Felony)

Rape 1st (130.35; B Felony)

“ 2nd (130.30; D Felony)

“ 3rd (130.25; E Felony)

Reckless Endanger. of Property (145.25; B Misd.)

Sexual Abuse 1st (130.65; D Felony)

Tampering with a Witness 1st (215.13; B Felony)

“ 2nd (215.12; D Felony)

“ 3rd (215.11; E Felony)

“ 4th (215.10; A Misd.)

Unauth. Use of a Vehicle 1st (165.08; D Felony)

“ 2nd (165.06; E Felony)

“ 3rd (165.05; A Misd.)

Unlawful Surveillance 2nd (250.45; E Felony)

Incident	Agency:		A	New York State DOMESTIC INCIDENT REPORT			ORI:	Incident #
	Reported Date (MM/DD/YYYY)	Time (24 hours)	Occurred Date (MM/DD/YYYY)	Time (24 hours)	<input type="checkbox"/> Officer Initiated	<input type="checkbox"/> Radio Run	<input type="checkbox"/> Walk-in	Complaint #
Address (Street No., Street Name, Bldg. No., Apt No.)					City, State, Zip			
Victim (P1)	Name (Last, First, M.I.) (Include Aliases)			DOB (MM/DD/YYYY)	Age:	<input type="checkbox"/> Female <input type="checkbox"/> Male		
	Address (Street No., Street Name, Bldg. No., Apt No.)			Victim Phone Number:		Language:		
	City, State, Zip			<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> Other		<input type="checkbox"/> Hispanic <input type="checkbox"/> Non Hispanic <input type="checkbox"/> Unknown <input type="checkbox"/> Other Identifier:		
	How can we safely contact you? (i.e. Name, Phone, Email)							
Suspect (P2)	Name (Last, First, M.I.) (Include Aliases)			DOB (MM/DD/YYYY)	Age:	<input type="checkbox"/> Female <input type="checkbox"/> Male		
	Address (Street No., Street Name, Bldg. No., Apt No.)			Suspect Phone Number:		Language:		
	City, State, Zip			<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> Other		<input type="checkbox"/> Hispanic <input type="checkbox"/> Non Hispanic <input type="checkbox"/> Unknown <input type="checkbox"/> Other Identifier:		
	Do suspect and victim live together? <input type="checkbox"/> Yes <input type="checkbox"/> No	Suspect/P2 present? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was suspect injured? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes describe:		Possible drug or alcohol use? <input type="checkbox"/> Yes <input type="checkbox"/> No	Suspect supervised? <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Not Supervised <input type="checkbox"/> Status Unknown		
	Suspect (P2) Relationship to Victim (P1) <input type="checkbox"/> Married <input type="checkbox"/> Intimate Partner/Dating <input type="checkbox"/> Formerly Married <input type="checkbox"/> Former Intimate Partner						Do the suspect and victim have a child in common? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Parent of Victim (P1) <input type="checkbox"/> Child of Victim <input type="checkbox"/> Relative: _____ <input type="checkbox"/> Other: _____							
Victim Interview	Emotional condition of VICTIM? <input type="checkbox"/> Upset <input type="checkbox"/> Nervous <input type="checkbox"/> Crying <input type="checkbox"/> Angry <input type="checkbox"/> Other:							
	What were the first words that VICTIM said to the Responding Officers at the scene regarding the incident? _____							
	Did suspect make victim fearful? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:							
	Weapon Used? <input type="checkbox"/> Yes <input type="checkbox"/> No Gun: <input type="checkbox"/> Yes <input type="checkbox"/> No Other, describe:				Suspect Threats? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Threats to:			
	Access to Guns? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				<input type="checkbox"/> Victim <input type="checkbox"/> Child(ren) <input type="checkbox"/> Pet <input type="checkbox"/> Commit Suicide <input type="checkbox"/> Other Describe:			
	Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				Strangulation? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Loss of Consciousness <input type="checkbox"/> Urination/Defecation			
In Pain? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				<input type="checkbox"/> Red eyes/Petechia <input type="checkbox"/> Sore Throat <input type="checkbox"/> Breathing Changed <input type="checkbox"/> Difficulty Swallowing Visible Marks? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				
Suspect	What did the SUSPECT say (Before and After Arrest) : _____							
	710.30 completed? <input type="checkbox"/> Yes <input type="checkbox"/> No							
Witnesses	Child/Witness (1) Name (Last, First, M.I.)		DOB:	Child/Witness(1) Address (Street No., Name, Bldg./Apt)		City, State, Zip		Phone:
	Child/Witness (2) Name (Last, First, M.I.)		DOB:	Child/Witness(2) Address (Street No., Name, Bldg./Apt)		City, State, Zip		Phone:
Incident Narrative	Briefly describe the circumstances of this incident:							
DIR Repository checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection Registry checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection in effect? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refrain <input type="checkbox"/> Stay Away				
Evidence Present? <input type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken: <input type="checkbox"/> Victim Injury <input type="checkbox"/> Suspect Injury <input type="checkbox"/> Other:		Other Evidence: <input type="checkbox"/> Damaged Property <input type="checkbox"/> Videos <input type="checkbox"/> Electronic Evidence <input type="checkbox"/> Other:			Destruction of Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Describe:		
Offense Committed? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was suspect arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:		Offense 1	Law (e.g. PL)	Offense 2	Law (e.g. PL)		
POLICE COPY (Please make a copy for DA's office if appropriate)			NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE 1-800-942-6906			3221-02/2020 DCJS Copyright © 2020 by NYS DCJS		

Incident	Agency:		A	New York State DOMESTIC INCIDENT REPORT			ORI:	Incident #
	Reported Date (MM/DD/YYYY)	Time (24 hours)	Occurred Date (MM/DD/YYYY)	Time (24 hours)	<input type="checkbox"/> Officer Initiated	<input type="checkbox"/> Radio Run	<input type="checkbox"/> Walk-in	Complaint #
Address (Street No., Street Name, Bldg. No., Apt No.)					City, State, Zip			
Victim (P1)	Name (Last, First, M.I.) (Include Aliases)			DOB (MM/DD/YYYY)	Age:	<input type="checkbox"/> Female <input type="checkbox"/> Male		
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DIR Repository checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection Registry checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection in effect? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refrain <input type="checkbox"/> Stay Away				
Evidence Present? <input type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken: <input type="checkbox"/> Victim Injury <input type="checkbox"/> Suspect Injury <input type="checkbox"/> Other:		Other Evidence: <input type="checkbox"/> Damaged Property <input type="checkbox"/> Videos <input type="checkbox"/> Electronic Evidence <input type="checkbox"/> Other:		Destruction of Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Describe:			
Offense Committed? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was suspect arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:		Offense 1	Law (e.g. PL)	Offense 2	Law (e.g. PL)		
NYS DIVISION OF CRIMINAL JUSTICE SERVICES COPY		NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE 1-800-942-6906			3221-02/2020 DCJS Copyright © 2020 by NYS DCJS			

Incident	Agency:		A	New York State DOMESTIC INCIDENT REPORT			Incident #	
	Reported Date (MM/DD/YYYY)	Time (24 hours)	Occurred Date (MM/DD/YYYY)	Time (24 hours)	<input type="checkbox"/> Officer Initiated	<input type="checkbox"/> Radio Run	<input type="checkbox"/> Walk-in	Complaint #
	Address (Street No., Street Name, Bldg. No., Apt No.)					City, State, Zip		
Suspect (P2)	Name (Last, First, M.I.) (Include Aliases)				DOB (MM/DD/YYYY)	Age:	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Self-Identified:	
	Address (Street No., Street Name, Bldg. No., Apt No.)				Suspect Phone Number:		Language:	
	City, State, Zip				<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> American Indian <input type="checkbox"/> Other		<input type="checkbox"/> Hispanic <input type="checkbox"/> Non Hispanic <input type="checkbox"/> Unknown <input type="checkbox"/> Other Identifier:	
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	What were the first words that VICTIM said to the Responding Officers at the scene regarding the incident? _____							
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	Access to Guns? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:			
	In Pain? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:				Strangulation? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Loss of Consciousness <input type="checkbox"/> Urination/Defecation <input type="checkbox"/> Red eyes/Petechia <input type="checkbox"/> Sore Throat <input type="checkbox"/> Breathing Changed <input type="checkbox"/> Difficulty Swallowing Visible Marks? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:			
Suspect	What did the SUSPECT say (Before and After Arrest) : _____							
	710.30 completed? <input type="checkbox"/> Yes <input type="checkbox"/> No							
Incident Narrative	Briefly describe the circumstances of this incident:							
DIR Repository checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection Registry checked? <input type="checkbox"/> Yes <input type="checkbox"/> No		Order of Protection in effect? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refrain <input type="checkbox"/> Stay Away				
Evidence Present? <input type="checkbox"/> Yes <input type="checkbox"/> No	Photos taken: <input type="checkbox"/> Victim Injury <input type="checkbox"/> Suspect Injury <input type="checkbox"/> Other:		Other Evidence: <input type="checkbox"/> Damaged Property <input type="checkbox"/> Videos <input type="checkbox"/> Electronic Evidence <input type="checkbox"/> Other:			Destruction of Property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, Describe:		
Offense Committed? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was suspect arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:		Offense 1	Law (e.g. PL)	Offense 2	Law (e.g. PL)		
VICTIM / COMPLAINANT COPY			NYS DOMESTIC AND SEXUAL VIOLENCE HOTLINE 1-800-942-6906			3221-02/2020 DCJS Copyright © 2020 by NYS DCJS		

Agency:	B	ORI:	Incident #	Complaint #
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Prior History

Describe Victim's prior domestic incidents with this suspect (Last, Worst, First):

If the Victim answers "yes" to any questions in this box refer to the NYS Domestic and Sexual Violence Hotline at 1-800-942-6906 or Local Domestic Violence Service Provider: () _____.

<p>Has Suspect ever:</p> <p>Threatened to kill you or your children? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Strangled or "choked" you? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Beaten you while you were pregnant? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Is suspect capable of killing you or children? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is suspect violently and constantly jealous of you? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Has the physical violence increased in frequency or severity over the past 6 months? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Is there reasonable cause to suspect a child may be the victim of abuse, neglect, maltreatment or endangerment? Yes No

If Yes, the Officer must contact the **NYS Child Abuse Hotline Registry # 1-800-635-1522**.

Was DIR given to the Victim at the scene? <input type="checkbox"/> Yes <input type="checkbox"/> No if NO , Why:	Was Victim Rights Notice given to the Victim? <input type="checkbox"/> Yes <input type="checkbox"/> No if NO , Why:
--	--

Signatures:

Reporting Officer (Print and Sign include Rank and ID#)	Supervisor (Print and Sign include Rank and ID#)
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STATEMENT OF ALLEGATIONS/SUPPORTING DEPOSITION

* Officers are encouraged to assist the Victim in completing this section of the form.

Suspect Name (Last, First, M.I)

I _____ (Victim/Deponent Name) state that on ____ / ____ / _____, (Date)

at _____ (Location of incident) in the County/City/Town/Village _____

of the State of New York, the following did occur: _____

(Use additional page as needed)

False Statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law.

Victim/Deponent Signature _____	Date _____
Witness or Officer Signature _____	Date _____
Interpreter Signature and Interpreter Service Provider Name _____	Date _____
Interpreter Requested <input type="checkbox"/> Yes <input type="checkbox"/> No Interpreter Used <input type="checkbox"/> Yes <input type="checkbox"/> No	

Note:

Whether or not this form is signed, this DIR Form will be filed with Law Enforcement.

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IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, THE POLICE AND COURTS CAN HELP.

What the Police Can Do:

- *Assist you with finding a safe place, a place away from the violence.
- *Inform you about how the court can help protect you from the violence.
- *Help you and your children get medical care for any injuries you received.
- *Assist you in getting necessary belongings from your home.
- *Provide you with copies of police reports about the violence.
- *File a complaint in criminal court, and tell you where your local criminal and family courts are located.

What the Courts Can Do:

- *If the person who harmed you or threatened you is a relative by blood or marriage, or is someone you've had a child with, or is someone with whom you are or have had an intimate relationship, then you have the right to take your case to family court, criminal court or both.
- *The forms you need are available from the family court and the criminal court.
- *The courts can decide to provide a temporary order of protection for you, your children and any witnesses who may request one.
- *The family court may appoint a lawyer to help you if the court finds that you cannot afford one.
- *The family court may order temporary child support and temporary custody of your children.

New York Law States: Are you the victim of domestic violence? If you need help now, you can call 911 for the police to come to you. You can also call a domestic violence hotline. You can have a confidential talk with an advocate at the hotline about help you can get in your community including: where you can get treatment for injuries, where you can get shelter, where you can get support, and what you can do to be safe. The New York State 24-hour Domestic & Sexual Violence Hotline number is 1-800-942-6906. They can give you information in many languages. If you are deaf or hard of hearing, call 711. This is what the police can do: They can help you and your children find a safe place such as a family or friend's house or a shelter in your community. You can ask the officer to take you or help you and your children get to a safe place in your community. They can help connect you to a local domestic violence program. They can help you get to a hospital or clinic for medical care. They can help you get your personal belongings. They must complete a report discussing the incident. They will give you a copy of this police report before they leave the scene. It is free. They may, and sometimes must, arrest the person who harmed you if you are the victim of a crime. The person arrested could be released at any time, so it is important to plan for your safety. If you have been abused or threatened, this is what you can ask the police or district attorney to do: File a criminal complaint against the person who harmed you. Ask the criminal court to issue an order of protection for you and your child if the district attorney files a criminal case with the court. Give you information about filing a family offense petition in your local family court. You also have the right to ask the family court for an order of protection for you and your children. This is what you can ask the family court to do: To have your family offense petition filed the same day you go to court. To have your request heard in court the same day you file or the next day court is open. Only a judge can issue an order of protection. The judge does that as part of a criminal or family court case against the person who harmed you. An order of protection in family court or in criminal court can say: That the other person have no contact or communication with you by mail, phone, computer or through other people. That the other person stay away from you and your children, your home, job or school. That the other person not assault, harass, threaten, strangle, or commit another family offense against you or your children. That the other person turn in their firearms and firearms licenses, and not get any more firearms. That you have temporary custody of your children. That the other person pay temporary child support. That the other person not harm your pets or service animals. If the family court is closed because it is night, a weekend, or a holiday, you can go to a criminal court to ask for an order of protection. If you do not speak English or cannot speak it well, you can ask the police, the district attorney, or the criminal or family court to get you an interpreter who speaks your language. The interpreter can help you explain what happened. You can get the forms you need to ask for an order of protection at your local family court. You can also get them online: www.NYCcourts.gov/forms. You do not need a lawyer to ask for an order of protection. You have a right to get a lawyer in the family court. If the family court finds that you cannot afford to pay for a lawyer, it must get you one for free. If you file a complaint or family court petition, you will be asked to swear to its truthfulness because it is a crime to file a legal document that you know is false. (*NYS Criminal Procedure Law, Section 530.11 (6)*)

**NEW YORK STATE
24 HOUR DOMESTIC AND SEXUAL
VIOLENCE HOTLINE
1-800-942-6906**

**English and Español, Multi-language Accessibility
National Relay Service for Deaf or Hard of Hearing:711**

**NEW YORK CITY (all languages)
1-800-621-Hope (4673) or 311**

COURT INFORMATION

New York City—Criminal Court Information
1-646-386-4500

To obtain court information for other areas of NYS, ask the responding officer for court numbers, consult your phone directory, or call the Domestic and Sexual Violence Hotline (1-800-942-6906)

VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE)

Victims may receive information relating to the status and release dates of persons incarcerated in state prison or local jails in New York State. For more information on this program and how you can register, call

1-888-VINE-4NY (1-888-846-3469) or www.vinelink.com

STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION (SAVIN-NY)

Victim notification program which allows domestic violence victims to register to be notified when an Order of Protection has been served

www.nyalert.gov

SI USTED ES VÍCTIMA DE VIOLENCIA DOMÉSTICA, LA POLICÍA Y LOS TRIBUNALES PUEDEN AYUDARLA.

Lo que puede hacer la policía:

- *Ayudarla a encontrar un lugar seguro, lejos de la violencia.
- *Informarle sobre cómo el tribunal puede ayudarla a protegerse de la violencia.
- *Ayudarlos a usted y a sus hijos a recibir atención médica por cualquier lesión que hayan sufrido.
- *Ayudarla a sacar de su casa las pertenencias que necesita.
- *Darle copias de informes policiales sobre la violencia.
- *Presentar una denuncia ante el tribunal penal e indicarle dónde están ubicados los tribunales penales y de familia locales.

Lo que pueden hacer los tribunales:

- *Si la persona que le hizo daño o la amenazó es un familiar por consanguinidad o por afinidad, o alguien con quien tuvo un hijo o con quien tiene o tuvo una relación íntima, entonces tiene derecho a llevar su caso al tribunal de familia, al tribunal penal o a ambos.
- *Los formularios que necesite están disponibles en el tribunal de familia y en el tribunal penal.
- *Los tribunales podrán decidir si les dan una orden de protección temporal a usted, a sus hijos y a cualquier testigo que pueda solicitarla.
- *El tribunal de familia puede designar a un abogado para que la ayude si el tribunal determina que no puede pagar uno.
- *El tribunal de familia puede ordenar el pago de manutención infantil temporal y la custodia provisional de sus hijos.

La ley del estado de Nueva York establece: ¿Es usted víctima de violencia doméstica? Si necesita ayuda ahora, puede llamar al 911 para que vaya la policía. También puede llamar a una línea directa de violencia doméstica. Puede tener una conversación confidencial con un defensor en la línea directa sobre la ayuda que puede obtener en su comunidad, por ejemplo, dónde puede recibir tratamiento para sus lesiones, dónde puede conseguir refugio, dónde puede obtener apoyo y lo que puede hacer para estar a salvo. El número de la Línea directa de violencia doméstica y sexual del estado de Nueva York disponible las 24 horas es 1-800-942-6906. Pueden darle información en muchos idiomas. Si es una persona sorda o tiene problemas de audición, llame al 711. Esto es lo que puede hacer la policía: Puede ayudarlos a usted y a sus hijos a encontrar un lugar seguro, como la casa de un familiar o amigo o un refugio en su comunidad. Puede pedirle ayuda a un oficial de policía para que los lleve a usted y a sus hijos a un lugar seguro en su comunidad. Puede ayudarla a conectarse con un programa local de violencia doméstica. Puede ayudarla a ir a un hospital o clínica para recibir atención médica. Puede ayudarla a obtener sus pertenencias. Debe completar un informe sobre el incidente. Le entregará una copia de este informe policial antes de abandonar la escena. Esto es gratis. Puede, y a veces debe, arrestar a la persona que le hizo daño si usted es víctima de un delito. La persona arrestada podría quedar en libertad en cualquier momento, por lo que es importante planificar su seguridad. Si sufrió abuso o recibió amenazas, esto es lo que puede pedirle a la policía o al fiscal de distrito que haga: Presentar una denuncia penal contra la persona que le hizo daño. Pedirle al tribunal penal que emita una orden de protección para usted y sus hijos si el fiscal de distrito presenta una causa penal ante el tribunal. Dar información sobre cómo presentar una demanda de delito familiar en el tribunal de familia local. Usted también tiene derecho a pedirle al tribunal de familia una orden de protección para usted y sus hijos. Esto es lo que puede pedirle al tribunal de familia que haga: Presentar su demanda de delito familiar el mismo día que usted va al tribunal. Atender su petición en el tribunal el mismo día que la presenta o el próximo día que el tribunal esté abierto. Solo un juez puede emitir una orden de protección. El juez lo hace como parte de una causa de un tribunal penal o de familia contra la persona que le hizo daño a usted. Una orden de protección en el tribunal de familia o en el tribunal penal puede indicar que: la otra persona no tenga contacto ni comunicación con usted por correo, por teléfono, por computadora ni por medio de otras personas; la otra persona se mantenga alejada de usted y sus hijos, su casa, su trabajo o la escuela de sus hijos; la otra persona no los agrede, hostigue, amenace ni estrangule a usted ni a sus hijos, ni cometa otro delito familiar contra ustedes; la otra persona entregue sus armas de fuego y sus respectivas licencias, y que no obtenga más armas de fuego; usted tenga la custodia temporal de sus hijos; la otra persona pague manutención infantil temporal; la otra persona no dañe a sus mascotas ni animales de servicio. Si el tribunal de familia está cerrado porque es de noche, un fin de semana o un día festivo, puede acudir a un tribunal penal para pedir una orden de protección. Si no habla inglés o no puede hablarlo bien, puede pedirle a la policía, al fiscal de distrito o al tribunal penal o de familia que le consiga un intérprete que hable su idioma. El intérprete puede ayudarla a explicar lo que pasó. Puede obtener los formularios que necesite para pedir una orden de protección en el tribunal de familia local. También puede conseguirlos en línea en www.NYCourts.gov/forms. No necesita un abogado para pedir una orden de protección. Tiene derecho a obtener un abogado en el tribunal de familia. Si el tribunal de familia comprueba que usted no puede pagar un abogado, debe conseguirle uno gratis. Si presenta una denuncia o una demanda ante el tribunal de familia, se le pedirá que certifique su veracidad, ya que es un delito presentar un documento legal que usted sabe que es falso. (*Ley de Procedimiento Penal del Estado de Nueva York [NYS Criminal Procedure Law], artículo 530.11 (6)*)

LÍNEA DIRECTA DE VIOLENCIA DOMÉSTICA Y SEXUAL DEL ESTADO DE NUEVA YORK DISPONIBLE LAS 24 HORAS

1-800-942-6906

Inglés y español, accesibilidad multilingüe
Servicio nacional de retransmisión para personas sordas o con problemas de audición: 711

CIUDAD DE NUEVA YORK (todos los idiomas)
1-800-621-Hope (4673) o 311

INFORMACIÓN DEL TRIBUNAL

Ciudad de Nueva York: información del tribunal penal
1-646-386-4500

Para obtener información del tribunal para otras áreas del estado de Nueva York, pregúntele al oficial de policía que responde los números del tribunal, consulte su directorio telefónico o llame a la Línea directa de violencia doméstica y sexual (1-800-942-6906).

INFORMACIÓN Y NOTIFICACIÓN DIARIA PARA LA VÍCTIMA (VICTIM INFORMATION AND NOTIFICATION EVERYDAY, VINE)

Las víctimas pueden recibir información relacionada con el estado y las fechas de liberación de las personas encarceladas en prisiones estatales o cárceles locales en el estado de Nueva York.

Para obtener más información sobre este programa y para saber cómo inscribirse, llame al

1-888-VINE-4NY (1-888-846-3469) o visite www.vinelink.com

INFORMACIÓN Y NOTIFICACIÓN ESTATAL Y AUTOMATIZADA PARA LA VÍCTIMA (STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION, SAVIN-NY)

Programa de notificación a la víctima que les permite a las víctimas de violencia doméstica registrarse para ser notificadas cuando se entrega una orden de protección.

www.nyalert.gov

如果您是家庭暴力的受害者，可以向警察和法庭求助。

警察可提供的帮助:

- *帮助您找到安全场所，远离暴力。
- *告知您法庭如何保护您远离暴力。
- *帮助您和您的子女获得医疗服务，治疗因暴力造成的伤害。
- *帮助您从家中取得必要的财物。
- *为您提供暴力事件的相关警方报告副本。
- *向刑事法庭呈交诉状，告知您当地刑事法庭和家事法庭的位置。

法庭可提供的帮助:

- *如果伤害或威胁您的人是您的血亲、姻亲、是您子女的生父（母）或是现在或过去与您有亲密关系的人，则您有权向家事法庭、刑事法庭或同时向两个法庭提出诉讼。
- *家事法庭和刑事法庭可向您提供所需的表格。
- *法院可以裁决提供对您、您的孩子及您可以请求的任何证人进行保护的临时保护令。
- *如果家事法庭了解您雇不起律师，可为您指派一名律师。
- *家事法庭可下令对您的子女提供临时抚养和监护。

纽约法律声明: 您是家庭暴力的受害者吗? 如果您现在就需要帮助, 您可以致电 911 让警方来找您。您也可以致电家庭暴力热线电话。您可以在热线电话上与律师进行秘密交谈, 了解您可以从所在社区获取的帮助, 包括: 您可以在哪里接受治疗、您可以在哪里避难、您可以在哪里获得支持, 以及您可以做什么以保证安全。纽约州 24 小时家庭和性暴力热线电话是 1800-942-6906。他们可以用多种语言为您提供信息。如果您有听力障碍或听力不好, 请致电 711。警察可提供的帮助: 他们可以帮助您和您的子女找到一个安全场所, 例如家人或朋友的家或者您所在社区的收容所。您可以请求警察带您或帮助您和您的子女前往您所在社区的安全场所。他们可以帮助您联系当地的家庭暴力计划。他们可以帮助您前往医院或诊所寻求医疗护理。他们可以帮助您拿您的个人物品。他们必须填写一份讨论此事件的报告。他们在离开现场前会给您一份此警方报告的副本。此为免费服务。如果您是罪行件的受害者, 他们可能会 (有时候必须) 逮捕伤害您的人。被逮捕的人可能随时会被释放, 所以为您的安全作计划至关重要。如果您被施暴或威胁, 以下是您可以请求警察或地方检察官为您提供的帮助: 对伤害您的人呈交刑事起诉书。如果地方检察官向法院提起刑事诉讼, 您可以请求刑事法庭为您和您的子女发布一张保护令。为您提供关于在您当地的家事法庭呈交家庭犯罪请愿书的信息。您也有权为您和您的子女向家事法庭请求一份保护令。您可以请求家事法庭提供以下帮助: 在您前往法庭的同一天呈交您的家庭犯罪请愿书。在您呈交的同一天或下一个开庭日让法庭受理您的请求。仅法官可以发布保护令。法官发布保护令是作为刑事或家事法庭案件的一部分制裁伤害您的人。以下是家事法庭或刑事法庭的保护令可能使用的表述: 此人不得通过信函、电话、电脑或通过他人来联系或与您沟通。此人必须远离您和您的子女、家、工作场所或学校。此人不得对您和您的子女进行攻击、骚扰、威胁、妨碍或实施其他家庭犯罪。此人必须交回他的枪支和枪支许可证, 并且从此不再有权获取枪支。您拥有您女子的临时监护权。此人必须向您支付临时子女抚养费。此人不得伤害您的宠物或服务类动物。如果家事法庭因为是夜间、周末或假日而未开庭, 您可以前往刑事法庭请求一张保护令。如果您不会英语或英语不太好, 您可以向警方、地方检察官、刑事或家事法庭请求安排一位会讲您的语言的口译员。此口译员会帮助您解释所发生的一切。您可以向您的地方家事法庭索取申请保护令所需的表格。您也可以登录网站获取这些表格, 网址是 www.NYCourts.gov/forms。您无需律师即可获取保护令。您有权在家事法庭上请一位律师。如果家事法庭发现您无力支付律师费, 则法庭必须免费为您提供一位律师。如果您呈交申诉或家事法庭请愿书, 您将需要宣誓保证其真实性, 因为呈交一份明知虚假的法律文件属犯罪行为。(《纽约州刑事诉讼法》(NYS Criminal Procedure Law) 第 530.11 (6) 节)

**纽约州 24 小时家庭和性暴力热线
1-800-942-6906**

可提供英语和西班牙语等多种语言服务
耳聋或弱听人士的全国中转服务: 711

纽约市 (所有语言)
1-800-621-Hope (4673) 或 311

法庭信息

纽约市一刑事法庭信息
1-646-386-4500

如欲获取纽约州其他地区的法庭信息, 请询问相关警察了解法庭电话、查阅您的电话名录或者拨打家庭和性暴力热线电话 (1-800-942-6906)

受害者信息和每日通知 (VICTIM INFORMATION AND NOTIFICATION EVERYDAY, VINE)

受害者可收到纽约州监狱或当地拘留所在押人员状态和释放日期的相关信息。
如欲了解更多有关该计划及您如何注册的信息, 请拨打

1-888-VINE-4NY (1-888-846-3469) 或浏览网页: www.vinelink.com

本州自动化受害者信息和通知 (STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION, SAVIN-NY)

受害者通知计划能让家庭暴力的受害者通过注册而在保护令下达时收到通知。

www.nyalert.gov

ЕСЛИ ВЫ СТАЛИ ЖЕРТВОЙ ДОМАШНЕГО НАСИЛИЯ, ВАМ МОГУТ ОКАЗАТЬ ПОМОЩЬ ПОЛИЦИЯ И СУДЫ.

Что может сделать полиция

- *Помочь найти безопасное место, где вам не будет угрожать насилие.
- *Предоставить вам информацию о том, какую помощь может оказать суд, чтобы защитить вас от насилия.
- *Оказать содействие вам и вашим детям в получении медицинской помощи при любых травмах.
- *Помочь вам забрать необходимые вещи из дома.
- *Предоставить вам копии полицейских протоколов о факте насилия.
- *Подать заявление о возбуждении дела в суд по уголовным делам и сообщить вам, где находятся ближайшие суды по уголовным и семейным делам.

Что могут сделать суды

- *Если лицо, которое жестоко с вами обращалось или угрожало вам, является вашим кровным родственником либо родственником по браку, родителем вашего ребенка или состоило с вами в интимных отношениях, вы имеете право обратиться в суд по семейным делам, в суд по уголовным делам либо в оба эти суда.
- *Необходимые вам формы заявлений можно получить в суде по семейным делам и в суде по уголовным делам.
- *Суды могут распорядиться о предоставлении временной защиты вам, вашим детям и всем свидетелям, которые подали прошение о такой защите.
- *Суд по семейным делам может назначить адвоката, который будет вам помогать, если суд установит, что вы не имеете возможности нанять адвоката за собственный счет.
- *Суд по семейным делам может издать постановление о временной выплате алиментов на содержание детей и временной опеке в отношении ваших детей.

Закон штата Нью-Йорк предусматривает следующее. Если вы стали жертвой бытового насилия и вам незамедлительно требуется помощь, вы можете позвонить по номеру 911, чтобы вызвать полицию. Вы также можете позвонить на горячую линию для помощи жертвам бытового насилия. С помощью горячей линии можно конфиденциально обсудить с адвокатом варианты получения помощи в вашем районе, а именно лечения травм, получения приюта и поддержки, а также узнать о мерах обеспечения безопасности. Номер горячей линии штата Нью-Йорк для помощи жертвам бытового и сексуального насилия — 1-800-942-6906. Линия работает круглосуточно. Информация на горячей линии предоставляется на разных языках. Глухим и слабослышащим следует звонить по номеру 711. Полиция может предпринять описанные далее действия. Сотрудники полиции могут помочь вам и вашим детям найти безопасное место, например дом ваших друзей или родственников либо приют в вашем районе. Вы можете попросить полицейского сопроводить вас до безопасного места в своей районе. Сотрудники полиции могут направить вас в местную программу помощи жертвам бытового насилия. Сотрудники полиции могут сопроводить вас в больницу или клинику для получения медицинского ухода. Сотрудники полиции могут помочь вам забрать свои личные вещи. Сотрудники полиции обязаны составить протокол происшествия. Прежде чем покинуть место происшествия, они предоставят вам копию этого протокола. Плата за это не взимается. Сотрудники полиции имеют право, а иногда и обязаны арестовать лицо, причинившее вам вред, если вы стали жертвой преступления. Арестованное лицо может быть освобождено в любой момент, поэтому очень важно продумать план действий по обеспечению своей безопасности. Если вы подверглись жестокому обращению или угрозам, вы можете попросить полицию или районного прокурора: оформить заявление о возбуждении уголовного дела в отношении лица, причинившего вам вред; попросить суд по уголовным делам выдать вам и вашим детям защитное предписание, если районный прокурор возбудил уголовное дело через суд; предоставить вам информацию, касающуюся подачи заявления о случае бытового насилия в местный суд по семейным делам. Вы также имеете право попросить суд по семейным делам выдать вам и вашим детям защитное предписание. Вы можете попросить суд по семейным делам: оформить заявление о случае бытового насилия в день обращения в суд; провести слушание по вашему запросу в день оформления заявления или на следующий рабочий день. Выдать защитное предписание может только судья. Судьи выдают такие предписания в рамках дела в суде по уголовным или семейным делам в отношении причинившего вам вред лица. Посредством выдачи защитного предписания суд по семейным или уголовным делам может: запретить другому лицу приближаться к вам или связываться с вами по почте, телефону, посредством электронных средств связи, а также через других лиц; запретить другому лицу приближаться к вам, вашим детям, вашему дому, месту вашей работы или учебы; запретить другому лицу совершать в отношении вас и ваших детей действия физического и психологического насилия, а также совершать другие правонарушения в отношении семьи; обязать другое лицо сдать свое огнестрельное оружие и соответствующие разрешения, а также сделать невозможным выдачу их этому лицу в будущем; предоставить вам временную опеку над своими детьми; обязать другое лицо выплачивать временные алименты на содержание детей; запретить другому лицу причинять вред вашим домашним и служебным животным. Если суд по семейным делам не работает по причине ночного времени суток, выходного или праздничного дня, вы можете обратиться в суд по уголовным делам, чтобы запросить защитное предписание. Если вы не владеете или слабо владеете английским языком, вы можете попросить полицию, районного прокурора либо суд по семейным или уголовным делам предоставить вам переводчика, который владеет вашим языком. Переводчик может помочь вам объяснить случившееся. Формы, которые вам потребуются для подачи заявления на получение защитного предписания, можно получить в местном суде по семейным делам. Они также доступны в Интернете на веб-странице www.NYCourts.gov/forms. Для подачи заявления на получение защитного предписания вам не нужен адвокат. У вас есть право потребовать услуги адвоката в суде по семейным делам. Если суд по семейным делам установит, что вы не можете позволить себе услуги адвоката, он обязан будет предоставить вам адвоката бесплатно. Если вы подаете заявление о возбуждении уголовного дела или прошение в суд по семейным делам, вас попросят под присягой подтвердить правдивость своих утверждений, поскольку подача юридического документа, который содержит заведомо ложную информацию, является преступлением. (Статья 530.11, пункт 6 Уголовно-процессуального кодекса штата Нью-Йорк (NYS Criminal Procedure Law))

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