

**TITLE 6: CRIMES AND CRIMINAL PROCEDURE**  
**DIVISION 1: CRIMES AGAINST THE PERSON**

**§ 1466. Notification to Victims of Domestic Violence.**

(a) A law enforcement officer investigating a crime involving domestic violence shall orally and in writing inform the victim of the rights of victims of domestic violence and the services available to them. The notice must be in substantially the following form:

If you are the victim of domestic violence and you believe that law enforcement protection is needed for your physical safety, you have the right to request that the officer assist in providing for your safety, including asking for an emergency order for protection.

You may also request that the officer assist you in obtaining your essential personal belongings and locating and taking you to a place of safety. In some places in the Commonwealth there are organizations that provide aid and shelter to victims of domestic violence. The nearest organization is located at \_\_\_\_\_.

If you are in need of medical treatment, you have the right to request that the officer assist you in obtaining medical treatment.

You may request a copy of the police report in your case, at no cost to you, from the Department of Public Safety within three calendar days. You may ask the prosecuting attorney to file a criminal information. The victim advocate within the Office of the Attorney General may also be able to help you by providing information about your rights, how to apply for an order of protection, whether there are shelter or counseling services available to you, and other information. The information is available from the Office of the Attorney General.

You also have the right to file a petition in court requesting an order of protection that may include any of the following provisions:

- (1) An order prohibiting your abuser from threatening to commit or committing further acts of domestic violence;
- (2) An order prohibiting your abuser from harassing, annoying, telephoning, contacting, or otherwise communicating with you, directly or indirectly;
- (3) An order removing your abuser from your residence;
- (4) An order directing your abuser to stay away from your residence, school, place of employment, or any other specified place frequented by you or another household member;
- (5) An order prohibiting your abuser from entering your vehicle or a vehicle you occupy;
- (6) An order prohibiting your abuser from using or possessing a firearm or other weapon specified by the court;
- (7) An order granting you possession and use of the automobile and the essential effects;
- (8) An order denying your abuser visitation with any minor children in your custody;

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(9) An order specifying arrangements for visitation, including requiring supervised visitation;

(10) An order requiring your abuser to pay certain costs and fees, such as rental or mortgage payments or other expenses for shelter, child support payments, medical expenses, courts costs, and attorney's fees; and

(11) Other relief the court determines to be necessary for your safety.

The forms you need to obtain an order for protection are available from the Clerk of the Superior Court and other designated agencies. It is not necessary to have a lawyer to get an order for protection, but you may consult a lawyer if you choose. The resources available in this community for information relating to domestic violence, treatment of injuries, and places of safety and shelters are: Karidat and the Department of Community and Cultural Affairs, Division of Youth Services and the Domestic Violence Intervention Center.

You also have the right to seek reimbursement for losses suffered as a result of the abuse, including medical and moving expenses, loss of earnings or support, and other expenses for injuries sustained, and damage to your property. This can be done with or without a lawyer in small claims court if the total amount is less than \$3,000.00.

(b) If the victim of domestic violence does not understand English, the police officer shall make reasonable efforts to inform the victim of the services and rights specified in (a) of this section in a language the victim understands.

**Source:** PL 14-9, § 3 (1506), modified.

**Commission Comment:** See the comment to 6 CMC § 1461 regarding PL 14-9 and the codification herein.