

OBTAINING A SEXUAL ASSAULT PROTECTION ORDER



A Survivor's Guidebook
Through the Court Process

APRIL 2008

WHO SHOULD READ THIS?

This booklet is designed to assist advocates and attorneys in helping their clients understand Washington's Sexual Assault Protection Order. It is directed to survivors so that advocates and attorneys may use it to help their clients better understand the court process.

Disclaimer

The information provided here should not be considered legal advice. If you need legal assistance, consult with an attorney.

This booklet is also available in SPANISH.

You may download this booklet in PDF format at www.svlawcenter.org

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Legal Terms Used in this Booklet

Respondent - this is the person who has assaulted you. They may also be referred to as the offender, perpetrator or assailant.

Petitioner - this is the person who needs protection from the offender. This person is the victim or survivor of the sexual violence.

Clerk - this is the person who works for the court and communicates court management issues to the judge.

Judge or Commissioner - this is the person who will hear your case when you go to court.

Court - this is your local court house where you will file your court papers requesting an order. It is also the place you will go to have a hearing on your request.

Hearing - this is the time set for you to go before the judge and request the order. Often times the respondent is present.

RESOURCES

SEXUAL VIOLENCE LAW CENTER

Provides legal information and referrals to sexual assault survivors, and advocates and attorneys working with sexual assault survivors.

1-206-624-0621 www.svlawcenter.org

COORDINATED LEGAL EDUCATION, ADVICE & REFERRAL

Provides legal advice and referral for low-income callers.

CLEAR 1-888-201-1014, 9:30-12:30, M-F

CLEAR Sr. (60 and over) 1-888-387-7111

TTY 1-888-201-9737

www.washingtonlawhelp.org

NORTHWEST WOMEN'S LAW CENTER

Provides legal information and referral regardless of income.

206-621-7691 www.nwwlc.org

NORTHWEST IMMIGRANT RIGHTS PROJECT

Provides assistance with immigration matters.

1-800-445-5771

www.nwirp.org

DISABILITY RIGHTS WASHINGTON

For information and assistance for people with disabilities.

1-800-562-2702 TTY 1-800-905-0209

www.disabilityrightswa.org

ADDRESS CONFIDENTIALITY PROGRAM

For an application to get a confidential address in Washington State.

1-800-822-1065

www.secstate.wa.gov/acp/

WA Coalition of Sexual Assault Programs

Statewide membership agency that unites and supports sexual assault programs in Washington.

1-360-754-7583 www.wcsap.org

WA COURTS - FORMS & INSTRUCTIONS

Accessible court forms and instructions on how to complete them - available in many different languages such as Cambodian, Korean, Russian, Spanish, Tagalog, and Vietnamese.

www.courts.wa.gov/forms

DOMESTIC VIOLENCE HOTLINE

Provides help and support to victims of domestic violence. **1-800-562-6025**

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I. GENERAL INFORMATION

What is a Sexual Assault Protection Order (SAPO)?

A sexual assault protection order is a court order that orders the perpetrator to have not contact with you; to stay away from you and the places you regularly go such as your workplace, school, church or home.

It is a legal tool to help make you safe from the perpetrator. You do not need to report the sexual assault to law enforcement.

If you have reported the sexual assault to law enforcement, you may be able to get a SAPO from the prosecutor's office or judge if there is a criminal case on-going.

If you are a victim of sexual assault in a criminal case, the prosecutor or judge may order a SAPO

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in connection with the criminal case against the perpetrator.

If the perpetrator is convicted of the sexual assault, the prosecutor may request that as a condition of the perpetrator's release (when the offender gets out of prison) that he or she will be subject to a SAPO.

If you are not a victim in a criminal case, you can ask the civil court for a SAPO. This means that you are responsible for making the request to the court. Your ability to file a petition in civil court for a SAPO is not related to whether there is a criminal case against the perpetrator.

How do I get a SAPO?

To get a SAPO, you must be a victim of sexual assault and not in a dating or family relationship with the perpetrator. For example, if the perpetrator is either related to you; is or

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was married to you; has been or is dating you; you cannot get a SAPO. But, you may qualify for another type of protective order.

If you have experienced sexual contact or sexual intercourse that you did not agree to or give permission by saying "yes", then you may be a victim of sexual assault under the law.

The law says the court should not deny your SAPO request if you and/or the perpetrator were voluntarily drinking alcohol and/or if you did agree to some sexual touching.

You must be able to identify the person who sexually assaulted you. This means you need to know their name and where to find them.

There is no time limit for filing a SAPO - it does not matter how long ago the sexual assault occurred.

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How old do I have to be to get a SAPO?

If you are 16 and older, you can file for a SAPO. You don't need a parent or guardian.

If you are 15 or younger, you need a parent or guardian to file a SAPO for you.

A guardian is any adult you trust to file a SAPO for you, as long as that person agrees to act as your guardian for the purpose of getting the protection order. The petition should be in your words about what happened to you because you are the victim, not the guardian.

What other Protective Orders may be available?

If you do not qualify for a SAPO, you may qualify for a domestic violence protection order; an anti-harassment order or a vulnerable adult protection order.

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Domestic Violence Protection Order

A domestic violence protection order is a civil order issued by the court that tells the person who has harmed you to stay away from you, your children, and the places you live or work. Generally if the person does not obey the order, they can be arrested. To get an order you must file papers with the court and have a hearing where the person who has hurt you will have an opportunity to respond. If you are 16 or older you can seek a protection order without involving your parent or guardian.

To get a domestic violence protection order, you must have a domestic relationship with the person who assaulted you. That means you must be a family or household member which includes a person to whom you are:

- married or formerly married, or
- live with or formerly lived with, or
- have children with, or

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- are related by blood or marriage or
- are dating or formerly dated.

If you do not meet these relationship requirements you cannot get a domestic violence protection order.

Anti-Harassment Protection Order

An anti-harassment order is a civil protection order issued by the court that tells the harassing person to stop contacting you and to stay away from you. This type of protective order is often sought by victims of stalking, repeated bullying or harassing types of behavior, or voyeurism.

To get an anti-harassment order you must be able to show that the person who has assaulted you has engaged in unlawful harassment. "Unlawful harassment" means a knowing and willful course of conduct directed at you which seriously alarms, annoys, harasses, or is

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detrimental to you, and which also serves no legitimate or lawful purpose. "Course of conduct" means a series of acts over a period of time, however short, all with a similar purpose.

Sometimes it is difficult to show that there is a pattern if there was only one incident of sexual assault. However, you may still be eligible for such an order.

Vulnerable Adult Protection Order

A **vulnerable adult protection order** is a civil protection order that is brought on behalf of a vulnerable adult.

The law says a **vulnerable adult** is generally someone over the age of sixty who cannot take care of themselves; or is found incapacitated or who has a developmental disability or is admitted to any facility; or is receiving services from home health, hospice, or home care

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agencies or is receiving services from an individual provider.

If you are a vulnerable adult and have been sexually assaulted, you may get this type of order. Also, the Department of Social and Health Services may seek an order for you with your consent.

What can't a SAPO do?

A SAPO cannot protect other family or household members - it applies only to the victim of sexual assault who asks for protection through the order.

A SAPO cannot be ordered if you qualify for a domestic violence protection order (DVPO). If you were sexually abused by someone with whom you have a family or "domestic" relationship (e.g., related, married or formerly

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married, dated, child in common, etc.), you should petition for a DVPO rather than a SAPO.

A SAPO **cannot** set up visitation or custody of children, order the offender to get treatment or counseling, give property or things to anyone, or order the offender to pay money (including child support or maintenance).

A SAPO **cannot** order the offender to surrender any guns or weapons.

A SAPO **cannot** require the offender to register as a sex offender.

How much does it cost?

It is **free**. There is no filing fee for a SAPO. There is no fee for service if you choose to have law enforcement serve the court papers.

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Do I need a lawyer?

No, you do not need a lawyer to get a SAPO. However, you may wish to have a lawyer, especially if the perpetrator has a lawyer. Under the law, the judge can appoint a lawyer for you if the perpetrator has a lawyer at the hearing for the full order. If you can, contact a lawyer to make sure that your legal rights are protected.

There are more than 40 rape crisis centers in Washington - at least one in every county. If you need assistance or support in obtaining a SAPO, contact your local rape crisis center. To find a program in your area, please see the resources section at the back of this booklet.

If you cannot afford a lawyer but want one to help you with your case, the CLEAR line (Coordinated Legal, Education Advice & Referral) operated by the Northwest Justice Project is a

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statewide free legal phone line that connects you with an attorney who can provide you with advice and also refer you to your local legal service provider if you are outside of King County. CLEAR - 1-888-201-1014, 9:30 - 12:30, M-F, CLEAR Sr. (60 and over) - 1-888-387-7111.

Do I have to go to court?

Yes. The process for obtaining a SAPO is explained below.

II. THE PROCESS, STEP BY STEP

Overview

First you have to go to the court and complete the right paperwork. You give the paperwork to the court clerk and likely wait to have what is called an 'ex parte' hearing with the judge. This is when you go into the court room and the judge reviews what you have written in your paperwork. The perpetrator is not there. The

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judge may ask you a few questions. If the judge believes you are in immediate danger s/he will issue what is called a temporary order and give you a hearing date to come back to court to have another hearing with the perpetrator present.

If the judge denies your request for a temporary order, you will not have an immediate protection order in place but you will still be given a court date to come back for a hearing for a Full SAPO.

Temporary orders last 14 days or until your court hearing for a Full Sexual Assault Protection Order. Although a Temporary SAPO is effective as soon as it is issued by a judge, the perpetrator must be given the court papers before law enforcement will enforce the order. This is because it would be unfair to expect the perpetrator to abide by an order that s/he doesn't even know about.

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During these 14 days, the perpetrator is *served*. This means s/he is given notice of the hearing, a copy of your petition, explaining how you were sexually assaulted and why you want the court to issue this order. It also tells the perpetrator about the court date so that s/he can either choose to be there or not. You must attend the hearing. This is true even if the perpetrator was not served with the court papers. If you do not attend, the court will dismiss your case and you will not get a sexual assault protection order.

A two year full SAPO can be issued only after a court hearing in which you and the perpetrator both have a chance to tell your side of the story. However, if the perpetrator does not show up at the hearing, and you can provide *proof of service* to the court, the judge can issue a Full SAPO.

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A Full SAPO is effective for up to two years. If you want the order to be effective for longer, you must petition the court for renewal within three months of the order's expiration date.

The Process

Step 1: Get the necessary forms. To start your case, you will need to fill out the necessary forms for a Sexual Assault Protection Order.

You can get the forms from the civil clerk at the courthouse, but you may want to find them before you go and fill them out at home or with an advocate from a community sexual assault program. You will find links to forms online at www.courts.wa.gov/forms.

Most community sexual assault programs can help you complete this paperwork and go with you to court as a support person. (See the Resources section at the back of this booklet or

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go to www.wcsap.org to find a rape crisis center in your area.) You may also wish to contact an attorney to assist you in filling out the forms.

Step 2: Carefully fill out the forms. On the petition, the person seeking protection is called the "petitioner," and the perpetrator is called the "respondent." If you bring the petition on behalf of a minor or vulnerable adult, put that person's name as the "petitioner."

For detailed instructions on how to fill out the forms, go to www.courts.wa.gov/forms.

In the "Statement of Petition" section, describe any sexual conduct or penetration that you did not freely agree to and the approximate date and time. Write down any of the offender's statements or actions that caused you fear, whether they were made at the time of the incident or at another time. The more specific details you can provide, such as quotes of

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exactly what the offender said or specific things he did, the more helpful it is to the judge.

Court clerks can show you which blanks to fill in, but they cannot help you decide what to write. If you need immediate protection, check the box at the bottom of the petition to ask for a **Temporary Order for Protection** which, if a judge grants it, will take effect immediately. A judge can grant you a Temporary Order for Protection if s/he feels that you are in danger right now. The perpetrator will generally not know you are asking the judge for Temporary Order for Protection until s/he is served with the legal papers.

You will need to provide a safe mailing address. If you do not have a safe address, do not fill it out because the perpetrator will receive the court papers with your address. You may wish to provide the address of a family member or friend

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who can receive paperwork and court documents for you. Or ask the clerk first how you can keep your address confidential or go to www.secstate.wa.gov/acp/ on the web.

Step 3: Bring your I.D. (identification) and identifying information about the perpetrator. When you go to the courthouse, bring some form of identification. It is also helpful to bring identifying information about the perpetrator, if you have it:

- a photo
- social security number
- addresses of residence and employment
- phone numbers
- address or workplace address for offender
- a description and license plate number of the offender's car if you know it
- any history of drugs, violence or gun ownership of the offender
- any identifying characteristics such as tattoos

Tip: Remember, if you cannot identify the person who sexually assaulted you, you cannot obtain a SAPO.

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Step 4: Go to the courthouse to file the forms.

You will need to file the forms at the courthouse in the county or city where you (the petitioner) live.

To file the forms, during business hours, go to the civil clerk of court. Tell the clerk that you want to file for a Sexual Assault Protection Order. If you need the emergency protection of a temporary (ex parte) order, also tell the clerk you need a temporary (ex parte) **Order for Protection**. To find contact information for the courthouse in your area, go to www.womenslaw.org/WA/WA_courthouse.htm

The clerk will take your completed forms to a judge or commissioner or direct you how to give the forms to the judge or commissioner.

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You have a right to bring a sexual assault advocate or other support person of your choice with you.

Step 5: Ex parte hearing. If you are in immediate danger and request a temporary order, you will go to an ex parte hearing (this means between you and the judge - no one else) before a judge or commissioner. The offender does not have to be present or notified that you are asking the judge for a temporary SAPO.

At the hearing, the judge or commissioner will decide either yes or no for the temporary order.

After the ex parte hearing, return to the clerk's office.

If you were granted a temporary order, the clerk will file the signed temporary order and make certified copies. Be sure to discuss how many copies you need, since additional copies will be

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needed for schools, daycare, and your place of work. There is no charge for certified copies of the order.

Tip: If you received a temporary SAPO keep a copy of it with you at all times. If you did not request a temporary SAPO or your request for the temporary order was denied, you are not protected by a temporary order and must wait until the hearing for a full SAPO.

If your temporary order was denied, the court clerk will give you a court date for a full court hearing within 14 days. This hearing will be in front of a judge at the day and time shown on the "Notice of Hearing."

The "Notice of the Hearing" is the document that tells the respondent where and when to appear for the full court hearing. At the full hearing, your offender and you will both have a chance to explain your sides to the judge.

Step 6: Service of process. The respondent must be personally "served" or given notice of a

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hearing five court days prior to the hearing. If the respondent does not get served in time, the hearing will be re-scheduled. In that situation, you may ask the court to *re-issue* the temporary order (which means extend the temporary order until the next court date) and attempt to have the respondent served again.

The respondent must receive personal notice of the court forms. Ask the clerk to send local law enforcement office a copy of the **Petition for the Order for Protection** and a copy of the **temporary order** (if you were granted one) to serve upon the respondent. A Return of Service form and a **Law Enforcement Information Sheet** will also be included for law enforcement's use.

If the respondent is not served in time and shows up at the hearing, the court may proceed because both parties are present. If the respondent was served but does not show up at

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the hearing, the hearing will proceed without the respondent. This is called a default hearing.

Law enforcement will serve the court papers for free.

If you decide not to have law enforcement serve the papers, ask the clerk for a **third party service packet**. Any adult 18 or over, other than you, who is not a party to the action can serve the papers.

Never try to serve the offender with the court papers yourself.

Tip: Personal service is required for a SAPO – you cannot serve the respondent by publication or mail.

Step 7: Sorting out the paperwork. The clerk will send a copy of the temporary order and the Law Enforcement Information sheet to the police station where you live so it can be entered into the statewide law enforcement computer

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system. This is to make sure that your order will be enforced by the police or sheriff. The Law Enforcement Information Sheet will **not** be shown to the respondent.

The Sexual Assault Protection Order or a re-issued temporary order must be filed with the clerk. The clerk will make certified copies for you. Take them with you. When you leave the court, you should have the following papers:

- copy of the Petition for a Sexual Assault Protection Order
- the original completed Law Enforcement Information Sheet,
- at least one certified copy of the Temporary Order, *(Be sure to carry one copy with you at all times. You may want extra copies to keep in a safe place so there will be a copy available to show police in case of a violation.)*
- completed Sexual Assault Protection Order form

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Step 8: Full court hearing. On the day of the hearing, you must go to court to ask the judge to make your temporary order (good only for up to 14 days) a Full Order for Protection, which will last for up to two years.

You must go to the hearing. If you do not go to the hearing, your temporary order will expire and you will have to start the process over. Bring all of your paper work with you. You will present the Sexual Assault Protection Order form for the judge's review and signature. You may bring a sexual assault advocate or other support person of your choice to the hearing.

You may wish to hire a lawyer to help with your case, especially if the offender has a lawyer. You can also represent yourself. If the offender shows up with a lawyer, you can ask the judge for a "continuance" (a later court date) so that you have time to find a lawyer. You may also ask

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the judge to appoint a lawyer for you if the respondent has a lawyer.

If you absolutely cannot go to the hearing at the scheduled time, you should call the judge's office to ask that your case be "continued," and you should give them an adequate explanation for your request. However, the judge may deny your request.

If your request is granted, write down the full name of the person you spoke with, the date and time of the conversation, and the date and time of your new hearing if it is provided to you.

What happens at the court hearing?

Because you are the one requesting a Sexual Assault Protection Order, you must:

- Show the judge that the respondent has committed an act or acts of nonconsensual sexual conduct or penetration against you;

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and

- that as a result, in order to feel safe, you need protection and for the offender to stay away from you.

Tip: The standard of proof in SAPO hearings is called a *preponderance of evidence* standard. This means the judge has to believe that what you are telling the court is more likely true than not.

What should I do before I go to court?

Collect evidence to help you prove your case. Evidence can include:

- *What you experienced or what another person observed or heard first hand, about the incident*
- *Medical reports*
- *Police reports*
- *Weapons used*
- *Tapes of calls you may have made to 911*
- *Certified copies of the offender's criminal record*

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Anything else to help show the judge you have suffered sexual assault and need certain relief and protection.

The more evidence you have, the more likely it is you will be granted a protection order. But even if you don't have evidence, the judge will listen to your story and make a determination.

Contact witnesses who saw the assault or your injuries. Anyone can be a witness - a friend, family member, children, emergency room nurse, doctor, stranger, law enforcement officer, etc. Some witnesses may not come to court unless they are given a subpoena which commands them to appear and testify. Ask the court clerk how to subpoena witnesses. If the people you subpoena do not come to the hearing, let the judge know.

Practice telling your story. You may want to make an outline or notes about what happened

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between you and the respondent. You may take notes to court with you to look at if you forget something, but if you read from them, the judge may order that the respondent be allowed to see them. Tell your story in your own words - describe any sexual conduct or penetration that you did not freely agree to and the approximate date and time.

Be very specific. The more detailed your description, the more realistic it is to the judge. Include anything the respondent said or did that caused you fear, at the time of the incident or at any other time. The more specifics you can provide, the better. For example, it is better to say "On Saturday, May 5 at 10:00 p.m, Joe held me down with his body weight in my living room and forced his penis into my vagina" rather than "Joe assaulted me." Don't be afraid to use words that you may be uncomfortable with - you may need use words for body parts such as "penis",

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“vagina” or “anus” and you may need to talk about particular sexual acts to adequately describe the assault.

What should I do on the day of the hearing?

Be on time.

Dress neatly. No shorts or ripped clothing. No sleeveless dresses or blouses. Wear clean clothes.

Be prepared to spend all day in court. There may be hearings before yours.

Have your evidence ready.

Have your witnesses at court and ready. Tell the judge or court clerk BEFORE the court starts hearing cases, that you are present and that your witnesses are in the courtroom.

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If you have subpoenaed witnesses and they are not present you should inform the judge or court clerk when your case is called.

Speak directly to the judge; he or she will understand if you feel nervous.

Always address the judge as "Your Honor."

If the respondent comes to court with a lawyer and you do not have one, ask the judge to appoint one for you or for a "continuance" so you can look for a lawyer.

Once your case is called, go to the front of the courtroom and find a seat. You have the right to bring a support person with you to court. If the offender sits next to you, you can take another seat and ask the court staff for help keeping the offender away from you.

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Stand when the judge enters the courtroom and sit when the judge or bailiff asks you to.

Relax and remain calm.

Take deep breaths if you feel yourself getting tense. Never lose your temper in the courtroom. If you become emotional, its okay - ask the judge for a moment to compose yourself.

Always tell the truth.

If you don't understand a question, just say so.

If you don't know the answer to a question, just say so. Never make up an answer.

What is the order of events in the courtroom?

At the hearing, everyone who will testify must swear or agree to tell the truth.

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Since you are the petitioner, you will tell your side of the story first.

The judge and the respondent (or the respondent's lawyer) may ask you questions. If you are scared to answer any of them, tell the judge.

When you are done, your witnesses may speak. You (or your lawyer) may ask them questions, and then the judge and the respondent will have a turn to ask them questions.

The respondent will tell his or her side. It may be very different from yours. After the respondent tells his story, you (or your lawyer) and the judge are allowed to ask him questions.

The judge will make a decision after hearing both sides and considering the evidence.

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If the judge decides in your favor, the judge will sign your Sexual Assault Protection Order. There will be boxes checked or things written in by the judge that the respondent has been ordered to do. The judge can make the Sexual Assault Protection Order be effective for as long as two years.

If the respondent is present, he will sign and take home a copy of the Order.

You will be given a copy of the Order. Review it carefully before you leave the courthouse. If you have ANY questions about it, be sure to ask the judge. Make sure you understand what the order says before you leave the courtroom!

A copy of the signed Order will be forwarded with a Law Enforcement Information Sheet to the law enforcement agency where you live for entry in the statewide computer system.

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Within 3 months of the order's expiration date, you may apply to the court to have your Order extended. You will have to go to a short hearing to tell a judge why you need it extended.

What should I do when I leave the court?

If you go to leave after the hearing and you do not feel safe, tell the bailiff in the courtroom that you may need an escort either to another part of the court house or to your car or to the bus stop.

Review the order before you leave the courthouse. If something is wrong or missing, ask the clerk to correct the order before you leave.

Get several certified copies of the order as soon as possible from the clerk. There is no charge for the certified copies of a SAPO.

Keep a copy of the order with you at all times.

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Leave copies of the order at your work place, at your home, in your car, with a sympathetic neighbor, and so on.

Give a copy to the security guard or person at the front desk where you live and/or work.

Give a copy of the order to anyone who is named in the order, such as a school if applicable.

If the court has not given you an extra copy for your local law enforcement agency, take one of your extra copies and deliver it to them.

You may wish to consider changing your locks and your phone number.

One week after court, call your local law enforcement office to make sure they have received copies of the Sexual Assault Protection Order from the clerk.

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You may also wish to make a **safety plan**. You can do a number of things to increase your safety - your specific and unique circumstances will determine the elements of your safety plan. An experienced sexual assault or domestic violence advocate is an excellent resource for developing a safety plan. Many offenders obey protection orders, but some do not and it is important to build on the things you have already been doing to keep yourself safe.

If my SAPO was denied, what should I do?

If the order was denied, there are still some things you can do to stay safe. It might be a good idea to contact one of the sexual assault programs in your area to get help, support, and advice on how to stay safe. They can help you develop a safety plan and help connect you with the resources you need.

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If you were not granted a SAPO, you may be able to seek protection through one of these orders depending on your relationship with the offender and the facts surrounding the incident(s):

- Domestic Violence Protection Order
- Civil Anti-harassment Order
- Vulnerable Adult Protection Order

You may also be able to re-apply for a SAPO if you have new evidence to show the court that the sexual assault did occur, or if a new act of sexual assault occurs after you are denied the Order.

If you believe the judge made an error of law, you can talk to someone at a sexual assault program or a lawyer about the possibility of an appeal. Generally, appeals are complicated and you will most likely need the help of a lawyer.

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If my order was granted, what do I do?

Go to the clerk's office to have your order stamped for certification. Ask for 3 copies so you have multiple copies. One of the copies is given to the respondent. If he was present at the hearing, you can mail it him/her. If he was not, he must be served with the final order. Make additional copies of the order so that you have one with you at all times.

III. COMMON QUESTIONS

What if the offender violates the order?

Violating a SAPO is against the law. There are two ways to get help if the offender violates the order.

Through the Police or Sheriff

If the offender violates the SAPO, call 911 immediately. In most cases, the offender can be arrested right away. The offender must have

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received notice of the existing order, by service or appearance in court.

A violation of either of the following two provisions subjects the offender to a MANDATORY ARREST:

- *Causing or threatening harm; or*
- *Entering a home, workplace or school, or other areas the court has ordered the offender to stay away from.*

Tell the officers you have a protection order and the offender is violating it. If the offender is arrested, then the prosecutor can prosecute the perpetrator because it is a crime to violate a protection order. If found guilty of a violation of a SAPO, the perpetrator may be put in jail.

The respondent can be arrested even if you invite or allow the respondent to violate the prohibitions contained in the order. The

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respondent has the sole responsibility to avoid violating the order's provisions.

Through the Civil Court System

You may file for civil contempt for a violation of the order. The perpetrator is in "civil contempt" if he or she does anything that your protection order orders him or her not to do.

If you are considering filing for civil contempt, you should discuss the specifics of your case and the civil contempt process with an attorney. If you cannot afford a lawyer but want one to help you with your case, the CLEAR line (Coordinated Legal, Education Advice & Referral) operated by the Northwest Justice Project is a statewide free legal phone line that connects you with an attorney who can provide you with advice and also refer you to your local legal service provider if you are outside of King County. CLEAR - 1-888-

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201-1014, 9:30 - 12:30, M-F, CLEAR Sr. (60 and over) - 1-888-387-7111.

You may wish to check with the Prosecutor's Office to determine if criminal charges will be filed against the respondent. Regardless of the prosecutor's decision to file or not to file charges, you may still proceed with a civil contempt action. Criminal charges and civil contempt complaints are two completely different sides of the law.

How do I change or extend my SAPO?

To change your order, go back to the court where you got it and file a "Motion to Modify" the order. You will need to explain why and how you want the order changed.

To extend your order, go back to the court where you got it and file a petition to renew the order with the clerk within 90 days of its

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expiration date. A judge may extend your order by granting a renewal for up to two years.

You must request this renewal before your order expires. Be sure to bring your SAPO with you.

What happens to my SAPO if I move?

Your order is valid throughout the state of Washington. If you move within the state, you should bring a copy of your order to the police department in your new area. It is a good idea to call the clerk at the courthouse where you got your order to change your address.

If you are moving out of state, you will need to determine how your new state enforces out-of-state protection orders. You can find out about your state's policies by contacting a sexual assault program, the clerk of the court, or the prosecutor in your area. If you are moving to a new state, you may also call the National Center

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on Full Faith and Credit (1-800-903-0111) for information on enforcing your order there.

Tip: Civil protection orders may not be enforceable on military bases, and military protective orders may not be enforceable off base. Please check with your local police department, court clerk and/or sexual assault advocate for more details.

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IV. SEXUAL ASSAULT PROGRAMS

Aberdeen

Beyond Survival

PO Box 203

Aberdeen, WA 98520

Phone: 360-533-9751

Hotline: 888-626-2640

Bellevue

Children's Response Center

1120 112th Ave NE #130

Bellevue, WA 98004

Phone: 425-688-5130

Hotline: 425-688-5130

TTY: 425-454-1589

<http://www.childrensresponsecenter.org/>

Bellingham

DV/SA Services of Whatcom County

1407 Commercial Street

Bellingham, WA 98225

Phone: 360-671-5714

Hotline: 877-715-1563

<http://www.dvsas.org>

Bingen

Washington Gorge Action Programs - Programs For Peaceful Living

1250 E Steuben St

Bingen, WA 98605

Phone: 509-493-1533

Hotline: 800-352-5541

http://www.wgap.ws/Peaceful_Living.php

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Cathlamet

St. James Family Center/The Charlotte House

PO Box 642

Cathlamet, WA 98612

Phone: 360-795-6401

Hotline: 360-795-6400

<http://www.stjamesfamilycenter.org/>

Chehalis

Human Response Network

PO Box 337

Chehalis, WA 98532

Phone: 360-748-6601

Hotline: 800-244-7414

Clarkston

Quality Behavioral Health

900 7th Street

Clarkston, WA 99403

Phone: 509-758-3341

Hotline: 800-932-0932

<http://www.qualitybehavioralhealth.com/>

Colville

Family Support Center

956 S Main St

Colville, WA 99114

Phone: 509-684-3796

Hotline: 509-684-6139

<http://www.ruralresources.org>

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Davenport

Family Resource Center of Lincoln County

PO Box 1130

Davenport, WA 99122

Phone: 509-725-4358

Hotline: 800-932-0932

Eastsound

DV/SA Services of the San Juan Islands

PO Box 1516

Eastsound, WA 98245

Phone: 360-376-5979

Hotline: 360-378-2345 (San Juan)

Hotline: 360-376-1234 (Orcas)

Hotline: 360-468-4567 (Lopez)

<http://www.dvsassanjuans.org->

Ellensburg

**Abuse Support and Prevention Education Now
(ASPEN)**

220 W 4th Ave

Ellensburg, WA 98926

Phone: 509-925-9384

Hotline: 866-925-9384

<http://www.cwcmh.org>

Everett

**Providence Intervention Center for Assault and
Abuse**

2722 Colby Ave #200

Everett, WA 98201

Phone: 425-388-7408

Hotline: 425-252-4800

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Forks

Forks Abuse Program

PO Box 1775

Forks, WA 98331

Phone: 360-374-6411

Hotline: 360-374-2273

Kelso

Emergency Support Shelter

PO Box 877

Kelso, WA 98626

Phone: 360-425-1176

Hotline: 360-636-8471

<http://www.esshelter.com>

Kennewick

Sexual Assault Response Center

830 North Columbia Center Blvd #H

Kennewick, WA 99336

Phone: 509-374-5391

Hotline: 509-374-5391

<http://www.sexualassaultresponsecenter.com>

Moses Lake

New Hope DV/SA Services

1065 W Broadway

Moses Lake, WA 98837

Phone: 509-764-8402

Hotline: 888-560-6027

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Mount Vernon

Skagit Domestic Violence/Sexual Assault Services

PO Box 301

Mount Vernon, WA 98273

Phone: 360-336-9591

Hotline: 800-726-6010

<http://www.skagitdvsas.org>

Newport

Pend Oreille Crime Victim Services

PO Box 944

Newport, WA 99156

Phone: 509-447-2274

Hotline: 509-447-5483

<http://www.pofcn.org>

Oak Harbor

Citizens Against Domestic and Sexual Abuse

PO Box 190

Oak Harbor, WA 98277

Phone: 360-675-7057

Hotline: 800-215-5669

<http://www.cadacanhelpp.org>

Olympia

SafePlace

314 Legion Way SE

Olympia, WA 98501

Phone: 360-786-8754

Hotline: 360-754-6300

TTY: 360-943-6703

<http://www.safeplaceolympia.org>

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Omak

The Support Center

PO Box 3639

Omak, WA 98841

Phone: 509-826-3221

Hotline: 888-826-3221

<http://www.thesupportcenter.org>

Port Angeles

Healthy Families of Clallam County

1210 East Front Street, Suite #C

Port Angeles, WA 98362

Phone: 360-452-3811

Hotline: 360-452-4357

<http://www.healthyfam.org>

Port Orchard

Kitsap Sexual Assault Center

PO Box 1936

Port Orchard, WA 98366

Phone: 360-479-1788

Hotline: 360-479-8500

Port Townsend

DV/SA Program of Jefferson County

PO Box 743

Port Townsend, WA 98368

Phone: 360-385-5291

Hotline: 360-385-5291

<http://www.dvsajeffco.org/>

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Pullman

Alternatives to Violence of the Palouse

PO Box 37

Pullman, WA 99163

Phone: 509-332-0552

Hotline: 509-332-4357

<http://www.atvp.org>

Renton

King County Sexual Assault Resource Center

PO Box 300

Renton, WA 98057

Phone: 425-226-5062

Hotline: 888-99voice

<http://www.kcsarc.org>

Republic

Connections

PO Box 1120

Republic, WA 99166

Phone: 509-775-3331

Hotline: 509-775-3132

Raymond

Crisis Support Network

PO Box 311

Raymond, WA 98577

Phone: 360-875-6702

Hotline: 800-435-7276

<http://www.crisis-support.org>

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Seattle

Abused Deaf Women's Advocacy Services

8623 Roosevelt Way NE

Seattle, WA 98115

Phone: 206-726-0093 (TTY)

TTY Hotline: 206-236-3134

<http://www.adwas.org>

Seattle

Harborview Center for Sexual Assault &

Traumatic Stress

325 9th Ave MS359947

Seattle, WA 98104

Phone: 206-521-1800

Hotline: 206-521-1800

TTY: 206-521-1808

<http://www.hcsats.org>

Shelton

Center for Advocacy & Personal Development

PO Box E

Shelton, WA 98584

Phone: 360-426-6925

Hotline: 360-490-5228

TTY: 800-621-0394

Shelton

South Puget Intertribal Planning Agency

3104 SE Old Olympic Hwy

Shelton, WA 98584

Phone: 360-426-3990

Hotline: 360-490-5713

<http://www.spipa.org>

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Spokane

**Sexual Assault & Family Trauma (SAFeT)
Response Center**

210 W Sprague Ave

Spokane, WA 99201

Phone: 509-747-8224

Hotline: 509-624-7273

<http://www.lcsnw.org/spokane/SAFeT.html>

Stevenson

Skamania County Council on DV and SA

PO Box 477

Stevenson, WA 98648

Phone: 509-427-4210

Hotline: 877-427-4210

Sunnyside

Lower Valley Crisis & Support Center

PO Box 93

Sunnyside, WA 98944

Phone: 509-837-6689

Hotline: 509-837-6689

Tacoma

Sexual Assault Center of Pierce County

633 N Mildred St #J

Tacoma, WA 98406

Phone: 253-597-6424

Hotline: 253-474-7273

TTY: 253-274-0448

<http://www.sexualassaultcenter.com>

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Vancouver

YWCA of Clark County - Sexual Assault Program

3609 Main St

Vancouver, WA 98663

Phone: 360-696-0167

Hotline: 360-695-0501

TTY: 360-696-0167

<http://www.ywcaclarkcounty.org/sap.htm>

Walla Walla

YWCA of Walla Walla

213 S 1st Ave

Walla Walla, WA 99362

Phone: 509-525-2570

Hotline: 509-529-9922

<http://www.ywcaww.org>

Wenatchee

**Domestic & Sexual Violence Crisis Center of
Chelan & Douglas Counties**

PO Box 2704

Wenatchee, WA 98807

Phone: 509-663-7446

Hotline: 509-663-7446

<http://www.findsafety.org>

Yakima

Yakima Sexual Assault Program

PO Box 959

Yakima, WA 98907

Phone: 509-576-4326

Hotline: 509-452-9675

<http://www.cwcmh.org>

