



# Rights and Resources for Victims of Domestic Abuse

From the Office of Minnesota Attorney General Lori Swanson

Domestic abuse impacts people across the state of Minnesota. This flyer has suggestions on how to get help.

## What is domestic abuse?

Minnesota law defines domestic abuse as physical harm, bodily injury or assault, or the infliction of fear of imminent physical harm, bodily injury or assault, when done by a family or household member. Terroristic threats, criminal sexual conduct and interference with an emergency call are also forms of domestic abuse when they are committed by a family or household member.

## Legal Rights of Victims of Domestic Abuse

**Orders for Protection:** Victims of domestic abuse can obtain a court order called an Order for Protection (OFP). OFPs can prohibit an abuser from contacting a victim and require an abuser to stay away from a victim's home, place of work, or school. In some cases, a parent can obtain an OFP on behalf of a minor child.

Victims of domestic abuse can contact the court administration at their county courthouse to file a petition for an OFP. Victims of domestic abuse do not have to pay for this proceeding, and are protected from retaliation by their employers if they have to miss work to obtain an OFP. When a court grants an OFP, it will send a copy of the OFP to law enforcement. It is a crime to violate an OFP. An abuser who violates an OFP can be arrested.

**Tenants' rights:** If a victim of domestic abuse has an OFP or another kind of no contact order in place and fears imminent domestic abuse, they can terminate a lease if they provide the landlord advance written notice. Landlords cannot penalize tenants for making emergency calls in response to domestic abuse.

**Crime victims' rights:** Victims of domestic abuse have certain rights in criminal prosecutions. These rights include the right to be informed of a prosecutor's decision

to dismiss the case and to be informed of an offender's release from custody. For more information about crime victims' rights, contact the Crime Victim Justice Unit at the Minnesota Department of Public Safety at (800) 247-0390.

**Protections against financial abuse:** Perpetrators of domestic abuse may have access to victims' personal and financial information. To protect against the misuse of their information, victims of domestic abuse may wish to place a security freeze on their credit reports. If necessary, victims of domestic abuse can also contact the Social Security Administration to obtain a new Social Security number.

**Unemployment benefits:** People who leave their jobs voluntarily usually do not qualify to receive unemployment benefits. If domestic abuse made it necessary for a person to leave their job, however, they may be eligible for unemployment benefits.

**Keep your home address private:** Minnesota residents who are afraid for their safety can enroll in Minnesota's Safe at Home Program to keep their home address confidential. The Safe at Home program assigns participants a PO box address, and forwards mail to their home address. For more information about this program or to enroll, contact the Minnesota Secretary of State's Office at (866) 732-3035.

## Resources are Available to Victims of Domestic Abuse

Anyone in immediate danger should call 911. You may also contact your police department, sheriff's office, or local domestic abuse program. You can also call a confidential domestic violence hotline like Minnesota DayOne at (866) 223-1111. The crisis hotline should be able to provide a connection to the domestic violence program near you and can help you find resources like a safe shelter, advocacy, legal assistance and support groups.