

VICTIM LEGAL RIGHTS



If you want more information or need help with achieving safety or enforcing your rights, please contact us:



(202) 425-7573



clivcdcvlp.org



dcvlp.org/intake



dcvlp.org/rights

As a domestic violence victim, you have legal rights and protections granted by federal and DC laws. This list is an overview of your rights and is not intended to be a complete list.

1

CIVIL PROTECTION ORDER



You may be able to get a Civil Protection Order (CPO) if your abuser physically hurt, threatened to harm you, sexually assaulted, stalked you, destroyed your property or committed some other crime against you. You must live or work in DC, at least one incident must have occurred in DC, and you and your abuser must:

- Share a child,
- Have or have had a dating relationship, or
- Be related (although you can obtain a CPO against a stranger or acquaintance who has sexually assaulted or stalked you).

You may ask the judge to remove your abuser from the family home or grant you temporary custody of your children. To ask a court to order your abuser to stop abusing you, you will need to file a Petition for a Civil Protection Order. After filing your Petition the court will schedule your trial date to determine whether they will grant you a Civil Protection Order for up to 2 years. If your safety or welfare is immediately endangered, you can request a Temporary Protection Order that will protect you until your hearing date.

2

IMMIGRATION



You may be eligible for immigration relief regardless of the immigration status of your abuser or their willingness to help with the immigration process. If your abuser is in the U.S., you may be eligible for relief through the *Violence Against Women Act*, a U or T visa, or other relief option. If you fled your country because you suffered persecution based on your gender or other aspect of your identity, you may be eligible for an asylum claim.

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FOR MORE INFORMATION,
PLEASE VISIT:
WWW.DCVLP.ORG

3 HOUSING

Under the *DC Protection from Discriminator Evictions for Victims of Domestic Violence Amendment Act*, you have rights to have your abuser removed from a Section 8 voucher or lease, to break your lease early to flee violence, to have your locks changed, and to be protected against eviction for experiencing a crime of domestic violence. You are also protected by the *Violence Against Women Act* (for public housing programs only) and the *DC Human Rights Act* from discrimination based on your status as a victim.

4 EMPLOYMENT

Under the *DC Employment Protections for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018*, you have the right to request time off to participate in legal proceedings related to domestic violence and to request reasonable accommodations including but not limited to reassignment, a modified schedule, or the implementation of safety procedures. You are also protected from being fired from your job based on your status as a victim by the *DC Human Rights Act*.

Visit the Office on Human Rights at www.ohr.dc.gov for more information on your rights and filing a complaint.



5 TAX RELIEF & GOVERNMENT BENEFITS

You may be eligible for tax relief (e.g., Innocent Spouse Waiver) if your spouse forced you to file a false tax form or filed without your knowledge. You are protected from discrimination based on your status as a victim by the *DC Human Rights Act* and cannot be denied access to government benefits, services, or programs because you are a victim. As a victim of a crime, you may have the right to crime victim compensation.

For more information or to file an application, visit: www.dccourts.gov/services/crime-victims-compensation-matters.

6 CRIMINAL PROCEEDINGS AGAINST YOUR ABUSER

If you decide to pursue criminal charges against your abuser, you have rights protected by the federal *Crime Victim's Rights Act* and by the *DC Crime Victim's Bill of Rights*. This includes the right to be present at all proceedings, the right to provide your opinion on any plea bargain, the right to give a statement about the impact of the crime, and the right to have your privacy protected.

Talk to the prosecutor or visit: ovsjg.dc.gov/page/crime-victims-legal-rights for more information.

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