A SURVIVOR'S JOURNEY IN LOS ANGELES

SURVIVOR PROFILE

- 20-30 years old
- Female-identifying
- LA Resident
- Male partner
- Two children under 10 years old
- Earns under $40,000 per year
- At-risk of being unhoused

LEGEND

- Legal steps
- Negative outcomes & possible barriers, often leading to delays or drop-offs
- Support services and State Entities
- Positive outcomes
- Data

HEIGHTENED RISK OF FATALITY

The most dangerous time for a survivor of domestic violence is when they decide to assert a boundary or leave their abuser.

Thus, obtaining a DVRO puts the survivor at a heightened risk for experiencing an escalation of violence including death.

We have highlighted these moments in the map to draw attention to the ever changing landscape a survivor faces attempting to seek protection from their abuser.

STEP 1: DECIDE

- Limited number of DV advocates
- Outdated & varying information
- Limited access to real-time information and financial aid
- No user roadmaps of the process
- Restricted assistance without PO
- Unable to get help — DROP OUT RISK

SHELTER AND SAFETY RESOURCES: DV shelter, Hotel/Emergency Vouchers, Rental Assistance, Counseling, CalWORKS

STATE ENTITIES: DV Hotline, DCFS, Courts, Law Enforcement, CBOs

STEP 2: FILE

- Lack of choice: DCFS tells survivor to file or they lose their kids
- Need time away from work and to complete filing
- Lacking childcare, transportation, legal aid and paper trail for proof of abuse
- Overwhelming amount of forms
- Outdated forms & information
- Forms written only in English & above 5th grade level
- Inconsistent information shared by providers

STEP 3: TEMPORARY RESTRAINING ORDER

- Variability in subject matter expertise related to DV cycles within judicial system
- Lacking full protection: Survivor may still have to interact with their abuser if the TRO is only partially granted.
- Stringent eligibility
- Hard to navigate services
- Limited weekend availability
- Limited resources
- Unable to access services
- Condescending or insensitive staff lead petitioners to give up
- Limited oversight with access to justice
- Terms of RO confusing due to parallel proceedings
- Next steps are unclear and unwritten
- Form copies cost $20 per set
- Limited venues & hours
- Limited representation
- Unable to access aid: Self-help access has limited hours and limited venues — DROP OUT RISK
- Inconsistent information shared by providers
- Condescending or insensitive staff
- Limited time to arrange service
- Language barrier
- Lack of legal aid

STEP 4: SERVICE

- Condescending or insensitive staff
- Inconsistent information shared by providers
- Limited time to arrange service
- Lack of legal aid
- Language barrier
- Forms written only in English, above 5th grade level & with legal jargon
- Outdated forms and information
- Unaware continuance is an option
- Don't know how to file continuance
- Evasion of service
- Intimidating server
- Serving incorrectly
- No status of service
- Unable to locate respondent
- Witness intimidation: Survivors drop off due to abuser's threats post-service
- 3rd party server files incorrectly or not at all

STEP 5: HEARING PREP

- Childcare coverage
- Time off from work
- Cost of copies
- Don't know the rules of evidence or procedure

STEP 6: FINAL HEARING

- Forget or don't know how to check in
- Don't know the rules of court proceedings
- No physical separation from abuser
- Bailiffs don't serve unserved respondents
- Pay for or forfeit court reporter
- Judicial behavior hinders ability to provide compelling testimony

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SURVIVOR LEARNS ABOUT A DVRO

DETERMINE WHETHER TO FILE, HOW & WHERE TO FILE

- **Almost 1 in 2 women and over 2 in 3 men** reported being victims of some form of physical violence, and/or stalking by an intimate partner in their lifetime (CDC/NCI (1998))
- **5,732 people** experienced homelessness in LA county due to fleeing DV/IPV (HCEED Data Summary)

FILE FOR PETITION — HEIGHTENED RISK OF FATALITY

- Unable to get help — DROP OUT RISK
- Housing is often short term
- Application is burdensome
- Stringent eligibility
- Limited awareness of tools available
- Placement away from abuser also isolates from friends & family
- Few wraparound services

LEGAL AID SERVICES: Self-help centers, Direct representation, Domestic violence clinics

- **37,614 DV related calls** for assistance were placed to all law enforcement in LA County (2017-CA CJSC)

FILL OUT FORMS: DV-100, DV-101, DV-109, DV-110, DLETS-001, FL-150

Additional forms for those with children: DV-105A (DV-140, DV-108, DV-140, FL-105)

Potential need to order copy of court orders (visitation or support orders)

Request records from law enforcement

SUBMIT FILING

FILING ACCEPTED — HEIGHTENED RISK OF FATALITY

FILING REJECTED

- Difficulty obtaining records — DROP OUT RISK
- Unable to submit filing in time
- Incomplete or incorrect forms

JUDGE RULES ON TRO

TRO GRANTED OR PARTIALLY GRANTED

- **68,924 TROs were issued** with firearm provisions in 2023 (CADOJ (DOFF 2024))
- **63% of initial TROs granted did not result in a Final DVRO** (DVROs issued with firearm provisions in 2023) (CADOJ (DOFF 2024))

TRO DENIED

CLERK SETS DATE FOR HEARING — HEIGHTENED RISK OF FATALITY

Respondent has 48 hrs to comply with court order to relinquish firearms after TRO is granted

- Respondent not in compliance — DROP OUT RISK

FORMS PROCESSED

SUPPORT SERVICES: Safety planning, Medical & reproductive care, Counseling, Housing, Employment, Time-limited subsidy, Parenting support, Credit repair

PICK-UP FORMS AT COURTHOUSE

LEGAL AID SERVICES: Self-help centers, Direct representation, Domestic violence clinics

PROVIDE COPIES TO: EMPLOYER, CHILD/RENS SCHOOL, LOCAL LAW ENFORCEMENT ETC

FAMILY ASSISTANCE: Mediation for custody or visitation, Visitation monitors

NEED CONFIDENTIAL ADDRESS: Safe at Home Program

CHOOSE SERVER: REGISTERED PROCESS SERVER, NONPROFESSIONAL 3RD PARTY OR LAW ENFORCEMENT

PREPARE FORMS FOR SERVER

Petitioner fills out item 1-3 on DV-200

Copies of court papers PLUS DV-250, DV-200

- Failure to prep forms correctly
- Unable to arrange or serve within timeline

CASE DISMISSED

DELIVER FORMS

SERVICE NOTICE — HEIGHTENED RISK OF FATALITY

- **17% of restraining orders initiated in CA go unserved** preventing the opportunity to obtain a DVRO (Benitez et al. 2012)

FILE PROOF OF SERVICE

SERVICE COMPLETE

PREPARE FOR HEARING

Gather "proof of abuse": Make copies, Gather and prep witnesses, Prep papers filed by abuser, Prepare statement

Motions filed by respondent

Counter petitions

Respond to suits

Request continuance: DV-115, DV-116, DV-117

- Unable to prepare within timeline

- **Litigation Abuse:** The respondent files multiple motions and counter-petitions to create delays and retribution — DROP OUT RISK

CHECK IN AT COURTROOM AND PRESENT CASE

- Unable to access services

HEARING

- Final orders were **less than 1 year** in 2023 in CA (DVROs issued with firearm provisions in 2023 (CADOJ (DOFF 2024))

CASE DISMISSED

JUDGE RULES ON DVRO

- Women who obtained permanent restraining orders were **85% less likely** to experience physical abuse in the year following the IPV incident that was reported to the police (JAMA 2003)

DVRO GRANTED

DVRO DENIED