

OBTAINING RESTRAINING ORDERS AND NO-CONTACT ORDERS

FOR THOSE IMPACTED BY SEXUAL MISCONDUCT OR INTERPERSONAL VIOLENCE

The University of Rhode Island Police Department has compiled a list of resources to support those who have been impacted by sexual misconduct and interpersonal violence which includes sexual assault, sexual harassment, dating violence, domestic violence and stalking. Resources are available both on and off-campus for survivors. Students can seek support from an advocate on-campus through Violence Prevention and Advocacy Services by dialing 401-874-9131. Advocates are also available at most courthouses across Rhode Island to assist survivors in filing the appropriate paperwork.

NO CONTACT ORDERS (NCO)

No Contact Orders are issued in all dating or domestic violence cases at the arraignment (when the defendant is formally read their criminal charges, typically the day of the arrest by either a Judge or a Justice of the Peace). **This means that neither party involved in the incident can have any contact with one another. This includes contact made through third parties. If contact is made it should be reported to the police.**

The No Contact Order is **in effect for the entire length of the criminal case, including the length of the sentence.** It can only be dropped at the survivor/victim's request or approval. No Contact Orders are automatically entered into the Restraining Order, No Contact Order System (R.O.N.C.O)

DO I NEED A RESTRAINING ORDER IF I ALREADY HAVE A NO-CONTACT ORDER?

No Contact Orders (NCO's) are connected to a criminal case, they will expire when the case is disposed either through acquittal (a determination that the defendant is not guilty) or at the end of the defendant's sentence (if they've been found guilty and sentenced to jail time, probation or other requirements). If children are involved in the incident and are not covered by the No Contact Order, you may consider applying for a restraining order on behalf of the children. **A restraining order will serve as additional protection for you and, in most cases, will be in effect longer than the No Contact Order.**

WHAT HAPPENS IF THE DEFENDANT VIOLATES THE NO CONTACT ORDER?

The Police should be notified immediately and all evidence (text messages, phone calls, Facebook messages, etc.) should be saved for evidence of the violation. The defendant will be charged for violating the No Contact Order and be subject to arrest.

RESTRAINING ORDERS

Restraining Orders can be enacted whether or not there is an active criminal case and can be issued when there has been physical or sexual abuse, threats of violence, or stalking.

CRITERIA TO APPLY FOR A RESTRAINING ORDER

To obtain a Family or District Court Restraining Order, you must complete the paperwork required, including an affidavit (a statement) describing the specific ways that the defendant physically or sexually abused you, threatened to abuse you, or stalked you.

It is free of charge to apply for a restraining order. If the defendant lives out of state, there may be a fee associated with serving (delivering) the order, depending on the state's policy.

HOW LONG WILL IT REMAIN IN EFFECT?

A Temporary Restraining Order (TRO) is issued when you first apply. The order is in effect for 21 days to allow for the defendant to be served. If the restraining order is granted at the second hearing, it can be in effect for up to three years, depending on the circumstances. Before the order expires, you can return to the court and apply for an extension.

PROCESS FOR FILING A RESTRAINING ORDER

To apply for a restraining order, you will need to fill out paperwork obtained at the courthouse. Typically a court advocate will be able to assist you in determining which court you will need to file the paperwork with. You will also likely speak in the court to the judge and be sworn in to swear that the information you are providing is correct. You may also be asked some questions by the judge. You'll need to return to the second hearing where the defendant (the person you are seeking the restraining order against) may also appear.

WHERE DO I FILE A RESTRAINING ORDER?

FAMILY COURT

If the individual you are seeking protection against is a spouse, former spouse, a person with whom you have a child, an adult related to you by blood or marriage, or a minor with whom you (must also be a minor), are in a dating relationship with.

DISTRICT COURT

If the individual you are seeking protection against is an adult with whom you currently live, an adult with whom you lived with in the past three years, or an adult with whom you are currently in a dating relationship or have been in the past year.

SUPERIOR COURT

Any person who does not qualify for Family or District Court may apply for a Superior Court Order. *Unlike Family and District Court restraining orders, a violation of a Superior Court Order is not an arrestable offense.* There is also a filing fee but you can apply for a waiver.

UNIVERSITY ISSUED NO-CONTACT ORDERS

The University can issue no-contact orders through the Dean of Student's Office or the Office of Community Standards when an active conduct case is in place. No Contact Orders issued through the University have no legal ramifications but those violating the no-contact order can be held responsible through the University Conduct System which can impact their student status. **Should a no-contact order be violated, it is essential to keep all evidence and notify the Dean of Student's Office at 401-874-2098 or the Office of Community Standards 401-874-2101.**

RESOURCES



**TO REPORT A CRIME OR SEEK
EMERGENCY ASSISTANCE
URI POLICE OR LOCAL POLICE**

911 or 401.874.2121

**FOR MEDICAL ATTENTION OR
FOLLOW UP CARE
URI HEALTH SERVICES**

401.874.2246



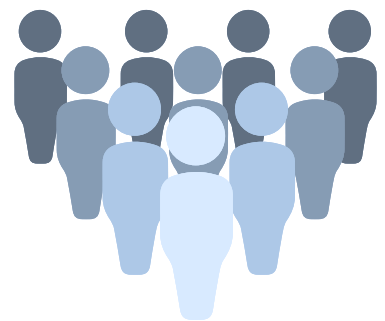
**IMMEDIATE MEDICAL CARE OR
FORENSIC EXAM
LOCAL HOSPITALS**



**Women & Infants Hospital
401. 274.1100
South County Hospital
401. 782.8000**

**SUPPORT, ADVOCACY &
RESOURCES
VIOLENCE PREVENTION &
ADVOCACY SERVICES**

401.874.9131



**TRAINED ON-CAMPUS SUPPORT
URI COUNSELING CENTER***

401.874.2288**

**24 hour counseling available via phone at URI
Counseling Center Number

**PSYCHOLOGICAL
CONSULTATION CENTER (PCC)***

401.874.4263



TO REPORT TO URI OFFICIALS

URI DEAN OF STUDENTS OFFICE

401.874.2098

TITLE IX OFFICE

401.874.2442

OFFICE OF COMMUNITY STANDARDS

401.874.2101



**UNIVERSITY OF RHODE ISLAND POLICE DEPARTMENT
85 Briar Lane | Kingston, Rhode Island**

Emergency: 911

Non-emergency: 401.874.4910