

[] PART A- DOMESTIC VIOLENCE NOTICE
(CPL Sec. 53011 (6) Eff. 1/11/95; FCA 812 (5) Eff. 1/11/95)

If you are the victim of domestic violence, you have the right to request that the officer assist you in providing for your safety and that of your children, including information on how to obtain a temporary order of protection.

You may request that the officer assist you in obtaining your essential personal effects and locating and taking you and your children to a safe place, including, but not limited to a domestic violence program, a family member's or a friend's residence, or a similar place of safety. If you or your children are in need of medical treatment, you have the right to request that the officer assist you in obtaining such medical treatment. You may request a copy of any incident reports at no cost from the Village of Baldwinsville Police Department. You have the right to seek legal counsel of your own choosing and if you proceed to Family Court and if it is determined that you cannot afford an attorney, one must be appointed to represent you without cost to you.

You may ask the district attorney or a law enforcement officer to file a criminal complaint. You also have the right to file a petition in the Family Court when a family offense has been committed against you. You have a right to have your petition and request for an order of protection filed on the same day that you appear in court, and such request must be heard the same day or the next day court is in session. Either court may issue an order of protection from conduct constituting a family offense, which could include, among other provisions, an order for the respondent of defendant to stay away from you and your children.

The Family Court may also order the payment of temporary child support and award temporary custody of your children. If Family Court is not in session, you may seek immediate assistance from the Criminal Court in obtaining an order of protection. The forms you need to obtain an order of protection are available from the Family Court and the local Criminal Court (the address and telephone numbers are listed on the back of this form). The resources available in this community for information relating to domestic violence, treatment of injuries, and places of safety and shelters can be accessed by calling the 800 numbers on the back of this page.

Filing a criminal complaint or a Family Court petition containing allegations that are knowingly false is a crime.

[] PART B- FAMILY OFFENSE- VICTIMS RIGHTS
(CPL Sec. 53011 (2) Eff. 1/1/95; FCA 812 (2) Eff. 1/11/95)

If you are a petitioner or complainant initiating a Family Offense Proceeding, you must be advised of the procedures available for the instirition of the proceedings, including the following:

1. There is concurrent jurisdiction with respect to family offenses in both Family Court and the Criminal Courts (CPL Sec. 530.11 (2) (a); FCA 812 (2) (a)). The first time you appear in court on this matter you will be given the option to: continue to prosecute in Criminal Court, have your case heard in Family Court, or proceed concurrently in both Criminal Court and Family Court (CPL Sec. 530.11 (2) (h)).
2. A Family Court proceeding is a civil procedure and is for the purpose of attempting to stop the violence, end the family disruption, and obtain protection. The Family Court can order Custody and the child support, arrange for counseling or other services, and give you an order of protection (CPL Sec. 530.22 (2) (b)).
3. The purpose of the Criminal Court is to prosecute the offender for a crime, regardless of whether that person is related to you, can result in a criminal conviction of the offender (CPL Sec. 530.11 (2) (c)). A criminal charge must be filed and if there is a conviction, the court may decide to order the offender into counseling or give the offender a jail sentence. The Criminal Court cannot order custody or child support.
4. An arrest may precede the announcement of a Family Court or a Criminal Court proceeding, but an arrest is not a requirement (CPL Sec. 530.11 (2) (d)). However, arrests for "Family Offenses" are required by law and will be made anyway (FCA Sec. 812 (2) (f)).

Signature of Complainant: _____ Date: _____ Time: _____

Witnessing Officer: _____ Date: _____ Time: _____

DOMESTIC VIOLENCE REFERRALS

New York State Domestic Violence Hotline 1-800-942-6906

New York State Child Abuse Hotline 1-800-342-3270

Nationwide Human Trafficking Hotline 1-888-373-7888

Child Abuse Hotline (Syracuse area) 315-422-9701

Onondaga County Sheriffs Abused Persons Unit 315-435-3092

Village of Baldwinsville Police Department 315-635-3131

DOMESTIC VIOLENCE COUSELING & SUPPORT GROUPS

Vera House 315-468-3260 24 hour

Salvation Army 315-479-3651

Spanish Action League 315-410-0945

Child & Family Services 315-474-4291

McMahon-Ryan Child Advocacy Center 315-701-2985

LOCAL COURTS

Village of Baldwinsville Court
16 West Genesee Street
Baldwinsville, New York 13027
315-635-6355

Victim Witness Assistance Center
505 South State Street
Syracuse, New York 13202
315-473-2891

Onondaga County Family Court
401 Montgomery Street
Syracuse, New York 13202
315-671-2000

Onondaga County Probation Department
600 South State Street
Syracuse, New York 13202
315-435-2321