

## DOMESTIC ABUSE, HARRASSMENT AND SEXUAL VIOLENCE

### Information for American Indian/Native College Students and Adults

#### IS SOMEONE HURTING OR HARASSING YOU?

In Minnesota there are laws that can protect you. Whether it's a past or current intimate partner, a family/household member, someone you know or a stranger, the court can order a person to stop hurting or harassing you. The Court can order them to stay away and not contact you by phone, text, social media, or through other people. The Court can also order the harasser/abuser to stay away from your school, home, and other places to keep you safe. **Remember, if you are in immediate danger, call 911 for help.**

#### IF THE PERSON HURTING OR HARASSING YOU IS A:

- former or current spouse
- former or current intimate partner, boy/girlfriend
- person you've had or have a romantic/sexual (intimate) relationship with
- person you have a child with
- family member related by blood, or
- someone you live with or had lived with, including step/adopted family members

Minnesota's Domestic Abuse (violence) Laws can help to protect you.

#### WHAT IS DOMESTIC ABUSE?

Domestic abuse includes: physical harm, injury, assault, sexual assault, pressuring or bullying you (coercion) to do things that hurt you, threats, stalking or interfering with an emergency call, like taking away your cell phone or smashing it if you try to make an emergency call. Domestic abuse can occur anywhere, not just at home, and can include threats made on social media.

#### HOW DO I GET HELP FROM DOMESTIC ABUSE?

You may contact the **Division of Indian Work at 612-722-8722** and ask for the domestic abuse counselor/advocate, or in Hennepin County call the **Domestic Abuse Service Center (DASC) at (612) 348-5073** to meet an advocate to help you get an "Order for Protection" (OFP). At DASC a Native American advocate is onsite and other culturally diverse advocates, including a GLBTQ advocate who can help you. If you bring a child, a playroom is available so they can be safe with you while you meet with an advocate. An advocate can help you ask (petition) the court for an OFP. An OFP is an order from the court ordering a person to stop hurting you and to stay away from you. There is **NO cost** to ask for an OFP.

#### IF THE PERSON HURTING/HARASSING YOU IS **NOT** AN INTIMATE PARTNER, FAMILY OR HOUSEHOLD MEMBER

If the person hurting or harassing you is a student, stranger, community member, or friend and you've never had an intimate, family or household relationship with them, then you can ask the court for a "Harassment Restraining Order" (HRO) to stop them. If you ask the court for an HRO there is no filing fee for stalking or sexual assault, **otherwise you can ask the court to waive the fee if you are low-income.**

**Information contained in this document is legal information only and is not legal advice. You are strongly encouraged to contact an attorney for legal advice concerning your circumstances.**

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## WHAT IS UNLAWFUL HARASSMENT?

Unlawful Harassment can be any incident of physical or sexual assault (violence), stalking, threats, distributing or making public private sexual images without consent, or repeated acts, words, or gestures (bullying) and you want it to stop because it *makes you feel unsafe, insecure or invades your privacy*. Harassment can occur in person, through other people or technology/social media.

## WHAT IF I AM SEXUALLY ASSAULTED OR RAPED - WHO CAN HELP ME?

**Sexual assault and rape are forms of sexual violence. These are sexual acts that occur against someone's will, or because a person is *unable to consent because of age, illness, disability, being under the influence of drugs or alcohol*, or because a person was coerced, deceived or forced to engage in a sexual act.**

**If you are raped or sexually assaulted, you can call 911 and report the crime to the police.** When you report rape or sexual assault, the police will help connect you to an advocate who can support you. The perpetrator (abuser/rapist) can face criminal charges and prosecution for their crime. *If you choose not to report the rape or sexual assault to the police*, you can still **contact an Advocate at the Division of Indian Work (612) 722-8722 (business hours) or DAY ONE Crisis Line 1-866-223-1111 (24 hrs/day)** to get help and address the trauma of sexual violence. These contacts have support for Two-Spirit, GLBTQ persons.

If the person who raped or sexually assaulted you is a current or former intimate partner/boy/girlfriend, a family member, or household member you can contact the **Domestic Abuse Service Center in Hennepin County at (612) 348-5073** and talk with an advocate for help. An advocate can help you ask the court for an Order for Protection (OFP), provide you with support to address the trauma of sexual violence, help you create a safety plan, and explain court processes.

## WHAT ARE EXAMPLES OF SEXUAL VIOLENCE?

Sexual violence includes: forced kissing, inappropriate sexual touching (by fondling or force), making someone touch a person's genitals, child sex abuse, unwanted sexual intercourse or penetration *in any manner no matter how slight*, subjecting or forcing someone to watch porn, masturbation, using a person to film/photo or model pornography, or coercing, deceiving or forcing you into sex acts which may include an exchange of money, housing, food, alcohol/drugs, clothing, favors, or forcing you into prostitution or sex trafficking.

## I AM NOT 18 YEARS OLD, CAN I GET AN OFP OR HRO?

If you are 16 or 17 years of age, you can go to Family Court and ask for an OFP *if it is against your current or former spouse, or if it's a person you have a child in common*. The law also permits another adult family or household member, or a guardian to ask for an OFP on your behalf. If there is no family, household adult member, or guardian to help you, the law permits a trustworthy (reputable) adult who is at least 25 years or older to ask for an OFP on your behalf, like a community representative concerned for your safety. For an HRO, if you are under 18 years, a parent or guardian can ask for one on your behalf.

## CAN MY TRIBE'S COURT STOP THE OTHER PERSON FROM HURTING OR HARASSING ME?

This depends on the laws of each Tribal nation. Typically, if you are on Indian (reservation) lands, a tribal member can obtain a Tribal Court Protection Order ("Tribal OFP") to stop someone from hurting them. Your Tribe's law may also permit a person who lives, attends school, works or has contact with your Tribal nation to obtain a Tribal OFP. Talk with your Tribal nation's clerk of court, advocate, or an attorney to help you. Otherwise, contact the **Domestic Abuse Service Center at (612) 348-5073** for help getting information about a Tribal OFP.

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