

NOTICE TO DEFENDANT* REGARDING ABUSE PREVENTION (RESTRAINING) ORDER.

THIS IS INFORMATION ABOUT THE ABUSE PREVENTION ORDER THAT MAY HELP YOU UNDERSTAND THE TERMS OF THE ORDER. PLEASE READ THE ORDER CAREFULLY.

A restraining order is a court order. This means that ONLY a judge can change the order. The person who requested the order CANNOT change or end the order without returning to court. Even if the plaintiff** requests, agrees to, or allows you to do things forbidden by the order, you will be in violation of the restraining order unless a judge has changed it to permit the conduct.

A restraining order is a civil order but a violation of the order is a criminal offense. If you are found guilty of violating a restraining order, you can go to jail for up to 2 ½ years and / or be placed on probation. A criminal conviction (even a continuance without a finding) can (among other things) affect your ability to obtain employment, public housing, or citizenship, or subject you to deportation. If the police observe a violation of a restraining order or have probable cause to believe that you have violated the restraining order, the police are required to arrest you. If you are on probation, violation of a restraining order could also be a violation of your probation.

If you are ordered not to abuse the plaintiff, this means that:

- You cannot physically assault or threaten the plaintiff.
- You cannot do anything that gives the plaintiff reason to fear that you might cause the plaintiff physical harm.
- You must not use force or a threat of any kind to make the plaintiff have sex unwillingly.

If you are ordered to have no contact with the plaintiff, this means that:

- You cannot live with the plaintiff.
- You must stay away from the plaintiff at the distance indicated on the order, usually a stated number of feet or yards.
- You cannot contact the plaintiff in any way. This includes, but is not limited to, phone calls, text messages, emails, cards, and gifts. You may not contact the plaintiff through friends, relatives (including children), neighbors, or anyone else, or by sending or posting messages on Facebook, Twitter, SnapChat, LinkedIn, or any other social network site, unless specifically allowed in the restraining order.
- If you are somewhere and the plaintiff comes to that same location, you must leave that place as quickly as possible, even if you were there first.

If you are ordered to leave a residence, this means that:

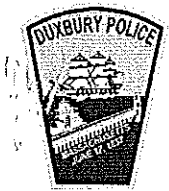
- You must leave the residence immediately and stay away from that address while the order is in effect. You must stay away from the address even if the plaintiff is not there. If the residence is an apartment, you may be ordered to stay away from the entire building, even if the lease is in your name.
- You cannot damage the residence in any way.
- You cannot shut off any utilities or interrupt mail delivery to the plaintiff. These orders apply even if the lease and / or utilities are in your name.

If you are ordered to stay away from the plaintiff's work, this means:

- You must stay away from the place where the plaintiff works as long as the order is in effect. You must stay away from that address even if the plaintiff is not there at the time.

* The defendant is the person the order is issued against.

** The plaintiff is the person who asked the court to issue the order.



Matthew M. Clancy
Chief of Police

POLICE DEPARTMENT
Town of Duxbury
Commonwealth of Massachusetts



Stephen R. McDonald
Deputy Chief

www.duxburypolice.org

Hand this to all defendants when serving a restraining order

Penalties For Any Violation of A Restraining Order

M.G.L.A. 209A § 7

Each abuse prevention order issued shall contain the following statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Any violation of such order or a protection order issued by another jurisdiction shall be punishable by a fine of not more than five thousand dollars, or by imprisonment for not more than two and one-half years in a house of correction, or by both such fine and imprisonment. In addition to, but not in lieu of, the forgoing penalties and any other sentence, fee or assessment, including the victim witness assessment in section 8 of chapter 258B, the court shall order persons convicted of a crime under this statute to pay a fine of \$25 that shall be transmitted to the treasurer for deposit into the General Fund. For any violation of such order, the court shall order the defendant to complete a certified batterer's intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer's intervention should not be ordered or unless the batterer's intervention program determines that the defendant is not suitable for intervention. The court shall not order substance abuse or anger management treatment or any other form of treatment as a substitute for certified batterer's intervention. If a defendant ordered to undergo treatment has received a suspended sentence, the original sentence shall be re-imposed if the defendant fails to participate in said program as required by the terms of his probation. If the court determines that the violation was in retaliation for the defendant being reported by the plaintiff to the department of revenue for failure to pay child support payments or for the establishment of paternity, the defendant shall be punished by a fine of not less than one thousand dollars and not more than ten thousand dollars and by imprisonment for not less than sixty days; provided, however, that the sentence shall not be suspended, nor shall any such person be eligible for probation, parole, or furlough or receive any deduction from his sentence for good conduct until he shall have served sixty days of such sentence.

When a defendant has been ordered to participate in a treatment program pursuant to this section, the defendant shall be required to regularly attend a certified or provisionally certified batterer's treatment program. To the extent permitted by professional requirements of confidentiality, said program shall communicate with local battered women's programs for the purpose of protecting the victim's safety. Additionally, it shall specify the defendant's attendance requirements and keep the probation department informed of whether the defendant is in compliance.

In addition to, but not in lieu of, such orders for treatment, if the defendant has a substance abuse problem, the court may order appropriate treatment for such problem. All ordered treatment shall last until the end of the probationary period or until the treatment program decides to discharge the defendant, whichever comes first. When the defendant is not in compliance with the terms of probation, the court shall hold a revocation of probation hearing. To the extent possible, the defendant shall be

responsible for paying all costs for court ordered treatment.

Where a defendant has been found in violation of an abuse prevention order under this chapter or a protection order issued by another jurisdiction, the court may, in addition to the penalties provided for in this section after conviction, as an alternative to incarceration and, as a condition of probation, prohibit contact with the victim through the establishment of court defined geographic exclusion zones including, but not limited to, the areas in and around the complainant's residence, place of employment, and the complainant's child's school, and order that the defendant to wear a global positioning satellite tracking device designed to transmit and record the defendant's location data. If the defendant enters a court defined exclusion zone, the defendant's location data shall be immediately transmitted to the complainant, and to the police, through an appropriate means including, but not limited to, the telephone, an electronic beeper or a paging device. The global positioning satellite device and its tracking shall be administered by the department of probation. If a court finds that the defendant has entered a geographic exclusion zone, it shall revoke his probation and the defendant shall be fined, imprisoned or both as provided in this section. Based on the defendant's ability to pay, the court may also order him to pay the monthly costs or portion thereof for monitoring through the global positioning satellite tracking system.

In each instance where there is a violation of an abuse prevention order or a protection order issued by another jurisdiction, the court may order the defendant to pay the plaintiff for all damages including, but not limited to, cost for shelter or emergency housing, loss of earnings or support, out-of-pocket losses for injuries sustained or property damaged, medical expenses, moving expenses, cost for obtaining an unlisted telephone number, and reasonable attorney's fees.

Massachusetts Certified Batterer Intervention Programs

Contact the program director to learn more about the group schedule, locations and fee schedule.

For more information: <http://www.mass.gov/dph/violence>

GREATER BOSTON AREA

Bay Cove Human Services

Chelsea ASAP
100 Everett Avenue, Suite #4
Chelsea, MA 02150
Phone: 617-884-6829
Fax: 617-884-6018
Director: Amy Harris
Email: aharris@baycove.org
Language(s) Served: English, Spanish
Also Serves Adolescent Perpetrators
Group Site(s): Chelsea
www.baycove.org

Bay State Community Services

Project Safe
13 Temple Street
Quincy MA 02169
Phone: 617-471-8400 ext. 129
Fax: 617-773-6904
Director: Martha Cooke
Email: mcooke@baystatecs.org
Language(s) Served: English
Also Serves Adolescent Perpetrators
Group Site(s): Quincy
www.baystatecs.org/intervention

Billings Human Services

Project Safe
19 Central Street, Norwood
Norwood, MA 02062
Phone: 781-762-0060
Fax: 781-762-0602
Director: Martha Cooke
Email: mcooke@baystatecs.org
Language(s) Served: English
Also Serves: Adolescent Perpetrators
Group Site(s): Norwood
www.baystatecs.org/intervention

Common Purpose

455 Arborway
Jamaica Plain, MA 02130-3623
Phone: 617-522-6500
Fax: 617-522-6595
Co-Director: Mitch Rothenberg
Co-Director: Tony Burns
Email: commonpurposeinc@aol.com
Language(s) Served: English, Haitian Creole
Group Site(s): Cambridge, Dorchester, Jamaica Plain, Quincy
www.commonpurposeinc.com

EEMERGE

2464 Massachusetts Avenue, Suite 101
Cambridge, MA 02140
Phone: 617-547-9879
Fax: 617-547-0904
Co-Director: David Adams
Co-Director: Susan Cayouette
Email: emergedv@aol.com
Language(s) Served: English, Spanish, Vietnamese
Cultural Group(s): Lesbians, Gay Men
Group Site(s): Cambridge, Roxbury
www.emergedv.com/

Massachusetts Alliance of Portuguese speakers (MAPS)

1046 Cambridge Street,
Cambridge, MA 02139
Phone: 617-864-7600
Fax: 617-864-7621
Program Contact: Alirio Perreira
Email: apereira@maps-inc.org
Language(s) Served: Portuguese, Cape Verdean Creole (based upon need)
Group Site(s): Somerville
www.maps-inc.org

Roxbury Comprehensive Community Health Center

Domestic Violence Intervention Program
435 Warren Street
Roxbury, MA 02119
Phone: 617-541-3790
Fax: 617-541-3797
Director: Wayne Williams
Email: wwilliams@roxcomp.com
Language(s) Served: English, Spanish
Group Site(s): Roxbury

CENTRAL

New Hope, Inc.
RESPECT
91 Prescott Street
Worcester MA 01605
Phone: 508-753-3146
Toll free 877-222-0083
Fax: 508-753-3148
Site Director: Anne Early
Email: aeearly@new-hope.org
Language(s) Served: English, Spanish
Group Site(s): Worcester
www.new-hope.org/servProg.html#respect

Spectrum Health Systems, Inc.
P.A.V.E.
76 Summer Street, Suite 140
Fitchburg, MA 01420
Phone: 978-343-2433 x6108
Fax: 978-343-0791
Director: Maureen Casey
Email: maureencasey@spectrumhealthsystems.org
Language(s) Served: English, Spanish
Group Site(s): Fitchburg, Framingham,
Webster, Westborough, Worcester
www.spectrumhealthsystems.org/programs/loc_MA.asp

WEST

Gandara Domestic Violence Program
85 St. George Street
Springfield, MA. 01104
Phone: 413-846-0418
Fax: 413-732-2125
Director: Carmen Palma
Email: cpalma@gandaracenter.org
Language(s) Served: English, Spanish
Group Site(s): Holyoke, Springfield
www.gandaracenter.org

Moving Forward Program
ServiceNet, Inc
216 North King Street
Northampton, Ma 01060
413-587-9050
Toll-free 1-888-636-9050
Director: Eve Bogdanave
Email: ebogdanove@servicenet.org
Language(s) Served: English
Group Site(s): Athol, Greenfield,
Belchertown, Northampton, North Adams,
Pittsfield
www.servicenet.org

NORTHEAST

Holy Family Hospital
Family Safety Project
70 East Street (mailing address only)
Methuen, MA 01844
Phone: 978-989-9042
Fax: 978-989-9493
Director: Doug Gaudette
email: Doug.gaudette@caritaschristi.or
language(s) Served: English, Spanish
group Site(s): Gloucester, Haverhill,
Lawrence, Lowell, Methuen, Newburyport
www.caritasholyfamily.org

Eliot Community Human Services
Impact Batterer Intervention Program
995 Pleasant Street
Lynn, MA 01902
Phone: 781-581-4452
Fax: 781-592-0581
443 Dartmouth Street,
Malden, Ma. 02148
Phone: 781-306-4860
Fax: 781-393-6551
Director: Dan Ellis
Business Cell : 781-864-4753
Email: dellis@Eliotchs.org
Language(s) Served: English
Group Site(s): Lynn, Malden
[Http://www.eliotchs.org/](http://www.eliotchs.org/)

SOUTHEAST

Brockton Family and Community
Resources
Batterer Intervention Program
18 Newton Street
Brockton, MA 02301
Phone: 508-583-6498
Fax: 508-583-3775
Hyannis MA Office:
Phone: 508-778-0927
Fax: 508-778-1357
Director: Catherine Stowe
Email: catherine.stowe@bfcrinc.org
Language(s) Served: English, Spanish,
Portuguese, Cape Verdean, Creole
Group Site(s): Brockton, Martha's
Vineyard, Hyannis, Nantucket
www.brocktonfamilyandcommunityresources.com

High Point Treatment Center
Stop Taking Others' Power (STOP)
497 Belleville Avenue
New Bedford, MA 02740
Phone: 508-994-0885, x 3155
Fax: 774-997-0765
Director: Dan Buckley
Email: daniel.buckley@hptc.org
Language(s) Served: English, Spanish
Group Site(s): New Bedford, Wareham,
Plymouth
www.hptc.org/

New Hope, Inc.
RESPECT
140 Park Street
Attleboro, MA 02703
Phone: 508-226-8286
Fax: 508-226-6917
Program Director: Anne Early
Email: aeearly@new-hope.org
Language(s) Served: English, Spanish
Also Serves: Adolescent Perpetrators
(Turning Point)
Group Site(s): Attleboro, Franklin,
Taunton
www.new-hope.org/servProg.html#respect

Stanley Street Treatment and Resources
(S.S.T.A.R.)
Batterer Intervention Program
386 Stanley Street
Fall River, MA 02720
Phone: 508-324-3597
Fax: 508-676-3761
Director: Dan Buckley
Email: dbuckley@sstar.org
Language(s) Served: English, Portuguese
Group Site(s): Fall River
www.sstar.org/test/
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