

How the Police Can Help:

Should I Call The Police?:

You should call the police if you feel in danger. **The most effective way to contact the police in an emergency is to dial 911.** Domestic violence is a serious crime and the police will respond to your calls. Under the Prevention of Domestic Violence Act, it is the primary duty of the police officer who responds to a domestic violence call to enforce the law and to protect the victim from abuse.

The police are required by law to help you and to give you information about your rights. The police should write a report. They should advise you of your rights to file a criminal complaint and/or to obtain a Restraining Order. Be sure to tell the officer all of the details. Read the report carefully and correct any mistakes. Be sure to write down the officer's name and badge number and keep it for your records.

Will The Person Using Abusive Behavior Be Arrested?

New Jersey law requires the police to arrest the person using abusive behavior if:

- You exhibit any signs of injury
- The person using abusive behavior violates an active Restraining Order
- There is probable cause that a weapon has been involved in the commission of the act of domestic violence
- There is a warrant for the arrest of the person using abusive behavior on any other charge

In many of these situations, the police must arrest the person who caused harm and press criminal charges even if you do not want the person who caused harm arrested and even if you do not want to file a complaint. The police may arrest the person who caused harm even if you exhibit no visible signs of injury but you have told them what has happened. The police may also arrest the person who caused harm if there is probable cause to believe that they have committed an act of domestic violence towards you.

If you and the person who caused harm both show signs of injury, the officer at the scene is required to assess the nature and extent of the injuries and whether they were caused in self-defense, along with any previous history of reported domestic violence incidents, before determining if anyone will be arrested. It is very important for you to tell the police officer where weapons are located. Even if weapons were not used in this particular incident, it is important to tell the police about any weapons the person who caused harm may have.

It is also very important for you to tell the police officer what happened, what your injuries are, and if previous acts of domestic violence were made against you by the person who caused harm. If there is a Restraining Order already in place, it is also important to report this information.

*** Note: 911 calls are recorded and can be used as evidence in trials.**

What if a Weapon was Used During an Act of Domestic Violence?

If a police officer at the scene has reason to believe a weapon was used during an act of domestic violence, the officer must arrest the suspect and seize any weapons on the premises that could expose you to further harm. The person causing harm will also be arrested even if they only threatened to use the weapon. The officer must also sign a criminal complaint in this instance.

What if the Police Don't Come Quickly Enough?

You must be prepared when dealing with a person who is committing violence toward you. You should have access to a telephone at all times. Carry a cell phone if possible. If you don't have a phone, try to establish a relationship with a neighbor or relative who will call the police for you when you need help. Remember you are not alone. It is imperative that you tell a neighbor or relative about the violence for your protection and the protection of your children in the event that the police do not come quickly enough.

You should have a **safety plan** in the event that the police do not come quickly enough. If all else fails, draw on your own resourcefulness by escaping the danger, attracting attention by screaming for help, or setting off the security alarm.

REMEMBER: You have the right to be protected by the law and the police are required to provide that protection.

*Taken from the Surviving Domestic Violence: Your Legal Rights Publication from
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