

Answers to Commonly Asked Questions

- **What if my abuser was not arrested?**

First, call law enforcement to report the crime. Crimes must be reported to law enforcement before a Deputy District Attorney can review the case. The day after the report is made, call the Multnomah County District Attorney's Office. All available police reports will be ordered and the case reviewed.

- **What happens after someone is arrested on a DV allegation?**

The person will be booked into the Multnomah County jail. Depending on when the arrest occurred, the accused will then appear in court around 2 p.m. at the Justice Center. If the arrest is made after 5 a.m., the court appearance will be made the next business day.

- **Will the defendant stay in jail?**

The Multnomah County Sheriff's Office and judges determine custody status using guidelines that consider the nature of the crime. The Sheriff's Office and judges consider the actual criminal charges along with established policies in making release decisions. Inmates may be eligible for various supervised programs that may allow release prior to a trial. In addition, most defendants are eligible to post a bond in an amount set by law or the court that allows for release. Call the District Attorney's Office with questions.

- **How can I find out if the defendant is still in jail?**

The [Victims Information & Notification Everyday](#) system (VINE) at: 1-877-OR-4-VINE is available to assist victims to track the release status of offenders from a touch-tone phone. You may also contact the Multnomah County Sheriff's Office at (503) 988-3689 or by using their public [website](#).

- **Why are people from the DA's Office calling me right after a DV incident?**

We want to make sure you're okay. Your safety is our priority. In the hours after a domestic violence arrest, as cases are reviewed by our Deputy District Attorneys, you may receive a phone call from an attorney and/or a Victim Advocate. We can help answer questions, explain what to expect and provide safety planning resources.

- **How do I get a no contact order and/or a protective order?**

The three most common court-issued protective orders are Family Abuse Prevention Act (FAPA) Restraining Orders, Elder/Disabled Abuse Prevention Act (EDAPA) Restraining Orders and Stalking Protective Orders. A violation of a protective order requires a mandatory arrest and are considered contempt of court and are subject to punitive sanctions. A No Contact Order (NCO) is different than a protective order. By law, in some cases, the court is *automatically* required to order that the defendant have no contact with the victim of a crime. The NCO remains in place throughout the duration of a criminal case, or until modified by the court. If you have questions, contact the District Attorney's Office.

- **Will a Victim Advocate be assigned to my case?**

Yes. A Victim Advocate is always assigned to MCDA issued cases that involve domestic violence. This is to ensure that you have someone to contact at the District Attorney's Office to answer any questions you may have regarding the process or status of your case.

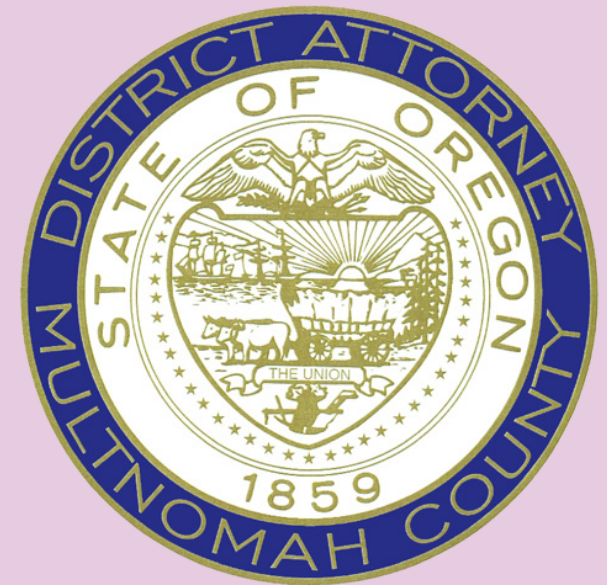
- **How long will this entire process take?**

That really depends on many factors. It is difficult to give an estimate on how long a case will take before being resolved. The District Attorney's Office Victim Assistance Program is available to answer any questions you may have during the pendency of a case after it has been issued.

- **What should I expect after a case is issued?**

This depends on several factors. In general, there are several key stages of a criminal prosecution, which include, arraignment, release hearing, pretrial negotiations, trial and/or pretrial agreement and sentencing, if there is a conviction. In some cases, a dismissal is possible. The District Attorney's Office is required to keep victims updated on the status of their cases.

DOMESTIC VIOLENCE PROSECUTION



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What Happens if I am the Victim of Domestic Violence?

Domestic Violence cases are reviewed and prosecuted by the Domestic Violence Unit of the District Attorney's office. Before a case can be reviewed by the DA's Office, a police report must be filed.

The police report, the available evidence, and Oregon law all assist the Deputy District Attorney (DDA) when reviewing a case to make a charging decision.

If your abuser was arrested, call the Multnomah County District Attorney's Domestic Violence unit at 503-988-3873 as soon as possible.

The person arrested will find out in court if the DA's Office plans to issue the case. Depending on eligibility, the defendant will either enter the Deferred Sentencing Program* or will plead not guilty and request a trial.

All felony-level DV cases that are issued are presented to a grand jury. The Grand Jury will decide if there is enough evidence to charge the accused with a crime. The victim must appear at the grand jury hearing and tell exactly what happened.

The grand jury is comprised of seven people selected from the jury panel by the court. No judge, defense attorney or suspect will be present at the grand jury. The purpose of the grand jury is to decide from the evidence presented if the state has enough information to proceed with a felony indictment.

** If the defendant is a first time offender they may be offered an opportunity to enter the Deferred Sentencing Program.*

Restraining Orders

You can apply for a free Family Abuse Prevention Act Restraining Order at the Multnomah County Courthouse, located at 1021 S.W. 4th Ave. Room 211. The Restraining Order applications are available during courthouse hours (8am to 5pm). You may obtain the Restraining Order on the same day that you make application by submitting the completed paperwork to the clerk in room 211 by 12:45pm. The clerk will direct you to the courtroom in which the Judge will consider Restraining Order applications for that day. The proceedings begin at 1:30pm. The judge will discuss your Restraining Order application with you and will determine if a

Restraining Order is appropriate. The judge may hear a number of Restraining Order applications during this time period.

Criminal Process

What do I do if I receive a subpoena?

A subpoena tells you when and where you must appear in court. When you receive it, you must call the telephone number on the subpoena to confirm your appearance in court on the date indicated.

What is Deferred Sentencing?

If the defendant is a first time Domestic Violence offender he or she *may* be offered an opportunity to enter the Deferred Sentencing Program. This program allows an eligible person to plead guilty and be placed on probation for a minimum of six months. A Probation Officer supervises the probation. The abuser must participate in any counseling program or other Court ordered condition. The defendant must abide by the order of the court and Probation Officer regarding contact with the victims. If the defendant successfully complies with the conditions of probation, the probation terminates after review by the court. The defendant makes the decision regarding the acceptance of this option after consulting with his or her attorney. **Not all first time DV offenders are eligible for this program.**

Important Phone Numbers

Multnomah County District Attorney
Domestic Violence Unit
503-988 3873

Victim Assistance Program
503-988 3222

Multnomah County Family Law
Restraining Order Information
503-988 3943

Multnomah County Jail
503-988 3689

Non-Emergency Police Reports
503-823 3333

The primary responsibility of the Multnomah County District Violence Unit is to prosecute all felony and misdemeanor domestic violence cases.

You Have the Right Not to Live in Fear.

The relationships between the victim and offenders are both intimate partner violence (IPV) and non-intimate partner violence (NIPV).

You Deserve to Feel Safe and Respected in Your Relationships

The DV Unit is responsible for screening, issuing, negotiating, and prosecuting allegations of contempt of court for violations of a Family Abuse Prevention Act (FAPA) restraining order.

Domestic Violence is a Crime

The DV Unit is committed to ending family abuse. This unit engages in evidence-based prosecution of domestic violence. It emphasizes the importance of victim advocacy services for all victims and their children.

You're Not at Fault

Even when the prosecutor decides to proceed with a case without a victim's participation, every effort is made to offer the victim advocacy services from available resources.

Common Types of DV Abuse

- Physical abuse
- Emotional abuse
- Sexual Abuse and Coercion
- Financial Abuse
- Stalking

