

Protection of Victims of Sexual Violence or Intimidation Act

What You Need to Know Now



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What You'll Know After Today

- Who is protected under the PSVI Act
- How PSVI Act differs from PFA Act
- What kind of protections are available
- What the SVP/PFI legal process looks like
- How to implement the PSVI Act
- What SVPs and PFIs look like on PFAD



“I’m sorry, but there is nothing we can do...”

Effective



JULY

2015

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	



Over 10 Years in the Making



Sexual Violence Protection Orders

Civil protection in cases of *sexual violence where there is no household or family member relationship.*

The Relationship Matters

Protection From Abuse Orders

Civil protection in cases of *abuse involving a family or household member, including sexual assault.*

Protection From Intimidation Orders

Civil protection in cases of *intimidation of a minor by an adult where there is no family or household relationship.*

The Relationship Matters

Protection From Abuse Orders

Civil protection in cases of *abuse involving a family or household member, including harassment and stalking.*



Who Is Protected?

Sexual Violence

Conduct that is a crime under Title 18:

- Sexual offenses
- Endangering welfare of children if contact is sexual
- Corruption of minors
- Sexual abuse of children
- Sexual exploitation of children

Intimidation

Conduct that is a crime under Title 18:

- Harassment
- Stalking

Cannot be family or household members

Perpetrator over 18

Victim under 18



Scenario 1 - Monica



Scenario 2 - Jennifer

SEXUAL
PROTECTION ORDER
Extended Order Amended Order

NO.

Middle
All protected persons, including minor children and DOB: Last

PROTECTION FROM
PROSECUTION ORDER
Extended Order Amended Order

PLAINTIFF
First
Name(s) of All protected persons, including minor children and

DANT

ndant's Address:

CAUTION:
Weapon Involved
Weapon Present on the Property
The Court Hereby Finds: That the Defendant has been provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:
 Defendant shall not abuse, harass, stalk or threaten any of the above persons.
 Defendant shall not contact Plaintiff, or any other person named in this order, by any means, including through third persons.
Additional findings of this order are set forth below.

Protections Available

No Contact

Other Appropriate Relief

Final Order For Up To 3 Years

Order Effective Date

DOB	
SEX	
RACE	
HAIR	
SSN	
DRIVER'S LICENSE #	
EXP DATE	

A hand holding a pen over a document, with a semi-transparent text box overlaid. The background is a blurred image of a hand holding a pen over a document with lines of text.

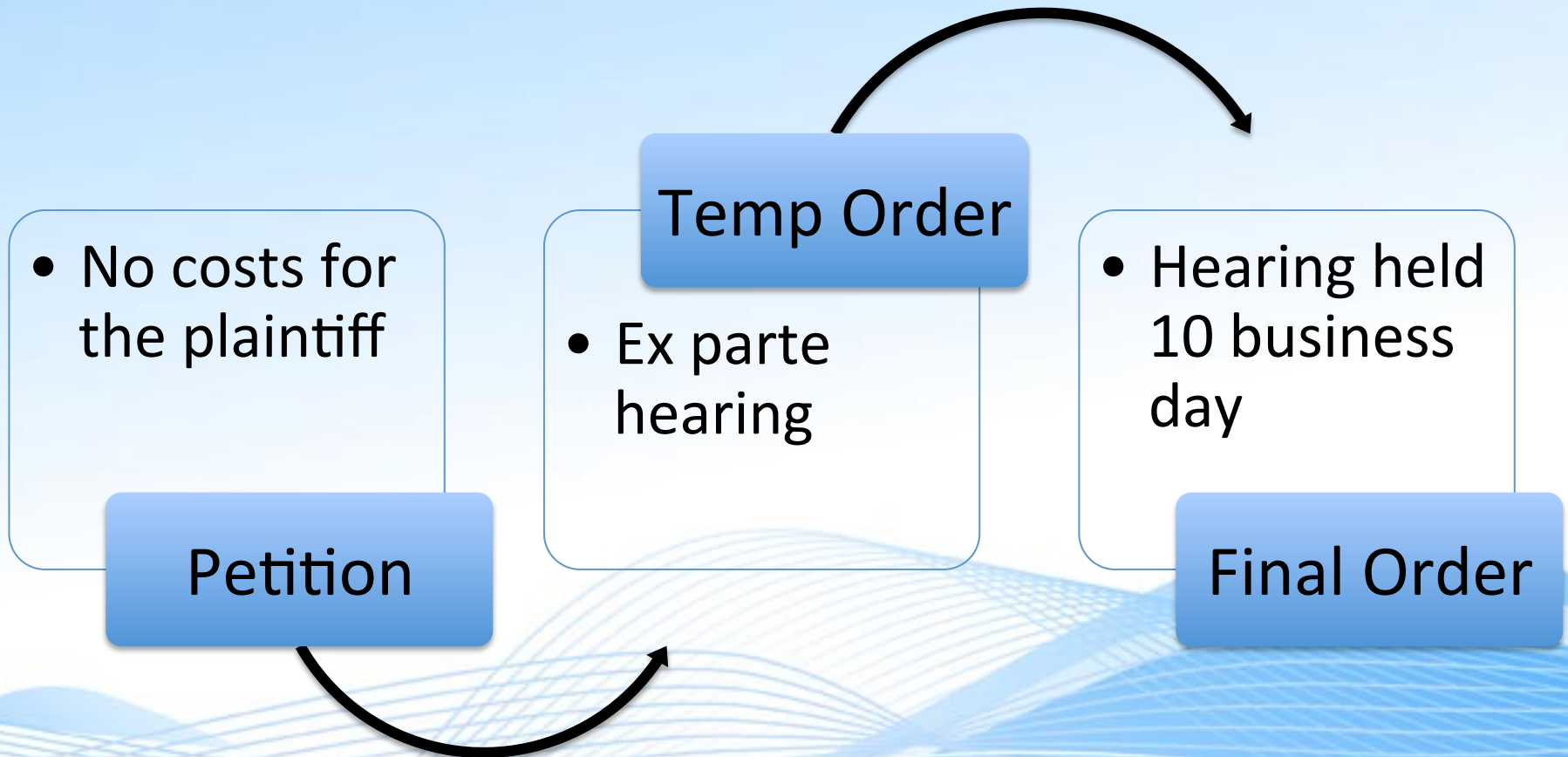
Legal Protections for Victims

Confidentiality

Address confidentiality

Court accompaniment by legal advocate

Process Mirrors PFA Process

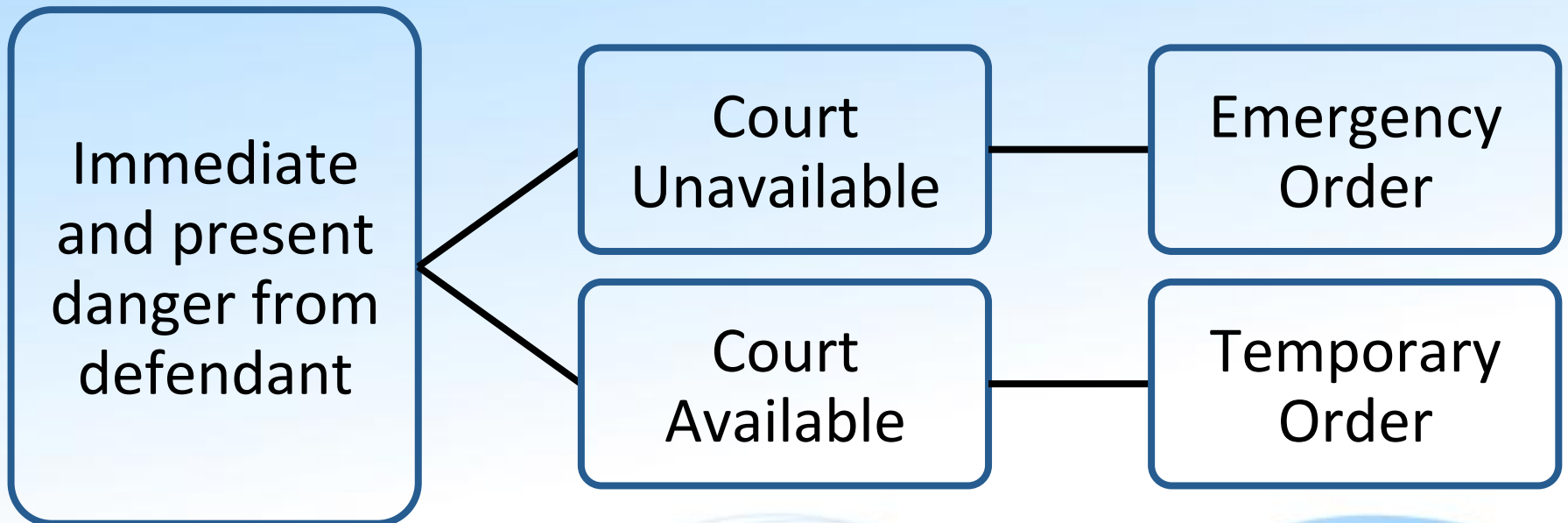


Forms Available in PFAD

Types of Orders

1. Emergency Orders (MDJ)
2. Temporary Orders (ex parte)
3. Final orders (due process)

Making your case: emergency/ex parte orders





Scenario 3 - Lucy



Scenario 4 - Bryan

MAKING YOUR CASE: FINAL ORDER

Assert she/he is a victim of sexual violence/intimidation

AND

Prove she/he is at continued risk of harm from defendant

Modifications and Extensions After Filing, Service & Hearing



procedure

Violations

Indirect Criminal Contempt • **Civil Contempt**





Role of Court Personnel



Scenario 5 - Darrell




Scenario 6 - Nikki



Next Steps

Identify partners • Collaborate with partners

Shadow DV advocates or attorneys • Observe PFA court

A woman with blonde hair and glasses is seen from the side, looking at a computer monitor. The monitor displays the text "PFAD & PSVI Act" in a bold, black, sans-serif font. The background is a bright, modern office setting with a white desk, a small green plant in a yellow pot, and a bookshelf with colorful books.

PFAD & PSVI Act



[Login](#) [Request Account](#) [Help](#) ▾

About PFAD

In October 1994, Governor Robert Casey signed into law Act 85, a bill providing extensive amendments to Pennsylvania's Protection From Abuse Act, which included the legislative mandate for a statewide protection order registry, operated by the Pennsylvania State Police (PSP).

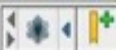
In May 1996, PCADV submitted to the Pennsylvania Commission on Crime and Delinquency (PCCD), a concept paper and preliminary budget for a 3-year project to establish a Pennsylvania PFA Database. The information contained in those documents was subsequently included in PCCD's application for National Criminal History Improvement Program funding for Fiscal Year 1996. That funding was granted and the Protection From Abuse Database Project began in February 1997.

Since that time, PCADV has developed and implemented PFAD, an electronic statewide database. PFAD's mission is to establish and maintain a database that includes all PFA proceedings in the Commonwealth. It is a computer archival system designed to complement the operation of the Pennsylvania State Police Protection Order Registry.

This archival database automates the PFA process in the courts; provides critical statewide data for analysis by the courts and law enforcement; creates and disseminates the PSP Protection From Abuse Summary Data Sheet - information necessary for inclusion in the PSP Registry; and contains all standardized PFA forms approved by the Pennsylvania Supreme Court as well as other forms necessary for protection from abuse cases. PFAD is currently working on developing and implementing electronic forms for Indirect Criminal Contempts. Records from PFAD are immediately available 24 hours a day/365 days a year to authorized users (includes courts, legal agencies and the private bar) via a SECURED Internet website.

Due to PFAD's experience in developing this web-based database, other states have requested technical assistance as they begin to launch their own databases.





Login Request Account Help ▾



Please log into the system using the account information given you. If you have not received an account but need to access the system, please fill out [this access request form](#).

User ID

Password

Login

Cancel

[Forgot your password?](#)

WARNING! THIS SYSTEM CONTAINS GOVERNMENT DATA. UNAUTHORIZED ACCESS TO THIS SYSTEM AND SOFTWARE IS PROHIBITED BY LAW. All activities on this system may be recorded and monitored. Anyone using this system expressly consents to such monitoring and waives any expectation of privacy. Evidence of possible misconduct or abuse, to include use without authorization, use in excess of authorization, or prevention of authorized use, may be provided to appropriate officials for investigation and action under applicable Federal and State criminal and civil statutes.

New Log In Screen



Case Search

Plaintiff

Defendant

Name Wildcard (Note: Searches may be slower)

PFAD #

Docket #

Docket Wildcard (Note: Match any part)

County ▾

Sort Order ▾

New Query Screen

Create New Case

Select an order below to create a new case with. Note that depending on the type of order you select (traditional, sexual violence, intimidation), only those types of orders can be added to the case in the future.

Protection from Abuse Orders

Petition

Temporary Order

Final Order

Petition for Civil Contempt

ICC Summary

Indirect Criminal Contempt Complaint

Indirect Criminal Contempt Private Complaint

ICC Order of Disposition

Sexual Violence Protection Orders

Petition for Sexual Violence Protection Order

Temporary Sexual Violence Protection Order

Final Sexual Violence Protection Order

Petition for Civil Contempt

ICC Summary

Indirect Criminal Contempt Complaint

Indirect Criminal Contempt Private Complaint

ICC Order of Disposition

Start a New Case

Intimidation Protection Orders

Petition for Protection From Intimidation Order

Temporary Protection From Intimidation Order

Final Protection From Intimidation Order

Petition for Civil Contempt

ICC Summary

Indirect Criminal Contempt Complaint

Indirect Criminal Contempt Private Complaint

ICC Order of Disposition



Save and Exit

File

Print

Cancel

More Time

Top of Order

Plaintiff

Defendant

Cautions

Filing

Prot. Persons

Recent Incident

Relief

This document is part of PFAD #: BJ005888181S
Created on 6/8/2015 by Steven Griffith (PCADV Agency)

PETITION FOR SEXUAL VIOLENCE PROTECTION ORDER

IN THE COURT OF COMMON PLEAS OF {PFAD} COUNTY, PENNSYLVANIA

NO.

1. Plaintiff

First Name

Middle Name

Last Name

Suffix

Date of Birth: Unknown

OR:

SVP Petition

Most Recent Incident

5. The facts of the most recent incident of sexual violence are as follows:

Approximate Date/Time



Place

Describe in detail what happened, including any physical or sexual abuse, threats, injury, incidents of unwanted contact, medical treatment sought, and/or calls to law enforcement. (attach additional sheets of paper if necessary):

Description

Prior Acts of sexual violence

6. If the Defendant has committed prior acts of sexual violence against Plaintiff or other person(s) for whom protection is sought, describe these prior incidents, including any threats, injuries, or incidents of unwanted contact, and indicate approximately when such acts of abuse occurred. (attach additional sheets of paper if necessary):

Save and Exit

File

Print

Cancel

More Time

Top of Order

Plaintiff

Defendant

Cautions

Filing

Prot. Persons

Recent
Incident

Relief

Cautions

Save and Exit

File

Print

Cancel

More Time

Top of Order

Plaintiff

Defendant

Cautions

Filing

Prot. Persons

Recent
Incident

Relief

Weapon Involved

Weapon Present on the Property

Defendant's Employment

Filing Information

3. I'm filing this Petition on behalf of:

Source Myself and/or Another Person

*If you checked "**myself**", please answer all questions referring to yourself as "**Plaintiff**".*

*If you **ONLY** checked "**another person**", please answer all questions referring to that person as the "**Plaintiff**", and provide your name and address here, as filer, unless **confidential**.*

Filer's First Name

Filer's Middle Name

Filer's Last Name

Save and Exit

File

Print

Cancel

More Time

Relief

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, AND AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED):

- A Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child/ren in any place where Plaintiff and/or the child/ren may be found.
- B Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.
- C Prohibit Defendant from having any contact with Plaintiff and/or the minor child/ren, either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment.
- D Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this petition. The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Relationship 1 Delete

Name

Relationship to Plaintiff

Address

optional

More Relatives

Top of Order

Plaintiff

Defendant

Cautions

Filing

Prot. Persons

Recent
Incident

Relief

(Caption)

PETITION FOR PROTECTION OF VICTIMS OF

- SEXUAL VIOLENCE**
- SEXUAL VIOLENCE AGAINST A MINOR CHILD**
- INTIMIDATION**

1. Plaintiff:

First	Middle	Last Name
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Plaintiff's Address: _____

Plaintiff's address is confidential pursuant to 42 Pa.C.S. § 62A11.

Plaintiff's Date of Birth: _____

I am filing this petition on behalf of myself or another person.

If you checked "myself," please answer all questions referring to yourself as "Plaintiff." If you checked "another person," please answer all questions referring to that person as

PFAD Technical Support

Who? Steve Griffith

How? 1-888-235-3425 or sgriffith@pcadv.org

When? Monday – Friday 9am – 5pm

Why? Access to PFAD, problems using PFAD

Questions?



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