

## **DOMESTIC VIOLENCE IN FLORIDA:** **THE ROLE OF LAW ENFORCEMENT AND FIRE RESCUE**

The Incidence of domestic violence has dramatically increased by nearly two-thirds in the state of Florida over the last decade. Domestic violence is defined by statute in Florida as any act or threat which places an individual in fear of his or her safety. When the threat or act is directed at a spouse, live in companion, or other family member you have an action of domestic violence. It is often difficult to evaluate a true domestic violence act due to the fact that in most cases it occurs in the privacy of a residence. In most situations there are no witnesses and it is the word of one party against the other. Because these acts usually are not public displays of violence both law enforcement, fire rescue, and EMT personnel must quickly assess the allegations upon arrival at the scene. It normally requires the attending agency to review statements and most importantly make a visual inspection of the victim for injury, marks on the body or other sign that trauma has occurred. In many cases victims often do not wish to file charges against the perpetrator of the violent act, because there exists a relationship between the parties.

In Florida the Courts in every circuit have established a Domestic Violence Court. An individual who is a victim of domestic violence can file a petition against the perpetrator for a preliminary injunction. The Court will review the petition and if the case has merit will enter an Order of Temporary Injunction. A

final hearing after notice to all parties must occur within fourteen days after the issuance of the Temporary Injunction. Each party may bring witnesses to the hearing. In some cases law enforcement, fire rescue and EMT personal are also subpoenaed to appear in Court.

If the permanent injunction is issued after hearing by the Court the perpetrator is required to stay five hundred feet from the victim at all times. He or she also will be required to surrender all firearms to the sheriffs' office in the County that he or she resides. The injunction is valid for one year unless both parties mutually agree to terminate the injunction.

All law enforcement and fire rescue agencies should become well aware of the increased incidents of domestic violence in this state, because these agencies play a vital role in the prosecution of this type of activity. Many cases of domestic violence go unreported. Our law enforcement and fire rescue teams can curb the tide in the rise of domestic violence by simply recognizing what constitutes domestic violence in our society.