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# Educational Page



## New Legal Options for Victims

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The United States Legal System is an ever-changing entity, with new legislation being passed on a regular basis. With these new legislations come new forms of protection for victims of sexual assault and domestic violence. The new Protection from Sexual Violence and Intimidation Act (PSVI), effective July 1, 2015, grants victims a new weapon in their arsenal against offenders. New amendments to the Pennsylvania divorce statute will also take effect on June 21, 2016 that will prospectively make the legal process for divorce much less of a hassle for victims. A less recent reform to human trafficking laws also cover more ground in an effort to protect victims and prosecute offenders.

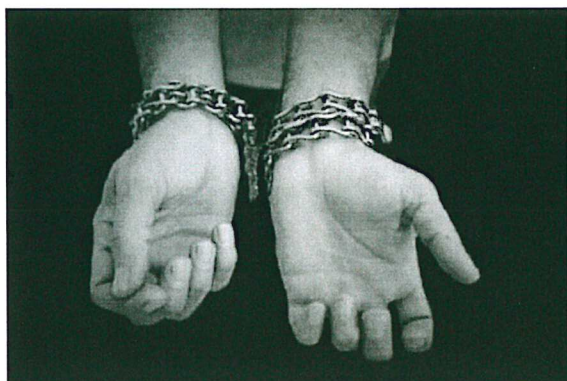
The Act shares many similarities with typical Protection from Abuse (PFA) Orders, with a few distinct differences. PFAs serve to protect victims of domestic violence by means of retrieval of firearms from the offender by police, the requirement that the offender must stay away from the victim, and imminent legal action if the order is violated. The issue with PFAs comes in the form of limitations to whom it can be served. Only family members and current or ex-intimate partners and spouses can be issued a PFA. This means that if someone is a victim of stalking, and the assailant is a stranger, it is impossible to issue a PFA. There is, however, still hope for a victim caught in this situation. Sexual Violence Protection orders (SVPOs) and Protection from Intimidation orders (PFIOs), each a part of the PSVI Act, allow protection for victims in these types of scenarios. Complete strangers, acquaintances, and even coworkers can no longer escape PFA orders on a technicality. SVPOs can be issued when children or adults are being sexually harassed by someone that they do not have a romantic or consanguineous relationship with, and PFIOs are ordered to protect children that are being stalked or harassed by someone over the age of 18.

Another legal option for victims who are being abused by their spouse has recently come to pass as well. Changes to divorce statute, 23 Pa.C.S. 53301 will create an entirely new ground for divorce. If the spouse has been convicted, entered a plea of guilty, nolo contendere (no contest), or was accepted into an Accelerated Rehabilitative Program (ARP) their compliance with the divorce is automatically assumed. This could potentially be very beneficial for a victim of abuse if their spouse was attempting to prolong the divorce process in order to maintain control over a victim, because it will rob the offender of their ability to abuse the legal system.



Human trafficking is an issue that some consider to be insignificant in comparison to more prevalent issues in Columbia and Montour Counties such as domestic violence, however in larger cities, and even in our area, human trafficking does occur. Human trafficking can take place when an individual is coerced into paying off an impossible debt that they owe to someone else through unpaid labor or the performing of sex acts against their will. An extensive revision of the laws pertaining to human trafficking was made on July 2, 2014. The reforms cover "debt coercion, extortion, financial harm, involuntary servitude, labor servitude" and several other phrases and terminology related to the human trafficking

epidemic. Basically, every tactic that an offender could possibly construe to keep someone under their reign of power and control is addressed in the 2014 reform. Before this, the fairly new (2006) human trafficking laws were inherently weak and filled with legal loopholes.



The prosecution of human trafficking law offenders has come a long way as well, with bold confidentiality rights and restitution reforms for survivors of trafficking. New confidentiality rights make the decision to press charges against assailants an easier task for victims, with a guarantee that officers and employees of the court will not disclose the name of the victim in question. Restitution laws now state that victims be compensated by the offenders for the time that they've spent providing services against their will as well. The typical amount to be paid to victims is minimum wage plus overtime hours that they've worked, but can differ depending on what services they provided, and any monetary promises made to them by their offender.

Often times a victim of sexual assault or domestic violence does not know who to turn to with their problems, but with these new legislations, victims are being empowered to tackle the daunting task of taking their offender to court. New reforms are happening all the time, so it is important to stay informed and know what rights each individual is entitled to.



The Women's Center Legal Department is equipped and ready to support victims with their legal ventures. The Legal Department can assist with the process of obtaining a Protection from Abuse Order (PFA) or an Emergency Petition From Abuse (EPFA), from providing information and an attorney at no cost to accompanying the victim to court hearings. The Women's Center also provides anti-stalking kits, which can establish behavioral patterns of stalkers and provide evidence for law enforcement. A 24-hour hotline can be reached at (570) 784-6631 to learn more and get started.

**After reading the Education Page, please fill out the information below to count it as 30 minutes toward your additional educational training**

### **Services at The Women's Center**

The Women's Center offers educational trainings on sexual assault. To schedule any of our trainings please contact the Education Department at 570-784-6632.

If you are a victim of domestic violence and sexual assault and want to know the resources that are available to you, then you can always reach out to The Women's Center at 570-784-6631 or toll-free at (800) 544-8293. All of our services are free and confidential.