

## Guide for Dropping Domestic Violence Charges

*This guide is for people whom have been identified as the Victim in a domestic violence case, but wish to drop charges. This guide does not replace the sound advice of an experienced criminal attorney. Instead, it serves as an aid to work with an attorney to get domestic violence charges dropped. The person charged with domestic violence needs an attorney.*

### **RULES**

**1**

Do not speak with law enforcement, CPS, or prosecutors until you have met with the defense lawyer on the case.

**2**

Do not make the situation worse by encouraging the person charged to violate an Emergency Protective Order. The criminal attorney on the case needs to file to get the EPO lifted.

**3**

Do not wait until a court date or even until a criminal case is filed with a court. The sooner you start on the below steps the better are your chances of having the domestic violence charges dropped.

**If your loved-one does not have a defense attorney or their defense attorney does not return calls then you need to begin meeting with attorneys right away.**

*Understand, you are not the person deciding whether the domestic violence case will be prosecuted. The State's attorney makes the decision. With your help, the criminal defense attorney on the case needs to **persuade** the prosecutor to dismiss the charges.*

### **Steps for Dropping Domestic Violence Charges**

**Step 1** Complete an affidavit of non-prosecution at the office of the criminal attorney defending the case. Be sure to bring a valid State issued identification card (i.e. driver's license, military ID, or ID card).

**Step 2** The attorney for the person accused should file to lift any Emergency Protective Orders or bond conditions prohibiting contact with you. Step 1 (Affidavit of Non-Prosecution) is needed to effectively do this.

**Step 3** Enroll and attend a domestic violence prevention class for victims. This class is referred to as the "Alternatives" program in Tarrant County. Contact Safe Haven of Tarrant County for scheduling information.

- Fort Worth Resource Center 817-536-5496
- Arlington Resource Center 817-548-0583

**Step 4** Contact the attorney defending your loved one, so the attorney's office can schedule a time for you to meet with "Victim's Assistance" or the prosecutor assigned to the case.