



BROOKLINE POLICE DEPARTMENT



Hand this to all defendants when serving a restraining order Penalties for Any Violation of a Restraining Order

M.G.L.A. 209A § 7

Each abuse prevention order issued shall contain the following statement:

VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Any violation of such order or a protection order issued by another jurisdiction shall be punishable by a fine of not more than five thousand dollars, or by imprisonment for not more than two and one-half years in a house of correction, or by both such fine and imprisonment. In addition to, but not in lieu of, the forgoing penalties and any other sentence, fee or assessment, including the victim witness assessment in section 8 of chapter 258B, the court shall order persons convicted of a crime under this statute to pay a fine of \$25 that shall be transmitted to the treasurer for deposit into the General Fund. For any violation of such order, the court shall order the defendant to complete a certified batterer's intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer's intervention should not be ordered or unless the batterer's intervention program determines that the defendant is not suitable for intervention. The court shall not order substance abuse or anger management treatment or any other form of treatment as a substitute for certified batterer's intervention. If a defendant ordered to undergo treatment has received a suspended sentence, the original sentence shall be reimposed if the defendant fails to participate in said program as required by the terms of his probation. If the court determines that the violation was in retaliation for the defendant being reported by the plaintiff to the department of revenue for failure to pay child support payments or for the establishment of paternity, the defendant shall be punished by a fine of not less than one thousand dollars and not more than ten thousand dollars and by imprisonment for not less than sixty days; provided, however, that the sentence shall not be suspended, nor shall any such person be eligible for probation, parole, or furlough or receive any deduction from his sentence for good conduct until he shall have served sixty days of such sentence.

When a defendant has been ordered to participate in a treatment program pursuant to this section, the defendant shall be required to regularly attend a certified or provisionally certified batterer's treatment program. To the extent permitted by professional requirements of confidentiality, said program shall communicate with local battered women's programs for the purpose of protecting the victim's safety. Additionally, it shall specify the defendant's attendance requirements and keep the probation department informed of whether the defendant is in compliance.

In addition to, but not in lieu of, such orders for treatment, if the defendant has a substance abuse problem, the court may order appropriate treatment for such problem. All ordered treatment shall last until the end of the probationary period or until the treatment program decides to discharge the defendant, whichever comes first. When the defendant is not in compliance with the terms of probation, the court shall hold a revocation of probation hearing. To the extent possible, the defendant shall be responsible for paying all costs for court ordered treatment.

Where a defendant has been found in violation of an abuse prevention order under this chapter or a protection order issued by another jurisdiction, the court may, in addition to the penalties provided for in this section after conviction, as an alternative to incarceration and, as a condition of probation, prohibit contact with the victim through the establishment of court defined geographic exclusion zones including, but not limited to, the areas in and around the complainant's residence, place of employment, and the complainant's child's school, and order that the defendant to wear a global positioning satellite tracking device designed to transmit and record the defendant's location data. If the defendant enters a court defined exclusion zone, the defendant's location data shall be immediately transmitted to the complainant, and to the police, through an appropriate means including, but not limited to, the telephone, an electronic beeper or a paging device. The global positioning satellite device and its tracking shall be administered by the department of probation. If a court finds that the defendant has entered a geographic exclusion zone, it shall revoke his probation and the defendant shall be fined, imprisoned or both as provided in this section. Based on the defendant's ability to pay, the court may also order him to pay the monthly costs or portion thereof for monitoring through the global positioning satellite tracking system.

In each instance where there is a violation of an abuse prevention order or a protection order issued by another jurisdiction, the court may order the defendant to pay the plaintiff for all damages including, but not limited to, cost for shelter or emergency housing, loss of earnings or support, out-of-pocket losses for injuries sustained or property damaged, medical expenses, moving expenses, cost for obtaining an unlisted telephone number, and reasonable attorney's fees.

Resources At-a-Glance

12 Step Meeting		
AA-Hotline	617-426-9444	368 Congress St. Lower Level, Boston
NA Hotline	1-866-624-3578	Call Hotline for location
Detoxes		
Ad Care	1-800-345-3552	107 Lincoln St. Worcester 01605
Andrew House	617-479-9320	1 Moon Island Road Quincy 02171
Arbor Hospital	617-522-4400	49 Robinwood St. Jamaica Plain 02130
Boston Detox	617-488-1760	170 Morton St Jamaica Plain 02130
	617-522-8110	Shattuck Hospital
Brockton Catholic Charities	508-584-9210	940 Belmont St (# 60) Brockton 02301
CAB	1-800-763-5363	748 Mass Ave (617-247-1001)
Dimock	617-442-9661	41 Dimock St. Roxbury 02119
Gosnold	1-508-540-6550	200 TerHeun, Falmouth 02540
Plymouth High Point	1-508-224-7701	1233 State Rd, Plymouth 02360
Room 5 Detox (BMC)	617-534-5554	727 Mass. Ave., Boston 02118
SStar Detox	1-508-679-5222	400 Stanley St., Fall River 02720
Somerville Hospital	617-666-4400	230 Highland Ave. Somerville 02143
Domestic Violence Treatment		
Battered Women's Hotline	1-800-992-2600	Call Hotline for Locations
Common Purpose; Inc.	617-522-6500	455 Arborway, Boston 02130
Emerge (for Men)	617-547-9879	2464 Mass Ave, Suite 101 Cambridge 02140
Fenway Comm. Health Center	617-267-0900	7 Haviland St Boston 02115 (also Spanish)
Rape Crisis Center	617-492-7273	99 Bishop Allen Dr. Camb. 02139

Consumer Rights and Credit

For more detailed information about consumer rights and credit, please visit the Attorney General's Office website, www.mass.gov/ago, and view the publication, The Attorney General's Guide to Consumer Credit. You may also contact the Attorney General's Consumer Complaint and Information hotline at (617) 727-8400.

Credit reporting agencies:

Experian

www.experian.com

To report fraud: 1-888-397-3742

TransUnion

www.transunion.com

To report fraud: 1-800-680-7289

Equifax

www.eguifax.com

To report fraud: 1-800-525-6285

General information and complaints:

Office of the Attorney General Consumer Protection Division

www.mass.gov/ago

(617) 727-8400 Consumer Complaint and Information Hotline

Office of Consumer Affairs and Business Regulation www.mass.gov/ocabr

(888) 283-3757 Consumer Hotline

Questions and complaints about credit and collection agencies:

Massachusetts Division of Banks www.mass.gov/dob

(617) 956-1501 Consumer Line