

INJUNCTIONS				
Domestic Violence	Dating	Repeat	Sexual	Stalking
FS 741.28	FS 784.046	FS 784.046	FS 784.046	FS 784.048
<p>Definition: Violence is any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. <i>(This definition applies to dating, repeat and sexual violence as well.)</i></p> <p>Domestic violence can include: previous threatening, harassment, stalking, or physical abuse; attempts to harm the victim or family members or individuals closely associated with the victim; threatening to conceal, kidnap, or harm the victim's child(ren); intentional injury of death of a family pet; use or threatened use against the victim any weapons such as guns or knives; physical restraint of the victim from leaving the home or calling law</p>	<p>Definition: Dating violence is between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. A dating relationship must have existed within the past 6 months; the nature of the relationship must have been characterized by the expectation of affection of sexual involvement between the parties; and the frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.</p>	<p>Definition: Repeat violence is two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of the filing of the petition, which are directed against the petitioner or the petitioner's immediate family member.</p>	<p>Definition: Sexual violence is: Sexual battery under ch. 794; a lewd or lascivious act under ch. 800, committed in the presence of a person younger than 16; luring or enticing a child under ch. 787; sexual performance by a child under ch. 827; any other forcible felony where a sexual act is committed or attempted, regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney.</p>	<p>Definitions: Stalking is willful, malicious, and repeated following, harassing, or cyberstalking.</p> <p>Aggravated stalking is willful, malicious and repeated following, harassing, or cyberstalking another person and making a credible threat to that person; willful, malicious and repeated following, harassing, or cyberstalking another person done after an injunction; willful, malicious and repeated following, harassing, or cyberstalking a child under 16 years of age; or willful, malicious and repeated following, harassing, or cyberstalking another person after having been sentenced to a violation of FS 794.011, 800.04 or 847.0135(5) and is prohibited under FS 921.244 from contacting the victim.</p>

<p>enforcement; a criminal history involving violence or the threat of violence; another order of protection issued against him or her previously or from another jurisdiction; destruction of the victim's personal property; engaging in other behavior that leads the victim to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.</p>				
<p>Who May File: Any person who is a member of a family or household that is the victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence. Any spouse or former spouse; person related by blood or marriage; person who is or was residing within a single dwelling unit as if a family; or person who has a child in common with the respondent, regardless of whether the person and respondent are or were married or residing together as if a family.</p>	<p>Who May File: Any person who is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming the victim of another act of dating violence, or any person who has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence, or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against dating violence on behalf of that minor child</p>	<p>Who May File: Any person who is the victim of repeat violence or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against repeat violence on behalf of the minor child.</p>	<p>Who May File: A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence if: (1) the person has reported the sexual violence to a law enforcement agency and is cooperating in the criminal proceeding if there is one; or (2) the respondent was sent to prison for committing one of the sexual violence crimes against the victim or minor child and respondent is out of prison or is getting out of prison within 90 days of the petition being filed.</p>	<p>Who May File: Victims of stalking and cyberstalking, regardless of relationship to the respondent.</p>