

DV/SA ADVOCACY AGENCIES

Bismarck
Abused Adult Resource Center
Crisis Line: 866-341-7009
Office: 701-222-8370
abusedadultresourcecenter.com

Bottineau
Family Crisis Center
Crisis Line: 800-398-1098
Office: 701-228-2028
famcrisiscenter.org

Devils Lake
Safe Alternatives for Abused Families
Crisis Line: 701-409-0665
Office: 701-662-7378
saafnd.org

Dickinson
Domestic Violence & Rape Crisis Center
Crisis Line: 888-225-4506
Office: 701-225-4506
dvrccnd.com

Ellendale
Kedish House
Crisis Line: 877-349-4729
Office: 701-349-4729
kedish-house.com

Fargo
Rape & Abuse Crisis Center
Crisis Line: 800-344-7273
Office: 701-293-7273
raccfm.com

Grafton
Domestic Violence & Abuse Center Inc.
Crisis Line: 866-435-7490
Office: 701-331-0466
dvacnd.org

Grand Forks
Community Violence Intervention Center
Crisis Line: 866-746-8900
Office: 701-746-0405
cviconline.org

Jamestown
Safe Shelter
Crisis Line: 888-353-7233
Office: 701-251-2300
safeshelterjamestown.org

McLean Co.
McLean Family Resource Center
Crisis Line: 701-462-8643
Office: 701-462-8643
mcleanfrc.weebly.com

Mercer Co.
Women's Action & Resource Center
Crisis Line: 701-873-2274
Office: 701-873-2274
mercerwar.com

Minot
Domestic Violence Crisis Center
Crisis Line: 701-857-2200
Office: 701-852-2258
courage4change.org

Ransom Co.
Abuse Resource Network
Crisis Line: 701-683-5061
Office: 701-683-5061
abuseresourcenetwork.org

Fort Totten
Spirit Lake Victim Assistance
Crisis Line: 701-766-1816
Office: 701-766-1816
spiritlakenation.com/programs/
spirit-lake-victim-assistance/

Stanley
Domestic Violence Program NW ND
Crisis Line: 800-273-8232
Office: 701-628-3233
dvpnwnd.weebly.com

Turtle Mountain Reservation
Hearts of Hope
Crisis Line: 701-477-0002
Office: 701-477-0002
E-mail: gourneau@utma.com

Valley City
Abused Persons Outreach Center
Crisis Line: 701-845-0072
Office: 701-845-0078
apocnd.org

Wahpeton
Three Rivers Crisis Center
Crisis Line: 701-642-2115
Office: 701-642-2115
threeriverscrisiscenter.weebly.com

Williston
Family Crisis Shelter
Crisis Line: 701-770-5180
Office: 701-572-0757
familycrisisshelter.com

UPDATES & NOTIFICATIONS

The North Dakota Statewide Automated Victim Information Notification (ND SAVIN) program can send you electronic notifications by email, text message, and/or phone calls to inform you of:

- When an order has been served
- Upcoming hearings
- Reminder of order expiration
- An offender's court hearings, parole reviews, or change of address
- Change of status of the offender's probation or parole status or status report of an offender in custody.

To sign up for this resource, you will need the case number and the exact spelling of the respondent's full name.

Sign up for SARO notifications: www.registervpo.com

Sign up for offender notifications: www.vinlink.com

CAWS NORTH DAKOTA

521 E Main Avenue
Suite 320
Bismarck, ND 58501

Phone: 701.255.6240
Toll Free: 888.255.6240
Fax: 701.255.1904

Web: cawsnorthdakota.org
Email: contact@cawsnorthdakota.org

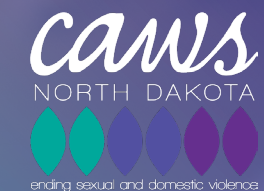
CAWS North Dakota does not provide direct services to victims of domestic and sexual violence. Contact your local domestic violence/sexual assault advocacy agency for support. Call 911 in an emergency.

[f](#) [@](#) [t](#) [in](#) [v](#) @cawsnorthdakota

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Sexual Assault Restraining Orders in North Dakota



View this directory online:
cawsnorthdakota.org/get-help/advocacycenterdirectory

SEXUAL ASSAULT (SA) DEFINED

Sexual assault, also referred to as sexual violence, is any type of forced or coerced sexual contact or behavior that happens without consent. According to North Dakota Century Code (NDCC) 12.1-20-02, *sexual contact* means any touching, whether or not through the clothing or other covering, of the sexual or other intimate parts of the person, or the penile ejaculation or ejaculate or emission of urine or feces upon any part of the person, for the purpose of arousing or satisfying sexual or aggressive desires.

WHAT IS A SEXUAL ASSAULT RESTRAINING ORDER (SARO)?

A Sexual Assault Restraining Order, or SARO, is a civil order from a North Dakota state district court. A SARO requires the person committing sexual assault to stop and to leave the victim(s) listed on the order alone. It prohibits them from contacting, harassing, stalking, or threatening the victim, and from appearing at the victim's residence, school, and place of employment.

Who can get an order?

An individual who is the victim of sexual assault OR the parent, stepparent, or guardian of a minor who reasonably believes the minor is a victim of sexual assault may seek a SARO.

Who obtains the order?

The petitioner (victim) applies for the order through civil court.

How is the order obtained?

The victim, or the parent, stepparent or guardian of the minor child who is the victim, applies for the order through civil court.

Is there a hearing?

If you're granted a temporary Sexual Assault Restraining Order, a hearing is held within 14 days to determine if the court will extend the SARO for a longer period of time.

How long does the order last?

A SARO can be granted for up to two years.

What happens if there is a violation of the order?

A violation of a SARO is a criminal offense. A first violation is a class A misdemeanor, a second or subsequent violation is a class C felony. A respondent (offender) may be subject to immediate arrest or arrest upon the establishment of probable cause.

Is there a charge for applying for the order?

There are no filing or service fees for a SARO.

Are firearms or other weapons removed through this order?

There is no requirement for the removal of weapons.

APPLYING FOR A SEXUAL ASSAULT RESTRAINING ORDER

A state's attorney or certified domestic violence/sexual assault (DV/SA) advocate may advise and assist any person in the preparation of documents necessary to secure a Sexual Assault Restraining Order under NDCC 12.1-31-01.2.

Be aware that there are limitations on the amount of assistance a state's attorney may provide. To contact a DV/SA advocate, view the directory of DV/SA advocacy agencies in this brochure. All DV/SA advocate services are free and confidential.

Forms for requesting a SARO can be obtained through your county courthouse or online at www.ndcourts.gov/legal-self-help/sexual-assault-restraining-order.

The petition must be presented to district court by the individual, an attorney, or with a certified DV/SA advocate's help. The order can be temporarily granted ex parte (based on one party's account) without a hearing. The court will later hear details from each party to determine if they can issue a SARO for a longer period of time (up to two years.)

WHAT TO INCLUDE IN A SARO PETITION

- Include as much detail about the sexual assault as possible. If there were witnesses, you may want to list their names.
- Describe what caused you to come before the court as a petitioner or on the behalf of a minor child.
- If more than one incident has occurred, list the events chronologically. This should include any threats or physical/sexual contact.
- Provide facts, not opinions.
- Include how your life has changed since the assault(s) occurred, specifically any negative impacts.
- Consider including any other information you want the judge to hear, as you may not have the opportunity to provide any oral statements during the court hearing.

WHAT APPLICANTS NEED TO KNOW

- Fees must be waived for filing and serving Sexual Assault Restraining Orders.
- A restraining order is valid and enforceable as soon as it is signed. After the SARO is served (delivered to the offender), violations are criminal acts.
- The court may not issue a mutual restraining order, unless both parties have filed separate applications.
- A married person does not need to file for divorce or separation in order to receive a restraining order.
- A victim must file a request with the court in order to have a restraining order dismissed.
- Under federal and state Full Faith & Credit laws, state and tribal courts must honor any restraining order issued by any state or tribal court.
- Although not required for enforcement, petitioners have the option to register any foreign (out-of-state or tribal court) restraining orders with a North Dakota state district court.

SARO VIOLATIONS

According to NDCC 12.1-31-01.2, a SARO must contain a conspicuous notice to the respondent of the order and provide the specific conduct that constitutes a violation of the order. This means that if you are granted a SARO, the respondent (offender) must be clearly notified that a restraining order has been put in place against them. This is sometimes referred to as being "served." The respondent must also be notified of the actions or behaviors that would cause them to be in violation of the order.

Though the SARO is a civil remedy, a violation is a criminal offense. If the respondent knows an order has been issued, the first violation is a Class A misdemeanor with a maximum penalty of one year in jail, a \$3,000 fine, or both. A violation also constitutes contempt of court, meaning the respondent could face additional penalties for the act of disobeying the court order. Any second or subsequent violation is a Class C felony with a maximum penalty of five years in jail, a \$10,000 fine, or both.

If the existence of an order can be verified, a law enforcement officer may, without a warrant, arrest and take into custody an individual whom the officer has probable cause to believe has violated the order. An individual charged with or arrested for a sexual assault crime, including a restraining order or no contact order violation, can be required to use an electronic home detention or GPS system.