

What is a Restraining Order?

A Restraining Order requires a perpetrator to keep their distance and cease contact with a victim that they have stalked or harassed.

If the perpetrator breaches the order, they may be arrested.

No one should have to live in fear. If you have been stalked or harassed, a Restraining Order may help you gain traction through the criminal justice system. If the person stalking or harassing you is an abusive current or former spouse, someone you have a child in common with, or a current or previous live-in partner of the opposite sex, an Order of Protection may be another option. Go to les.sc.edu/order-of-protection for more information about getting an Order of Protection.



The Division of Law Enforcement & Safety provides reasonable, fair, and compassionate assistance to victims and witnesses of crime.

The Division is committed to the development, implementation, and maintenance of programs and activities that provide appropriate assistance to victims/witnesses.

Law Enforcement Victim Advocate Services Include:

- Assistance with Restraining Orders and Orders of Protection (Civil)
- Housing Assistance
- Class Assistance
- Parking Assistance
- No Contact (USC Student Conduct)
- Court Preparation/Appearances (To include the Bond Hearing)
- SOVA Assistance
- Safety Plans
- Referrals

Rave Guardian Safety App

Download our free mobile app that turns your cell phone into a personalized protection network, connecting with University Police during an emergency and giving us important information we need instantly.

les.sc.edu/RaveSafetyApp



Victim Services
Division of Law Enforcement and Safety
1415 Henderson Street
(1600 Hampton Street Annex)
Columbia, SC 29208

24 hour phone number: **803-777-4215**

Emergency: **911**

les.sc.edu

University of South Carolina
Division of Law Enforcement and Safety

Restraining Order:
Help if you're being stalked or harassed.



Important Information:



When someone has been stalked or harassed by another person, it can make them feel that they have lost control over part of their life. This can impact a victim personally, professionally, and academically. Taking legal steps to regain a sense of control can be empowering.

How it can help?

A Restraining Order is issued by a court and mandates that perpetrator who has been stalking or harassing a victim to refrain from contacting them in any way and maintain distance from them. If the perpetrator violates the order, they risk being arrested.

Document the Threatening Behavior

Prior to seeking a Restraining Order, documentation of events involving the perpetrator can be an important tool to assist you in building your case for obtaining an Order and alerting law enforcement if they violate an existing Order.

- A stalking and incident log can be found on the Department of Law Enforcement and Safety website at les.sc.edu/incident-log. Keep the log in a safe place or with someone you trust. Document every instance of threat, stalking, harassment, contact, or attempt to contact, even if you have already gotten an Order of Protection.

- Notify the perpetrator in writing that you no longer want them to contact you by phone, text, internet, or appear at your work, residence, or other areas they may have been appearing to harass or intimidate you. If they have been stalking you in other ways, indicate clearly that you want this to stop immediately as well. Sending correspondence by certified mail is a good idea, as it provides you with a receipt and allows you to track the delivery of the letter. Make a copy for yourself before sending, and keep in a safe place.
- Take screen shots of threatening or unwanted texts, snapchats, or mobile correspondence. Print all emails and forms of internet communication. Keep these somewhere safe or with a trusted person.
- Document and photograph all instances of vandalism or damage to personal property.

The Process:

For a victim to file for a Restraining Order against someone, the perpetrator must have committed two acts of stalking, harassment, or other threatening behavior directed at them within the past 90 days.

Victim Services is available to help you complete the paperwork to file for a Restraining Order.

1) Fill out the forms and file for the order.

Contact the Magistrate's Office in the county where the perpetrator resides to find out how to get the necessary paperwork. There is no fee to obtain the paperwork or file the request. However, please note that the non-prevailing party will have a fee

Safety First

*If the person stalking, harassing, or threatening you violates a Restraining Order, call the police immediately and document it. **However**, even if you do not have a signed restraining order, if at any time you feel that your safety is at risk or you or that you are in danger, call 911 immediately.*

- You are the best gauge of your own safety; trust your instincts.
- Consider changing your locks and phone number.
- Always lock your car and house.
- Have a safety plan in case the perpetrator does not obey the Restraining Order.
- Make several copies of your Restraining Order. Leave copies at your work, home, with family members, a close friend, or other people you trust. Also give a copy to your local law enforcement agency.

of around \$55. This means that if the Restraining Order is **NOT** awarded, you (the plaintiff) will have to pay the fee, and if the Restraining Order **IS** awarded, the perpetrator (the defendant) will have to pay a fee.

2) Notice and service of process. A hearing date will be set for five to 15 days from the date your paperwork was filed with the Magistrate's Office. During that time, the perpetrator (defendant) will be served with a Complaint informing them of the hearing by law enforcement. The defendant **MUST** be served before the hearing can take place.

3) The hearing. The hearing will take place before a judge, and you and the defendant will both have

Get Help!



If you are being stalked or harassed and you are thinking about filing for a Restraining Order, don't hesitate to reach out for help. Call the 24-hour number at 803.777.4215, or email victimhelp@mailbox.sc.edu.

Individual and group counseling services are available to all USC students. Crisis intervention and walk-in appointments are available, too. Call 777.5223 or visit Close/Hipp Building, fifth floor, located at 1705 College Street.

the opportunity to testify. You and the defendant may appear with or without attorneys. The judge will decide whether there is cause to sign the restraining order or not.

4) After the hearing. If the restraining order is signed, you will make decisions about how to resolve the circumstances that warranted the hearing in the first place. This may involve criminal charges or other steps to protect yourself from further harm.

5) Renewal. A Restraining Order from the Magistrate's Court is good for six months. If you need it beyond that time, contact the Magistrate's court where it was issued to get a renewal hearing.