

Definition of Domestic Violence/Abuse in Civil Protection Order Statutes

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Summary

This matrix provides every state and U.S. territory's definition of domestic violence/ abuse and the relationships that qualify for relief. The column to the left lists the states and territories alphabetically. The right column provides the definition of domestic violence or abuse and outlines the qualifying relationships for a domestic violence civil protection order. The definitions of abuse vary from state to state. There are, however, some similarities in the actions that are considered abusive in all of the statutes. Physical violence and the threat of physical violence are included in every state's statute. At the same time, some states are very precise in their definitions of abuse regarding the physical and non-physical actions that abuse is composed of and the parties that are involved; other states include only basic definitions that are more open to broad interpretation.

Sexual Assault:

Twenty-four states, one territory, and the District of Columbia mention sexual assault in their statutes and specifically defines sexual assault by reference to another statute. (Alabama, Alaska, Arizona, Arkansas, Delaware, District of Columbia (refers to crimes in general), Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Vermont, Virgin Islands, West Virginia, Wisconsin, and Wyoming). Ten states mention or include sexual assault within their statutes. (California, Florida, Idaho, Illinois, Kentucky, Louisiana, Nevada, New Mexico, Texas, and Virginia.) Ten states and two territories define sexual assault in their statutes (American Samoa, Colorado, Indiana, Kansas, Massachusetts, Missouri, North Dakota, Northern Mariana Islands, Oregon, Pennsylvania, Rhode Island, and Washington).

Stalking and Harassment:

Twenty-nine jurisdictions include stalking within their definitions of abuse (Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Mississippi, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virgin Islands, Virginia, Washington, and West Virginia). Seventeen states and two territories recognize various forms of harassment as abusive (Alabama, Alaska, Arizona, California, Connecticut, Illinois, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, the Northern Mariana Islands, Oklahoma, Rhode Island, Utah, the Virgin Islands, Washington, and West Virginia).

Cyber-stalking and Harassment:

As technology changes and advances, so do methods of abuse. Some states have included cyber-stalking and harassment via technology in defining abuse. As of 2024, Mississippi, New Jersey, Utah, Rhode Island, and Washington include cyber abuse or stalking in their statutory definitions of abuse. In California, New Mexico, and Oklahoma the definition of abuse includes harassment via telephone calls.

Pet Abuse:

Abuse against animals as part of the definition of domestic violence is becoming more frequent in statutes. A number of jurisdictions include violence towards household animals in their definitions of abuse (Alaska, Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Indiana, Kentucky, Massachusetts, Michigan, Missouri, Nevada, New Hampshire, Utah, and Wisconsin).

Sex Trafficking & Distribution of Intimate Images:

Sex trafficking, defined by the U.S. Department of Justice, is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age. Only two jurisdictions include sex trafficking in their definitions of abuse--Maine and Montana. Eight states and one territory added the distribution of intimate images to their definition of abuse—some calling it revenge porn and others adding this act to their definition of coercive control. (Arizona, Connecticut, Maine, Maryland, Massachusetts, New York, Vermont, Virgin Islands, and Washington).

Coercion:

Seventeen states and territories include and/or mention coercion or coercive control in their definitions of domestic violence and abuse. (Alabama, California, Colorado, Connecticut, Delaware, Hawaii, Kentucky, Maine, Massachusetts, Missouri, Nevada, New Jersey, New York, Tennessee, U.S. Virgin Islands, Vermont and Washington).

Dating Relationship:

While every state, territory and the District of Columbia includes some definition of romantic, spouse, or intimate partner relationship, some states have a specific provision for a “Dating Relationship” or an “Intimate Relationship” that does not require cohabitation. These provisions often explicitly state that they do not include “casual” or “ordinary business” relationships. These statutes also give the courts discretion to determine the existence of a dating relationship based on the length, nature, frequency, and date of termination of the relationship. Thirty-three states define dating relationships in their definitions of qualifying relationships for domestic violence civil protection orders. (Alabama, Arkansas, Arizona, California, Delaware, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Nebraska, Nevada, North Carolina, New Hampshire, New Mexico, New York, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wisconsin.) Seventeen jurisdictions include and/or mention dating relationships in their statute (Alaska, American Samoa, Connecticut, District of Columbia, Colorado, Guam, Indiana, Minnesota, Montana, Northern Mariana Islands, Pennsylvania, Puerto Rico, New Jersey, North Dakota, Virgin Islands West Virginia, and Wyoming). Only five states fail to include either of these two terms when defining qualifying relationships (Florida, Maryland (includes sexual relationships only), Minnesota, South Carolina, and Virginia).

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ALABAMA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

ALABAMA

ALA. CODE §

30-5-2(1), (3)-(4), (6)-(7)

§ 30-5-2

In this chapter, the following words have the following meanings unless the context clearly indicates otherwise:

(1) Abuse. An act committed against a victim, which is any of the following:

a. Arson. Arson as defined under Sections 13A-7-40 to 13A-7-43, inclusive.

b. Assault. Assault as defined under Sections 13A-6-20 to 13A-6-22, inclusive.

c. Attempt. Attempt as defined under Section 13A-4-2.

d. Child Abuse. Torture or willful abuse of a child, aggravated child abuse, or chemical endangerment of a child as provided in Chapter 15, commencing with Section 26-15-1, of Title 26, known as the Alabama Child Abuse Act.

e. Criminal Coercion. Criminal coercion as defined under Section 13A-6-25.

f. Criminal Trespass. Criminal trespass as defined under Sections 13A-7-2 to 13A-7-4.1, inclusive.

g. Harassment. Harassment as defined under Section 13A-11-8.

h. Kidnapping. Kidnapping as defined under Sections 13A-6-43 and 13A-6-44.

i. Menacing. Menacing as defined under Section 13A-6-23.

j. Other Conduct. Any other conduct directed toward a plaintiff covered by this chapter could be punished as a criminal act under the laws of this state.

k. Reckless Endangerment. Reckless endangerment as defined under Section 13A-6-24.

l. Sexual Abuse. Any sexual offenses included in Article 4, commencing with Section 13A-6-60, of Chapter 6 of Title 13A.

m. Stalking. Stalking as defined under Sections 13A-6-90 to 13A-6-94, inclusive.

n. Theft. Theft as defined under Sections 13A-8-1 to 13A-8-5, inclusive.

o. Unlawful Imprisonment. Unlawful imprisonment as defined under Sections 13A-6-41 and 13A-6-42.

(3) Dating relationship. A relationship or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.

a. A dating relationship includes the period of engagement to be married.

b. A dating relationship does not include a casual or business relationship or a relationship that ended more than 12 months prior to the filing of the petition for a protection order.

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(4) Plaintiff. An individual who has standing to file a petition under Section 30-5-5.

(6) Threat. Any word or action, expressed or implied, made to cause the plaintiff to fear for his or her safety or for the safety of another person.

(7) Victim. An individual who is related in any of the following ways to the person who commits an act of abuse:

- a.** Has a current or former marriage, including common law marriage, with the defendant.
- b.** Has a child in common with the defendant regardless of whether the victim and defendant have ever been married and regardless of whether they are currently residing or have in the past resided together in the same household.
- c.** Has or had a dating relationship with the defendant. A dating relationship does not include a casual or business relationship or a relationship that ended more than 12 months prior to the filing of the petition for a protection order.
- d.** Is a current or former household member. For purposes of this chapter, a “household member” excludes non-romantic or non-intimate co-residents.
- e.** A relative of a current or former household member as defined in paragraph d. who also lived with the defendant.
- f.** An individual who is a parent, stepparent, child, or stepchild.
- g.** An individual who is a grandparent, step-grandparent, grandchild, or step-grandchild.

ALA. CODE § 30-5-2(1), (3)-(4), (6)-(7)

ALASKA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

ALASKA

ALASKA STAT. §

18.66.990(3), (5), (8)-(10)

**with changes effective January 1,
2025

§ 18.66.990(3), (5), (8)-(10)

(3) "**domestic violence**" and "crime involving domestic violence" mean one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a **household member*** against another household member:

- A. a crime against the person under AS 11.41;
- B. burglary under AS 11.46.300 -- 11.46.310;
- C. criminal trespass under AS 11.46.320 -- 11.46.330;
- D. arson or criminally negligent burning under AS 11.46.400 -- 11.46.430;
- E. criminal mischief under AS 11.46.475 -- 11.46.486;
- F. terrorist threatening under AS 11.56.807 or 11.56.810;
- G. violating a protective order under AS 11.56.740(a)(1);
- H. harassment under AS 11.61.120(a)(2) - (4) or (6);
- I. or cruelty to animals under AS 11.61.140(a)(5) if the animal is a pet;
- J. interfering with a report of a crime involving domestic violence under AS 11.56.745 if the person interfering with the report is the person who committed the underlying crime involving domestic violence; or
- K. unlawful contact under AS 11.56.750 or 11.56.755;

(5) "**household member**" includes

- A. adults or minors who are current or former spouses;
- B. adults or minors who live together or who have lived together;
- C. adults or minors who are dating or who have dated;
- D. adults or minors who are engaged in or who have engaged in a sexual relationship;
- E. adults or minors who are related to each other up to the fourth degree of consanguinity, whether of the whole or half blood or by adoption, computed under the rules of civil law;
- F. adults or minors who are related or formerly related by marriage;
- G. persons who have a child of the relationship; and

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H. minor children of a person in a relationship that is described in (A) -- (G) of this paragraph;

(8) “pet” means a vertebrate living creature maintained for companionship or pleasure, but does not include dogs primarily owned for participation in a generally accepted mushing or pulling contest or practice or animals primarily owned for participation in rodeos or stock contests.

(9) “petitioner” includes a person on whose behalf an emergency protective order has been requested under AS 18.66.110(b);

(10) “sexual assault” means a crime specified in AS 11.41.410 — 11.41.450;

ALASKA STAT. § 18.66.990(3), (5), (8)-(10)

ARIZONA

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

ARIZONA

ARIZ. REV. STAT. § 13-3601(A)

§ 13-3601(A)

A. **"Domestic violence"** means any act that is a dangerous crime against children as defined in section 13-705 [Dangerous crimes against children] or an offense prescribed in section 13-1102 [Negligent homicide], 13-1103 [Manslaughter], 13-1104 [Second degree murder], 13-1105 [First degree murder], 13-1201 [Endangerment], 13-1202 [Threatening or intimidating], 13-1203 [Assault], 13-1204 [Aggravated assault], 13-1302 [Custodial interference], 13-1303 [Unlawful imprisonment], 13-1304 [Kidnapping], 13-1406 [Sexual assault], 13-1425 [Unlawful disclosure of images depicting states of nudity or specific sexual activities], 13-1502 [Criminal trespass in the third degree], 13-1503 [Criminal trespass in the second degree], 13-1504 [Criminal trespass in the first degree], 13-1602 [Criminal damage] or 13-2810 [Interfering with judicial proceedings], section 13-2904 [Disorderly conduct], subsection A, paragraph 1, 2, 3 or 6, section 13-2910 [Cruelty to animals], subsection A, paragraph 8 or 9, section 13-2915 [Preventing use of telephone in emergency], subsection A, paragraph 3 or section 13-2916 [Use of an electronic communication to terrify, intimidate, threaten or harass], 13-2921 [Harassment], 13-2921.01 [Aggravated harassment], 13-2923 [Stalking], 13-3019 [Surreptitious photographing, videotaping, filming or digitally recording or viewing], 13-3601.02 [Aggravated domestic violence] or 13-3623 [Child or vulnerable adult abuse; emotional abuse], if any of the following applies:

1. The relationship between the **victim and the defendant** is one of marriage or former marriage or of persons residing or having resided in the same household.
2. The **victim and the defendant** have a child in common.
3. The **victim or the defendant** is pregnant by the other party.
4. The **victim is related to the defendant** or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
5. The **victim is a child** who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.

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6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
- (a) The type of relationship.
 - (b) The length of the relationship.
 - (c) The frequency of the interaction between the victim and the defendant.
 - (d) If the relationship has terminated, the length of time since the termination

ARIZ. REV. STAT. § 13-3601(A)

ARKANSAS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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ARKANSAS

ARK. CODE ANN. § 9-15-103(3)-(6)

§ 9-15-103(3)-(6)

(3)(A) “Dating relationship” means a romantic or intimate social relationship between two (2) individuals that shall be determined by examining the following factors:

- (i) The length of the relationship;
- (ii) The type of the relationship; and
- (iii) The frequency of interaction between the two (2) individuals involved in the relationship.

(B) “Dating relationship” does not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context;

(4) “Domestic abuse” means:

(A) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or

(B) Any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state;

(5) “Family or household members” means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, in-laws, any children residing in the household, persons who presently or in the past have resided or cohabited together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together;

(6) “In-laws” means persons related by marriage within the second degree of consanguinity;

ARK. CODE ANN. § 9-15-103(3)-(6)

CALIFORNIA

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

CALIFORNIA

CAL. FAM. CODE §§

6203

6320

6211

6301

§ 6203. “Abuse”

(a) For purposes of this act, “abuse” means any of the following:

1. To intentionally or recklessly cause or attempt to cause bodily injury.
2. Sexual assault.
3. To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
4. To engage in any behavior that has been or could be enjoined pursuant to Section 6320.*

(b) Abuse is not limited to the actual infliction of physical injury or assault.

§ 6320. Enjoining harassment, threats, and violence*

(a) The court may issue an ex parte order enjoining a party from molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, credibly impersonating as described in Section 528.5 of the Penal Code, falsely personating as described in Section 529 of the Penal Code, harassing, telephoning, including, but not limited to, making annoying telephone calls as described in Section 653m of the Penal Code, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, coming within a specified distance of, or disturbing the peace of the other party, and, in the discretion of the court, on a showing of good cause, of other **named family or household members**.

(c) As used in this subdivision (a), “disturbing the peace of the other party” refers to conduct that, based on the totality of the circumstances, destroys the mental or emotional calm of the other party. This conduct may be committed directly or indirectly, including through the use of a third party, and by any method or through any means including, but not limited to, telephone, online accounts, text messages, internet-connected devices, or other electronic technologies. This conduct includes, but is not limited to, coercive control, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person’s free will and personal liberty. Examples of coercive control include, but are not limited to, unreasonably engaging in any of the following:

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1. Isolating the other party from friends, relatives, or other sources of support.
2. Depriving the other party of basic necessities.
3. Controlling, regulating, or monitoring the other party's movements, communications, daily behavior, finances, economic resources, or access to services.
4. Compelling the other party by force, threat of force, or intimidation, including threats based on actual or suspected immigration status, to engage in conduct from which the other party has a right to abstain or to abstain from conduct in which the other party has a right to engage.
5. Engaging in reproductive coercion, which consists of control over the reproductive autonomy of another through force, threat of force, or intimidation, and may include, but is not limited to, unreasonably pressuring the other party to become pregnant, deliberately interfering with contraception use or access to reproductive health information, or using coercive tactics to control, or attempt to control, pregnancy outcomes.

§ 6211. "Domestic violence"

"Domestic violence" is abuse perpetrated against any of the following persons:

- a. A spouse or former spouse.
- b. A **cohabitant**** or former cohabitant, as defined in Section 6209.
- c. A person with whom the respondent is having or has had a **dating or engagement relationship*****
- d. A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
- e. A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
- f. Any other person related by consanguinity or affinity within the second degree.

§ 6301. Persons who may be granted restraining order

(b) An order under this part may be granted to any person described in Section 6211, including a minor pursuant to subdivision (b) of Section 372 of the Code of Civil Procedure.

CALIFORNIA

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§ 6209. “Cohabitant”**

“Cohabitant” means a person who regularly resides in the household. “Former cohabitant” means a person who formerly regularly resided in the household.

§ 6210. “Dating relationship”

“Dating relationship” means frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations.

CAL. FAM. CODE §§ 6203, 6320, 6211, 6301

COLORADO

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

COLORADO

COLO. REV. STAT §
13-14-101(2)-(3) ***with changes
effective March 7, 2025

§ 13-14-101(2)-(3)

2) “Domestic abuse” means any act, attempted act, or threatened act of violence, stalking, harassment, or coercion that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile. **“Domestic abuse”** may also include any act, attempted act, or threatened act of violence against:

(a) The **minor children** of either of the parties; or

(b) An **animal** owned, possessed, leased, kept, or held by either of the parties or by a minor child of either of the parties, which threat, act, or attempted act is intended to coerce, control, punish, intimidate, or exact revenge upon either of the parties or a minor child of either of the parties.

(2.1) “Domestic violence”, commonly known as “intimate partner violence”, means a pattern of violent behavior or an act, attempted act, or threat of violence, stalking, harassment, or coercion that is committed by a person against another person with whom the actor is involved or has been involved in an intimate relationship. A sexual relationship may be an indicator of an intimate relationship but is never a necessary condition for finding an intimate relationship.

(2.2) **“Minor child”** means a person under eighteen years of age.

(2.3) “Protected person” means the person or persons identified in a protection order as the person or persons for whose benefit the protection order was issued.

(2.9) “Sexual violence” means an unwanted or nonconsensual sexual behavior, act or attempted act, or threatened act, including, but not limited to, unlawful sexual behavior, as described in section 16-11.7-102 (3), by a person against another person, regardless of the relationship between the actor and the petitioner.

(3) “Stalking” means any act, attempted act, or threatened act of stalking as described in section 18-3-602, C.R.S.

COLO. REV. STAT § 13-14-101(2)-(3)

CONNECTICUT

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

CONNECTICUT

CONN. GEN. STAT. ANN. §§
46b-15(a)
46b-38a(1)-(3), (5)
46b-1(b)

§ 46b-15(a)

(a) Any **family or household member***, as **defined in section 46b-38a**, as amended by this act, who is the victim of domestic violence, as defined in section 46b-1, as amended by this act, by another family or household member may make an application to the Superior Court for relief under this section. The court shall provide any person who applies for relief under this section with the information set forth in section 46b-15b.

§ 46b-38a(1)-(3), (5)

Sec. 46b-38a. Family violence prevention and response: Definitions.

For the purposes of sections 46b-38a to 46b-38f, inclusive:

(1) **“Family violence”** means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument does not constitute family violence unless there is present danger and the likelihood that physical violence will occur

(2) **“Family or household member”** means any of the following persons, regardless of the age of such person: (A) Spouses or former spouses; (B) parents or their children; (C) persons related by blood or marriage; (D) persons other than those persons described in subparagraph (C) of this subdivision presently residing together or who have resided together; (E) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and (F) persons in, or who have recently been in, a dating relationship.

(3) **“Family violence crime”** means a crime as defined in [section 53a-24*](#), other than a delinquent act, as defined in [section 46b-120](#), which, in addition to its other elements, contains as an element thereof an act of family violence to a family or household member. “Family violence crime” includes any violation of [section 53a-222](#), [53a-222a](#), [53a-223](#), [53a-223a](#) or [53a-223b](#) when the condition of release or court order is issued for an act of family violence or a family violence crime. “Family violence crime” does not include acts by parents or guardians disciplining minor children unless such acts constitute abuse.

CONNECTICUT

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

(5) “Dominant aggressor” means the person who poses the most serious ongoing threat in a situation involving the suspected commission of a family violence crime.

§ 46b-1(b)

(b) As used in this title, “**domestic violence**” means: (1) A continuous threat of present physical pain or physical injury against a family or household member, as defined in section 46b-38a; (2) Stalking, including, but not limited to, stalking as described in section 53a-181d, of such family or household member; (3) A pattern of threatening, including, but not limited to, a pattern of threatening as described in section 53a-62, of such family or household member or a third party that intimidates such family or household member; or (4) Coercive control of such family or household member, which is a pattern of behavior that in purpose or effect unreasonably interferes with the applicant’s free will and personal liberty. “**Coercive control**” includes, but is not limited to, unreasonably engaging in any of the following:

- A. Isolating the family or household member from friends, relatives or other sources of support;
- B. Depriving the family or household member of basic necessities;
- C. Controlling, regulating, or monitoring the family or household member’s movements, communications, daily behavior, finances, economic resources, or access to services;
- D. Compelling the family or household member by force, threat, or intimidation, including but not limited to, threats based on actual or suspected immigration status, to (i) engage in conduct from which such family or household member has a right to abstain, or (ii) abstain from conduct that such family or household member has a right to pursue;
- E. Committing or threatening to commit cruelty to animals that intimidates the family or household member; or
- F. Forced sex acts, or threats of a sexual nature, including, but not limited to, threatened acts of sexual conduct, threats based on a person’s sexuality or threats to release sexual images.

CONN. GEN. STAT. ANN. §§ 46b-15(a); 46b-38a(1)-(3), (5); 46b-1(b)

DELAWARE

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

DELAWARE

DEL. CODE. ANN. tit. 10, §§
1041(1), (2)
901(12)

§ 1041(1), (2)

(1) "Abuse" means conduct which constitutes any of the following:

- a. Intentionally or recklessly causing or attempting to cause physical injury or a sexual offense, as defined in § 761 of Title 11.
- b. Intentionally or recklessly placing or attempting to place another person in reasonable apprehension of physical injury or sexual offense to such person or another.
- c. Intentionally or recklessly damaging, destroying, or taking the tangible property of another person, including inflicting:
 1. Legal documents that are the property of another person.
 2. Inflicting physical injury on any companion animal or service animal.
- d. Engaging in a course of alarming or distressing conduct in a manner which is likely to cause fear or emotional distress or to provoke a violent or disorderly response, including conduct that is directed towards any companion animal or service animal.
- e. Trespassing on or in property of another person, or on or in property from which the trespasser has been excluded by court order.
- f. Child abuse, as defined in Chapter 9 of Title 16.
- g. Unlawful imprisonment, kidnapping, interference with custody, and coercion, as defined in Title 11.
- h. Intentionally causing or attempting to cause an adult to be financially dependent by doing either or both of the following:
 1. Maintaining overwhelming control over the individual's financial resources, including withholding access to money or credit cards or forbidding attendance at school or employment without reasonable justification, and against the individual's will.
 2. Stealing or defrauding of money or assets, exploiting the victim's resources for personal gain, or withholding physical resources such as food, clothing, necessary medications, or shelter.
- i. Any other conduct which a reasonable person under the circumstances would find threatening or harmful.

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1. Any of the following acts when used as a method of coercion, control, punishment, or intimidation of a person who has a close bond of affection to the "companion animal" as defined in paragraph (1)ij.2. of this section:

- A. Inflicting or attempting to inflict physical injury on the companion animal.
 - B. Engaging in conduct which is likely to cause the person to fear that the companion animal will be physically injured.
 - C. Engaging in cruelty to the companion animal under § 1325 of Title 11.
2. "Companion animal" means an animal kept primarily for companionship instead of as any of the following:
- A. A working animal.
 - B. A service animal as defined in § 4502 of Title 6.
 - C. An animal kept primarily as a source of income, including livestock as defined in § 7700 of Title 3.

(2) "Domestic violence" means abuse perpetrated by 1 member against another member of the following protected classes:

- a. Family, as that term is defined in § 901(12) of this title, regardless, however, of state of residence of the parties, or whether parental rights have been terminated; or
- b. Former spouses; persons cohabitating together who are holding themselves out as a couple, with or without a child in common; persons living separate and apart with a child in common; or persons in a current or former substantive dating relationship. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a substantive dating relationship. Factors to consider for a substantive dating relationship may include the length of the relationship, or the type of relationship, or the frequency of interaction between the parties.

§ 901(12)

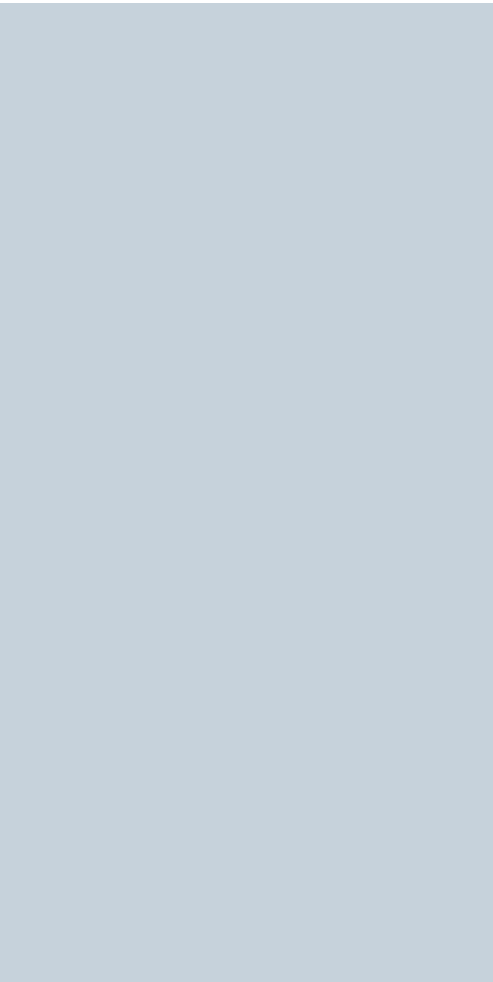
*(12) "Family" means spouses; a couple cohabiting in a home in which there is a child of either or both; custodian and child; or any group of persons related by blood or marriage who are residing in 1 home under 1 head or where 1 is related to the other by any of the following degrees of relationship, both parties being residents of this State:

- a. Mother;
- b. Father;
- c. Mother-in-law;

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- d. Father-in-law;
- e. Brother;
- f. Sister;
- g. Brother-in-law;
- h. Sister-in-law;
- i. Son;
- j. Daughter
- k. Son-in-law;
- l. Daughter-in-law;
- m. Grandfather;
- n. Grandmother;
- o. Grandson;
- p. Granddaughter;
- q. Stepfather;
- r. Stepmother;
- s. Stepson;
- t. Stepdaughter.

The relationships referred to in this definition include blood relationships without regard to legitimacy and relationships by adoption.

DEL. CODE. ANN. tit. 10, §§ 1041(1), (2); 902(12)

DISTRICT OF COLUMBIA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

DISTRICT OF COLUMBIA

D.C. CODE §§

16-1001(4)-(8)
32-701(3)

§ 16-1001(4)-(8)

(4) **“Domestic partnership”** shall have the same meaning as provided in § 32-701(4)

(5A) **“Family member”** means a person:

- A. To whom the offender is related by blood, adoption, legal custody, marriage, or domestic partnership; or
- B. Who is the child of an intimate partner.

(5B)

- A. “Household member” means a person with whom, in the past year, the offender:
 - (i) Shares or has shared a mutual residence; and
 - (ii) Has maintained a close relationship, beyond mere acquaintances, rendering application of the statute appropriate.
- B. For the purposes of this paragraph, the term “close relationship” does not include a relationship based solely on a landlord-tenant relationship.

(6A) “Intimate partner” means a person:

- A. To whom the offender is or was married;
- B. With whom the offender is or was in a domestic partnership;
- C. With whom the offender has a child in common; or
- D. With whom the offender is, was, or is seeking to be in a romantic, dating, or sexual relationship.

(8) **“Intrafamily offense”** means:

- A. An offense punishable as a criminal offense against an intimate partner, a family member, or a household member; or
- B. An offense punishable as cruelty to animals, under § 22-1001 or § 22-1002, against an animal that an intimate partner, family member, or household member owns, possesses, or controls.

DISTRICT OF COLUMBIA

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§ 32-701. Definitions.

(3) “Domestic partner” means a person with whom an individual maintains a committed relationship as defined in paragraph (1) of this section and who has registered under § 32-702(a) or whose relationship is recognized under § 32-702(i). Each partner shall:

- (A) Be at least 18 years old and competent to contract;
- (B) Be the sole domestic partner of the other person; and
- (C) Not be married.

(4) “Domestic partnership” means the relationship between 2 persons who become domestic partners by registering in accordance with § 32-702(a) or whose relationship is recognized under § 32-702(i).

D.C. CODE §§ 16-1001(4)-(8); 32-701

FLORIDA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

FLORIDA

FLA. STAT. §
741.281(2), (3)

§ 741.281(2), (3)

(2) **"Domestic violence"** means 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.

*(3) **"Family or household member"** means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

FLA. STAT. § 741.281(2), (3)

GEORGIA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

GEORGIA

GA. CODE ANN. § 19-13-1 19-13A-1

§ 19-13-1

As used in this article, the term “family violence” means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:

(1) Any felony; or

(2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

The term “family violence” shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.

§ 19-13A-1

As used in this chapter, the term:

1. “Dating relationship” means a committed romantic relationship characterized by a level of intimacy that is not associated with mere friendship or between persons in an ordinary business, social, or educational context; provided, however, that such term shall not require sexual involvement.
2. “Dating violence” means the occurrence of one or more of the following acts between persons through whom a current pregnancy has developed or who are currently, or within the last 12 months were, in a dating relationship:
 - A. Any felony; or
 - B. Commission of the offenses of simple battery, battery, simple assault, or stalking.

GA. CODE ANN. § 19-13-1; 19-13A-1

HAWAII

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

HAWAII

HAW. REV. STAT. ANN. § 586-1

§ 586-1

As used in this chapter:

“Coercive control” means a pattern of threatening, humiliating, or intimidating actions, which may include assaults, or other abuse that is used to harm, punish, or frighten an individual. “Coercive control” includes a pattern of behavior that seeks to take away the individual’s liberty or freedom and strip away the individual’s sense of self, including bodily integrity and human rights, whereby the “coercive control” is designed to make an individual dependent by isolating them from support, exploiting them, depriving them of independence, and regulating their everyday behavior including:

- (1) Isolating the individual from friends and family;
- (2) Controlling how much money is accessible to the individual and how it is spent;
- (3) Monitoring the individual’s activities, communications, and movements;
- (4) Name-calling, degradation, and demeaning the individual frequently;
- (5) Threatening to harm or kill the individual or a child or relative of the individual;
- (6) Threatening to publish information or make reports to the police or the authorities;
- (7) Damaging property or household goods; and
- (8) Forcing the individual to take part in criminal activity or child abuse.

"Dating relationship" means a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of an intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.

“Domestic abuse” means:

- (1) Physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault, extreme psychological abuse, coercive control, or malicious property damage between **family or household members***; or
- (2) Any act which would constitute an offense under section 709-906, or under part V or VI of chapter 707 committed against a minor family or household member by an adult family or household member.

“Extreme psychological abuse” means an intentional or knowing course of conduct directed at an individual that seriously alarms or disturbs constantly or continually bothers the individual, and that serves no legitimate purpose; provided that such course of conduct would cause a reasonable person to suffer extreme emotional distress.

HAWAII

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

***“Family or household member”:**

(1) Means spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing or formerly residing in the same dwelling unit, and persons who have or have had a dating relationship; and

(2) Does not include those who are, or were, adult roommates or cohabitants only by virtue of an economic or contractual affiliation.

“Malicious property damage” means an intentional or knowing damage to the property of another, without his consent, with an intent to thereby cause emotional distress.

HAW. REV. STAT. ANN. § 586-1

IDAHO

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

IDAHO

IDAHO CODE ANN. § 39-6303(1)-(3), (6)

§ 39-6303(1)-(3), (6)

(1) "**Domestic violence**" means the physical injury, sexual abuse or forced imprisonment or threat thereof of a **family or household member***, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a **dating relationship**.**

** (2) "**Dating relationship**," for the purposes of this chapter, is defined as a social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- a. The nature of the relationship;
- b. The length of time the relationship has existed;
- c. The frequency of interaction between the parties; and
- d. The time since termination of the relationship, if applicable.

*(3) "**Family member**" means spouses, former spouses and persons related by blood, adoption or marriage.

*(6) "**Household member**" means persons who reside or have resided together, and persons who have a child in common regardless of whether they have been married or have lived together at any time.

IDAHO CODE ANN. § 39-6303(1)-(3), (6)

ILLINOIS

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

ILLINOIS

750 ILL. COMP. STAT.

60/103(1), (3), (6), (7), (9)-(10), (14),
(15)
60/201(A)

60/103(1), (3), (6), (7), (9)-(10), (14), (15)

For the purposes of this Act, the following terms shall have the following meanings:

(1) "Abuse" means **physical abuse***, **harassment****, **intimidation of a dependent*****, **interference with personal liberty****** or **willful deprivation†** but does not include reasonable direction of a minor child by a parent or person in loco parentis.

(3) "**Domestic violence**" means abuse as defined in paragraph (1).

(6) "**Family or household members**" include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012 [720 ILCS 5/12-4.4a]. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.

(7) "Harassment**" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:

- i. creating a disturbance at petitioner's place of employment or school;
- ii. repeatedly telephoning petitioner's place of employment, home or residence;
- iii. repeatedly following petitioner about in a public place or places;

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- iv. repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
- v. improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner's from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
- vi. threatening physical force, confinement or restraint on one or more occasions.

****(9) "**Interference with personal liberty**" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.

***(10) "**Intimidation of a dependent**" means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.

*(14) "**Physical abuse**" includes sexual abuse and means any of the following:

- i. knowing or reckless use of physical force, confinement or restraint;
- ii. knowing, repeated and unnecessary sleep deprivation; or
- iii. knowing or reckless conduct which creates an immediate risk of physical harm.

† (15) "**Willful deprivation**" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

60/201(a)

(a) The following persons are protected by this Act:

- i. any person abused by a family or household member;
- ii. any high-risk adult with disabilities who is abused, neglected, or exploited by a family or household member;
- iii. any minor child or dependent adult in the care of such person;
- iv. any person residing or employed at a private home or public shelter which is housing an abused family or household member; and
- v. any of the following persons if the person is abused by a family or household member of a child:
 - A. a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;
 - B. a legally appointed guardian or legally appointed custodian of that child;
 - C. an adoptive parent of that child; or
 - D. a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (a)(v), individuals who would have been considered "family or household members" of the child under subsection (6) of Section 103 of this Act [750 ILCS 60/103] before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child.

750 ILL. COMP. STAT. 60/103(1), (3), (6), (7), (9)-(10), (14), (15); 60/201(a)

INDIANA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

INDIANA

IND. CODE §§

31-9-2-42
31-9-2-44.5

§ 31-9-2-42

"Domestic or family violence" means, except for an act of self-defense, the occurrence of one (1) or more of the following acts committed by a **family or household member***:

1. Attempting to cause, threatening to cause, or causing physical harm to another family or household member without legal justification.
2. Placing a family or household member in fear of physical harm without legal justification.
3. Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.
4. Abusing (as described in IC 35-46-3-0.5), torturing (as described in IC 35-46-3-0.5), mutilating (as described in IC 35-46-3-0.5), or killing a vertebrate animal without justification with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member.

For purposes of IC 22-4-15-1 and IC 34-26-5, domestic or family violence also includes stalking (as defined in IC 35-45-10-1) or a sex offense under IC 35-42-4, whether or not the stalking or sex offense is committed by a family or household member.

§ 31-9-2-44.5

*(a) An individual is a **"family or household member"** of another person if the individual:

- (1) is a current or former spouse of the other person;
- (2) is dating or has dated the other person;
- (3) is engaged or was engaged in a sexual relationship with the other person;
- (4) is related by blood or adoption to the other person;
- (5) is or was related by marriage to the other person;
- (6) has or previously had an established legal relationship:
 - (A) as a guardian of the other person;
 - (B) as a ward of the other person;
 - (C) as a custodian of the other person;
 - (D) as a foster parent of the other person; or

INDIANA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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(E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D); or
(7) has a child in common with the other person.
(b) An individual is a "family or household member" of both persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), or (a)(7) applies if the individual is a minor child of one (1) of the persons.

IND. CODE §§ 31-9-2-42; 31-9-2-44.5

IOWA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

IOWA

IOWA CODE §§ 236.2(2), (4)-(5) 708.1

§ 236.2(2), (4)-(5)

2. “**Domestic abuse**” means committing **assault*** as **defined** in **section 708.1** under any of the following circumstances:

- a. The assault is between **family or household members**** who resided together at the time of the assault.
- b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
- c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
- e. (1) The assault is between persons who are in an **intimate relationship***** or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the court may consider the following nonexclusive list of factors:
 - (a) The duration of the relationship.
 - (b) The frequency of interaction.
 - (c) Whether the relationship has been terminated.
 - (d) The nature of the relationship, characterized by either party’s expectation of sexual or romantic involvement.
- (2) A person may be involved in an intimate relationship with more than one person at a time.

****4. a. “Family or household members”** means spouses, persons cohabiting, parents, or other persons related by consanguinity or affinity.

b. “Family or household members” does not include children under age eighteen of persons listed in paragraph “a”.

IOWA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

***5. “**Intimate relationship**” means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.

§ 708.1

*1. An **assault** as defined in this section is a general intent crime.

2. A person commits an assault when, without justification, the person does any of the following:

- a. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
- b. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.
- c. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon toward another.

d.(1)(a) Intentionally points a laser emitting a visible light beam toward another person with the intent to cause pain or injury to another, or toward an aircraft. . . .

(2) This paragraph does not apply to any of the following:

- a. A law enforcement officer who uses a laser in discharging or attempting to discharge the officer’s official duties.
- b. A health care professional who uses a laser in providing services within the scope of practice of that professional or any other person who is licensed or authorized by law to use a laser or who uses a laser in the performance of the person’s official duties.
- c. A person who uses a laser to play laser tag, paintball, and other similar games using light-emitting diode technology.

3. An act described in subsection 2 shall not be an assault under the following circumstances:

- a. If the person doing any of the enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- b. If the person doing any of the enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation, that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds, or at an official school function regardless of the location, whether the fight or physical struggle or other disruptive situation is between students or other individuals, if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

IOWA CODE §§ 236.2(2), (4)-(5); 708.1

KANSAS

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

KANSAS

KAN. STAT. ANN § 60-3102

§ 60-3102

(a) “Abuse” means the occurrence of one or more of the following acts between **intimate partners or household members**:

- (1) Intentionally attempting to cause bodily injury, or intentionally or recklessly causing bodily injury.
- (2) Intentionally placing, by physical threat, another in fear of imminent bodily injury.
- (3) Engaging in any sexual contact or attempted sexual contact with another person without consent or when such person is incapable of giving consent.
- (4) Engaging in any of the following acts with a minor under 16 years of age who is not the spouse of the offender:
 - (A) The act of sexual intercourse; or
 - (B) any lewd fondling or touching of the person of either the minor or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the minor or the offender, or both.*

(b) “**Intimate partners or household members**” means persons who are or have been in a **dating relationship****, person who reside together or who have formerly resided together or persons who have had a child in common.

** (c) “**Dating relationship**” means a social relationship of a romantic nature. A dating relationship shall be presumed if a plaintiff verifies, pursuant to K.S.A. 53-601, and amendments thereto, that such relationship exists. In addition to any other factors the court deems relevant, the court shall consider the following factors in making a determination of whether a relationship exists or existed include:

- (1) Nature of the relationship;
- (2) length of time the relationship existed;
- (3) frequency of interaction between the parties; and
- (4) time since termination of the relationship, if applicable.

KAN. STAT. ANN § 60-3102

KENTUCKY

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

KENTUCKY

KY. REV. STAT. ANN. §
403.720(2)-(3), (5)-(6), (8)-(9)
456.010(1)-(2), (7)-(9)

§ 403.720(2)-(3), (5)-(6), (8)-(9)

(2) “Domestic violence and abuse” means:

- (a) Physical injury, serious physical injury, stalking, sexual assault, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual assault, strangulation, or assault between family members or members of an unmarried couple; or
- (b) Any conduct prohibited by KRS 525.125, 525.130, 525.135, or 525.137, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a family member or member of an unmarried couple who has a close bond of affection to the domestic animal;
- (3) "Family member" means a spouse, including a former spouse, a grandparent, a grandchild, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim;
- (5) "Global positioning monitoring system" means a system that electronically determines a person's location through a device worn by the person which does not invade his or her bodily integrity and which transmits the person's latitude and longitude data to a monitoring entity;
- (6) "Member of an unmarried couple" means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together.
- 8) “Sexual assault” refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020, or a criminal attempt, conspiracy, facilitation, or solicitation to commit rape, sodomy, sexual abuse, or incest;
- (9) “Strangulation” refers to conduct prohibited by KRS 508.170 and 508.175, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the crime of strangulation;

§ 456.010(1)-(2), (7)-(9) (Civil Orders of Protection)

(1) “Dating relationship” means a relationship between individuals who have or have had a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered in addition to any other relevant factors in determining whether the relationship is or was of a romantic or intimate nature:

KENTUCKY

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- a. Declarations of romantic interest;
- b. The relationship was characterized by the expectation of affection;
- c. Attendance at social outings together as a couple;
- d. The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship;
- e. The length and recency of the relationship; and
- f. Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship existed;

(2) “Dating violence and abuse” means:

(a) Physical injury, serious physical injury, stalking, sexual assault, strangulation, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, strangulation, or assault occurring between persons who are or have been in a dating relationship; or

(b) Any conduct prohibited by KRS 525.125, 525.130, 525.135, or 525.137, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the perpetrator is or has been in a dating relationship, when that person has a close bond of affection to the domestic animal;

(7) “Sexual assault” refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or a criminal attempt, conspiracy, facilitation, or solicitation to commit any degree of rape, sodomy, or sexual abuse, or incest under KRS 530.020;

(8) “Stalking” refers to conduct prohibited as stalking under KRS 508.140 or 508.150, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the crime of stalking;

(9) “Strangulation” refers to conduct prohibited by KRS 508.170 and 508.175, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the crime of strangulation;

KY. REV. STAT. ANN. § 403.720(2)-(3), (5)-(6), (8)-(9); 456.010(1)-(2), (7)-(9)

LOUISIANA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

LOUISIANA

LA. REV. STAT. ANN. §§

46:2132(3)-(4)

15:1503(3)

46:2151(B)

§ 46:2132(3)-(4)

(3) "**Domestic abuse**" includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one **family member, or household member*, or dating partner***** against another. "Domestic abuse" also includes abuse of **adults**** as defined in R.S. 15:1503 when committed by an adult child or adult grandchild.

*(4) "**Family members**" means spouses, former spouses, parents and children, stepparents, stepchildren, foster parents, and foster children, other ascendants, and other descendants. "Family member" also means the other parent or foster parent of any child or foster child of the offender. "**Household members**" means any person presently or formerly living in the same residence with the defendant and who is involved or has been involved in a sexual or intimate relationship with the defendant, or any child presently or formerly living in the same residence with the defendant, or any child of the defendant regardless of where the child resides. "**Dating partner*****" means any person protected from violence under R.S. 46:2151. If a parent or grandparent is being abused by an adult child, adult foster child, or adult grandchild, the provisions of this Part shall apply to any proceeding brought in district court.

§ 15:1503(3)

(3) "Adult**" means any individual eighteen years of age or older, or an emancipated minor who, due to a physical, mental, or developmental disability or the infirmities of aging, is unable to manage his own resources, carry out the activities of daily living, or protect himself from abuse, neglect, or exploitation.

§ 46:2151(B)

***B. For purposes of this Section, "dating partner" means any person who is involved or has been involved in a sexual or intimate relationship with the offender characterized by the expectation of affectionate involvement independent of financial considerations, regardless of whether the person presently lives or formerly lived in the same residence with the offender. "Dating partner" shall not include a casual relationship or ordinary association between persons in a business or social context.

LA. REV. STAT. ANN. § 46:2132(3)-(4); 15:1503(3); 46:2151(B)

MAINE

STATUTE

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MAINE

ME. REV. STAT. tit. 19-A, § 4102(1), (4)-(6)

§ 4102(1), (4)-(6)

1. Abuse. "Abuse" means the occurrence of the following acts:

A. Attempting to cause or causing bodily injury or offensive physical contact, including sexual assaults under Title 17-A, chapter 11, except that contact as described in Title 17-A, section 106, subsection 1 is excluded from this definition;

B. Attempting to place or placing another in fear of bodily injury through any course of conduct, including, but not limited to, threatening, harassing or tormenting behavior. When the course of conduct violates this paragraph based on the content of the actor's speech, the actor must have consciously disregarded a substantial risk that the speech would place a reasonable person in fear of bodily injury;

C. Compelling a person by force, threat of force or intimidation:

(1) To engage in conduct from which the person has a right or privilege to abstain; or

(2) To abstain from conduct in which the person has a right to engage;

D. Knowingly restricting substantially the movements of another person without that person's consent or other lawful authority by:

(1) Removing that person from that person's residence, place of business or school;

(2) Moving that person a substantial distance from the vicinity where that person was found; or

(3) Confining that person for a substantial period either in the place where the restriction commences or in a place to which that person has been moved;

E. Communicating to a person a threat to commit, or to cause to be committed, a crime of violence dangerous to human life against the person to whom the communication is made or another, with conscious disregard of a substantial risk that the natural and probable consequence of the threat, whether or not that consequence in fact occurs, is to place the person to whom the threat is communicated, or the person against whom the threat is made, in reasonable fear that the crime will be committed;

F. Repeatedly and without reasonable cause:

(1) Following the plaintiff; or

(2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment;

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- G. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or Engaging in aggravated "g or sex trafficking as described in Title 17-A, section 852 or 853, respectively.
4. Dating Partners. "Dating partners" means individuals currently or formerly involved in dating each other, whether or not the individuals are or were sexual partners.
5. Economic Abuse. "Economic Abuse" means causing or attempting to cause an individual to be financially dependent by maintaining control over the individual's financial resources, including, but not limited to, unauthorized or coerced use of credit or property, withholding access to money or credit cards, forbidding attendance at school or employment, stealing from or defrauding of money or assets, exploiting the individual's resources such as food, clothing, necessary medications or shelter.
6. Family or household members. "Family or household members" means:
- A. Present or former spouses or domestic partners;
 - B. Individuals presently or formerly living together as spouses;
 - C. Parents of the same child;
 - D. Adult household members related by consanguinity or affinity;
 - E. Minor children of a parent or guardian when the defendant is an adult household member of that parent or guardian;
 - F. Individuals presently or formerly living together; and
 - G. Individuals who are or were sexual partners.
- Holding oneself out to be a spouse is not necessary to constitute "living together as spouses." For purposes of this subsection, "domestic partners" means 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

ME. REV. STAT. tit. 19-A, § 4102(1), (4)-(6)

MARYLAND

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MARYLAND

MD. CODE ANN.

FAM. LAW § 4-501(b), (d), (j), (m), (t)
CTS. & JUD. PROC § 3-8A-19.1

Fam. Law § 4-501(b), (d), (j), (m), (t)

(b) Abuse. --

(1) "Abuse" means any of the following acts:

- i. an act that causes serious bodily harm;
- ii. an act that places a person eligible for relief in fear of imminent serious bodily harm;
- iii. assault in any degree;
- iv. rape or sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article or attempted rape or sexual offense in any degree;
- v. false imprisonment;
- vi. stalking under § 3-802 of the Criminal Law Article; or
- vii. revenge porn under § 3-809 of the Criminal Law Article.

*(d) Cohabitant. -- "Cohabitant" means a person who has had a sexual relationship with the respondent and resided with the respondent in the **home**** for a period of at least 90 days within 1 year before the filing of the petition.

** (j) Home. -- "Home" means the property in this state that:

- (1) is the principal residence of a person eligible for relief; and
- (2) is owned, rented, or leased by the person eligible for relief or respondent or, in a petition alleging child abuse or abuse of a vulnerable adult, an adult living in the home at the time of a proceeding under this subtitle.

(m) Person eligible for relief. -- "Person eligible for relief" includes:

1. the current or former spouse of the respondent;
2. a **cohabitant*** of the respondent;
3. a person related to the respondent by blood, marriage, or adoption;

MARYLAND

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

4. a parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition;
5. a **vulnerable adult*****;
6. an individual who has a child in common with the respondent;
7. an individual who has had a sexual relationship with the respondent within 1 year before the filing of the petition; or
8. an individual who alleges that the respondent committed, within 6 months before the filing of the petition, any of the following acts against the individual”
 - I. rape or a sexual offense under § 3-303, §3-304, § 3-307, or § 3-308 of the Criminal Law Article; or
 - II. attempted rape or sexual offense in any degree

***(t) Vulnerable adult. -- “Vulnerable adult” has the meaning provided in § 14-101(q) of this article.

Cts. & Jud. Proc § 3-8A-19.1

(a) In this section and in §§ 3-8A-19.2, 3-8A-19.3, and 3-8A-19.4 of this subtitle, “victim” means an individual against whom an act described in subsection (b) of this section is committed or alleged to have been committed.

(b)(1) Except as provided in paragraph (2) of this subsection, after an inquiry conducted in accordance with § 3-8A-10 of this subtitle, an intake officer may file with the court a peace order request that alleges the commission of any of the following acts against a victim by the respondent, if the act occurred within 30 days before the filing of the complaint under § 3-8A-10 of this subtitle:

- (i)** An act that causes serious bodily harm;
- (ii)** An act that places the victim in fear of imminent serious bodily harm;
- (iii)** Assault in any degree;
- (iv)** Rape or sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article or attempted rape or sexual offense in any degree;
- (v)** False imprisonment;
- (vi)** Harassment under § 3-803 of the Criminal Law Article;
- (vii)** Stalking under § 3-802 of the Criminal Law Article;

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- (viii) Trespass under Title 6, Subtitle 4 of the Criminal Law Article;
 - (ix) Malicious destruction of property under § 6-301 of the Criminal Law Article;
 - (x) Misuse of telephone facilities and equipment under § 3-804 of the Criminal Law Article;
 - (xi) Misuse of electronic communication or interactive computer service under § 3-805 of the Criminal Law Article;
 - (xii) Revenge porn under § 3-809 of the Criminal Law Article; or
 - (xiii) Visual surveillance under § 3-901, § 3-902, or § 3-903 of the Criminal Law Article.
- (2) After a review conducted in accordance with § 3-8A-10(c)(4)(ii) of this subtitle, the State's Attorney may file with the court a peace order request that meets the requirements of paragraph (1) of this subsection.

MD. CODE ANN., FAM. LAW § 4-501(b), (d), (j), (m), (t); CTS. & JUD. PROC § 3-8A-19.1

MASSACHUSETTS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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MASSACHUSETTS

MASS. GEN. LAWS

Ch. 209A, § 1

Ch. 209A, § 1

“Abuse”, the occurrence of one or more of the following acts between **family or household members***:

- (a) attempting to cause or causing physical harm;
- (b) placing another in fear of imminent serious physical harm;
- (c) causing another to engage involuntarily in sexual relations by force, threat or duress.
- (d) coercive control.

“Coercive control”, either:

- (a) a pattern of behavior intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a family or household member that causes that family or household member to reasonably fear physical harm or have a reduced sense of physical safety or autonomy, including, but not limited to:
 - (i) isolating the family or household member from friends, relatives or other sources of support;
 - (ii) depriving the family or household member of basic needs;
 - (iii) controlling, regulating or monitoring the family or household member’s activities, communications, movements, finances, economic resources or access to services, including through technological means;
 - (iv) compelling a family or household member to abstain from or engage in a specific behavior or activity, including engaging in criminal activity;
 - (v) threatening to harm a child or relative of the family or household member;
 - (vi) threatening to commit cruelty or abuse to an animal connected to the family or household member;
 - (vii) intentionally damaging property belonging to the family or household member;
 - (viii) threatening to publish sensitive personal information relating to the family or household member, including sexually explicit images; or
 - (ix) using repeated court actions found by a court not to be warranted by existing law or good faith argument; or (b) a single act intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a family or household member that causes the family or household member to reasonably fear physical harm or have a reduced sense of physical safety or autonomy of: (i) harming or attempting to harm a child or relative of the family or household member; (ii) committing or attempting to commit abuse to an animal connected to the family or

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household member; or (iii) publishing or attempting to publish sexually explicit images of the family or household member.

*"Family or household members", persons who:

- a. are or were married to one another;
- b. are or were residing together in the same household;
- c. are or were related by blood or marriage;
- d. having a child in common regardless of whether they have ever married or lived together; or
- e. are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

MASS. GEN. LAWS ch. 209A, § 1

MICHIGAN

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MICHIGAN

MICH. COMP LAWS § 600.2950(1), (4), (30)(a)

§ 600.2950(1), (4), (30)(a)

(1) Except as provided in subsections (26) and (27), by commencing an independent action to obtain relief under this section, by joining a claim to an action, or by filing a motion in an action in which the petitioner and the individual to be restrained or enjoined are parties, an individual may petition the family division of circuit court to enter a personal protection order to restrain or enjoin a spouse, a former spouse, an individual with whom he or she has had a child in common, an individual with whom he or she has or has had a **dating relationship***, or an individual residing or having resided in the same household as the petitioner from doing 1 or more of the following: . . .

- a. Entering onto premises.
- b. Assaulting, attacking, beating, molesting, or wounding a named individual.
- c. Threatening to kill or physically injure a named individual.
- d. Removing minor children from the individual having legal custody of the children, except as otherwise authorized by a custody or parenting time order issued by a court of competent jurisdiction.
- e. Purchasing or possessing a firearm.
- f. Interfering with petitioner's efforts to remove petitioner's children or personal property from premises that are solely owned or leased by the individual to be restrained or enjoined.
- g. Interfering with petitioner at petitioner's place of employment or education or engaging in conduct that impairs petitioner's employment or educational relationship or environment.
- h. If the petitioner is a minor who has been the victim of sexual assault, as that term is defined in section 2950a, by the respondent and if the petitioner is enrolled in a public or nonpublic school that operates any of grades K to 12, attending school in the same building as the petitioner.
- i. Having access to information in records concerning a minor child of both petitioner and respondent that will inform respondent about the address or telephone number of petitioner and petitioner's minor child or about petitioner's employment address.
- j. Engaging in conduct that is prohibited under section 411h or 411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and 750.411i.

MICHIGAN

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- k. Any of the following with the intent to cause the petitioner mental distress or to exert control over the petitioner with respect to an animal in which the petitioner has an ownership interest:
 - i. Injuring, killing, torturing, neglecting, or threatening to injure, kill, torture, or neglect the animal. A restraining order that enjoins conduct under this subparagraph does not prohibit the lawful killing or other use of the animal as described in section 50(11) of the Michigan penal code, 1931 PA 328, MCL 750.50.
 - ii. Removing the animal from the petitioner's possession.
 - iii. Retaining or obtaining possession of the animal.
 - l. Any other specific act or conduct that imposes upon or interferes with personal liberty or that causes a reasonable apprehension of violence.

(4) The court shall issue a personal protection order under this section if the court determines that there is reasonable cause to believe that the individual to be restrained or enjoined may commit 1 or more of the acts listed in subsection (1).

(30) As used in this section:

* (a) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

MICH. COMP LAWS § 600.2950(1), (4), (30)(a)

MINNESOTA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MINNESOTA

MINN. STAT. §
518B.01, subd. 2(a)-(b)

§ 518B.01, subd. 2(a)-(b)

Subd. 2. Definitions. -- As used in this section, the following terms shall have the meanings given them:

(a) “Domestic abuse” means the following, if committed against a family or household member by a family or household member:

- (1) physical harm, bodily injury, or assault;
- (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
- (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

(b) “Family or household members” means:

- (1) spouses and former spouses;
- (2) parents and children;
- (3) persons related by blood;
- (4) persons who are presently residing together or who have resided together in the past;
- (5) persons who have a child in common, regardless of whether they have been married or have lived together at any time;
- (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- (7) persons involved in a significant romantic or sexual relationship.

Issuance of an order for protection on the ground in clause (6) does not affect a determination of paternity under sections 257.51 to 257.74. In determining whether persons are or have been involved in a significant romantic or sexual relationship under clause (7), the court shall consider the length of time of the relationship; type of relationship; frequency of interaction between the parties; and, if the relationship has terminated, length of time since the termination.

MINN. STAT. § 518B.01, subd. 2(a)-(b)

MISSISSIPPI

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MISSISSIPPI

MISS. CODE ANN. § 93-21-3(a), (d)

§ 93-21-3(a), (d)

(a) "Abuse" means the occurrence of one or more of the following acts between spouses, former spouses, persons living as spouses or who formerly lived as spouses, persons having a child or children in common, other individuals related by consanguinity or affinity who reside together or who formerly resided together or between individuals who have a current or former **dating relationship***,

- i. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury or serious bodily injury with or without a deadly weapon;
- ii. Placing, by physical menace or threat, another in fear of imminent serious bodily injury;
- iii. Criminal sexual conduct committed against a minor within the meaning of Section 97-5-23;
- iv. Stalking within the meaning of Section 97-3-107;
- v. Cyberstalking within the meaning of Section 97-45-15; or
- vi. Sexual offenses within the meaning of Section 97-3-65 or 97-3-95.

"Abuse" does not include any act of self-defense.

*(d) "Dating relationship" means a social relationship of a romantic or intimate nature between two (2) individuals; it does not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context. Whether a relationship is a "dating relationship" shall be determined by examining the following factors:

- (i) The length of the relationship;
- (ii) The type of relationship; and
- (iii) The frequency of interaction between the two (2) individuals involved in the relationship.

MISS. CODE ANN. § 93-21-3(a), (d)

MISSOURI

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MISSOURI

Mo. Rev. Stat. §

455.010(1)-(3), (5), (7), (15)

§ 455.010(1)-(3), (5), (7), (15)

As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

(1) “Abuse” includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an **adult*** household member or discipline of a **child****, including spanking, in a reasonable manner:

(a) “Abusing a pet,” purposely or knowingly causing, attempting to cause, or threatening to cause physical injury to a pet with the intent to control, punish, intimidate, or distress the petitioner;

(b) “Assault,” purposely or knowingly placing or attempting to place another in fear of physical harm;

(c) “Battery,” purposely or knowingly causing physical harm to another with or without a deadly weapon;

(d) “Coercion,” compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;

(e) “Harassment,” engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child. Such conduct might include, but is not limited to:

a. Following another about in a public place or places;

b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;

(f) “Sexual assault,” causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person’s consent;

(g) “Unlawful imprisonment,” holding, confining, detaining or abducting another person against that person’s will;

*(2) “Adult,” any person seventeen years of age or older or otherwise emancipated;

***(3) “Child,” any person under seventeen years of age unless otherwise emancipated;

MISSOURI

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

(5) "Domestic violence", abuse or **stalking***** committed by a **family or household member******, as such terms are defined in this section;

****(7) "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;

***(15) "Stalking" is when any person purposely engages in an unwanted course of conduct that causes alarm to another person or a person who resides together in the same household with the person seeking the order of protection when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

(a) "Alarm" to cause fear of danger of physical harm; and

(b) "Course of conduct", two or more acts that serve no legitimate purpose including, but not limited to, acts in which the stalker directly, indirectly, or through a third party follows, monitors, observes, surveils, threatens, or communicates to a person by any action, method, or device.

Mo. REV. STAT. § 455.010(1)-(3), (5), (7), (15)

MONTANA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

MONTANA

MONT. CODE ANN. §§

40-15-102(1)-(2)

45-5-206(2)

§ 40-15-102(1)-(2)

(1) A person may file a petition for an order of protection if:

(a) the petitioner is in reasonable apprehension of bodily injury by the petitioner's **partner*** or **family member**** as defined in 45-5-206; or

(b) the petitioner is a victim of one of the following offenses committed by a partner or family member:

- (i) assault as defined in 45-5-201;
- (ii) aggravated assault as defined in 45-5-202;
- (iii) intimidation as defined in 45-5-203;
- (iv) partner or family member assault as defined in 45-5-206;
- (v) criminal endangerment as defined in 45-5-207;
- (vi) negligent endangerment as defined in 45-5-208;
- (vii) assault on a minor as defined in 45-5-212;
- (viii) assault with a weapon as defined in 45-5-213;
- (ix) strangulation of a partner or family member as defined in 45-5-215;
- (x) unlawful restraint as defined in 45-5-301;
- (xi) kidnapping as defined in 45-5-302;
- (xii) aggravated kidnapping as defined in 45-5-303; or
- (xiii) arson as defined in 45-6-103.

(2) The following individuals are eligible to file a petition for an order of protection against the offender regardless of the individual's relationship to the offender:

(a) a victim of assault as defined in 45-5-201, aggravated assault as defined in 45-5-202, assault on a minor as defined in 45-5-212, stalking as defined in 45-5-220, incest as defined in 45-5-507, sexual assault as defined in 45-5-502, or sexual intercourse without consent as defined in 45-5-503; sexual abuse of children as defined in 45-5-625, or human trafficking as defined in 45-5-701; or

(b) a partner or family member of a victim of deliberate homicide as defined in 45-5-102 or mitigated deliberate homicide as defined in 45-5-103.

MONTANA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

§ 45-5-206(2)

******(a) “Family member” means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.

*****(b) “Partners” means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship.

MONT. CODE ANN. §§ 40-15-102(1)-(2); 45-5-206(2)

NEBRASKA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEBRASKA

NEB. REV. STAT. § 42-903(1), (3)

§ 42-903(1), (3)

For purposes of the Protection from Domestic Abuse Act, unless the context otherwise requires:

(1) Abuse means the occurrence of one or more of the following acts between **family or household members***:

(a) Attempting to cause or intentionally and knowingly causing bodily injury with or without a dangerous instrument;

(b) Placing, by means of credible threat, another person in fear of bodily injury. For purposes of this subdivision, credible threat means a verbal or written threat, including a threat performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct that is made by a person with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat shall not prevent the threat from being deemed a credible threat under this section; or

(c) Engaging in sexual contact or sexual penetration without consent as defined in section 28-318;

* (3) Family or household members includes spouses or former spouses, children, persons who are presently residing together or who have resided together in the past, persons who have a child in common whether or not they have been married or have lived together at any time, other persons related by consanguinity or affinity, and persons who are presently involved in a dating relationship with each other or who have been involved in a dating relationship with each other. For purposes of this subdivision, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a causal relationship or an ordinary association between persons in a business or social context.

NEB. REV. STAT. § 42-903(1), (3)

NEVADA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEVADA

NEV. REV. STAT. §§
33.018
207.190

§ 33.018

1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a **dating relationship***, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

- (a) A battery.
- (b) An assault.
- (c) **Coercion**** pursuant to NRS 207.190.
- (d) A sexual assault.
- (e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:
 - (1) Stalking.
 - (2) Arson.
 - (3) Trespassing.
 - (4) Larceny.
 - (5) Destruction of private property.
 - (6) Carrying a concealed weapon without a permit.
 - (7) Injuring or killing an animal.
 - (8) Burglary.
 - (9) An invasion of the home.
 - (f) A false imprisonment.
 - (g) Pandering.

2. The provisions of this section do not apply to:

- (a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or
- (b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other.

NEVADA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

*3. As used in this section, “dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

****§ 207.190 (Coercion)**

1. It is unlawful for a person, with the intent to compel another to do or abstain from doing an act which the other person has a right to do or abstain from doing, to:
 - (a) Use violence or inflict injury upon the other person or any of the other person’s family, or upon the other person’s property, or threaten such violence or injury;
 - (b) Deprive the person of any tool, implement or clothing, or hinder the person in the use thereof; or
 - (c) Attempt to intimidate the person by threats or force.

NEV. REV. STAT. §§ 33.018; 207.190

NEW HAMPSHIRE

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEW HAMPSHIRE

N.H. REV. STAT. ANN. §
173-B:1(I), (IX), (X), (XV)

§ 173-B:1(I), (IX), (X), (XV)

I. "Abuse" means the commission or attempted commission of one or more of the acts described in subparagraphs (a) through (h) by a **family or household member*** or by a current or former sexual or intimate partner, where such conduct is determined to constitute a credible present threat to the petitioner's safety. The court may consider evidence of such acts, regardless of their proximity in time to the filing of the petition, which, in combination with recent conduct, reflects an ongoing pattern of behavior which reasonably causes or has caused the petitioner to fear for his or her safety or well-being:

- (a) Assault or reckless conduct as defined in RSA 631:1 through RSA 631:3.
- (b) Criminal threatening as defined in RSA 631:4.
- (c) Sexual assault as defined in RSA 632-A:2 through RSA 632-A:5.
- (d) Interference with freedom as defined in RSA 633:1 through RSA 633:3-a.
- (e) Destruction of property as defined in RSA 634:1 and RSA 634:2.
- (f) Unauthorized entry as defined in RSA 635:1 and RSA 635:2.
- (g) Harassment as defined in RSA 644:4.
- (h) Cruelty to animals as defined in RSA 644:8.

IX. "Domestic violence" means abuse as defined in RSA 173-B:1, I.

*X. "Family or household member" means:

- (a) Spouses, ex-spouses, persons cohabiting with each other, and persons who cohabited with each other but who no longer share the same residence.
- (b) Parents and other persons related by consanguinity or affinity, other than minor children who reside with the defendant.

XV. "Intimate partners" means persons currently or formerly involved in a romantic relationship, whether or not such relationship was ever sexually consummated.

N.H. REV. STAT. ANN. § 173-B:1(I), (IX), (X), (XV)

NEW JERSEY

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEW JERSEY

N.J. STAT. ANN. § 2C:25-19(a), (d), (e)

§ 2C:25-19(a), (d), (e)

a. "Domestic violence" means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor:

1. Homicide N.J.S. 2C:11-1 et seq.
2. Assault N.J.S. 2C:12-1
3. Terroristic threats N.J.S. 2C:12-3
4. Kidnapping N.J.S. 2C:13-1
5. Criminal restraint N.J.S. 2C:13-2
6. False imprisonment N.J.S. 2C:13-3
7. Sexual assault N.J.S. 2C:14-2
8. Criminal sexual contact N.J.S. 2C:14-3
9. Lewdness N.J.S. 2C:14-4
10. Criminal mischief N.J.S. 2C:17-3
11. Burglary N.J.S. 2C:18-2
12. Criminal trespass N.J.S. 2C:18-3
13. Harassment N.J.S. 2C:33-4
14. Stalking P.L.1992, c.209 (C.2C:12-10)
15. Criminal coercion N.J.S.2C:13-5
16. Robbery N.J.S.2C:15-1
17. Contempt of a domestic violence order pursuant to subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly persons offense
18. Any other crime involving risk of death or serious bodily injury to a person protected under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c. 261 (C.2C:25-17 et al.)
19. Cyber-harassment P.L.2013, c. 272 (C.2C:33-4.1)

NEW JERSEY

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

When one or more of these acts is inflicted by an **unemancipated minor*** upon a person protected under this act, the occurrence shall not constitute “domestic violence,” but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c.77 (C.2A:4A-30).

d. "Victim of domestic violence" means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. "Victim of domestic violence" also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. "Victim of domestic violence" also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

*e. “Emancipated minor” means a person who is under 18 years of age but who has been married, has entered military service, has a child or is pregnant or has been previously declared by a court or an administrative agency to be emancipated.

N.J. STAT. ANN. § 2C:25-19(a), (d), (e)

NEW MEXICO

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEW MEXICO

N.M. STAT. ANN. § 40-13-2(A), (B), (D), (F)

§ 40-13-2(A), (B), (D), (F)

As used in the Family Violence Protection Act [40-13-1 NMSA 1978]:

A. "continuing personal relationship" means a dating or intimate relationship;

B. "co-parents" means persons who have a child in common, regardless of whether they have been married or have lived together at any time;

D. "domestic abuse":

1. means an incident of stalking or sexual assault whether committed by a **household member*** or not;
2. means an incident by a household member against another household member consisting of or resulting in:
 - a. physical harm;
 - b. severe emotional distress;
 - c. bodily injury or assault;
 - d. a threat causing imminent fear of bodily injury by any household member;
 - e. criminal trespass;
 - f. criminal damage to property;
 - g. repeatedly driving by a residence or work place;
 - h. telephone harassment;
 - i. harassment;
 - j. strangulation;
 - k. suffocation; or
 - l. harm or threatened harm to children as set forth in this paragraph; and
3. does not mean the use of force in self-defense or the defense of another;

*F. "household member" means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for purposes of this section;

N.M. STAT. ANN. § 40-13-2(A), (B), (D), (F)

NEW YORK

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

NEW YORK

N.Y. FAM. CT. ACT § 812(1)

§ 812(1)

1. Jurisdiction. The family court and the criminal courts shall have concurrent jurisdiction over any proceeding concerning acts which would constitute disorderly conduct, unlawful dissemination or publication of an intimate image, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision one of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, criminal obstruction of breathing or blood circulation, strangulation in the second degree, strangulation in the first degree, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, coercion in the second degree or coercion in the third degree as set forth in subdivisions one, two and three of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household except that if the respondent would not be criminally responsible by reason of age pursuant to section 30.00 of the penal law, then the family court shall have exclusive jurisdiction over such proceeding. Notwithstanding a complainant's election to proceed in family court, the criminal court shall not be divested of jurisdiction to hear a family offense proceeding pursuant to this section. In any proceeding pursuant to this article, a court shall not deny an order of protection, or dismiss a petition, solely on the basis that the acts or events alleged are not relatively contemporaneous with the date of the petition, the conclusion of the fact-finding or the conclusion of the dispositional hearing. For purposes of this article, "disorderly conduct" includes disorderly conduct not in a public place. For purposes of this article, "members of the same family or household" shall mean the following:

- (a) persons related by consanguinity or affinity;
- (b) persons legally married to one another;
- (c) persons formerly married to one another regardless of whether they still reside in the same household;
- (d) persons who have a child in common regardless of whether such persons have been married or have lived together at any time;

NEW YORK

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

(e) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors the court may consider in determining whether a relationship is an “intimate relationship” include but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship”; and

(f) persons who are related by consanguinity or affinity to parties who are or have been in an intimate relationship as defined in paragraph (e) of this subdivision.

N.Y. FAM. CT. ACT § 812(1)

NORTH CAROLINA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

NORTH CAROLINA

N.C. GEN STAT. § 50B-1

§ 50B-1

(a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a **personal relationship***, but does not include acts of self-defense:

1. Attempting to cause bodily injury, or intentionally causing bodily injury; or
2. Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or
3. Committing any act defined in G.S. 14-27.21 through G.S. 14-27.33.

*(b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:

1. Are current or former spouses;
2. Are persons of opposite sex who live together or have lived together;
3. Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
4. Have a child in common;
5. Are current or former household members;
6. Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship

N.C. GEN STAT. § 50B-1

NORTH DAKOTA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

NORTH DAKOTA

N.D. CENT. CODE §
14-07.1-01(2), (4)

§ 14-07.1-01(2), (4)

2. “Domestic violence” includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining **family or household members***.

*4. "Family or household member" means a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court under section 14-07.1-02.

N.D. CENT. CODE § 14-07.1-01(2), (4)

OHIO

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR
DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

OHIO

OHIO REV. CODE. ANN. §
3113.31(A)(1), (3)-(4), (8), (9)

§ 3113.31(A)(1), (3)-(4), (8), (9)

1. "Domestic violence" means any of the following:
 - a. The occurrence of one or more of the following acts against a **family or household member***:
 - i. Attempting to cause or recklessly causing bodily injury;
 - ii. Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;
 - iii. Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code;
 - iv. Committing a sexually oriented offense.
 - b. The occurrence of one or more of the acts identified in divisions (A)(1)(a)(i) to (iv) of this section against a person with whom the respondent is or was in a **dating relationship****.

*3 "Family or household member" means any of the following

a. Any of the following who is residing with or has resided with the respondent:

- i. A spouse, a person living as a spouse, or a former spouse of the respondent;
- ii. A parent, a foster parent, or a child of the respondent, or another person related by consanguinity or affinity to the respondent;
- iii. A parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity to a spouse, **person living as a spouse*****, or former spouse of the respondent.

b. The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.

***(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years prior to the date of the alleged occurrence of the act in question.

OHIO

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

******(8) “Dating relationship” means a relationship between individuals who have, or have had, a relationship of a romantic or intimate nature. “Dating relationship” does not include a casual acquaintanceship or ordinary fraternization in a business or social context.

(9) “Person with whom the respondent is or was in a dating relationship” means an individual who, at the time of the conduct in question, is in a dating relationship with the respondent who is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with the respondent who is an adult.

OHIO REV. CODE. ANN. § 3113.31(A)(1), (3)-(4), (8), (9)

OKLAHOMA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

OKLAHOMA

OKLA STAT. tit. 22 §

60.1 (1)-(3), (5)-(6), (9)-(10)

§ 60.1 (1)-(3), (5)-(6), (9)-(10)

As used in the Protection from Domestic Abuse Act and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7 of this title, and Section 150.12B of Title 74 of the Oklahoma Statutes:

1. "Dating relationship" means intimate association, primarily characterized by affectionate or sexual involvement. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship;
2. "Domestic abuse" means any act of physical harm, or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who is currently or was previously an **intimate partner* or family or household member****;

****3. "Family or household members" means:**

- a. parents, including grandparents, stepparents, adoptive parents and foster parents,
- b. children, including grandchildren, stepchildren, adopted children and foster children, and
- c. persons otherwise related by blood or marriage living in the same household,
- d. persons otherwise related by blood or marriage; or
- e. persons not related by blood or marriage **living in the same household*****.

5. "Harassment" means a knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial distress to the person. "Harassment" shall include, but not be limited to, harassing or obscene telephone calls in violation of Section 1172 of Title 21 of the Oklahoma Statutes and fear of death or bodily injury;

***6. "Intimate partner" means:**

- a. current or former spouses,
- b. persons who are or were in a dating relationship,

OKLAHOMA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- c. persons who are the biological parents of the same child, regardless of their marital status or whether they have lived together at any time, and
- d. persons who currently or formerly lived together in an intimate way, primarily characterized by affectionate or sexual involvement. A sexual relationship may be an indicator that a person is an intimate partner, but is never a necessary condition;

7. “Living in the same household” means:

- a. persons who regularly reside in the same single-dwelling unit,
- b. persons who resided in the same single-dwelling unit within the past year, or
- c. persons who have individual lease agreements whereby each person has his or her own private bedroom and shares the common areas.

9. “Rape” means rape and rape by instrumentation in violation of Sections 1111 and 1111.1 of Title 21 of the Oklahoma Statutes;

10. “Stalking” means the willful, malicious, and repeated following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to:

- a. maintaining a visual or physical proximity to the individual,
- b. approaching or confronting that individual in a public place or on private property,
- c. appearing at the workplace of the individual or contacting the employer or coworkers of the individual,
- d. appearing at the residence of the individual or contacting the neighbors of the individual,
- e. entering onto or remaining on property owned, leased or occupied by the individual,

OKLAHOMA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- f. contacting the individual by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the telephone or electronic device of the individual or the telephone or electronic device of any other person to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues,
- g. photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the individual. This subparagraph applies regardless of where the act occurs,
- h. sending any physical or electronic material or contacting the individual by any means, including any message, comment, or other content posted on any Internet site or web application,
- i. sending to a family member or member of the household of the individual, or any current or former employer of the individual, or any current or former coworker of the individual, or any friend of the individual, any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application, for the purpose of obtaining information about, disseminating information about, or communicating with the individual,
- j. placing an object on, or delivering an object to, property owned, leased or occupied by the individual,
- k. delivering an object to a family member or member of the household of the individual, or an employer, coworker, or friend of the individual, or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the individual, or
- l. causing a person to engage in any of the acts described in subparagraphs a through k of this paragraph;

OKLA STAT. tit. 22 § 60.1 (1)-(3), (5)-(6), (9)-(10)

OREGON

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

OREGON

OR. REV. STAT. §
107.705(1), (4)

- (1) "Abuse" means the occurrence of one or more of the following acts between family or household members*:
- (a) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury.
 - (b) Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury.
 - (c) Causing another to engage in involuntary sexual relations by force or threat of force.
- * (4) "Family or household members" means any of the following:
- a. Spouses.
 - b. Former spouses.
 - c. Adult persons related by blood, marriage or adoption.
 - d. Persons who are cohabiting or who have cohabited with each other.
 - e. Persons who have been involved in a sexually intimate relationship with each other within two years immediately preceding the filing by one of them of a petition under ORS 107.710.
 - f. Unmarried parents of a child.

OR. REV. STAT. § 107.705(1), (4)

PENNSYLVANIA

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

PENNSYLVANIA

23 PA. CONS. STAT. § 6102(a)

§ 6102(a)

(a) General rule. -- The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Abuse." The occurrence of one or more of the following acts between **family or household members***, sexual or intimate partners or persons who share biological parenthood:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
2. Placing another in reasonable fear of imminent serious bodily injury.
3. The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).
4. Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
5. Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

*"Family or household members." Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

23 PA. CONS. STAT. § 6102(a)

RHODE ISLAND

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

RHODE ISLAND

R.I. GEN. LAWS § 15-15-1(1), (3)-(10)

§ 15-15-1(1), (3)-(10)

(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct".

***** (3) "Cyberstalking" means transmitting any communication by computer to any person or causing any person to be contacted for the sole purpose of harassing that person or his or her family.

(4) "Domestic abuse" means:

The occurrence of one or more of the following acts between present or former **family members***, **parents****, stepparents, a plaintiff parent's minor child(ren) to which the defendant is not a blood relative or relative by marriage, adult plaintiffs who are or have been in a substantive dating or engagement relationship within the past one year and who are (either individually or together) parents of minor children, or persons who are or have been in a substantive **dating or engagement relationship***** within the past one year in which at least one of the persons is a minor:

- (i) Attempting to cause or causing physical harm;
- (ii) Placing another in fear of imminent serious physical harm;
- (iii) Causing another to engage involuntarily in sexual relations by force, threat of force, or duress; or
- (iv) **Stalking****** or **cyberstalking*******.

(5) "Harassing" means following a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

*(6) "Parents" mean persons who together are the legal parents of one or more children, regardless of their marital status or whether they have lived together at any time.

** (7) "Present or former family member" means the spouse, former spouse, minor children, stepchildren, a plaintiff's minor child(ren) to which the defendant is not a blood relative or relative by marriage, or persons who are related by blood or marriage.

RHODE ISLAND

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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(8) "Sexual exploitation" means the occurrence of any of the following acts by any person who knowingly or willfully encourages, aids, or coerces any child under the age of eighteen (18) years:

(i) Recruiting, employing, enticing, soliciting, isolating, harboring, transporting, providing, persuading, obtaining, or maintaining, or so attempts, any minor for the purposes of commercial sex acts or sexually explicit performances; or selling or purchasing a minor for the purposes of commercial sex acts.

(A) "Commercial sex act" means any sex act or sexually explicit performance on account of which anything of value is given, promised to, or received, directly or indirectly, by any person.

(B) "Sexually-explicit performance" means an act or show, intended to arouse, satisfy the sexual desires of, or appeal to the prurient interests of patrons or viewers, whether public or private, live, photographed, recorded, or videotaped.

****(9) "Stalking" means harassing another person or willfully, maliciously and repeatedly following another person with the intent to place that person in reasonable fear of bodily injury.

***(10) "Substantive dating" or "engagement relationship" means a significant and personal/intimate relationship which shall be adjudged by the court's consideration by the following factors:

- (i) The length of time of the relationship;
- (ii) The type of relationship; and
- (iii) The frequency of interaction between the parties.

R.I. GEN. LAWS § 15-15-1(1), (3)-(10)

SOUTH CAROLINA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR
DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

<div><div>SOUTH CAROLINA</div><div>S.C. CODE ANN. § 20-4-20</div></div>	<div>§ 20-4-20</div> <div>(a) “Abuse” means:<div><div>(1) physical harm, bodily injury, assault, or the threat of physical harm;</div><div>(2) sexual criminal offenses, as otherwise defined by statute, committed against a family or household member* by a family or household member.</div></div></div> <div>* (b) "Household member" means:<div><div>(i) a spouse;</div><div>(ii) a former spouse;</div><div>(iii) persons who have a child in common;</div><div>(iv) a male and female who are cohabiting or formerly have cohabited.</div></div></div>
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S.C. CODE ANN. § 20-4-20

SOUTH DAKOTA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

SOUTH DAKOTA

S.D. CODIFIED LAWS §§

25-10-1(1)

25-10-3.1

25-10-3.2

22-1-2(9)

25-10-3.3

§ 25-10-1(1)

(1) "Domestic abuse," physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1. Any violation of § 25-10-13 or chapter 22-19A or any **crime of violence*** as defined in subdivision 22-1-2(9) constitutes domestic abuse if the underlying criminal act is committed between persons in such a relationship

§ 25-10-3.1

Any person who is involved in one of the following relationships with another party:

1. Spouse or former spouse;
2. Is in a **significant romantic relationship**** or has been in one during the past twelve months with the abusing party;
3. Has a child or is expecting a child with the abusing party;
4. Parent and child, including a relationship by adoption, guardianship, or marriage; or
5. Siblings, whether of the whole or half blood, including a relationship through adoption or marriage; is entitled to apply for a protection order or a temporary protection order pursuant to the provisions of this chapter.

§ 25-10-3.2

******For purposes of chapter 25-10, when determining whether a relationship is a significant romantic relationship, the court shall consider, among others, the following factors:

- (1) The length of time of the relationship;
- (2) The frequency of interaction between the parties;
- (3) The characteristics and the type of the relationship.

SOUTH DAKOTA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

§ 22-1-2(9)

*(9) "Crime of violence," any of the following crimes or an attempt to commit, or a conspiracy to commit, or a solicitation to commit any of the following crimes: murder, manslaughter, rape, aggravated assault, riot, robbery, burglary in the first degree, arson, kidnapping, felony sexual contact as defined in § 22-22-7, felony child abuse as defined in § 26-10-1, or any other felony in the commission of which the perpetrator used force, or was armed with a dangerous weapon, or used any explosive or destructive device

§ 25-10-3.3

If a petition for a protection order alleging the existence of domestic abuse is filed with the court pursuant to § 25-10-3 and, if the court, upon an initial review, determines that the allegations do not support the existence of domestic abuse, but that the allegations do support the existence of stalking or physical injury pursuant to § 22-19A-8, the court, in its discretion, may hear and act upon the petition as though the petition had been filed under § 22-19A-8 and subject to the provisions of chapter 22-19A.

S.D. CODIFIED LAWS §§ 25-10-1(1); 25-10-3.1; 25-10-3.2; 22-1-2(9); 25-10-3.3

TENNESSEE

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

TENNESSEE

TENN. CODE ANN. §

36-3-601(1)-(2), (4)-(5), (11)-(12)

§ 36-3-601(1)-(2), (4)-(5), (11)-(12)

As used in this part, unless the context otherwise requires:

(1) “Abuse” means

- (A) inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means;
- (B) Placing an adult* or minor in fear of physical harm, physical restraint;
- (C) Causing malicious damage to the personal property of the abused party; or
- (D) Intentionally engaging in behavior that amounts to financial abuse.

* (2) “Adult” means any person eighteen (18) years of age or older, or who is otherwise emancipated;

(4) “Domestic abuse” means committing abuse against a victim, as defined in subdivision (5);

(5) “Domestic abuse victim” means any person who falls within the following categories:

- A. Adults or minors who are current or former spouses;
- B. Adults or minors who live together or who have lived together;
- C. Adults or minors who are dating or who have dated or who have or had a sexual relationship. As used herein “, "dating" and “dated” do not include fraternization between two (2) individuals in a business or social context;
- D. Adults or minors related by blood or adoption;
- E. Adults or minors who are related or were formerly related by marriage; or
- F. Adult or minor children of a person in a relationship that is described in subdivisions (5)(A)-(E);

(6) “Financial abuse” means behavior that is coercive, that is deceptive, or that unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which the person is entitled, including using coercion, fraud, or manipulation to:

- A. Restrict a person’s access to money, assets, credit, or financial information;

TENNESSEE

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- B. Unfairly use a person's economic resources, including money, assets, and credit, to gain an advantage; or
- C. Exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or failing or neglecting to act in the best interest of the person to whom a fiduciary duty is owed.

(11) "Sexual assault victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with, or placed in fear of any form of rape, as defined in § 39-13-502, § 39-13-503, § 39-13-506 or § 39-13-522, or sexual battery, as defined in § 39-13-504, § 39-13-505, or § 39-13-527;

(12) "Stalking victim" means any person, regardless of the relationship with the perpetrator, who has been subjected to, threatened with, or placed in fear of the offense of stalking, as defined in § 39-17-315;

TENN. CODE ANN. § 36-3-601(1)-(2), (4)-(5), (11)-(12)

TEXAS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

TEXAS

TEX. FAM. CODE ANN. §§

71.004

71.0021

71.003

71.005

§ 71.004

"Family violence" means:

1. an act by a member of a family* or household** against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
2. abuse, as that term is defined by Sections 261.001(1)(C), (E), (G), (H), (I), (J) and (K), and (M) by a member of a family or household toward a child of the family or household; or
3. dating violence***, as that term is defined by Section 71.0021.

§ 71.0021

*** (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim or applicant for a protective order:

- A. with whom the actor has or has had a dating relationship; or
- B. because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

- (1) the length of the relationship;
- (2) the nature of the relationship; and
- (3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

TEXAS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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§ 71.003

***"Family" includes individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code, individuals who are former spouses of each other, individuals who are the parents of the same child, without regard to marriage, and a foster child and foster parent, without regard to whether those individuals reside together.

§ 71.005

***"Household" means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

TEX. FAM. CODE ANN. § 71.004; 71.0021; 71.003; 71.005

UTAH

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

UTAH

UTAH CODE ANN. §

77-36-1(4)

78B-7-102(1), (5), (10)-(11), (22)

§ 77-36-1(4)

(4) (a) “Domestic violence” or “domestic violence offense” means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another.

(b) “Domestic violence” or “domestic violence offense” includes the commission of or attempt to commit, any of the following offenses by one cohabitant against another:

- (i) aggravated assault under Section 76-5-103;
- (ii) aggravated cruelty to an animal under Subsection 76-9-301(4), with the intent to harass or threaten the other cohabitant;
- (iii) assault under Section 76-5-102;
- (iv) criminal homicide under Section 76-5-201;
- (v) harassment under Section 76-5-106;
- (vi) electronic communication harassment under Section 76-9-201;
- (vii) kidnapping, child kidnapping, or aggravated kidnapping under Sections 76-5-301, 76-5-301.1, and 76-5-302;
- (viii) mayhem under Section 76-5-105;
- (ix) propelling a bodily substance or material, as described in Section 76-5-102.9;
- (x) sexual offenses under Title 76, Chapter 5, Part 4, Sexual Offenses, and sexual exploitation of a minor and aggravated sexual exploitation of a minor, as described in Sections 76-5b-201 and 76-5b-201.1;
- (xi) stalking under Section 76-5-106.5;
- (xii) unlawful detention and unlawful detention of a minor under Section 76-5-304;
- (xiii) violation of a protective order or ex parte protective order under Section 76-5-108;
- (xiv) an offense against property under Title 76, Chapter 6, Part 1, Property Destruction, Title 76, Chapter 6, Part 2, Burglary and Criminal Trespass, or Title 76, Chapter 6, Part 3, Robbery;
- (xv) possession of a deadly weapon with criminal intent under Section 76-10-507;
- (xvi) discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle under Section 76-10-508;

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

(xvii) disorderly conduct under Section 76-9-102, if a conviction or adjudication of disorderly conduct is the result of a plea agreement in which the perpetrator was originally charged with a domestic violence offense otherwise described in this Subsection (4), except that a conviction or adjudication of disorderly conduct as a domestic violence offense, in the manner described in this Subsection (4)(p), does not constitute a misdemeanor crime of domestic violence under 18 U.S.C. Sec. 921, and is exempt from the federal Firearms Act, 18 U.S.C. Sec. 921 et seq.;

(xviii) child abuse under Section 76-5-114;

(xix) threatening use of a dangerous weapon under Section 76-10-506;

(xx) threatening violence under Section 76-5-107;

(xxi) tampering with a witness under Section 76-8-508;

(xxii) retaliation against a witness, victim, or informant under Section 76-8-508.3;

(xxiii) receiving or soliciting a bribe as a witness under Section 76-8-508.7;

(xxiv) unlawful distribution of an intimate image under Section 76-5b-203;

(xxv) unlawful distribution of a counterfeit intimate image under Section 76-5b-205;

(xxvi) sexual battery under Section 76-9-702.1;

(xxvii) voyeurism under Section 76-9-702.7;

(xxviii) damage to or interruption of a communication device under Section 76-6-108; or

(xxix) an offense under Subsection 78B-7-806(1).

§ 78B-7-102(1), (5), (10)-(11), (22)

(1) "Abuse" means, except as provided in Section 78B-7-201, intentionally or knowingly causing or attempting to cause another individual physical harm or intentionally or knowingly placing another individual in reasonable fear of imminent physical harm.

(5)

(a) "Cohabitant" means an emancipated person pursuant to Section 15-2-1 or a person who is 16 years of age or older who:

- I. is or was a spouse of the other party;
- II. is or was living as if a spouse of the other party;

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- III. is related by blood or marriage to the other party as the person's parent, grandparent, sibling, or any other person related to the person by consanguinity or affinity to the second degree;
- IV. has or had one or more children in common with the other party;
- V. is the biological parent of the other party's unborn child;
- VI. resides or has resided in the same residence as the other party; or
- VII. is or was in a consensual sexual relationship with the other party.

(b) "Cohabitant" does not include:

- (i) the relationship of natural parent, adoptive parent, or step-parent to a minor; or
- (ii) the relationship between natural, adoptive, step, or foster siblings who are under 18 years of age.

(10)

(a) "Dating partner" means an individual who:

(i)

(A) is an emancipated individual under Section 15-2-1 or Title 80, Chapter 7, Emancipation; or

(B) is 18 years old or older; and

(ii) is, or has been, in a dating relationship with the other party.

(b) "Dating partner" does not include an intimate partner.

(11)

(a) "Dating relationship" means a social relationship of a romantic or intimate nature, or a relationship which has romance or intimacy as a goal by one or both parties, regardless of whether the relationship involves sexual intimacy.

(b) "Dating relationship" does not include casual fraternization in a business, educational, or social context.

(c) In determining, based on a totality of the circumstances, whether a dating relationship exists:

(i) all relevant factors shall be considered, including:

(A) whether the parties developed interpersonal bonding above a mere casual fraternization;

(B) the length of the parties' relationship;

(C) the nature and the frequency of the parties' interactions, including communications indicating that the parties intended to begin a dating relationship;

(D) the ongoing expectations of the parties, individual or jointly, with respect to the relationship;

UTAH

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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(E) whether, by statement or conduct, the parties demonstrated an affirmation of their relationship to others; and
(F) whether other reasons exist that support or detract from a finding that a dating relationship exists; and
(ii) it is not necessary that all, or a particular number, of the factors described in Subsection (11)(c)(i) are found to support the existence of a dating relationship.
(22) “Stalking” means the same as that term is defined in Section 76-5-106.5.

UTAH CODE ANN. § 77-36-1(4); 78B-7-102(1), (5), (10)-(11), (22)

VERMONT

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

VERMONT

Vt. STAT. ANN. tit 15, § 1101

§ 1101

(1) “Abuse” means:

(A) the occurrence of one or more of the following acts between **family or household members***:

- (i) attempting to cause or causing physical harm;
- (ii) placing another in fear of imminent serious physical harm;
- (iii) abuse to children as defined in 33 V.S.A. chapter 49, subchapter 2 ;
- (iv) stalking as defined in 12 V.S.A. § 5131(6); or
- (v) sexual assault as defined in 12 V.S.A. § 5131(5); or

(B) coercive controlling behavior between family or household members.

(2) “Coercive controlling behavior” means a pattern of behavior that in purpose or effect unreasonably interferes with a person’s free will and personal liberty. “Coercive controlling behavior” includes unreasonably engaging in any of the following:

- (A) isolating the family or household member from friends, relatives or other sources of support;
- (B) depriving the family or household member of basic necessities;
- (C) controlling, regulating or monitoring the family or household member’s movements, communications, daily behavior, finances, economic resources, or access to services;
- (D) compelling the family or household member by force, threat or intimidation, including threats based on actual or suspected immigration status, to:
 - (i) engage in conduct from which such family or household member has a right to abstain; or
 - (ii) abstain from conduct that such family or household member has a right to pursue;
- (E) committing or threatening to commit cruelty to animals that intimidates the family or household member; or
- (F) forced sex acts or threats of a sexual nature, including threatened acts of sexual conduct, threats based on a person’s sexuality, or threats to release sexual images.

*(3) “Household members” means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. “Dating” means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include:

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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- (A) the nature of the relationship;
- (B) the length of time the relationship has existed;
- (C) the frequency of interaction between the parties; and
- (D) the length of time since the relationship was terminated, if applicable.

VT. STAT. ANN. tit 15, § 1101

VIRGINIA

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

VIRGINIA

VA. CODE ANN. § 16.1-228

§ 16.1-228

"Family abuse" means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's **family or household member***. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

"Family or household member" means (i) the person's spouse, whether or not such spouse resides in the same home with the person; (ii) the person's former spouse, whether or not such person resides in the same home with the person; (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of whether such persons reside in the same home with the person; (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person; (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time; (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person; or (vii) an individual who is a legal custodian of a juvenile.

VA. CODE ANN. § 16.1-228

WASHINGTON

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WASHINGTON

WASH. REV. CODE § 7.105.010

Wash. Rev. Code § 7.105.010 (effective July 1, 2025)

(4) (a) “Coercive control” means a pattern of behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person’s free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person. Examples of coercive control include, but are not limited to, engaging in any of the following:

- (i) Intimidation or controlling or compelling conduct by:
 - (A) Damaging, destroying, or threatening to damage or destroy, or forcing the other party to relinquish, goods, property, or items of special value;
 - (B) Using technology to threaten, humiliate, harass, stalk, intimidate, exert undue influence over, or abuse the other party, including by engaging in cyberstalking, monitoring, surveillance, impersonation, manipulation of electronic media, or distribution of or threats to distribute actual or fabricated intimate images;
 - (C) Carrying, exhibiting, displaying, drawing, or threatening to use, any firearm or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate the other party or that warrants alarm by the other party for their safety or the safety of other persons;
 - (D) Driving recklessly with the other party or minor children in the vehicle;
 - (E) Communicating, directly or indirectly, the intent to:
 - (I) Harm the other party’s children, family members, friends, or pets, including by use of physical forms of violence;
 - (II) Harm the other party’s career;
 - (III) Attempt suicide or other acts of self-harm; or
 - (IV) Contact local or federal agencies based on actual or suspected immigration status;
 - (F) Exerting control over the other party’s identity documents;
 - (G) Making, or threatening to make, private information public, including the other party’s sexual orientation or gender identity, medical or behavioral health information, or other confidential information that jeopardizes safety; or

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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- (H) Engaging in sexual or reproductive coercion;
 - (ii) Causing dependence, confinement, or isolation of the other party from friends, relatives, or other sources of support, including schooling and employment, or subjecting the other party to physical confinement or restraint;
 - (iii) Depriving the other party of basic necessities or committing other forms of financial exploitation;
 - (iv) Controlling, exerting undue influence over, interfering with, regulating, or monitoring the other party's movements, communications, daily behavior, finances, economic resources, or employment, including but not limited to interference with or attempting to limit access to services for children of the other party, such as health care, medication, child care, or school-based extracurricular activities;
 - (v) Engaging in vexatious litigation or abusive litigation as defined in RCW 26.51.020 against the other party to harass, coerce, or control the other party, to diminish or exhaust the other party's financial resources, or to compromise the other party's employment or housing; or
 - (vi) Engaging in psychological aggression, including inflicting fear, humiliating, degrading, or punishing the other party.
 - (b) "Coercive control" does not include protective actions taken by a party in good faith for the legitimate and lawful purpose of protecting themselves or children from the risk of harm posed by the other party.
- (7)** (a) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes any form of communication, contact, or conduct, including the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."
- (b) In determining whether the course of conduct serves any legitimate or lawful purpose, a court should consider whether:
- (i) Any current contact between the parties was initiated by the respondent only or was initiated by both parties;
 - (ii) The respondent has been given clear notice that all further contact with the petitioner is unwanted;
 - (iii) The respondent's course of conduct appears designed to alarm, annoy, or harass the petitioner;
 - (iv) The respondent is acting pursuant to any statutory authority including, but not limited to, acts which are reasonably necessary to:
 - (A) Protect property or liberty interests;
 - (B) Enforce the law; or

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DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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- (C) Meet specific statutory duties or requirements;
- (v) The respondent's course of conduct has the purpose or effect of unreasonably interfering with the petitioner's privacy or the purpose or effect of creating an intimidating, hostile, or offensive living environment for the petitioner; or
- (vi) Contact by the respondent with the petitioner or the petitioner's family has been limited in any manner by any previous court order.
- (9)** "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.
- (10)** "Domestic violence" means:
- (a) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or
- (b) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one family or household member by another family or household member.
- (14)** "Family or household members" means: (a) Persons related by blood, marriage, domestic partnership, or adoption; (b) persons who currently or formerly resided together; (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and (d) a person who is acting or has acted as a legal guardian.
- (15)** "Financial exploitation" means the illegal or improper use of, control over, or withholding of, the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:
- (a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, government benefits,

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health insurance benefits, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(21) “Intimate partner” means: (a) Spouses or domestic partners; (b) former spouses or former domestic partners; (c) persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; or (d) persons who have or have had a dating relationship where both persons are at least 13 years of age or older.

(22)

(a) “Isolate” or “isolation” means to restrict a person’s ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including, but not limited to:

(i) Acts that prevent a person from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(ii) Acts that prevent or obstruct a person from meeting with others, such as telling a prospective visitor or caller that the person is not present or does not wish contact, where the statement is contrary to the express wishes of the person.

(b) The term “isolate” or “isolation” may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under *chapter 11.92 RCW or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

(27) “Nonconsensual” means a lack of freely given consent.

(28) “Nonphysical contact” includes, but is not limited to, written notes, mail, telephone calls, email, text messages, contact through social media applications, contact through other technologies, or contact through third parties.

(33) “Sexual conduct” means any of the following:

(a) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;

(b) Any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent;

WASHINGTON

STATUTE

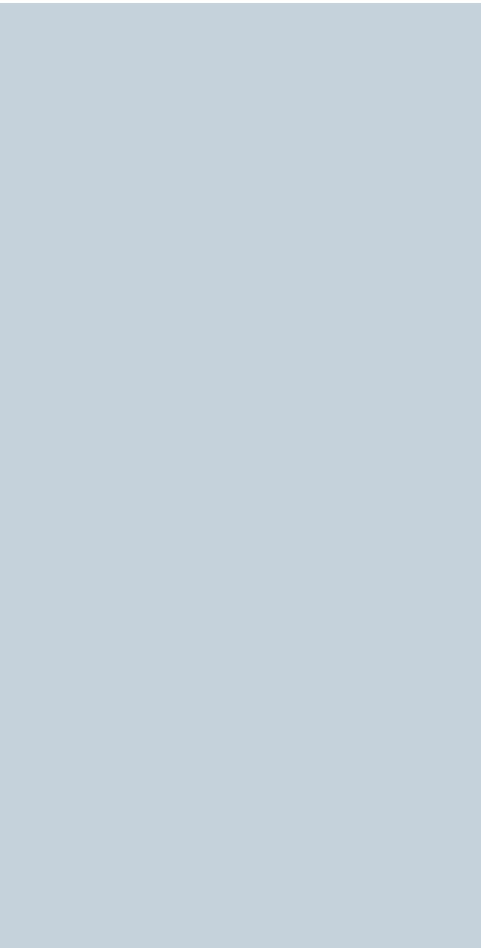
DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

- (c) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;
 - (d) Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;
 - (e) Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or
 - (f) Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.
- (34)** "Sexual penetration" means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.
- (35)** "Stalking" means any of the following:
- (a) Any act of stalking as defined under RCW 9A.46.110;
 - (b) Any act of cyber harassment as defined under RCW 9A.90.120; or
 - (c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that:
 - (i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling;
 - (ii) Serves no lawful purpose; and
 - (iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.
- (37)** "Unlawful harassment" means:
- (a) A knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner; or

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(b) A single act of violence or threat of violence directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose, which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. A single threat of violence must include: (i) A malicious and intentional threat as described in RCW 9A.36.080(1)(c); or (ii) the presence of a firearm or other weapon.

WASH. REV. CODE § 7.105.010
(effective July 1, 2025)

WEST VIRGINIA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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WEST VIRGINIA

W. VA. CODE §§

48-27-202

48-27-204

§ 48-27-202

“Domestic violence” or “abuse” means the occurrence of one or more of the following acts between **family or household members***, as that term is defined in section two hundred four [§ 48-27-204] of this article:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing physical harm to another with or without dangerous or deadly weapons;
- (2) Placing another in reasonable apprehension of physical harm;
- (3) Creating fear of physical harm by harassment, stalking, psychological abuse or threatening acts;
- (4) Committing either sexual assault or sexual abuse as those terms are defined in articles eight-b [§§ 61-8B-1 et seq.] and eight-d [§§ 61-8D-1 et seq.], chapter sixty-one of this code; and
- (5) Holding, confining, detaining or abducting another person against that person’s will.

§ 48-27-204

***"Family or household members"** means persons who:

1. Are or were married to each other;
2. Are or were living together as spouses;
3. Are or were sexual or intimate partners;
4. Are or were dating: Provided, that a casual acquaintance or ordinary fraternization between persons in a business or social context does not establish a dating relationship;
5. Are or were residing together in the same household;
6. Have a child in common regardless of whether they have ever married or lived together;
7. Have the following relationships to another person:
 - (A) Parent;
 - (B) Stepparent;
 - (C) Brother or sister;
 - (D) Half-brother or half-sister;
 - (E) Stepbrother or stepsister;
 - (F) Father-in-law or mother-in-law;

WEST VIRGINIA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR
DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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- (G) Stepfather-in-law or stepmother-in-law;
- (H) Child or stepchild;
- (I) Daughter-in-law or son-in-law;
- (J) Stepdaughter-in-law or stepson-in-law;
- (K) Grandparent;
- (L) Step grandparent;
- (M) Aunt, aunt-in-law or step aunt;
- (N) Uncle, uncle-in-law or step uncle;
- (O) Niece or nephew;
- (P) First or second cousin; or

Have the relationships set forth in paragraphs (A) through (P), subdivision (7) of this section to a family or household member, as defined in subdivisions (1) through (6) of this section.

W. VA. CODE §§ 48-27-202; 48-27-204

WISCONSIN

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

WISCONSIN

Wis. Stat. § 813.12

§ 813.12

(1) Definitions. In this section:

(ad) “Caregiver” means an individual who is a provider of in-home or community care to an individual through regular and direct contact.

(ag) “Dating relationship” means a romantic or intimate social relationship between 2 adult individuals but “dating relationship” does not include a causal relationship or an ordinary fraternization between 2 individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

(am) “Domestic abuse” means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver’s care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3) [sexual assault].
4. A violation of s. 940.32.
5. A violation of s. 943.01, involving property that belongs to the individual.
6. A threat to engage in the conduct under subd. 1., 2., 3., 4., or 5.

(b) “Family member” means a spouse, a parent, a child or a person related by blood or adoption to another person.

(c) “Household member” means a person currently or formerly residing in a place of abode with another person.

(ce) “Household pet” means a domestic animal that is not a farm animal, as defined in s. 951.01 (3), that is kept, owned, or cared for by the petitioner or by a family member or a household member of the petitioner.

Wis. Stat. § 813.12

WYOMING

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

WYOMING

WYO. STAT. ANN. §
35-21-102(a)(iii), (iv)

§ 35-21-102(a)(iii), (iv)

(iii) “Domestic abuse” means the occurrence of one (1) or more of the following acts by a **household member*** but does not include acts of self-defense:

- a. Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liberty of any household member;
- b. Placing a household member in reasonable fear of imminent physical harm; or
- c. Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress.

* (iv) “Household member” includes:

- (A) Persons married to each other;
- (B) Persons living with each other as if married;
- (C) Persons formerly married to each other;
- (D) Persons formerly living with each other as if married;
- (E) Parents and their adult children;
- (F) Other adults sharing common living quarters;
- (G) Persons who are the parents of a child but who are not living with each other; and
- (H) Persons who are in, or have been in, a dating relationship.

WYO. STAT. ANN. § 35-21-102(a)(iii), (iv)

AMERICAN SAMOA

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

AMERICAN SAMOA

AM. SAMOA CODE ANN. § 47.01.0102(1)-(2)

§ 47.01.0102(1)-(2)

As used in this chapter, unless the context clearly requires otherwise:

(1) **“Domestic or family violence”** means the occurrence of one or more of the following acts by a family or household member*, but does not include acts of self-defense:

- (A) Attempting to cause or causing physical harm to another family or household member;
- (B) Placing a family or household member in fear of physical harm; or
- (C) Causing a family or household member to engage involuntarily in sexual activity by force, threat of force, or duress.

* (2) **“Family or household members”** include

- (A) Adults or minors who are current or former spouses;
- (B) Adults or minors who live together or who have lived together;
- (C) Adults or minors who are dating or who have dated;
- (D) Adults or minors who are engaged in or who have engaged in a sexual relationship;
- (E) Adults or minors who are related by blood or adoption; (F) Adults or minors who are related or formerly related by marriage; (G) Persons who have a child in common; and (H) Minor children of a person in a relationship that is described in paragraphs (A) through (H).

AM. SAMOA CODE ANN. § 47.01.0102(1)-(2)

GUAM

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

GUAM

9 GUAM CODE ANN. § 30.10(a)-(d), (f)

§ 30.10(a)-(d), (f)

As used in this Chapter:

(a) Family violence means the occurrence of one (1) or more of the following acts by a **family or household member***, but does not include acts of self-defense or defense of others:

- (1) Attempting to cause or causing **bodily injury**** to another family or household member;
- (2) Placing a family or household member in reasonable fear of bodily injury; or
- (3) Knowingly or intentionally, against the will of another, impeding the normal breathing or circulation of the blood of a family or household member by applying pressure to the throat or neck or by blocking the nose or mouth of a family or household member.

*(b) **Family or household members** include:

1. Adults or minors who are current or former spouses;
2. Adults or minors who live together or who have lived together;
3. Adults or minors who are dating or who have dated;
4. Adults or minors who are engaged in or who have engaged in a sexual relationship;
5. Adults or minors who are related by blood or adoption to the fourth degree of affinity;
6. Adults or minors who are related or formerly related by marriage;
7. Persons who have a child in common; and
8. Minor children of a person in a relationship described in paragraphs (1) through (7) above.

** (c) **Bodily injury** as used in this Chapter, has the same meaning as that provided in subsection (b) of § 16.10 of this title;

(d) Attempt as used in this Chapter, has the same meaning as that provided in § 13.10 of this title;

(f) Victim means any natural person against whom a crime, as defined under the laws of Guam, has been committed or attempted to be committed

9 GUAM CODE ANN. § 30.10(a)-(d), (f)

NORTHERN MARIANA ISLANDS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

NORTHERN MARIANA ISLANDS

8 N. MAR. I. CODE § 1902

§ 1902

(a) "Domestic or family violence" means the occurrence of one or more of the following acts by a family or household member, but does not include acts of self-defense:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury to another family or household member;
- (2) Placing a family or household member in fear of bodily injury;
- (3) Attempting to cause or causing a family or household member to engage in coerced or forced sexual activity by force, threat of force or intimidation;
- (4) Engage in a knowing and willful course of conduct that constitutes harassment.

(b) "Family or household members" include:

- (1) Adults or minors who are current or former spouses;
- (2) Adults or minors who live together or who have recently lived together;
- (3) Adults or minors who are dating;
- (4) Adults or minors who are engaged in or who have recently engaged in a sexual relationship;
- (5) Adults or minors who are related by blood or adoption;
- (6) Adults or minors who are related by marriage or formerly related by marriage;
- (7) Persons who have a child in common; and
- (8) Minor children of a person in a relationship that is described in paragraphs (1) through (7).

(c) "Harassment" is a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose under law or custom. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the victim.

8 N. MAR. I. CODE § 1902

PUERTO RICO

STATUTE

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

PUERTO RICO

P.R. LAWS ANN. tit 8, §
602 (d), (f)-(g), (j), (m), (p), (q)

§ 602 (d), (f)-(g), (j), (m), (p), (q)

(d) Cohabitation — Shall mean maintaining a consensual intimate relationship similarly situated to a spouse regarding cohabitation, regardless of the sex, civil status, sexual orientation, gender identity, or the immigrant status of the persons involved in the relationship.

(f) Grave emotional harm. -- Shall mean and arises when as a result of domestic abuse, there is evidence that a person recurrently shows one or several of the following characteristics: paralyzing fear; feelings of despair or helplessness; feelings of frustration and failure; feelings of insecurity, ineffectiveness, isolation, weakened self-esteem, or other similar conduct, resulting from repeated acts of commission or omission.

(g) Intimidation. -- Shall mean any act of expression which, when used recurrently, has the effect of exerting moral pressure on a person's animus who, in fear of suffering emotional or physical injury of his/herself, his/her property, or another person's self, is forced to perform an act against his/her will.

(j) Persecution. -- Shall mean keeping a person under constant or frequent surveillance by their presence in places that are immediate or relatively near to the home, residence, school, work or vehicle in which the person is, to cause fear or dread in the animus of a prudent and reasonable person.

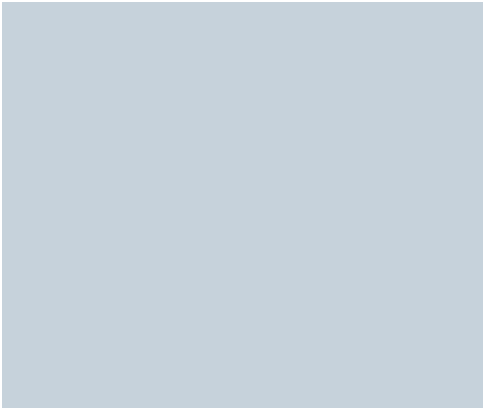
(m) Intimate relationship.— Shall mean the relationship between spouses, former spouses, persons who are cohabiting or have cohabited, persons who have or have had a consensual relationship, and persons who share a child in common, regardless of the sex, civil status, sexual orientation, gender identity, or the immigrant status of the persons involved in the relationship.

(p) Domestic abuse. — Shall mean a constant pattern of conduct involving physical force or psychological violence, intimidation or persecution against a person by his/her spouse, former spouse, a person with whom he/she cohabits or has cohabited, with whom he/she has or has had a consensual relationship, or a person with whom he/she shares a child in common, regardless of the sex, civil status, sexual orientation, gender identity, or the

PUERTO RICO

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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immigrant status of the persons involved in the relationship, to physically harm to them, their property, or another person, or to cause him/her serious emotional harm.

(q) Psychological abuse. — Shall mean a constant pattern of conduct performed to the dishonor, discredit or scorn of personal worth, unreasonable limitation to access and handling of common property, blackmail, constant vigilance, isolation, deprivation of access to adequate food or rest, threats of deprivation of custody of sons or daughters, or destruction of objects held in esteem by the person, except those that privately belong to the offender.

P.R. LAWS ANN. tit 8, § 602 (d), (f)-(g), (j), (m), (p), (q)

US VIRGIN ISLANDS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

U.S. VIRGIN ISLANDS

VI. CODE ANN. tit 16 § 91

§ 91

- (a) "Cohabitants" means emancipated minors or persons 18 years of age or older of the opposite sex who have resided together or who currently are residing in the same living quarters or persons who together are the parents of one or more children, regardless of their marital status or whether they have lived together at any time.
- (b) "Domestic violence" means the occurrence of any of the following acts, attempts or threats against a person who may be protected under this chapter pursuant to subsection (c) of this section:
- (1) Assault;
 - (2) Battery;
 - (3) Burglary;
 - (4) Kidnapping;
 - (5) Unlawful sexual contact;
 - (6) Rape;
 - (7) Forcible or unlawful entry;
 - (8) Coercion;
 - (9) Destruction of property;
 - (10) Harassment;
 - (11) Threats;
 - (12) False imprisonment; or
 - (13) Stalking.
 - (14) Violation of a restraining order issued pursuant to section 97(b)(2) or section 98 of this chapter.
 - (15) Revenge Porn.
- (c) "Victim" includes any person who has been subjected to domestic violence by a spouse, former spouse, parent, child, or any other person related by blood or marriage, a present or former household member, a person with whom the victim has a child in common, or a person who is, or has been, in a sexual or otherwise intimate relationship with the victim.
- (d) "Coercion" means compelling another by force, or threat of force, to engage in conduct from which the latter has a right to abstain, or to abstain from conduct in which the person has a right to engage.

US VIRGIN ISLANDS

DEFINITION OF DOMESTIC VIOLENCE/ ABUSE AND QUALIFYING RELATIONSHIPS FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

STATUTE

(e) “Destruction of property” means causing damage to the property of another, or to property jointly owned by the perpetrator and another.

(f) “Harassment” means engaging in a purposeful, knowing or reckless course of conduct involving more than one incident that alarms, or causes distress to another person and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer distress and must actually cause distress. Such conduct shall include, but shall not be limited to:

(1) following another about in a public place or places with the intent to distress or intimidate the victim;

(2) peering in the window, or trespassing or coming upon or about the premises of the victim so as to intrude on privacy or create a menacing or threatening situation.

VI. CODE ANN. tit 16, § 91

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