

Know Your Rights: Dating and Domestic Violence

This fact sheet is for education purposes only. Nothing here should be considered legal advice. Please consult a lawyer for more specific information. Updated as of March 2026

Key Terms

- **Domestic Violence:** Includes a wide range of behaviors (such as physical, emotional, financial, sexual, or digital abuse) where one person is **exerting power and control** over a spouse, dating partner and/or adult family member in an intimate relationship.
- **Dating Violence:** Involves a pattern of control and power exerted over a dating partner.
- **Harassment:** An intentional, offensive behavior repeated over time that is annoying, disturbing, and unwanted.
- **Victim Witness Advocate:** Someone assigned to make sure you know your rights and help you through the criminal proceeding processes.
- **Restraining Order:** A civil (non-criminal) order issued by a court that requires one person to stop harming and/or contacting another.
- **Harassment Prevention Order:** A civil court order that can be granted to a victim of harassment or abuse, regardless of the relationship between you and the person harassing you.

The Basics

What is domestic and dating violence?

- Domestic and dating violence happen when one partner (called the abuser) uses power and control to intimidate and scare the other, putting their health and safety at risk.
- Abusive behaviors can be emotional, physical, financial, or sexual.

What are some examples of domestic and dating violence?

- **Physical Abuse:** Any behavior that causes or threatens to cause physical harm to another person. This includes hitting, biting, kicking, or other unwanted contact, as well as withholding basic needs like food, water, or medical care.
- **Emotional Abuse:** Non-physical behaviors such as threats, insults, constant monitoring, excessive texting, humiliation, intimidation, or stalking.
- **Sexual Abuse:** Actions that pressure or force someone to do something sexually they don't want to do. This can also include efforts to control someone's sexual activity, such as restricting access to birth control or condoms.
- **Financial Abuse:** When one partner controls or restricts the other's access to money. This can look like controlling what they can or cannot spend money on, demanding control over their bank accounts, or using money to maintain power in the relationship.
- **Digital Abuse:** Use of technology, such as texting or social media, to bully, harass, stalk, or intimidate a partner.
- **Stalking:** Action directed towards another person that either causes someone to fear for their safety or that of their immediate family.

Ways to Seek Help

- There is no "one" right answer or way to receive help.
 - What feels safest for you may vary for someone else in a different circumstance.
 - If you are in immediate danger, call 911 to reach the police for immediate help.
- To explore your options, speaking with a domestic and dating violence advocate may be helpful.
- National Domestic Violence Hotline:
 - 1 (800) 799-7233 Available 24 hours/day, 7 days/week.
- Massachusetts Domestic Violence Resources (by location)
 - <https://www.mass.gov/info-details/list-of-domestic-violence-services-by-massachusetts-county>

Legal Protections from Abuse

What are your legal options to protect yourself from domestic and dating violence?

- **Civil court:** You may request a Restraining Order or a Harassment Prevention Order.
- **Criminal court:** You can ask the state to bring a criminal case against your abuser for domestic violence or harassment that resulted in a possible crime (examples include assault, battery, rape, or stalking).
- **Family court:** If you are married or have a child with your abuser, you can start divorce proceedings to separate from your abuser or limit your abuser's custody of your child.

What types of restraining orders exist and what do they do?

- In Massachusetts, the type of restraining order you request is based on the circumstances of the abuse and the relationship between you and your abuser.
 - **Abuse Prevention Order (209A):** This can protect you from harm with a spouse, family member, someone you have a child with, or someone you have a substantive dating relationship with.
 - **Harassment Prevention Order (258E):** This can protect you from harm regardless of the relationship you have with the person who is harming you.
- If these orders are granted, a judge can require your abuser to stop threatening, hurting, or frightening you, forcing you into unwanted sexual contact, harming your children, or destroying your property.
- A judge can also order your abuser to stay a set distance away from you and your children and to have no contact with you.
- If your abuser does something they are ordered not to do, the police can arrest them.

Note: this requires you to call the police and report your abuser for violating the order.

What happens if your abuser is from outside of Massachusetts?

- If your abuser caused harm to you in Massachusetts, regardless of their state of residency, the judge may treat your abuser as a Massachusetts resident.
- If the harm did not take place in Massachusetts, the judge may still grant an Abuse or Harassment Prevention Order.
- An experienced advocate or attorney can help you with this process.

Will my protective order from another state work in Massachusetts?

- Yes, as long as it is still in effect.
- You must show a copy of your order to the police or inform them that it is in the Statewide Domestic Violence Record Keeping System.
 - You can enter your order into this system by filing a certified copy of your order in a District Court, Boston Municipal Court, Probate and Family Court, or Superior Court. You must also file your sworn statement that this order is currently in effect through [this form](#).

Criminal Proceedings

What rights do you have as a victim if your abuser gets charged with a crime?

- Information about the criminal system and the case involving you.
- Go to court hearings and be heard.
- Prepare a "Victim Impact Statement" detailing how your abuser's behavior affected you.
- Talk to a Prosecutor at important points in the case.
- Know where your abuser is.
- Get information about your abuser's criminal record.

To learn more about these processes and how to file these orders, you can go to the MA Homeless Youth Handbook Chapter on Dating and Domestic Violence:

<https://www.homelessyouth.org/en/us/massachusetts/dating-and-domestic-violence>