

If you have questions about your rights or would like assistance...

**PLEASE CALL:
(785) 742-4710**

The Sac and Fox Nation's Domestic Violence, Dating Violence, Sexual Assault and Stalking Program was established for various tribal justice systems and Indian victim services programs to prevent and assist Native American men, women and their children victimized by Domestic Violence.

The Sac and Fox Nation of Missouri in Kansas and Nebraska recognizes the need for accessible, local, victim services that are tailored to meet the needs of the rural community. These services will increase victim safety and give the ability to access services that provide shelter, counseling and advocacy. The Tribe plans to set a standard for the surrounding counties to include a cooperative effort among tribes and other law enforcement entities in combating violence within our tribal communities.

The plan will include the protection of victims, services networking, police procedures in responding, preparation of evidence, imposing stricter penalties within the tribal code, and strengthening a systematic approach to victims affected by abuse. This systematic approach will require each department's cooperative efforts to assist families and in linking services to benefit the victims; including the children. The Sac and Fox Nation of Missouri in Kansas and Nebraska wants to send the message out to those committing domestic violence, dating violence, sexual assault and stalking that these activities will not be tolerated in our community.



DVSA PROGRAM SERVICES

- ◇ 24 hour hotline
- ◇ Safety Planning
- ◇ Crisis Intervention
- ◇ Personal Advocacy
- ◇ Medical Advocacy
- ◇ Court Advocacy
- ◇ Law Enforcement/Police Advocacy
- ◇ Emergency Accommodations
- ◇ Shelter
- ◇ Supportive Counseling
- ◇ Support Groups
- ◇ Child/Youth Advocacy
- ◇ Community Awareness & Education

OUR COMMITMENT TO YOU:

We strive to deliver trauma-informed, culturally relevant, survivor-centered services. We vow to show you respect, give you dignity and show compassion. Our services are free and you are voluntarily choosing to enter this program. All information surrounding your case will be kept confidential. You are safe here.

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Domestic Violence, Dating Violence, Sexual Assault and Stalking Program

KANSAS STATUTES REGARDING DV & YOUR EMPLOYMENT



**Sac and Fox Nation of Missouri
In Kansas and Nebraska**

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KSA (KANSAS STATUTES ANNOTATED) DEFINES DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN 44-1131.

"Domestic violence" means abuse as defined in K.S.A. [60-3102](#), and amendments thereto. [KSA 60-3102 states:](#) "

(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, persons 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

(a) (4) time since termination of the relationship, if applicable.

(b) "[Sexual assault](#)" means any crime defined in K.S.A. [21-3502](#), prior to its repeal, or K.S.A. 2019 Supp. [21-5503](#), and amendments thereto, (rape), [21-3503](#), prior to its repeal, or subsection (a) of K.S.A. 2019 Supp. [21-5506](#), and amendments thereto, (indecent liberties with a child), [21-3504](#), prior to its repeal, or subsection (b) of K.S.A. 2019 Supp. [21-5506](#), and amendments thereto, (aggravated indecent liberties with a child), [21-](#)

[3505](#), prior to its repeal, or subsection (a) of K.S.A. 2019 Supp. [21-5504](#), and amendments thereto, (criminal sodomy), [21-3506](#), prior to its repeal, or subsection (b) of K.S.A. 2019 Supp. [21-5504](#), and amendments thereto, (aggravated criminal sodomy), [21-3602](#), prior to its repeal, or subsection (a) of K.S.A. 2019 Supp. [21-5604](#), and amendments thereto, (incest) or [21-3603](#), prior to its repeal, or subsection (b) of K.S.A. 2019 Supp. [21-5604](#), and amendments thereto, (aggravated incest).

IF YOU ARE A DOMESTIC VIOLENCE VICTIM OR A VICTIM OF SEXUAL ASSAULT, YOU HAVE TIME TO TAKE CARE OF YOUR NEEDS AND OR THOSE OF YOUR CHILDREN, KANSAS STATUTES HAVE YOU PROTECTED!

44-1132. Discrimination, retaliation prohibited; time off for certain purposes; documentation required; confidentiality of information; limitations on time off. (a) An employer may not discharge or in any manner discriminate or retaliate against an employee who is a victim of domestic violence or a victim of sexual assault for taking time off from work to:

(1) Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order or other injunctive relief to help ensure the health, safety or welfare of the victim or the victim's child or children;

(2) seek medical attention for injuries caused by domestic violence or sexual assault;

(3) obtain services from a domestic violence shelter, domestic violence program or rape crisis center as a result of domestic violence or sexual assault; or

(4) make court appearances in the aftermath of domestic violence or sexual assault.

(b) (1) As a condition of taking time off for a purpose set forth in subsection (a), the employee shall give the employer reasonable advance notice of the employee's intention to take time off, unless such advance notice is not feasible.

Within 48 hours after returning from the requested time off, the employee shall provide documentation which may include, but is not limited to, that described in subsection (b)(2) to support taking time off for a purpose set forth in subsection (a).

(2) When an unscheduled absence occurs, the employer shall not take any action against the employee if the employee, within 48 hours after the beginning of the unscheduled absence, provides a certification to the employer in the form of any of the following:

(A) A police report indicating that the employee was a victim of domestic violence or sexual assault;

(B) a court order protecting or separating the employee from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that the employee has appeared in court; or

(C) documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

(c) To the extent allowed by law, the employer shall maintain the confidentiality of any employee requesting leave under subsection (a), as well as the confidentiality of any supporting documentation provided by the employee to the employer relating to a purpose set forth in subsection (a).

(d) An employee may use any accrued paid leave or, if paid leave is unavailable to the employee, unpaid leave, not to exceed a total of eight days per calendar year, as time off for a purpose specified in subsection (a), unless a longer period of time is otherwise available to an employee under the applicable terms of employment or is provided by a collective bargaining agreement. The entitlement of any employee under this section shall not be diminished by any collective bargaining agreement term or condition.