



ASSAULT

According to the Texas Code of Criminal Procedures, someone commits an assault when that person intentionally, knowingly, or recklessly causes bodily injury, threatens with imminent bodily injury, or causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. "Another" person includes a spouse.

If you have been assaulted, you need to file a police report. A Deputy and/or Detective will handle your case and document evidence, including your statement about the incident, photographs of injuries, medical records, etc. If you have possession of any other materials that may be used as evidence it is important to keep documentation and make law enforcement aware of it. Once a report has been filed, assaults can be classified as misdemeanors or felonies. Below are some examples of the various charges. ***It is important to know that each case is different and these examples may not reflect the outcome of your case.***

Misdemeanor Classifications:

- Class C – example: Assault by Contact
 - Common Punishment: Fine
- Class B – example: Criminal Mischief/Property Damage, Harassment
 - Common Punishment: Incarceration and/or Fine – usually probated
- Class A – example: Assault with Injury/Family Violence
 - Common Punishment: Incarceration, fine – usually probated with a fine and mandatory Counseling Education Services
- Note: A Class A Misdemeanor can be increased to a 3rd Degree Felony if it involves the use of a weapon, there is a previous offense or a history of violence. It may be punishable by two to ten years in a Texas State prison.

Felony Classifications:

- 3rd Degree – example: Aggravated Assault with injury and/or use of weapon
 - Common Punishment: Incarceration
- 2nd Degree – example: Assault causing a serious injury
 - Common Punishment: Incarceration
- 1st Degree – example: Assault causing death or a near death injury
 - Common Punishment: Incarceration

After an Assault

If you have been assaulted you may be affected in different ways. You may experience different reactions such as anger, frustration, sadness, guilt, happiness, and other feelings. Everyone reacts to situations differently so know that whatever you are feeling or experiencing is normal. If you seem to have trouble for more than a few weeks, you may benefit from professional counseling. Should you qualify, Crime Victims' Compensation

(CVC) through the Attorney General's Office may assist with the costs of counseling. TCSO Victim Services is also available to help you locate counseling, apply for CVC, and more.

What does the Law say?

See: <http://www.statutes.legis.state.tx.us>

Select:

<u>Code:</u>	Penal Code
<u>Article/Chapter:</u>	Chapter 22. ASSAULTIVE OFFENSES
<u>Art. /Sec.:</u>	Sec. 22.01. Assault

Available Resources

Office of the Attorney General – Crime Victims Compensation: 1 (800) 983-9933
www.oag.state.tx.us/victims/about_comp.shtml

First Call For Help (Capital Area United Way): Dial 211
www.211centraltexas.org

Provides callers with information and referral to non-profit agencies and participating businesses based on individual resource needs