



Assault & Battery

At **The Law Office of Jason A. Jenkins**, we have been providing criminal defense to the citizens of Northeastern Pennsylvania for more than 10 years. We have an impressive record of success defending people who have been charged with various levels of physical and sexual assault, including:

- Assault (the threat of injury)
- Assault with a deadly weapon
- Battery (the use of physical force)
- Aggravated battery (use of a weapon, or battery resulting in serious injury)
- Assault and battery (threatening and then using force to inflict injury)
- Aggravated assault and battery
- Domestic assault, domestic battery
- Disorderly conduct
- Resisting arrest
- Battery on a police officer
- Sexual Assault, Sexual Battery

Violent crimes range from murder in the first degree punishable by death or life imprisonment to a summary level charge of harassment. Probably the most common violent crime is a simple assault which can range from a misdemeanor of the first degree to a misdemeanor of the third degree. A simple assault normally involves a kick, punch or similar act which results in bodily injury to a person. Normally a person with no prior record can expect a low or nominal bond at his/her arraignment and probation if the matter results in a guilty plea. However, as a simple assault charge travels through the process, there are many other opportunities to resolve the matter that will save the arrested person from having a criminal record. Early involvement by an attorney, i.e., at the preliminary hearing stage, can often keep your record free of convictions.

Aggravated assault is a closely related offense of simple assault, but results in serious bodily injury. Aggravated assault is a more serious offense than simple assault and as such is graded as a felony of varying degrees depending on the facts of each case. Case law in Pennsylvania has set clear differences between a simple assault—bodily injury and aggravated assault—serious bodily injury. If you are charged with either of these or similar offenses, please contact us for a free consultation. We can educate you about your situation so that you can make an informed decision as to how to develop an effective defense.

Some other violent crimes that deserve the same or more attention to detail in handling the matter are as follows: Murder (1st, 2nd and 3rd Degree), Terroristic Threats, Kidnapping, Recklessly Endangering Another Person, Unlawful Restraint, False Imprisonment, Manslaughter (Vehicular, Involuntary & Voluntary), Harassment, Stalking, Propulsion of Missiles and Criminal Mischief. If you are charged with an offense similar to these, please contact us as soon as possible to be educated about your situation and how to resolve it in the best most efficient manner possible.

If you're facing charges for assault and battery, you need an aggressive, experienced and knowledgeable assault attorney. That's what you'll find at **The Law Office of Jason A. Jenkins**. We understand how things happen in the field. We understand how cases are investigated and tried. And we understand weaknesses in a prosecutor's case. Let our experience work for you.

Our criminal defense attorneys offer a free face-to-face consultation and can work out a payment plan in most situations.

Spousal Abuse

Domestic Violence

While spousal abuse is always troubling, what is more disturbing are the people falsely charged with domestic abuse. **The Law Office of Jason A. Jenkins** is a Northeastern Pennsylvania criminal defense law firm that represents people against false allegations of domestic violence, including spousal abuse and child abuse.



If you have been accused of spousal abuse in Pennsylvania, you need to take the charge seriously, even if you did not commit the crime, because the state takes the charge seriously. Pennsylvania law almost always requires the police to arrest anyone, rightly or wrongfully, accused of spousal abuse. A misdemeanor conviction for spousal abuse could result in a year in the county jail. A felony conviction can result in two or more years in state prison. Either conviction may also trigger an anger management program which can cost thousands of dollars.

Recent laws intend to protect victims, often victimize innocent individuals. District attorneys often pursue spousal abuse cases even when the alleged victim admits that they lied about the abuse, or the police exaggerated their complaints. DA's believe the victim is protecting their alleged abuser from jail or a criminal record.

If you have been arrested for spousal abuse or a related offense such as battery, assault, criminal threats, threatening phone calls, damaged phone lines, or intimidating a witness or victim, you need a local law firm with the experience to expertise to defend you. Often these cases can be dismissed or reduced to lower charges which do not require jail and/or lengthy and expensive classes.

At **The Law Office of Jason A. Jenkins**, we understand that the criminal justice system works in favor of the accuser. We are uniquely qualified to investigate your case and tip the scales of justice in your favor.

If you have been accused of spousal abuse contact the criminal defense firm of **The Law Office of Jason A. Jenkins**. We offer a free face-to-face consultation and can work out a payment plan in most situations.

Because I represent both plaintiffs and defendants in restraining order hearings, I bring legal insight to all sides of the issues. This allows me to advocate effectively for the rights of my clients in all matters. At **the Law Offices of Jason A. Jenkins**, I help families find solutions to emotionally charged and abusive situations.

PFA Orders in Pennsylvania

In cases of domestic violence, a family member can go to a county judge to ask for an immediate temporary Protection from Abuse order. This temporary PFA is designed to provide legal protection until a full PFA hearing is convened - usually 7 to 10 days later.

However, until the full PFA hearing is held, the accused may be denied access to his home, children and personal belongings. In short, a temporary PFA is one of the most powerful tools in our legal system because it allows the granting of a court order without hearing from both parties. Unfortunately, it is also one of the most abused. Many times, an accuser will bring

the PFA as a punishment to her accuser for unrelated or collateral issues (such as cheating or not coming home).

I take abuse very seriously. If you have committed abuse it is important that you see me right away. If you have been abused, do not wait to file a PFA as this can be used against you (as evidence that you are not really afraid of the abuser). Many times, women, especially if they are financially dependent on their spouse or significant other, will be too afraid to file. At our consultation we can review the law and PFA procedures to come up with a solution that's right for you and your family.



I strongly suggest that you contact me prior to filing a temporary PFA. The reason for this is that the hearing is only going to center around the allegations of abuse in your Petition. Past instances of abuse will not be included unless specifically listed in your Petition. A savvy defense attorney will attempt to confuse or frustrate the victim by confining her testimony to the Petition. If you do not allege actual physical abuse such as pushing, hitting or kicking, then it is important to show that any verbal threats of abuse or violence truly made you afraid. Both the objective and subjective meanings may be considered. For example, if your Petition states that you spouse threatened to shoot you, evidence that you spouse has a gun would most certainly be relevant.

The PFA Hearing in Pennsylvania

At the PFA hearing, a permanent Protection from Abuse order may be issued. A permanent PFA order can apply for up to 18 months. PFA orders address matters including:

- Spousal abuse
- Child abuse
- Sexual abuse
- Physical abuse
- Threats of violence

The PFA hearing can be resolution-oriented with agreements reached by both parties. Sometimes a spouse or roommate will agree to move out or leave town, precluding the need for a court order.

PFA hearings are civil court matters, designed to provide legal protection for family members, friends, and children. A PFA order does not require a criminal charge. However, violation of a Protection From Abuse Order is a criminal offense. In fact, recently some courts have even held that the inception of a temporary order constitutes a probation/parole violation (even though a PFA order is a civil matter). If you are on probation or parole and have a PFA order entered against you, it is important that you talk with me immediately.

Experience

I have represented plaintiffs and defendants in PFA matters throughout Northeastern Pennsylvania. My firm handles domestic violence orders, children's rights, and Protection from Abuse orders. Solutions can range from attending domestic abuse counseling classes in exchange for a reduction or withdrawal of the charges to jail time. [Contact us](#) today.

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