

Monterey Police Department
Domestic Violence Update
2 Hours
1380-32343
May 2022

COURSE GOAL:

Prepares officers for recognition, enforcement, and investigation of laws pertaining to Domestic Violence. Upon course completion, officers will have a greater understanding of the laws covering domestic violence, identifying commonalities in victimology, and how to conduct a Domestic Violence investigation.

I. Student Learning Objects & Methods of Evaluation

- A. Course activities to include: Practical Exercise, Group Scenarios- groups identify crimes, investigative steps and services provided to victim based on different scenarios or cases
- B. Methods of Evaluation-activities evaluated by instructor using POST standards

II. Registration, Introduction & Course Overview

- A. Registration
 - 1. Roster completion
 - 2. A separate roster for this course must be submitted for separate credit in EDI and Plan I reimbursement eligibility
- B. Introduction & Course Overview
 - 1. Review of definitions and applicable laws
 - 2. Definitions
 - a. Domestic Violence
 - b. Restraining orders
 - c. Power and control
 - d. Dominant aggressor
 - e. Qualifying relationships
 - i. Spouse or former spouse
 - ii. Cohabitant or former cohabitant
 - iii. Person with whom the suspect has had a child
 - iv. Dating or engagement relationship or former dating or engagement relationship
 - v. Adults and minors (AB 2826 amended PC13700 Covered Parties)
 - vi. Same sex relationships.
 - f. Dual arrests
 - g. Emergency protective orders
 - h. Defensive injuries
 - i. Criminal protective orders
 - j. Offensive injuries
 - k. Gun violence restraining order

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III. Applicable Laws, Recent DV Related Law Changes

- A. Review of new and updated law related laws
- B. Review of Recent Changes to POST's Guidelines for Law Enforcement Response to Domestic Violence (if applicable)
- C. Overview of applicable DV related Penal Code sections
 - 1. 273.5 PC
 - 2. 602 PC
 - 3. 243e1 PC
 - 4. 262 PC
 - 5. 245 PC
 - 6. 273(a) PC
 - 7. 459 PC
 - 8. 591/591.5 PC
 - 9. 136.1 PC
 - 10. 594 PC
 - 11. 646.9 PC
 - 12. 653(m) PC
 - 13. 417 PC
 - 14. 368 PC
 - 15. 207 PC
 - 16. 597 PC
 - 17. 236 PC
 - 18. 647 (h)/(i) PC

IV. Review of Legal Responsibilities

- A. 13700 PC
 - 1. Address domestic violence as a serious crime against society, assure victims of domestic violence the maximum protection from abuse, and communicate the attitude that violent behavior in the home is criminal behavior
 - 2. Arrest of a person without a warrant whether or not the violation occurred in the presence of the arresting officer, in response to an alleged violation of a domestic violence restraining order when the peace officer has probable cause to believe the restrained party has notice of the order and has committed an act in violation of the order [PC 836 (c)(1)]
- B. 13701 PC - Agencies to develop, adopt, and implement written policies and standards that define response and handling of domestic violence calls for service and investigations

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- C. 13702 PC - Dispatchers rank DV (Domestic Violence) calls among the highest priority calls
- D. 13730 PC - Report Writing on all Domestic Violence incidents

V. Investigation

- A. Interviewing victims
 - 1. Details of current event
 - 2. Prior history
 - 3. Prior unreported injuries
- B. Interviewing children
 - 1. Details of current event
 - 2. Prior history
 - 3. Prior unreported injuries
- C. Interview witnesses
- D. Document condition of crime scene
- E. Collect physical evidence
- F. Firearms seizure
- G. Identifying at large suspects
- H. Notification of DV or Investigative unit

VI. Report Writing

- A. All DV reports to be documented – mandated requirements
 - 1. Document if weapons involved
 - 2. Document drugs or alcohol involved
 - 3. Document prior history / in-house records check/ restraining order info
 - 4. Document that inquiry and/or seizure of weapons occurred
- B. Report writing basics

VII. Victim assistance

- A. Right to confidentiality
- B. Right to advocate/support person during interviews
- C. Resource and support information provided
- D. Victim/Witness assistance form provided
- E. Advocate and counselors

VIII. Assessment of Lethality or Signs of Lethal Violence (SB1331)

- A. What is it and what is required
 - 1. POST Bulletin 2019-04
- B. Procedures and techniques for assessment

IX. Officer Safety

- A. Discussion and statistics re: officer homicides responding to domestic violence

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X. Stalking and Strangulation

- A. Understanding the lethality of strangulation
- B. Awareness of the Choking Game
 - 1. Prevalence
 - 2. Signs and symptoms
 - 3. Need for awareness
 - 4. Solutions
- C. Identifying the signs and symptoms of strangulation cases
- D. Anatomy and medical aspects in surviving and non-surviving victims
 - 1. Internal and external signs
 - 2. Review of neck lesions
 - 3. Petechiae
 - 4. Symptoms of laryngeal injury, asphyxia and/or hypoxia
 - 5. Comparison of injuries from surviving and non-surviving strangulation victims
 - 6. Case studies of victims strangled by various method

XI. Closing and questions

A photograph of a man in a purple shirt, seen from the back, gesturing with his hands while talking to two police officers. The officers are standing in front of a dark-colored patrol car. The car has the number '43' on its side and a 'NO PARKING FIRE LANE' sign in the background. The scene is outdoors on a street with trees and houses in the background.

Monterey Police Department

Domestic Violence Update

Kimberly Zook, July 2022

DOMESTIC VIOLENCE DOES NOT DISCRIMINATE

**Anyone can experience abuse regardless of gender, age,
race, orientation, or socioeconomic status.**

Why train for DV?

Fatal Calls and Deadly Encounters

- Calls related to domestic related incidents represented the **highest number of fatal types of calls for service.**
- Domestic-related incidents remained the largest group that resulted in an *officer fatality.*
- Domestic-violence-related police calls have been found to constitute the single largest category of calls received by police, accounting for 40 to more than 60 percent of all calls.
 - * *Is 2 hours really enough?*





CORPORAL
MICHAEL PAREDES
El Monte Police Department
California
End of Watch June 14, 2022

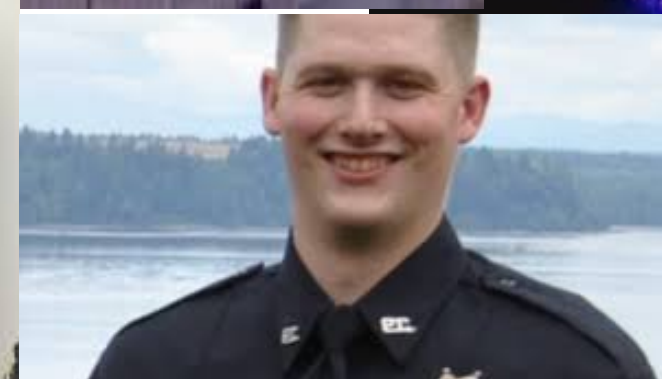
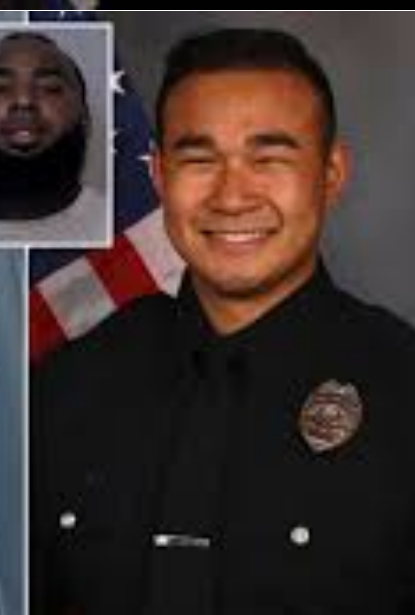
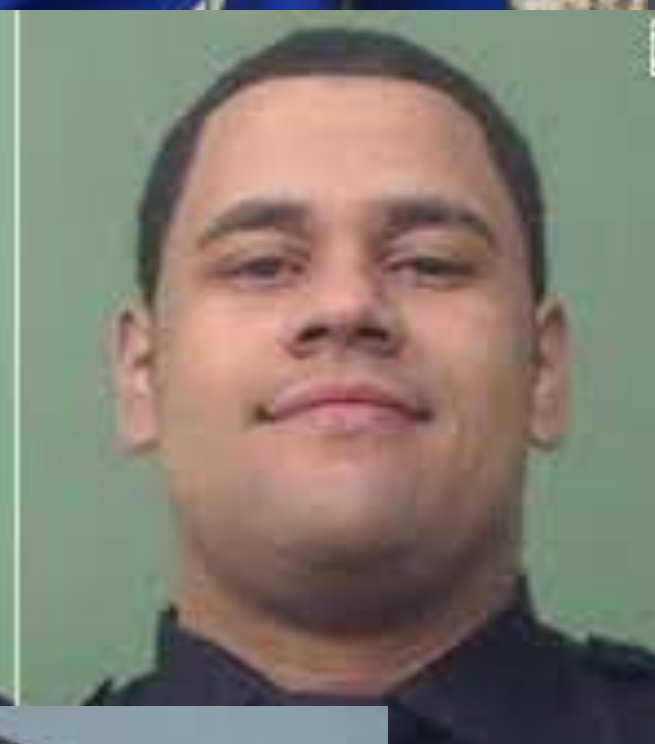
NYPD



OGDEN CITY P.D.
OFFICER
NATE LYDAY
EOW: 5.28.2020



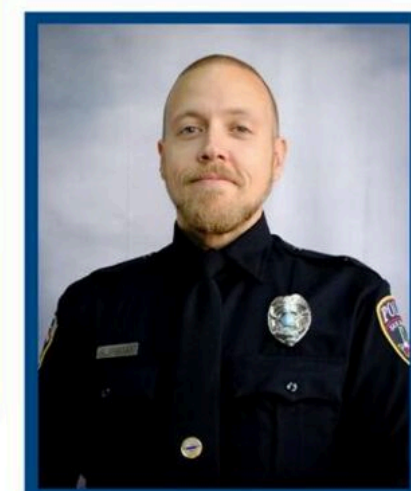
END OF WATCH
JUNE 19, 2019



Officer Franco Stewart,
Wounded in Line of Duty



Officer Justin Putnam
End of Watch April 18, 2020



Officer Justin Mueller,
Wounded in Line of Duty



OFFICER KILLED FROM CINCINNATI
GRADUATED FROM GLEN ESTE



POLICE OFFICER
JOSEPH SANTANA
El Monte Police Department
California
End of Watch June 14, 2022

NYPD



khou.com





Do·MES·TIC Vi·O·LENCE

NOUN

:MEANS ABUSE COMMITTED AGAINST AN ADULT OR A MINOR (PENAL CODE SECTION 13700(B)).

THIS INCLUDE(S) ONE OR MORE OF THE FOLLOWING RELATIONSHIPS:

- SPOUSE/FORMER SPOUSE
- COHABITANT/FORMER COHABITANT
- DATING RELATIONSHIP/FORMER DATING RELATIONSHIP
- ENGAGEMENT RELATIONSHIP/ F ORMER ENGAGEMENT RELATIONSHIP
- PERSON WITH WHOM THE RESPONDENT HAS HAD A CHILD



Do·MES·TIC Vi·O·LENCE

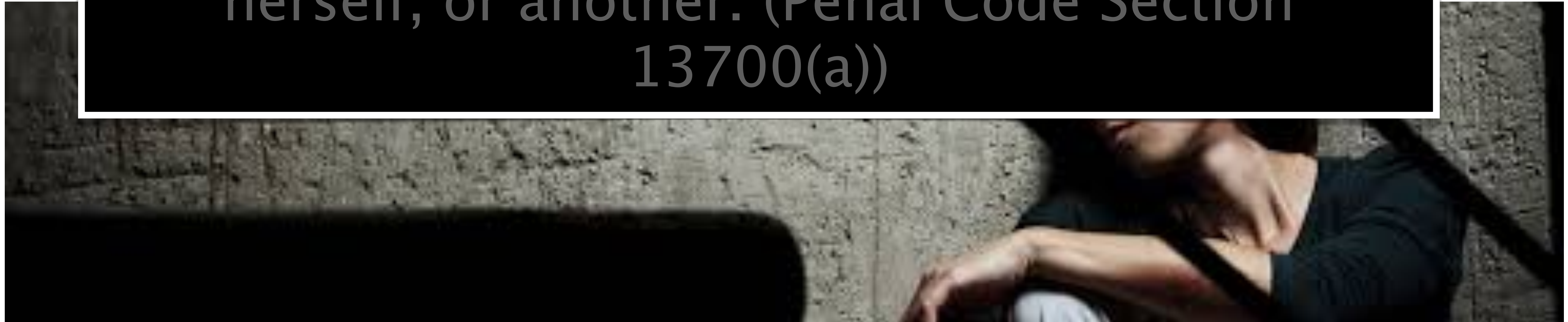
NOUN

:MEANS ABUSE COMMITTED AGAINST AN ADULT OR A MINOR (PENAL CODE SECTION 13700(B)).

THIS

- SE
- C
- D
- E
- P

Abuse means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another. (Penal Code Section 13700(a))



Primary DV Related Codes	Definitions	Fun Facts
273.5 PC	<p>A person willfully inflicts corporal injury upon another person:</p> <ul style="list-style-type: none"> • The other person is a spouse, former spouse, cohabitant, former cohabitant, current or former dating relationship partner, current or former engagement partner, or they have a child in common. • The injury is considered a traumatic (Visible or evidence of internal) 	<ul style="list-style-type: none"> ◆ Felony ◆ 293 PC Applies ◆ Excludes pregnancy alone ◆ Shall arrest 836(a)
243(e)(1) PC	<p>Occurs when unlawful force or violence is used against a person who is a:</p> <ul style="list-style-type: none"> • Spouse or former spouse, cohabitant, party with whom the perpetrator has a child in common, a current or former engaged partner, or current or former dating partner. • *No visible injury* 	<ul style="list-style-type: none"> ◆ Misdo-Treat like (F) ◆ 293 PC Applies ◆ Should Arrest

- 
- ◆ 602 PC – Trespassing
 - ◆ 262 PC– Spousal Rape
 - ◆ 245 PC – ADW
 - ◆ 273(a) PC – Child Endangerment
 - ◆ 459 PC– Burglary
 - ◆ 591/591.5 PC– Destruction/Obstruction of phone line/wireless device
 - ◆ 136.1 PC – Dissuade a victim from reporting
 - ◆ 594 PC– Vandalism
 - ◆ 646.9 PC– Stalking (Reasonable fear with a credible threat and pattern of conduct)
 - ◆ 653(m) PC – Annoying/harassing communications
 - ◆ 417 PC– Brandishing
 - ◆ 368 PC–Elder abuse (65+ years)
 - ◆ 207 PC– (Kidnapping)
 - ◆ 597 PC – Animal Abuse
 - ◆ 236 PC– False imprisonment
 - ◆ 647 (h)/(i) PC – Prowling/Peeping

Associated DV Laws

Investigation

Interviewing victims

- Separate involved parties as soon as safely possible to **interview separately**
- **Out of hearing and eye contact range**
This will increase likelihood of cooperation
- Information gathering technique
 - Can you tell me what happened?
 - You have an injury. Who hit you?

~~What did you do (or say) to make this person hit you?~~

~~Are you okay?~~

I am here to help you, but I'm having a difficult time understanding you when you are upset.



Listen



Communicate belief



Validate the decision to disclose



Emphasize the unacceptability of violence



Be clear that the victim is not to blame

Investigation Report Writing

Mandated documentation requirements include:

- *Involvement of weapons*
- *Involvement of drugs or alcohol*
- *Prior history of DV/ Restraining Orders*
- *Inquiry and/or seizure of weapons occurred*



**All DV reports MUST be documented
(Per MPD Policy and Law)**

Victim Assistance

Victim's Rights:

- Right to confidentiality (293 PC)
- Right to advocate/support person during interviews
- Resource and support information provided
- Victim/Witness assistance form provided
- Marsy's Card Provided
- Strangulation card provided
- Case number + Investigations contact information



EPO-001

ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

EMERGENCY PROTECTIVE ORDER

(See reverse for important notices.)

LAW ENFORCEMENT CASE NUMBER:

1. PROTECTED PERSONS (insert names of all persons protected by this Order):

2. RESTRAINED PERSON (name):

Sex: ☐ M ☐ F Ht.: Wt.: Hair color: Eye color: Race: Age: Date of birth:

3. TO THE RESTRAINED PERSON:

a. ☐ YOU MUST NOT harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.

b. ☐ YOU MUST NOT contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.

c. ☐ YOU MUST ☐ stay away at least: yards from each person named in item 1.
☐ stay away at least: yards from ☐ move out immediately from
(address):

d. YOU MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.

e. YOU MUST NOT take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.

4. ☐ (Name): is given temporary care and control of the following
minor children of the parties (names and ages):

5. THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON:

6. TO THE PROTECTED PERSON: If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:
(Name and address of court):
If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.

INSERT DATE OF FIFTH COURT DAY OR SEVENTH CALENDAR DAY, WHICHEVER IS EARLIER; DO NOT COUNT DAY THE ORDER IS GRANTED

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer (name): granted this Order on (date): at (time):

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates; specify weapons):

10. ☐ Firearms were: ☐ observed ☐ reported ☐ searched for ☐ seized

11. ☐ The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.

12. ☐ The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order ☐ does ☐ does not exist.

By: U
(PRINT NAME OF LAW ENFORCEMENT OFFICER) (SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: Telephone No.: Badge No.:

PROOF OF SERVICE

13. Person served (name):

14. I personally delivered copies of this Order to the person served as follows: Date: Time:
Address:

15. At the time of service, I was at least 18 years of age and not a party to this cause. ☐ I am a California law enforcement officer.

16. My name, address, and telephone number are (this does not have to be server's home telephone number or address):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: U
(TYPE OR PRINT NAME OF SERVER) (SIGNATURE OF SERVER)

Form Adopted for Mandatory Use
Judicial Council of California
EPO-001 (Rev. January 1, 2014)
Approved by DOJ

EMERGENCY PROTECTIVE ORDER (CLETS-EPO)
(Domestic Violence, Child Abuse, Elder or Dependent Adult Abuse, or Stalking)

Family Code, §§ 6240-6275;
Penal Code, § 646.91
www.courts.ca.gov

EPO

Emergency Protective Order (**EPRO**) is a type of restraining order issued by a Judge or Commissioner at any time, whether or not Court is in session, under urgent circumstance when either an officer or a victim feels the victim is in immediate and present danger of domestic violence. An EPRO remains in effect for 5 business days. A violation of an EPRO is prosecuted under PC 273.6.

Domestic Violence Restraining Order (**DVRO**) is a restraining order issued by a Family Court Judge. DVROs may be temporary (TRO) or permanent (Restraining Order after Hearing). A violation of a DVRO is prosecuted under PC 273.6.

22DV----- OR 22CH-----

CR-160

SUPERIOR COURT OF CALIFORNIA, COUNTY OF		FOR COURT USE ONLY
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PEOPLE OF THE STATE OF CALIFORNIA		
VS.		
DEFENDANT:		
CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE		
(CLETS - CPO) (Pen. Code, §§ 136.2, 1203.097(a)(2), 136.2(i)(1), 273.5(j), 368(f), and 646.9(k))		
<input type="checkbox"/> ORDER UNDER PENAL CODE, § 136.2 <input type="checkbox"/> MODIFICATION		
<input type="checkbox"/> PROBATION CONDITION ORDER (Pen. Code, § 1203.097)		
ORDER UNDER: <input type="checkbox"/> PENAL CODE, § 136.2(i)(1) <input type="checkbox"/> PENAL CODE, § 273.5(j)		
<input type="checkbox"/> PENAL CODE, § 368(f) <input type="checkbox"/> PENAL CODE, § 646.9(k)		
CASE NUMBER:		

This Order May Take Precedence Over Other Conflicting Orders; See Item 4 on Page 2.

PERSON TO BE RESTRAINED (complete name):							
Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Ht.:	Wt.:	Hair color:	Eye color:	Race:	Age:	Date of birth:

1. This proceeding was heard on (date): at (time): in Dept.: Room:
by judicial officer (name):

2. This order expires on (date):. If no date is listed, this order expires three years from date of issuance.

3. ☐ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.

4. FULL NAME, AGE, AND GENDER OF EACH PROTECTED PERSON:

5. ☐ For good cause shown, the court grants the protected persons named above the exclusive care, possession, and control of the following animals:

6. ☐ The court has information that the defendant owns or has a firearm or ammunition, or both.

GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT

7. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above.

8. must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer any firearm owned by the defendant or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.

☐ The court finds good cause to believe that the defendant has a firearm within his or her immediate possession or control and sets a review hearing for (date): to ascertain whether the defendant has complied with the firearm relinquishment requirements of Code Civ. Proc., § 527.9. (Cal. Rules of Court, rule 4.700.)

☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (specify make, model, and serial number of firearm):

9. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.

10. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. ☐ The court finds good cause not to make the order in item 10.

11. ☐ must be placed on electronic monitoring for (specify length of time):. (Not to exceed 1 year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv) and Pen. Code, § 136.2(i)(3).)

12. ☐ must have no personal, electronic, telephonic, or written contact with the protected persons named above.

13. ☐ must have no contact with the protected persons named above through a third party, except an attorney of record.

14. ☐ must not come within yards of the protected persons and animals named above.

15. ☐ must not take, transfer, sell, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals described in item 5.

16. ☐ may have peaceful contact with the protected persons named above, as an exception to the "no-contact" or "stay-away" provision in item 12, 13, or 14 of this order, only for the safe exchange of children and court-ordered visitation as stated in:

a. ☐ the Family, Juvenile, or Probate court order in case number: issued on (date): <ProtNames /><Fil

b. ☐ any Family, Juvenile, or Probate court order issued after the date this order is signed.

17. ☐ The protected persons may record any prohibited communications made by the restrained person.

18. ☐ Other orders including stay-away orders from specific locations:

CPO

Criminal Protective Order (CPO) refers to a restraining order issued in a criminal case. CPOs are issued pursuant to Penal Code section 136.2 while a case is pending and they are reissued at the time of sentencing. A violation of a CPO is prosecuted under PC 166(c)(1). A CPO may require “No Contact” or it may allow “Peaceful Contact”

22CR— — — — —



Violation Of A Protective Order in CA

DV-200 **Proof of Personal Service**

① **Name of Party Asking for Protection:**

② **Name of Party to Be Restrained:**

③ **Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items ① or ③ of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in ④ to the restrained party in ② (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in ①.



④ I gave the party in ② a copy of all the documents checked:

- a. ☐ DV-109 with DV-100 and a blank [DV-120](#) (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. ☐ DV-110 (*Temporary Restraining Order*)
- c. ☐ DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. ☐ FL-150 with a blank [FL-150](#) (*Income and Expense Declaration*)
- e. ☐ FL-155 with a blank [FL-155](#) (*Financial Statement (Simplified)*)
- f. ☐ DV-115 (*Request to Continue Hearing*)
- g. ☐ DV-116 (*Order on Request to Continue Hearing*)
- h. ☐ DV-130 (*Restraining Order After Hearing*)
- i. ☐ Other (*specify*):

⑤ I personally gave copies of the documents checked above to the party in ② on:

- a. Date: b. Time: ☐ a.m. ☐ p.m.
- c. At this address:
- City: State: Zip:

⑥ **Server's Information**

Name:

Address:

City: State: Zip:

Telephone:

(If you are a registered process server):

County of registration: Registration number:

⑦ I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

Type or print server's name

Server to sign here

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court clerk fills in case number when form is filed.

Case Number:

DV-200

- When serving a restraining order:
- Provide the restrained party a copy of the order (Confirm Identity)
- Complete section #5 “Server’s Information” on the DV-200
- Return paperwork to MPD Records
- Document the service in a case report (CR).



LOVE

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WAY

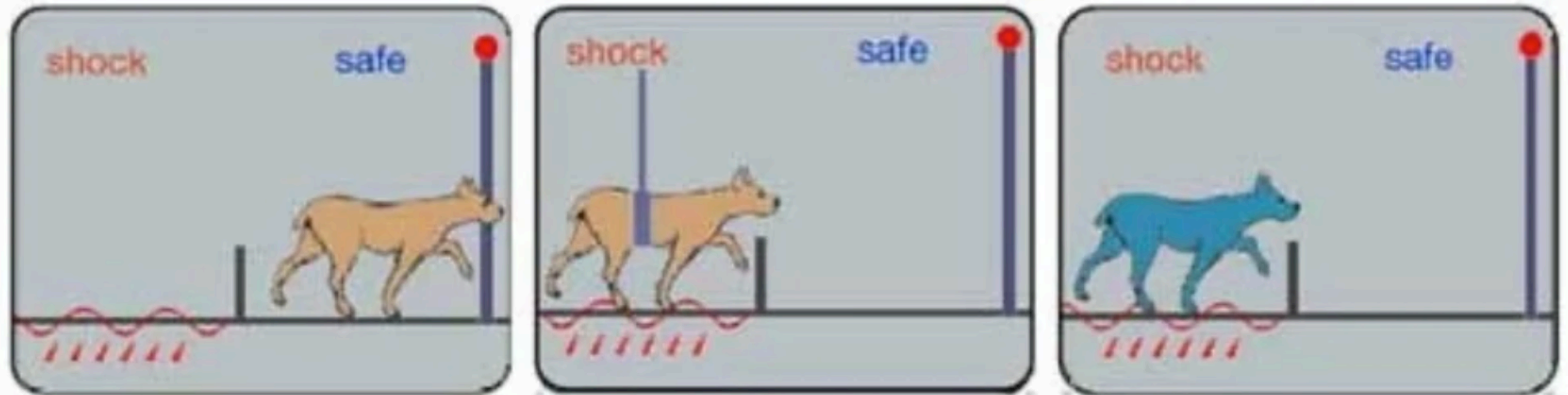
PERRY

YOU

LIE

The Research on Learned Helplessness

- The term was coined in 1967 by the American psychologists [Martin Seligman](#) and Steven Maier. The pair were conducting research on [animal behavior](#) that involved delivering electric shocks to dogs.



Martin Seligman's Experiments That Led to the Theory

Seligman and Maier were working with dogs at the time and testing their responses to electrical shocks. Some of the dogs received electrical shocks that they could not predict or control.

For this experiment, the dogs were placed in a box with two chambers divided by a low barrier. One chamber had an electrified floor and the other was not (Cherry, 2017).

When the researchers placed dogs in the box and turned on the electrified floor, they noticed a strange thing: Some dogs didn't even attempt to jump over the low barrier to the other side. Further, the dogs who didn't attempt to jump the barrier were generally the dogs who had previously been given shocks with no way to escape them, and the dogs who jumped the barrier tended to be those who had not received such treatment.

Learned helplessness in adults




In adults, learned helplessness presents as a person not using or learning adaptive responses to difficult situations.



People in this state typically accept that bad things will happen and that they have little control over them.



They are unsuccessful in resolving issues even when there is a potential solution.



Learned Helplessness in Relationships and Domestic Violence

- Based on learned helplessness, a specific theory was developed for victims of domestic violence called the theory of cyclic abuse, a cycle that is sometimes known as battered women syndrome.
- In this theory, a relationship in which domestic violence has occurred is likely to continually involve violence that's doled out in a predictable and repetitious pattern.

Victim Response:

Attempts to calm him/her

Nurturing

Silent/Talkative

Stays away from family, friends

Keeps kids quiet

Agrees

Withdraws

Tries to reason

Cooks his/her favorite dinner

General feeling of walking on eggshells

Tension Building

Batterer:

Moody Nitpicking
Isolates Withdraws Affection
Put Downs Yelling
Drinking/Drugs Threatens
Destroys Property
Criticizes Sullen
Crazy-Making

Acute Explosion

Batterer:

Hitting
Choking
Humiliation
Imprisonment
Rape
Use of Weapons
Beating
Imprisonment

Denial

Honeymoon

Batterer:

I'm Sorry... Begs forgiveness... Promises to get counseling... Goes to Church... AA... Sends Flowers... Brings presents... "I'll never do it again..." Wants to make love... Declares love... Enlists family support... Cries...

Victim Response:

Protects herself anyway she can

Police called by her/him, kids, neighbor

Tries to calm batterer

Tries to Reason with batterer

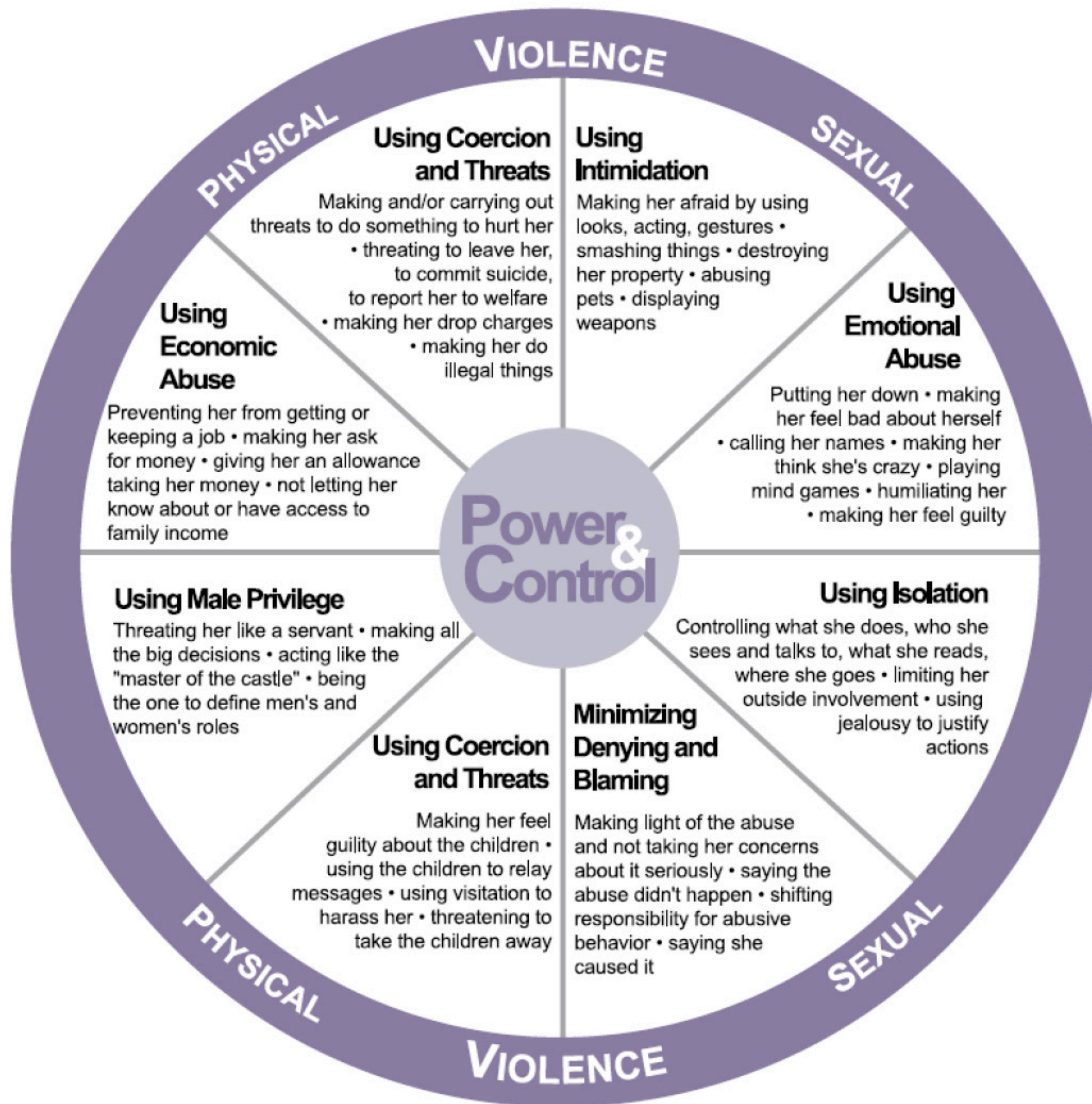
Leaves

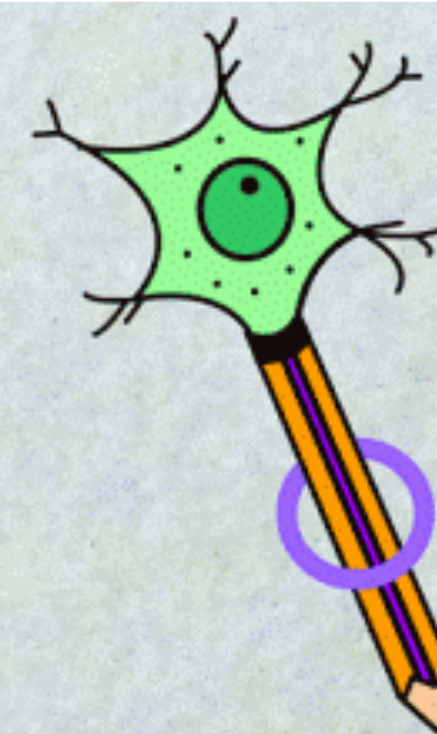
Fights back

Victim Response:

Agrees to stay, returns, or takes batterer back.... Attempts to stop legal proceedings... Sets up for counseling appointments for batterer...

Feels Happy, Hopeful





You are -
a hostage



- I know,
right?

why victims don't "just leave"



fear for their own safety and the safety of their children



fear of losing custody of their children to an abusive spouse



a manipulative partner



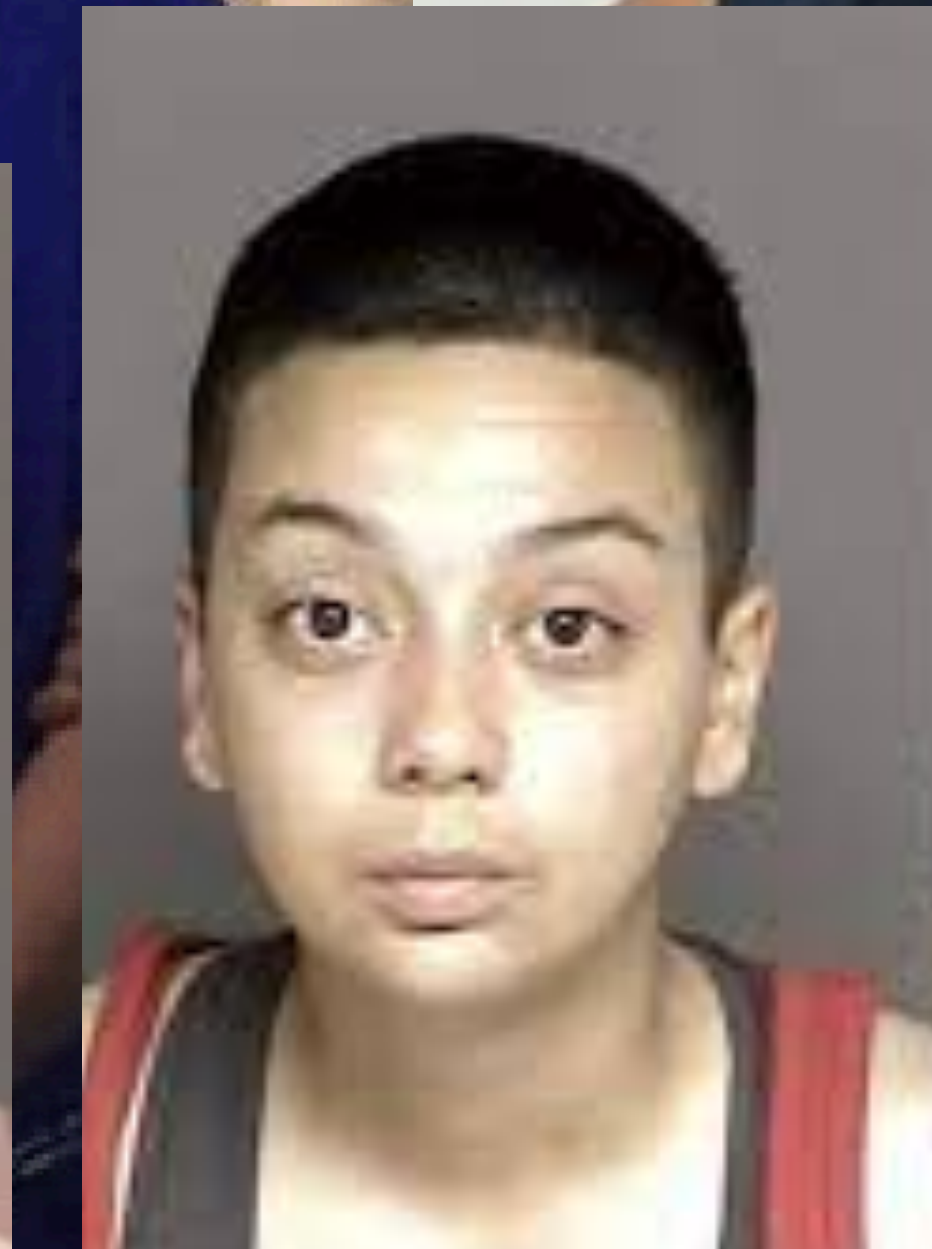
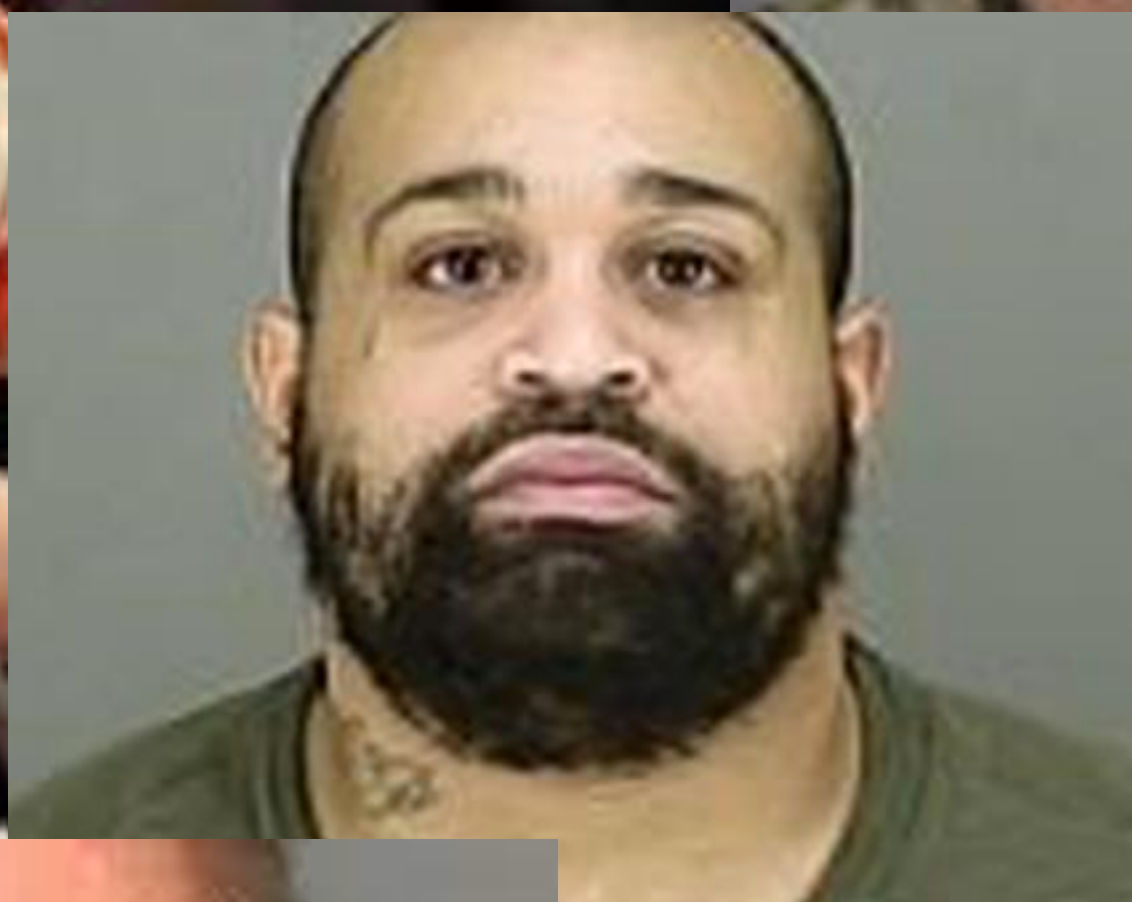
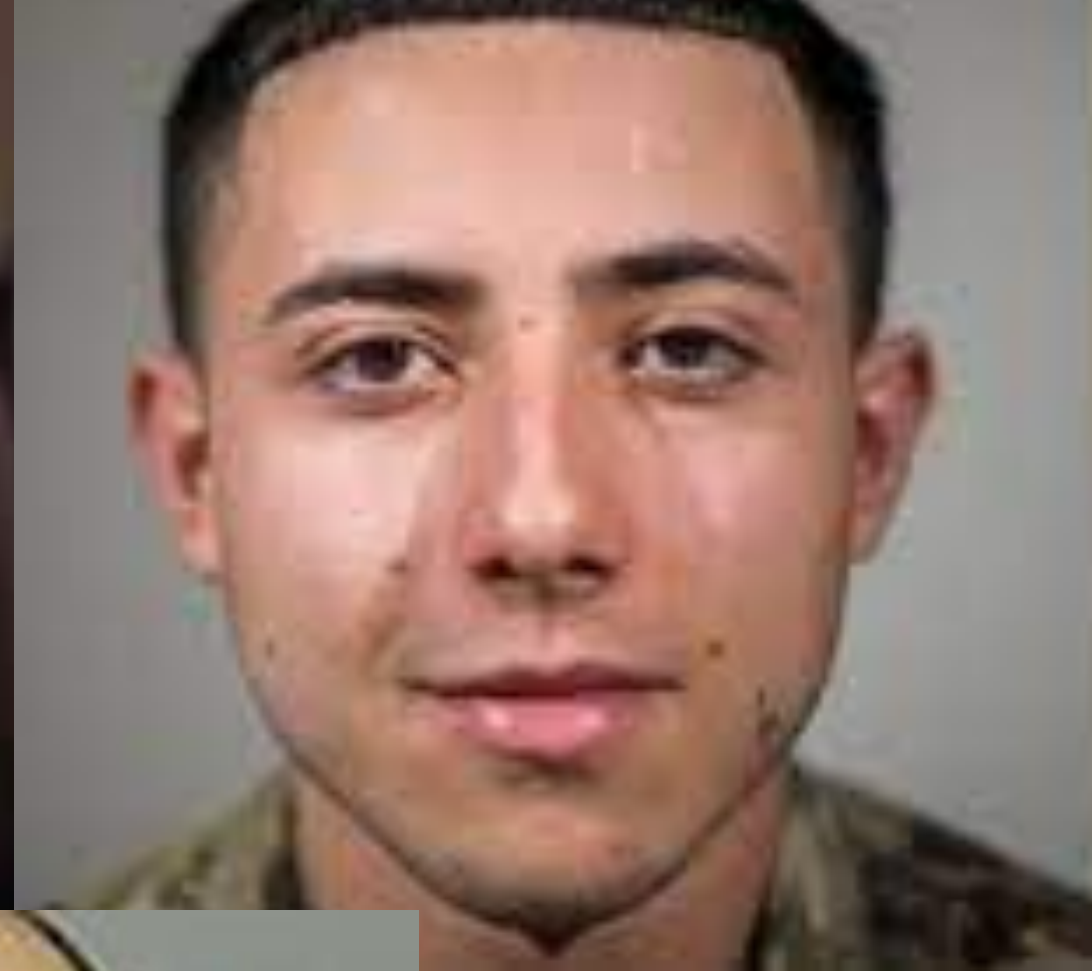
not wanting their partner to be arrested or deported



financial insecurity



having nowhere to go (housing insecurity)



MONTEREYHERALD.COM

"Hit man" testifies in plot

A prison guard who allegedly hired a would-be assassin to kill his ex-girlfriend...

Marina police shoot and kill man who killed wife last night.

Man arrested for attempted murder of girlfriend, teenager in Watsonville

Seaside man gets life for murdering Pacific Grove grandmother

CSU Monterey Bay Student Accused of Murdering Husband

Red flags

RISK FACTORS: Victims who are experiencing any of the following are at increased risk of being killed or almost killed.

Controlling behaviours

Where are you?
Answer me
Who are you with??!
What are you doing?

Escalation of violence

Recent separation



Stalking



Jealous, obsessive behaviour



Threats to kill victim

Strangulation or attempts to strangle



Harms or threatens to harm or kill children



Access to, or use of weapons

Perpetrator threatens or attempts to commit suicide



Perpetrator drug or alcohol misuse

Sexual assault



Threats to harm or kill pets

Perpetrator unemployment



Pregnancy/new birth

Source: Victoria, Department of Human Services (issuing body) 2012, *Family violence risk assessment and risk management framework and practice guides 1-3*, Second edition, Melbourne, Australia, Victorian Government, Department of Human Services.





Abusers strangle to
show their
victims they can
kill them anytime
they choose to.

Signs and Symptoms of Strangulation

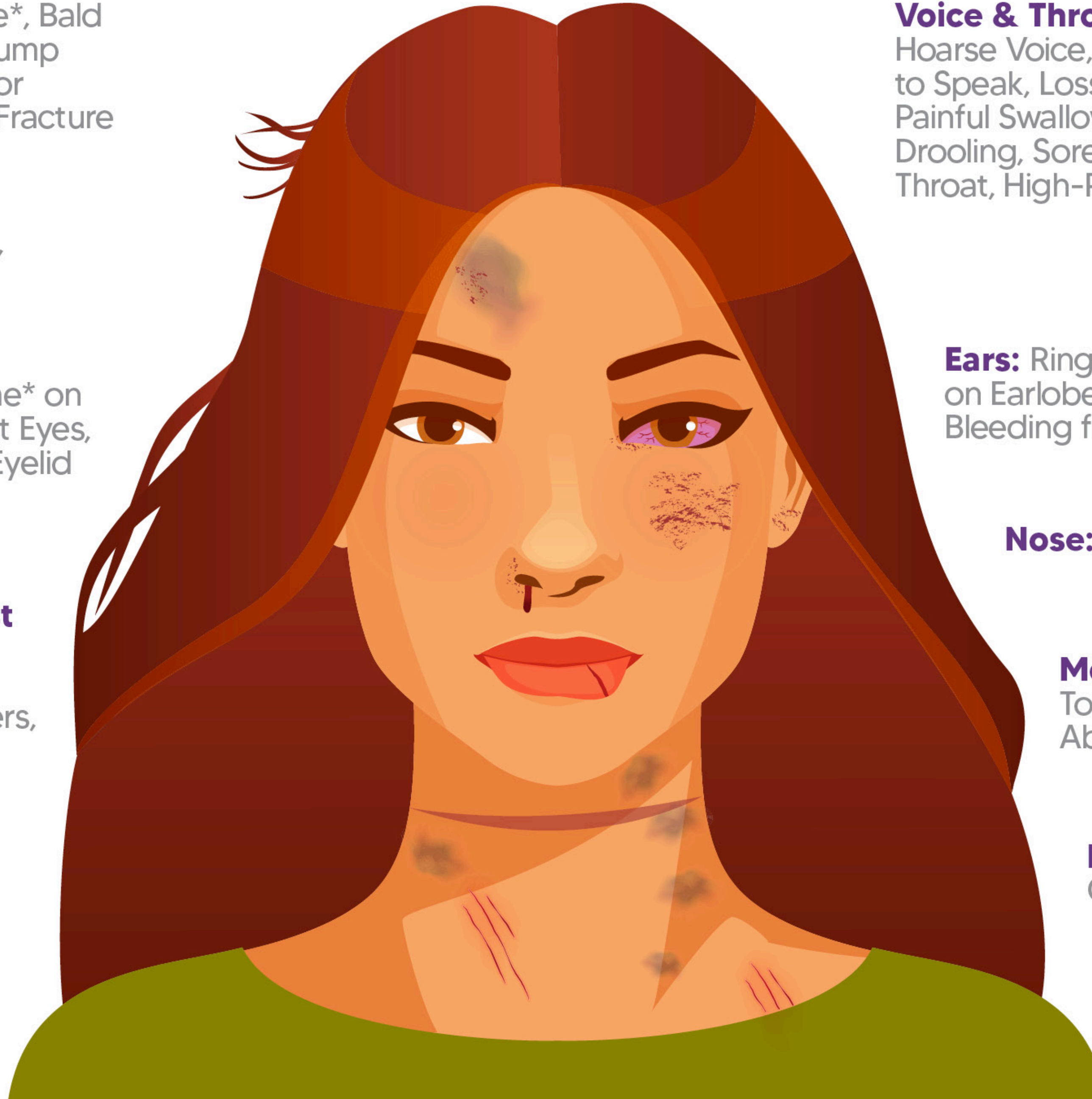
Head & Scalp: Petechiae*, Bald Spots from Hair Pulling, Bump from Blunt Force Trauma or Falling, Concussion, Skull Fracture

Face: Petechiae*, Slightly Red/Florid, Scratch Marks, Facial Drooping, Swelling

Eyes & Eyelids: Petechiae* on Eyeball/Eyelids, Bloodshot Eyes, Vision Changes, Droopy Eyelid

Under Chin, Neck, Chest & Shoulders: Redness, Scratch Marks, Bruise(s) Made by Thumbs or Fingers, Abrasion(s), Fingernail Impressions, Swelling, Ligature Marks, Neck Pain

Breathing Changes: Difficulty Breathing, Inability to Breathe, Hyperventilation



Voice & Throat Changes: Raspy/Hoarse Voice, Coughing, Inability to Speak, Loss of Voice, Trouble/Painful Swallowing, Nausea, Vomiting, Drooling, Sore Throat, Clearing the Throat, High-Pitched Wheezing

Ears: Ringing Sound, Petechiae* on Earlobe, Bruising Behind the Ear, Bleeding from the Ear

Nose: Bloody, Broken, Petechiae*

Mouth: Bruising, Swollen Tongue/Lips, Cuts/Abrasions, Petechiae*

Fingertips: Faint Circular/Oval Bruises

*Petechiae - Red Spots

**PETECHIAE: BURST CAPILLARIES, BLOOD
LEAKING INTO THE SKIN.**



Petechial hemorrhage of eye lid



Hanging

Ligature furrow elevated to the back & sides of the neck, behind the ears



Strangulation

Ligature furrow lower, horizontal, completely encircles the neck; back of neck has trauma



- Most strangulation victims have no visible signs
- Victim of strangulation in DV relationships 700% increase in fatalities
- Common Mind set: realization, Primal Survival, Resignation

• 50% of fatal strangulation have no external injuries



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Dont expect to see this....



FORCE COMPARISON

- 6 lbs. - Trigger pull / handgun
- 20 lbs. - Open a soda can
- 80 - 100 lbs. - Average male handshake


VS.

- 4.4 lbs. = Block jugular
- 11 lbs. = Block carotid
- 34 lbs. = Block trachea

- Strangulation is the external pressure that restricts blood and oxygen from reaching the brain as well as leaving the brain

•
• Strangulation is not the same as choking
•

- Choking is a foreign body airway obstruction, think chicken bone



Strangulation

THE LAST WARNING SHOT

1. OFFICER	2. DATE	3. CASE#	4. ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO
VICTIM INFORMATION		ABUSER INFORMATION	
5. VICTIM NAME	9. ABUSER NAME		
6. DOB	10. DOB		
7. ADDRESS	11. ADDRESS		
8. PHONE () -	12. PHONE () -		

To the first responders: The Lethality Assessment should be administered to all victims of domestic violence to assess the level of danger and/or the severity of the situation. Law enforcement personnel or victim advocates should use their judgement to interpret the information which the victim provides. More “yes” answers to the Lethality Assessment questions indicate that the victim is more likely to experience continued violence, be severely injured, and/or killed. It is important to use the results of this assessment in a constructive way to help the victim plan for her/his safety and to make referrals to resources matching to the specific circumstances of the victim’s situation. We recommend this completed assessment be attached to the incident or crime report.

To be read to the victim of domestic violence: “Domestic violence (DV) has many forms including physical, sexual, emotional and psychological abuse, stalking, and financial abuse. DV can be inflicted by a current or former partner. We are concerned about you because DV can affect your and your loved ones’ (including your children) immediate safety, as well as short and long term physical and mental health. Furthermore, several risk factors have been associated with serious injury and homicide. We would like to ask you some questions about your current risks and history of abuse with the person who has abused you today. The goal of this assessment is to help us learn more about your current risk of future serious harm by your abuser.”

☐ **Check here if the victim refused to participate in the assessment.**

1. Has the abuser ever been arrested or convicted of domestic violence, hostage taking, stalking or abduction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
2. Does the abuser have a history of domestic violence, hostage-taking, stalking, or abduction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
3. Do you know whether the abuser has any violent history towards others?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
4. Has the abuser expressed thoughts or threats to harm or kill you, children, a loved one (family, friend, new partner, etc), or himself/ herself?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
5. Does the abuser have access to firearms or ever used or threatened to use a firearm against you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
6. Has the abuser ever threatened to use or used another weapon or object to harm you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
7. Does the abuser have a criminal history of the use of weapons (guns, knives, etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
8. Has the abuser ever used his/her hands or an object to choke, strangle, or suffocate you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
9. Does the abuser have a history of arson or threats of arson?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
10. Does the abuser express jealousy or ownership over you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered

11. Does the abuser accuse you of infidelity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
12. Does the abuser monitor or control your activities, where you go, who you interact with, or what you do? (“If I can’t have you no one else can,” “Death before divorce,” etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
13. Does the abuser isolate you from family, friends and community life?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
14. Is the abuser severely depressed, (seeing little hope to live life)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
15. Is the abuser unemployed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
16. Has there been a recent escalation of the abuser’s violence or risk behavior?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
17. Does the use of alcohol or drugs by the abuser exacerbate the violence or abuse?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
18. Has the abuser ever threatened or tried to commit suicide?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
19. Has the abuser been violent outside the home or in a public place?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered

After advising the victim of the “high danger” assessment, was the victim offered assistance, referred to a victim advocate, or other resources (i.e. alternative shelter)? ☐ Yes ☐ No ☐ Unknown

Note: *The questions above and the criteria for determining the level of risk a victim faces are based on the best available factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence the risk for lethal violence that are not captured by this assessment. Most domestic violence victims who are assessed as being involved in a “high danger” situation would not be expected to be killed. However, these victims face a much higher risk than that of other victims of intimate partner domestic violence.*

JEOPARDY!

STRANGULATION INVESTIGATIONS

Roll Call Training



THE INSTITUTE
FOR COORDINATED
COMMUNITY RESPONSE





Jill Rable
FORENSIC NURSE EXAMINER