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
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
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
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
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?
DOMESTIC VIOLENCE

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/former engagement relationship
- Person with whom the respondent has had a child
DOMESTIC VIOLENCE

MEANS ABUSE COMMITTED AGAINST AN ADULT OR A MINOR (Penal Code Section 13700(b)).

This includes one or more of the following relationships:

- Spouse/former spouse
- Cohabitant/former cohabitant
- Dating relationship/former dating relationship
- Engagement relationship/former engagement relationship
- Person with whom the respondent has had a child

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))
<table>
<thead>
<tr>
<th>Primary DV Related Codes</th>
<th>Definitions</th>
<th>Fun Facts</th>
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| 273.5 PC                | A person willfully inflicts corporal injury upon another person:  
  • 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) | ✦ Felony  
 ✦ 293 PC Applies  
 ✦ Excludes pregnancy alone  
 ✦ Shall arrest 836(a) |
| 243(e)(1) PC            | Occurs when unlawful force or violence is used against a person who is a:  
  • 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* | ✦ 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
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.
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
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.
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 reissuenced 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
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).
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.
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.
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

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

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:
Agrees to stay, returns, or takes batterer back.... Attempts to stop legal proceedings... Sets up for counseling appointments for batterer....
Feels Happy, Hopeful
Using Coercion and Threats
- Making and/or carrying out threats to do something to hurt her
  - threatening to leave her
  - committing suicide
  - to report her to welfare
  - making her drop charges
  - making her do illegal things

Using Economic Abuse
- Preventing her from getting or keeping a job
- Making her ask for money
- Giving her an allowance
- Taking her money
- Not letting her know about or have access to family income

Using Male Privilege
- Threatening her like a servant
- Making all the big decisions
- Acting like the "master of the castle"
- Being the one to define men's and women's roles

Using Coercion and Threats
- Making her feel guilty about the children
- Using the children to relay messages
- Using visitation to harass her
- Threatening to take the children away

Using Intimidation
- Making her afraid by using looks, acting, gestures
- Smashing things
- Destroying her property
- Abusing pets
- Displaying weapons

Using Emotional Abuse
- Putting her down
- Making her feel bad about herself
- Calling her names
- Making her think she's crazy
- Playing mind games
- Humiliating her
- Making her feel guilty

Minimizing Denying and Blaming
- Making light of the abuse and not taking her concerns about it seriously
- Saying the abuse didn't happen
- Shifting responsibility for abusive behavior
- Saying she caused it

Using Isolation
- Controlling what she does, who she sees and talks to
- What she reads, where she goes
- Limiting her outside involvement
- Using jealousy to justify actions
you are a hostage

- I know, right?
why victims don't "just leave"

- fear for their own safety and the safety of their children
- a manipulative partner
- financial insecurity
- fear of losing custody of their children to an abusive spouse
- not wanting their partner to be arrested or deported
- having nowhere to go (housing insecurity)
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**

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.
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
Dont expect to see this....

• 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

**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
The Last Warning Shot
Domestic Violence Lethality Risk Assessment for First Responders

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 intimate partner. We are concerned about you because DV can affect your sexual, emotional and psychological abuse, stalking, and financial abuse.

State of California

Peace Officer Standards and Training (POST)
860 Silvertree Road, Suite 100
West Sacramento, CA 95605-1630

1. VICTIM INFORMATION

1. NAME

2. AGE

3. D.O.B.

4. VICTIM PHONE

5. ADDRESS

6. PHONE

7. EMAIL

8. DOB

9. VICTIM PHONE

10. VICTIM ADDRESS

11. VICTIM EMAIL

12. VICTIM PHONE

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46. VICTIM ADDRESS

47. VICTIM EMAIL

48. VICTIM PHONE

49. VICTIM ADDRESS

50. VICTIM EMAIL

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? [ ] Yes [ ] No [Not Answered]

2. Does the abuser have a history of domestic violence, hostage-taking, stalking, or abduction? [ ] Yes [ ] No [Not Answered]

3. Do you know whether the abuser has any violent history towards others? [ ] Yes [ ] No [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? [ ] Yes [ ] No [Not Answered]

5. Does the abuser have access to firearms or ever used or threatened to use a firearm against you? [ ] Yes [ ] No [Not Answered]

6. Has the abuser ever threatened to use or used another weapon or object to harm you? [ ] Yes [ ] No [Not Answered]

7. Does the abuser have a criminal history of the use of weapons (guns, knives, etc.)? [ ] Yes [ ] No [Not Answered]

8. Has the abuser ever used his/her hands or an object to choke, strangle, or suffocate you? [ ] Yes [ ] No [Not Answered]

9. Does the abuser have a history of arrest or threats of arson? [ ] Yes [ ] No [Not Answered]

10. Does the abuser express jealousy or ownership over you? [ ] Yes [ ] No [Not Answered]

11. Does the abuser accuse you of infidelity? [ ] Yes [ ] No [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.)? [ ] Yes [ ] No [Not Answered]

13. Does the abuser isolate you from family, friends and community life? [ ] Yes [ ] No [Not Answered]

14. Is the abuser severely depressed, (seeing little hope to live life)? [ ] Yes [ ] No [Not Answered]

15. Is the abuser unemployed? [ ] Yes [ ] No [Not Answered]

16. Has there been a recent escalation of the abuser’s violence or risk behavior? [ ] Yes [ ] No [Not Answered]

17. Does the use of alcohol or drugs by the abuser exacerbate the violence or abuse? [ ] Yes [ ] No [Not Answered]

18. Has the abuser ever threatened or tried to commit suicide? [ ] Yes [ ] No [Not Answered]

19. Has the abuser been violent outside the home or in a public place? [ ] Yes [ ] No [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.
STRANGULATION INVESTIGATIONS
Roll Call Training

THE INSTITUTE FOR COORDINATED COMMUNITY RESPONSE