

Sacramento Police Department - 2320  
DOMESTIC VIOLENCE UPDATE

- I. **Purpose:** The purpose of this course is to provide officers with the tools to respond and investigate safely and effectively incidents involving domestic violence.
- II. Gun Violence Restraining Order (AB 1014)
  - 1) Temporary Emergency Gun Violence Restraining Order
  - 2) Ex Parte Gun Violence Restraining Order
  - 3) Gun Violence Restraining Order Issued After Notice and Hearing
- III. Type of Abuse – Legal Updates
  - 1) 13700 PC - Domestic Violence Defined
    - A. 273.5 PC – Felony domestic violence
      1. Willful infliction of corporal injury
      2. Suspect willfully inflicted physical injury on:
        - i. Spouse or former spouse
        - ii. Cohabitant or former cohabitant
        - iii. Mother/father of child
        - iv. Finance. Current or previous dating relationship. Prior engagement
      3. Injury inflicted resulted in traumatic condition
        - i. Traumatic condition is a wound or other bodily injury, whether minor or serious
    - B. 243(e)(1) PC – Misdemeanor domestic violence, battery
      1. Unlawful force or violence on:
        - i. Spouse or former spouse
        - ii. Cohabitant or former cohabitant
        - iii. Mother or father of child
        - iv. Fiance or former fiancé
        - v. Boyfriend/girlfriend or former boyfriend/girlfriend
      2. No Injury necessary
      3. Straight misdemeanor
    - C. 262 PC - Spousal Rape
      - i. Difficult to prove
      - ii. Underreported
      - iii. He said-she said
      - iv. Consensual vs. forced
      - v. Injured during assault vs. rough sex
      - vi. BEAR exam
      - vii. Pre-text phone call
    - D. **Learning Activity** – Students will participate in table top scenarios depicting individuals in a domestic violence incidents involving different charges including spousal rape. Students will work in groups to identify the appropriate violations of law. Class discussion will follow.
- IV. Other Crime Codes
  - A. 368 PC – Elder Abuse
    1. Physical Abuse

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2. Mental Suffering
  3. Theft/Fraud
  4. False Imprisonment
    - i. Restraining Order up to 10 years
      1. Regardless if a sentence is imposed
      2. Seriousness of the facts
      3. Probability of future violations
      4. Safety of victim and immediate family (pattern of stalking)
- B. 273a(b) & 273(a)(a) PC – Child abuse/Endangerment
- C. 273.6 PC & 166(a)(4) PC – Violation of Restraining Order and criminal protective Order
- i. Always interview victim
  - ii. Test messages – take a screen shot/email
  - iii. Voicemail messages
  - iv. Caller history
  - v. Check in CLETS
    - a. Service
    - b. Contact or no contact
- D. 646.9 PC – Stalking
- i. Repeatedly followed
  - ii. Harassed
  - iii. Two or more acts occurring over a period of time, no matter how short
  - iv. Credible threat
- E. 422 PC – Criminal Threats
- i. Threat received
  - ii. Victim scared
- F. **Learning Activity** – Students will be shown a video depicting individuals in a domestic violence incidents involving different charges. Students will work in groups to identify the appropriate violations of law. Class discussion will follow.
- V. Strangulation
1. 13701(l) PC – The investigation officer SHALL provide in writing a statement informing the victim that strangulation may cause internal injuries and encouraging the victim to see medical attention
  2. 13730(c)(4) PC – The report SHALL have a notation that strangulation or suffocation was involved
    - A. Investigation Considerations:
      1. Encourage medical treatment
      2. What did the suspect say during the assault?
      3. How long did it last?

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4. Loss of consciousness?
5. Defensive injuries on suspect
6. Shaken, thrown. One hand or two
7. Amount of pressure – was it continuous
8. Signs and symptoms
  - i. Hoarseness, loss of voice
  - ii. Swallowing or breathing difficulties
  - iii. Involuntary urination or defecation
  - iv. Bruises, redness or swelling
  - v. Petechiae
  - vi. Blood red eyes

**A. Learning Activity –** Students will be shown pictures of individuals who have been strangled. Students will work in groups to identify the signs and symptoms of strangulation that should be included in their report. Class discussion will follow.

VI. Mandates

VII. Evidence / CSI

- i. CSI vs. BWC
- ii. Voicemails / text / social media
- iii. Clothing, items
- iv. Physical marks
- v. Medical records

VIII. Lethality – SB 1331

IX. Assessment:

- a. Oral Examination: Students will be given an oral examination at the conclusion of the course.