

**Event 8 – Family Violence  
Session 10 – Introduction to Domestic Violence  
LD 25 Domestic Violence**

**Date Revised: 11/19/2019**

**Course Goal:** To provide the students with the basic skills necessary to complete a thorough domestic violence investigation, utilizing current law and department policy.

**Learning Objectives:**

- Recall the definition of domestic violence (Penal Code Section 13700) **[25.I.A]**
- Discuss resources available for victim protection **[25.III.E]**
- Identify what information needs to be documented in a report **[25.V.A]**

**Session Time: 2 hours**

<p>Resources:</p> <ul style="list-style-type: none"> <li>• Classroom with tables</li> <li>• Laptop, projector, speakers/DVD Player</li> <li>• Videos “Primary Aggressor, Domestic Violence Project Part 1 Domestic Violence”</li> <li>• White board</li> <li>• Dry-erase markers</li> <li>• LD 25 Workbook-6.0</li> <li>• Handouts- 13700 P.C. Recruit Domestic Violence Reference Documents</li> </ul>	
<p><b>Session Summary:</b> The recruit officer will develop the skills and abilities necessary to accomplish responding to a domestic violence call using the proper tactics, identify and define laws associated with the family violence, identify victim/batterer characteristics, identify mandatory resources and explain various protective orders, determine when probable cause exists to arrest, apply appropriate mediation techniques to diffuse volatile situations, utilize CAPRA to resolve disputes among family members, employ crisis intervention techniques and demonstrate the ability to communication via hand held radios.</p>	
Outline	Instructor Notes
<p>I. Introduction to Domestic Violence</p> <p>A. Opening</p> <ol style="list-style-type: none"> <li>1. Domestic Violence is a crime against society</li> <li>2. It is a serious issue that has tremendous effects on us as police officers and the community we serve.</li> <li>3. Over the next 18 hours we are going to look at the history and background of domestic violence.</li> <li>4. We will look at how far we have come with regards at response procedures and guidelines for domestic violence incidents.</li> <li>5. Peace officers are not exempt from the law, nor shall we</li> </ol>	

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<p>exercise discretionary powers based on our own views and opinions.</p> <ol style="list-style-type: none"><li>6. Have recruit officer read LAPD News Press release “Lizarraga Shooting”</li></ol> <p>B. Domestic Violence Statistics</p> <ol style="list-style-type: none"><li>1. One and every four women will experience domestic violence in her lifetime.<sup>1</sup></li><li>2. 85% of domestic violence victims are women<sup>2</sup></li><li>3. Almost one third of female homicide victims that are reported in the police records are killed by an intimate partner<sup>3</sup></li><li>4. On average, more than three women are murdered by their husbands or by boyfriends in this country every day. In same year 440 men, were killed by an intimate partner<sup>4</sup></li></ol> <p>C. History of Violence <b>Note: Facilitator Lead Overview</b></p> <ol style="list-style-type: none"><li>1. “Rule of Thumb”<ol style="list-style-type: none"><li>a. British Common Law<ol style="list-style-type: none"><li>1) Beginning in the middle ages, when a man got married he generally became the master of his family.</li><li>2) The man went to the local carpenter and obtained a rod or staff, with a maximum height of 6 feet and the circumference the same as a man’s thumb.</li><li>3) The staff was used to heard sheep and cattle and it was also acceptable to use the staff to discipline his wife and children.</li><li>4) This discipline system was brought to America and violence in the home was acceptable and overlooked until the 70’s.</li></ol></li></ol></li><li>2. Early 80’s Tracey Thurman<ol style="list-style-type: none"><li>a. In the Fall of 1982, she left an abusive relationship.</li><li>b. Tracey moved to Torrington, Connecticut. Her husband of two years, Charles “Buck” Thurman, followed. Buck stalked Tracey for 8 months. Tracey made numerous police reports and had a restraining order against Buck.</li><li>c. The police department failed to respond effectively.</li><li>d. Members of the department stated that if Buck was a stranger they could do more.</li><li>e. However, since Buck was her husband, their hands were tied. Divorce papers were served on Buck in April 1983.</li><li>f. June 10, 1983, Buck attacked Tracey.</li><li>g. He stabbed her 13 times, stomped on her upper back and head, breaking her neck, leaving Tracey partially paralyzed.</li></ol></li></ol>	<p><b>Note:</b> Do not discuss the tactics of incident; simply use as a tool to demonstrate how serious this topic is for police officers.</p> <p>Learning Activity #1- Domestic Violence Introduction.</p>
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<ul style="list-style-type: none"><li>h. Buck was holding his toddler son during his rampage.</li><li>i. Tracey sued Torrington PD for failure to provide equal protection under the law.</li><li>3. Lula Mae Thomas (1984, case settled)<ul style="list-style-type: none"><li>a. In the early 1980's, Lula Mae was the victim of a battering relationship.</li><li>b. Van Nuys officers responded 8-10 times.</li><li>c. Each time officers responded it was difficult to conduct a thorough investigation due to her evasive responses to officers' questions.</li><li>d. Lula Mae was unable to break free of her battering relationship.</li><li>e. Lula Mae wanted relief from the abuse she was suffering, but at the same time was hesitant and reluctant to take legal action against her husband.</li><li>f. Lula Mae believed she was not given the same response as parties who had been victimization by strangers.</li><li>g. The last group of officers referred her to a shelter.</li><li>h. At the shelter, Lula Mae was advised to sue for failure to provide equal protection under the law.</li><li>i. Lula Mae's attorney filed a class action lawsuit.</li><li>j. When the case was settled, the result was the development of the following policies and procedures:<ul style="list-style-type: none"><li>1) Set standards and guidelines for LAPD</li><li>2) Required Officers to treat domestic violence as criminal conduct</li><li>3) Established mandatory arrest policy for 273.5 P.C.</li></ul></li></ul></li><li>4. Watson Bill, 1984<ul style="list-style-type: none"><li>a. The results of the Lula Mae Thomas settlement were directed towards LAPD.</li><li>b. At the end of the settlement, California Legislature made a change in the intent of the laws.</li><li>c. The purpose of these laws is to address violence related crimes as serious crimes against society.</li><li>d. Also, to assure victims of such crimes the maximum protection from abuse which the law and those who enforce the law can provide.</li><li>e. All guidelines establish by the Watson Bill had to be in effect by January 1, 1986.</li></ul></li><li>D. Legislative Intent<ul style="list-style-type: none"><li>1. Guidelines and procedures for officers, 13519 P.C.:<ul style="list-style-type: none"><li>a. Address domestic violence as a serious crime against</li></ul></li></ul></li></ul>	
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<p>f. ASSIGN HOMEWORK:</p> <ol style="list-style-type: none"><li>1) LD 25 Version 6 Chapter 1 (Pages 1-9 to 1-37) w/ learning activities</li><li>2) LD 25 Version 6 Chapter 3 (Pages 3-1 to 3-28)</li><li>3) LD 25 Version 6 Chapter 4 (Pages 4-1 to 4-22)</li><li>4) LD 25 Version 6 Chapter 5 (Pages 5-1 to 5-12)</li><li>5) Assign each group a Penal Code Section to come back and make a presentation:<ol style="list-style-type: none"><li>a) 422 PC Criminal Threats</li><li>b) 646.9 PC Stalking</li><li>c) 591 PC Malicious Destruction of Telephone Lines</li><li>d) 591.5 PC Cell Phones</li><li>e) 136.1PC Dissuading a Witness (LD 25)</li><li>f) 273.6 PC Violation of a Court Order (LD 25)</li><li>g) <i>262 PC Spousal Rape</i></li><li>h) If more than 7 tables (learning teams) assign 653(m) PC (Telephone Calls with Intent to Annoy) to the remaining learning team. (LD#25, Version 6.0, Chapter 1, pg. 1-15)</li></ol></li></ol>	
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**Learning Activity #1**  
**Domestic Violence Introduction**

**A. LEARNING ACTIVITY: VIDEO**

1. “Primary Aggressor, Domestic Violence Project Part 1 Domestic Violence” Introduction (3:08 min)
2. First have the students close their eyes and listen to the video. Then play the video again this time allowing the students to watch.
3. Advise the students that this is an example of what’s happening prior to their arrival on the scene of a domestic violence radio call, and this is what they need to be prepared to step into the middle of.
4. Debrief: **Domestic violence is a problem in our society.**
  - a. One in every four women will experience domestic violence in her lifetime<sup>1</sup>
  - b. 85% of domestic violence victims are women<sup>2</sup>
  - c. Almost one third of female homicide victims that are reported in police records are killed by an intimate partner<sup>3</sup>
  - d. On average, more than three women are murdered by their husbands or boyfriends in this country every day. In 2000, 1,247 women were killed by an intimate partner. In same year, 440 men were killed by an intimate partner.<sup>4</sup>

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<sup>1</sup> National Institute of Justice and the Centers of Disease Control and Prevention (2000)

<sup>2</sup> Bureau of Justice Statistics Crime Data Brief (2003)

<sup>3</sup> FBI Uniform Crime Statistics (2001)

<sup>4</sup> Bureau of Justice Statistics Crime Data Brief (2003)

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**Learning Activity #2**  
**13700 P.C. Defined**  
**Board work Facilitated**  
**Discussion Exercise**

- A. **Introduction:** During this hour we are going to research 13700 P.C. which breaks down exactly what actions meet the criteria that are domestic violence.
- B. **Recall the definition of Domestic Violence (13700PC):** Abuse committed against anyone who is a spouse, former spouse, cohabitant, former cohabitant, dating, former dating, engaged or formerly engaged, or person with whom the suspect has had a child. (PWB pg. 1-3)
- C. **Have Recruit Officers open their DV Reference Documents to:**  
Blank Worksheet: 13700 PC
- D. **Procedure:**
1. Assign each learning team to review what they have read as homework about the definition section 13700 PC Domestic Violence Defines.
    - a. Elements of Domestic Violence - as defined in 13700 P.C.
      - 1) Abuse
      - 2) Parties
      - 3) Special Relationships
    - b. Have each member check for understanding of the 3 elements
- E. **DEBRIEF:**
1. BOARDWORK EXERCISE: 13700 PC Defined
  2. Divide the board into three columns. Title column one ABUSE, column two PARTIES, Column three SPECIAL RELATIONSHIPS.
  3. Have each learning team present their understanding of **abuse**. Clarify and write it on the board
    - a. **ABUSE** Intentionally or recklessly causing or attempting to cause bodily injury or placing a person in reasonable apprehension of imminent serious bodily injury to himself, herself or another.  
13700(a)PC  
(PWB pg. 1-4)
  4. In column one (ABUSE) write:
    - a. Violence or Threat of violence

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- 1) Verbal threats
    - a) Direct
      - (1) Example: “I’m going to slap you!”
    - b) Implied
      - (1) Example: “You know what’s going to happen when I get home!”
  - 2) Behavioral threats
    - a) Direct
      - (1) Example: Holding index finger like a gun to victim’s head
    - b) Implied
      - (1) Example: “The Look”
      - (2) Example: When a child wants to have a temper tantrum in public while you are shopping
- b. Stress to students that either physical injury, attempted injury or a threat *believed by the victim*, must be present to classify as domestic violence.
5. Have each learning team present their understanding of **Parties**. Clarify and write it on the board
  6. In column two (PARTIES) write:
    - a. Adult or Minor
      - 1) Be sure to emphasize **anyone**
    - b. Reinforce to students that parties involved in domestic violence situations includes adults and minors.
    - c. ASK: Why do you think minors were included as a “party?”
  7. Have each learning team present their understanding of **Special Relationships**. Clarify and write it on the board
  8. In Column Three (SPECIAL RELATIONSHIPS) write:
    - a. Spouse
    - b. Former Spouse
    - c. Cohabitant
    - d. Former cohabitant
    - e. Dating relationship
    - f. Former dating relationship
    - g. Engagement relationship
    - h. Former engagement relationship
    - i. Person with whom suspect has had a child (CIC)

**F. SPECIAL RELATIONSHIP**

1. Clarify the understanding of the special relationships that were discussed at the learning teams

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2. Solicit explanation and examples of each of the different relationships and write on the board
3. COHABITANT – Two unrelated adults living together for a substantial period, resulting in some permanency of relationship. (LD#25, PWB pg. 1-5)
4. **Ask** the class: What factors may determine if people are cohabiting?
  - a. Sexual relations between the parties while sharing the same living quarters
  - b. Sharing of income or expenses
  - c. Joint use or ownership of property
  - d. Whether the parties hold themselves out as husband and wife
  - e. Continuity of relationship
  - f. The length of the relationship
    - 1) Clarify and remind:
      - a) Does not apply to roommates
      - b) Amorous relationship is needed, but not sex
      - c) May maintain their own residence
      - d) Applies to same gender relationships
5. DATING RELATIONSHIP defined
6. Solicit from students their own personal definition of a dating relationship and how many dates they believe meet the criteria.
7. Write the following definition:
  - a. DATING RELATIONSHIP - (243PC & 6210 FC) frequent, intimate association primarily characterized by the expectation of affection or sexual involvement independent of financial consideration.
  - b. Clarify and remind:
    - 1) applies to same gender relationships
  - c. A CHILD IN COMMON – Suspect and victim are presumed to be the parents of a
    - 1) child, includes adopted children, but excludes pregnancy
    - 2) Clarify and remind:
      - a) Child must be born (excludes stillborn babies)
      - b) Also applies if child is deceased *after having been born*
8. To meet the criteria of 13700 P.C. an officer must have one element from EACH column. (Have Recruit Officers referred to completed copy of completed 13700 PC worksheet in their DV Reference Documents)

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**Learning Activity # 3**  
**Elements of a Dispute**

I. Elements of a Dispute

A. Elements of a Dispute (PWB pg. 1-6)

1. Purpose: Officers need to be aware of the difference between Domestic Disputes and Domestic Violence situations since a different response is generally needed. Generally, in a domestic dispute, an officer's primary role is to keep the peace and assist in conflict resolution. REMIND RECRUITS DISPUTE INCIDENTS WERE COVERED IN QUALITY OF LIFE EVENT
2. **Procedures:** Solicit from the class the elements of a family dispute and ensure the following is written on the board.
3. Elements of domestic dispute
  - a. Verbal disagreement
  - b. Between family or household members
  - c. Does **not** involve violence, threat of violence or violations of court orders
    - 1) Example: A husband and wife are arguing in their backyard because the dog dug up the new lawn. The neighbor called the police. There was no violence or threats of violence.
4. **READ THE FOLLOWING EXAMPLES ALOUD AND SOLICIT RESPONSES FROM THE CLASS.** Clear up any misunderstandings or questions.
  - a. *Two 16-year-old are dating. They've had 10 dates over the last three weeks. Mary slaps Jane across the face but does not leave a visible mark. Is this domestic violence?*
    - 1) YES
    - 2) The parties include minors.
  - b. *A 30- year old man lives with his father, who financially supports him. They become involved in an argument and the son hits his father. Is this domestic violence?*
    - 1) NO
    - 2) They do not meet the definition of cohabitants.
  - c. *A 16-year old girl lives with her 21-year old boyfriend. They were at their son's t-ball baseball game when they became involved in an*

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*argument that ended with the boyfriend pushing his girlfriend down the bleachers. Is this a domestic violence situation?*

- 1) YES
- 2) They are Parties with a child in common.

d. *A man and his ex-wife get into an argument over the custody of their son. The man kicks her in the leg. Is this a domestic violence situation?*

- 1) YES
- 2) Child in common and ex-spouses.

e. *Bill and Sue are both high school teachers. They are not married and have never lived together. They happen to both show up at the cemetery to put flowers on their son's grave. They begin to argue and Bill hits Sue, leaving a red mark. Is this a domestic violence situation?*

- 1) YES
- 2) Child in common (deceased child applies).

f. *Steve has regularly met with Kelly, a prostitute, about twice a week for the last two months. They argue one night and Steve burns Kelly with a cigarette. Is this a domestic violence situation?*

- 1) NO
- 2) The definition of a Dating Relationship is independent of financial consideration.

I. Reinforce key learning points.

1. Domestic violence is a crime against society which has tremendous effects on police officers and the communities we serve.
2. The legislative intent is to provide maximum protection of the victim.
3. Domestic Violence (13700PC) is abuse committed against anyone who falls into the 9 special relationships.
4. Domestic disputes are disagreements between **family or** household members that does **NOT** involve violence, threats of violence **or restraining orders**
5. Advise students that there will be a quiz at the beginning of session 3 on the information previously covered. This will allow Facilitators to gauge the class' overall knowledge and understanding of domestic violence prior to moving ahead.

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J. ASSIGN HOMEWORK:

- a. LD 25 Version 6.6 Chapter 1 (Pages 1-34) w/ learning activities
- b. LD 25 Version 6.6 Chapter 3 (Pages 3-1 to 3-21)
- c. LD 25 Version 6.6 Chapter 4 (Pages 4-1 to 4-17)
- d. LD 25 Version 6.6 Chapter 5 (Pages 5-1 to 5-10)
- e. LD 39 Version 6 Chapter 1 (Pages 1-1 to 1-11)
  
- f. Assign each group a Penal Code Section to come back and make a presentation:
  1. 422 PC Criminal Threats
  2. 646.9 PC Stalking
  3. 591 PC Malicious Destruction of Telephone Lines
  4. 591.5 PC Cell Phones
  5. 136.1 PC Dissuading a Witness (LD 25 and LD 39)
  6. 140(a) PC Threats of Retaliation (LD 39)
  7. 273.6 PC / 166(a)(4) PC Violation of a Court Order (LD 39)
  8. 262 PC Spousal Rape

If more than 7 tables (learning teams) assign 653(m) PC (Telephone Calls with Intent to Annoy) to the remaining learning team. (LD#25, Version 6.6, Chapter 1, pg. 1-25)