

**Event 8 – Family Violence
Session 14 – Domestic Violence Dynamics
LD #25 Domestic Violence**

Date Revised: 12/5/2019

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:

- Recognize procedures for seizing firearms or other deadly weapons **[25.III.D]**
- The student will participate in a Learning Activity relating to proper response to a domestic violence incident to include: **[25.VII.A]** Felony arrests, **[25.VII.A.1]** Misdemeanor arrests, **[25.VII.A.2]** Use of citizen arrests, **[25.VII.A.3]** Verification and enforcement of temporary restraining orders when the suspect is present and when the suspect has fled, **[25.VII.A.4]** Verification and enforcement of stay-away orders, **[25.VII.A.5]** Cite and release policies, **[25.VII.A.6]** Emergency assistance to victims to include medical care, transportation to a shelter, and law enforcement standbys for the removal of personal property, **[25.VII.A.7]** Assistance to victims in pursuing criminal options to include giving the report number and directing the victim to the proper investigative unit, **[25.VII.A.8]** Providing information card with local resources to victims at the scene. **[25.VII.A.9]**

Session Time: 2 hours

Resources:	
<ul style="list-style-type: none"> • Classroom with tables • White board and Dry-Erase Markers • Laptop with Projector and Speakers 	
<ul style="list-style-type: none"> • Session Summary: The recruit officer will develop the skills and abilities necessary while responding to a domestic violence call using the following: proper tactics, identify and define laws associated with 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. 	
Outline	Instructor Notes
<p>I. Procedures for Seizing Firearms or Other Deadly Weapons [25.III.D]</p> <p>A. At the scene of domestic violence involving a threat to human life or physical assault, an officer shall do the following as required by 18250 P.C. [Note]</p> <p style="padding-left: 40px;">1) Elements</p>	<p>[Note] Have recruits take out their Penal Code books to use as reference</p>

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<p>a) An officer shall take temporary custody of a firearm/deadly weapon when:</p> <ul style="list-style-type: none">(1) The parties involved are current or former<ul style="list-style-type: none">(a) Spouse(b) Cohabitant(c) Engaged(d) Dating(e) Parties with a child in common(f) Child of any party(g) Consanguinity – related by blood(h) Affinity – related by marriage w/in second degree(2) Involving a threat to human life or a physical assault,(3) Firearm or weapon listed under 16590 P.C. is present (not connected with the crime/incident)(4) The weapon is in plain sight discovered by consensual search or some other lawful search(5) Necessary for the protection of the officer or other persons present(6) Give the owner a Receipt and Notice of rights for Confiscated Firearms/Other Deadly Weapons and a 10.10.5(7) Can obtain a search warrant to search if arrest is made 1524(a)(9) P.C. <p>b. If lawfully inside the residence, we can't search for weapons for these reasons, Expected responses:</p> <ul style="list-style-type: none">1) 4th Amendment violation2) Mere presence in a home does not give us the right to search3) Application	
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<ul style="list-style-type: none">a) Penal Code Section 13730(c)(3) P.C. [Note] requires officers to inquire if there are firearms or deadly weapons present at the scene of a family violence incident and mandates the documentation of the results of the inquiry in a report.b) Written receipt shall be left (form 10.10.5)<ul style="list-style-type: none">(1) See exemplar included in your Recruit Officers DV Reference Documentsc) Firearms and illegal weapons shall be held for no less than 48 hours and no longer than 5 business days (Dept. Manual 4/560.35)d) All cases of domestic Violence must include an Automated Firearm System (AFS) inquiry printout attached to the report paperworke) Follow-up example: NCIC; DOJ checks on firearmsf) National Crime Information Centerg) Department of Justice <p>II. Gun Violence Restraining Orders: Assembly Bill 339</p> <ul style="list-style-type: none">A. Gun Violence Restraining Orders (GVRO) allow family members, household members, and law enforcement to work with courts to temporarily remove guns, magazines and ammunition from individuals who pose a significant risk of harm to themselves and others.<ul style="list-style-type: none">1. Family members are often the first to know when a loved one is in a crisis and at risk of harming themselves, or others.2. A common thread in many acts of violence is that family members saw their loved ones engage in dangerous behaviors and grew concerned even before any violence occurred.B. The GVRO also restricts the restrained individual from purchasing new guns, ammunition and magazines.	<p style="text-align: center;">Introduce GVRO and how families can petition the courts during a Domestic Violence.</p>
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<p>C. Gun Violence Restraining orders (GVROs) can be issued for a 21 days temporary period if petitioned for by:</p> <ol style="list-style-type: none">1. Law Enforcement,2. Family,3. Household members,4. Including spouses,5. Parents,6. Grandparents,7. Children,8. Stepparents,9. Stepchildren,10. Domestic partners,11. Siblings,12. Roommates,13. Persons who have regularly resided on the same property as the person to be restrained in the last 6-months.<ol style="list-style-type: none">a. 21 days can be extended to a one-year renewable period after a court hearing is held<ol style="list-style-type: none">1) What if Restrained person does not agree to surrender their firearms?2) Emergency GVRO is a <u>Court Order</u> requiring surrender of firearms, magazines and ammunition upon request by law enforcement3) Failure to surrender firearms is a misdemeanor<ol style="list-style-type: none">a) PC 18205-possession by GVRO prohibited person (5-year prohibition)b) PC 166(a)(4)-Violation of court order<ol style="list-style-type: none">(1) Exigent circumstance(2) Consent(3) Denied into premises, “must get a Search Warrant to enter the premise”b. Clarify and Remind<ol style="list-style-type: none">1) Illegal weapon listed in California Penal Code, will not be returned	<p>Learning Activity #1: Domestic Violence Exercise. See</p>
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<ul style="list-style-type: none">2) This is an authority section only, not a booking sectionc. Reinforce Key Points<ul style="list-style-type: none">1) Domestic violence is a dangerous situation and officers must protect the safety of all parties at scene, including their own.2) Officer safety ALWAYS has top priority.3) To ensure officer safety there are guidelines officers should follow as a precaution prior to entering the premises.4) Establishing control and separating the parties are paramount to domestic violence investigations.5) Two types of arrest that can take place in a domestic violence situation are peace officer arrest and private persons arrest (citizen's arrest).6) Officers shall, at the scene of domestic violence, take temporary custody of dangerous weapons that are in plain sight, with consent or another lawful search (18250 P.C.) <p>III. Domestic Violence Practical Application [25.VII.A.1-9]</p> <p>A. Learning Activity #1: Domestic Violence Exercise</p> <ul style="list-style-type: none">1. Purpose: To test recruits' response to a domestic violence situation2. Materials:<ul style="list-style-type: none">a. 1 Officer actor (Facilitator as role player)b. Makeup3. Procedures: At the beginning of class, have officer with bruised eye run into class in a frantic manner and start yelling "Help me, help me", until recruit(s) decide to act.4. Once recruit officers decide to act, they should be led into interviewing skills. Officer (victim) should be purposefully vague so that recruits are forced into using proper interviewing techniques. Once the recruit officers can effectively ask the right questions (refer to handout in Recruit DV Reference Documents – Interviewing a Battered Victim) victim should	<p>Learning Activity #2: Domestic Violence Scenario Officer/Facilitator Demonstration.</p>
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advise that he/she was hit by their significant other who is still at the residence. Encourage the recruits that don't need any action other than a ride to a friend's residence.

- a. Allow Recruits to interview victim
- b. Allow recruits to form game plan
- c. Follow up back to residence?
- d. Victim given proper services.
- e. Report taken
- f. Arrest made?
- g. Restraining orders?
- h. Appropriate empathy for victim?

B. Learning Activity #2: Domestic Violence Scenario Officer/Facilitator Demonstration [25.VII.A.1-9]

1. Purpose: To allow the participants to observe veteran officers' conduct a domestic violence investigation.
2. Materials:
 - a. 2 officer actors (role of victim/suspect role-played by Facilitators)
 - b. 2 officer actors (Primary Facilitator, secondary Facilitator)
 - c. Domestic Violence Memo/V.I.N.E. Pamphlet
 - d. Business card
 - e. Application for EPO
 - f. F.I. card
3. Procedures: Two facilitators in full uniform including Sam Browne will model the appropriate and effective way to investigate a domestic violence call. The victim and the suspect will be other facilitators. The scenario takes place in the classroom or the second-floor scenario rooms simulated to be a private residence.
 - a. Victim
 - 1) A female has a broken rib and visible bruises 4 inches above the elbows on the inside of the arm
 - 2) Has a son, Little Rickey, 5 at day care
 - 3) Lives with husband Rickey
 - 4) Passive but anxious, willing to talk

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| <ol style="list-style-type: none">5) When asked about domestic violence or about the bruises, first say that you bruise easily, and you must have knocked against something6) If asked directly, tell the officer that Ricky did it and you fear him7) Ricky was angry at you for spending too much money and time at the mall.8) Last night Ricky grabbed you and shook you violently, bruising your arms. He also threw you to the ground causing you to fall against the entertainment center, breaking your rib.9) You welcome the officer's intervention and want help but are also frightened of leaving10) Your husband has hit you often over your 7-year marriage.11) He has refused to get help and has threatened to take your son away if you leave him.12) You believe he will do this if you leave him13) No weapons in the residence14) The police have been at the residence before, last year15) Neither party has been drinking or using drugs <p>b. Suspect</p> <ol style="list-style-type: none">1) Your name is Ricky Smith2) Unemployed actor/musician3) You are angry at your wife for spending too much money and time at the mall4) You think she should be more considerate about spending your money and spending so much time away from you and her responsibilities to the home5) You are willing to cooperate with the officer's investigation, if they make it quick, you want your wife to make dinner | |
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<ul style="list-style-type: none">6) If asked directly if you grabbed your wife and shook her and threw her to the floor, admit itc. Officers<ul style="list-style-type: none">1) You received a radio call2) See the woman, family dispute possible domestic violence at 5156 W. Manchester Avenue.3) Approach and conduct a thorough investigation, using all strategies discussed in curriculum4) Arrest the suspect once it is determined that the elements of the crime are met4. Debrief<ul style="list-style-type: none">a. After the role model, ask the students the following questions:<ul style="list-style-type: none">1) What strategies did you observe the officers using?2) What behaviors was the victim displaying?3) What behaviors was the suspect displaying?4) What evidence needs to be documented?5) Did officers establish the elements prior to the arrest?6) Was anything missed that would be important?b. Refer to: DV Application Overview and DV Flow Chart in the Recruit Officer DV Reference Documents<ul style="list-style-type: none">1) Review certain areas that recruits may forgetc. Learning Activity #3: Recruit Role Play “Domestic Violence Situation” [25.VII.A.1-9]<ul style="list-style-type: none">1. Purpose: To allow the students to have an opportunity in a simulated domestic violence situation to determine what would be the appropriate action. Clear up any questions after each role-play.2. Materials:<ul style="list-style-type: none">a. 2 officers (recruits)b. 1 victim (Facilitator)	<p style="text-align: center;">Learning Activity #3: “Domestic Violence Situation”.</p>
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<ul style="list-style-type: none">c. 1 batterer (Facilitator)d. Domestic Violence Memoe. Business cardf. FI cardg. Application for EPOh. No injuries <p>3. Procedure:</p> <ul style="list-style-type: none">a. 2 recruits in uniform with Sam Browns will act as investigating officersb. Select 2 different recruit officers for each of the following scenarios. The scenarios take place in the classroom, which will be a private residence.<ul style="list-style-type: none">1) Domestic Violence Misdemeanor Situation<ul style="list-style-type: none">a) WIFE:<ul style="list-style-type: none">(1) Jealous because you found out that your husband was having an affair(2) You've been married 3 years and you have a son(3) Angry at your husband, but not at the officers(4) If asked directly to tell the officers that your husband pushed, you against the wall after grabbing your wrist and shaking you.(5) You are scared that the violence will continue, he's hit you in the past(6) You don't have any visible injuries, but you complain of your wrist hurts and is sore(7) Your husband threatened to take your son if you call 911 and you believed the threats(8) You welcome the officers' intervention and want help, but you are also frightened of leaving(9) No weapons in the residence	<p>Ask: What did the investigating officers do that worked?</p> <p>Ask: If you had been the investigating officer what would you have done differently?</p>
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<p>(10) The police have been at the residence before</p> <p>(11) Your husband has been drinking</p> <p>b) HUSBAND:</p> <p>(1) You have been drinking</p> <p>(2) You tell the officers about the affair and your shock that your wife is upset</p> <p>(3) If asked directly you will admit to grabbing your wife by the wrist, shaking her and throwing her against the wall</p> <p>(4) You just wanted to frighten her, you didn't mean to hurt her</p> <p>(5) You are the man and she shouldn't question you</p> <p>(6) You had no intent of taking the child</p> <p>c) OFFICERS:</p> <p>(1) Received radio call "See the woman, family dispute possible domestic violence at 5651 W Manchester Ave."</p> <p>(2) Approach and conduct a thorough investigation, using all strategies discussed in curriculum</p> <p>2) Appropriate Police Action</p> <p>a) Determine dominant aggressor</p> <p>b) Officer arrest for 243(e)(1) P.C. if during investigation they determine there is probable cause to arrest</p> <p>c) If probable cause is lacking offer private person arrest for 243(e)(1) P.C.</p> <p>d) Complete D/V arrest report</p> <p>e) Check the CARPOS system for Restraining Orders</p> <p>f) Check AFS for weapons and attach a copy of print out to report</p> <p>g) Advise of EPO</p> <p>h) Advise of DVTRO</p>	<p>What were some of the behavioral cues that the victim and suspect (batterer) were displaying?</p>
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<ul style="list-style-type: none">i) Advise of OSCH and OAHj) Offer shelter informationk) Offer civil stand-byl) Leave D/V Victims Memo/V.I.N.E. Pamphletm) Advise of Marsy's Lawn) Leave a Business Card3) LAPD policy, SHALL arrest for 243(e)(1) if you have probable cause, if parties are married, co-habitants or have a child in common (O.O. #5, 5-1-97) and you are able to determine dominant aggressor (Core Values, 117 c-e) <p>4. Debrief/Assessment:</p> <ul style="list-style-type: none">a. After the scenario discuss if the investigating officers took the appropriate action. Ask the following questions to simulate discussion.<ul style="list-style-type: none">1) What did the investigating officers do that worked?2) If you had been the investigating officer what would you have done differently?3) What were some of the behavioral cues that the victim and suspect (batterer) were displaying?	
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**Learning Activity #1:
Domestic Violence Exercise [25.VII.A.1-9]**

- A. Learning Activity #1: Domestic Violence Exercise
1. Purpose: To test recruits' response to a domestic violence situation
 2. Materials:
 - a. 1 Officer actor (Facilitator as role player)
 - b. Makeup
 3. Procedures: At the beginning of class, have officer with bruised eye run into class in a frantic manner and start yelling "Help me, help me", until recruit(s) decide to act.
 4. Once recruit officers decide to act, they should be led into interviewing skills. Officer (victim) should be purposefully vague so that recruits are forced into using proper interviewing techniques. Once the recruit officers can effectively ask the right questions (refer to handout in Recruit DV Reference Documents – Interviewing a Battered Victim) victim should advise that he/she was hit by their significant other who is still at the residence. Encourage the recruits that don't need any action other than a ride to a friend's residence.
 - a. Allow Recruits to interview victim
 - b. Allow recruits to form game plan
 - c. Follow up back to residence?
 - d. Victim given proper services.
 - e. Report taken
 - f. Arrest made?
 - g. Restraining orders?
 - h. Appropriate empathy for victim?

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Learning Activity #2: [25.VII.A.1-9]
Domestic Violence Scenario Officer/Facilitator Demonstration

- A. Learning Activity #2: Domestic Violence Scenario Officer/Facilitator Demonstration
1. Purpose: To allow the participants to observe veteran officers' conduct a domestic violence investigation.
 2. Materials:
 - a. 2 officer actors (role of victim/suspect role-played by Facilitators)
 - b. 2 officer actors (Primary Facilitator, secondary Facilitator)
 - c. Domestic Violence Memo/V.I.N.E. Pamphlet
 - d. Business card
 - e. Application for EPO
 - f. F.I. card
 3. Procedures: Two facilitators in full uniform including Sam Browne will model the appropriate and effective way to investigate a domestic violence call. The victim and the suspect will be other facilitators. The scenario takes place in the classroom or the second-floor scenario rooms simulated to be a private residence.
 - a. Victim
 - 1) A female has a broken rib and visible bruises 4 inches above the elbows on the inside of the arm
 - 2) Has a son, Little Rickey, 5 at day care
 - 3) Lives with husband Rickey
 - 4) Passive but anxious, willing to talk
 - 5) When asked about domestic violence or about the bruises, first say that you bruise easily, and you must have knocked against something
 - 6) If asked directly, tell the officer that Ricky did it and you fear him
 - 7) Ricky was angry at you for spending too much money and time at the mall.
 - 8) Last night Ricky grabbed you and shook you violently, bruising your arms. He also threw you to the ground causing you to fall against the entertainment center, breaking your rib.
 - 9) You welcome the officer's intervention and want help but are also frightened of leaving
 - 10) Your husband has hit you often over your 7-year marriage.
 - 11) He has refused to get help and has threatened to take your son away if you leave him.
 - 12) You believe he will do this if you leave him
 - 13) No weapons in the residence
 - 14) The police have been at the residence before, last year
 - 15) Neither party has been drinking or using drugs
 - b. Suspect
 - 1) Your name is Ricky Smith
 - 2) Unemployed actor/musician

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- 3) You are angry at your wife for spending too much money and time at the mall
 - 4) You think she should be more considerate about spending your money and spending so much time away from you and her responsibilities to the home
 - 5) You are willing to cooperate with the officer's investigation, if they make it quick, you want your wife to make dinner
 - 6) If asked directly if you grabbed your wife and shook her and threw her to the floor, admit it
- c. Officers
- 1) You received a radio call
 - 2) See the woman, family dispute possible domestic violence at 5156 W. Manchester Avenue.
 - 3) Approach and conduct a thorough investigation, using all strategies discussed in curriculum
 - 4) Arrest the suspect once it is determined that the elements of the crime are met
4. Debrief
- a. After the role model, ask the students the following questions:
 - 1) What strategies did you observe the officers using?
 - 2) What behaviors was the victim displaying?
 - 3) What behaviors was the suspect displaying?
 - 4) What evidence needs to be documented?
 - 5) Did officers establish the elements prior to the arrest?
 - 6) Was anything missed that would be important?
 - b. Refer to: DV Application Overview and DV Flow Chart in the Recruit Officer DV Reference Documents
 - 1) Review certain areas that recruits may forget

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Learning Activity #3: [25.VII.A.1-9]
Recruit Role Play “Domestic Violence Situation”

- A. Learning Activity #3: Recruit Role Play “Domestic Violence Situation”
1. Purpose: To allow the students to have an opportunity in a simulated domestic violence situation to determine what would be the appropriate action. Clear up any questions after each role-play.
 2. Materials:
 - a. 2 officers (recruits)
 - b. 1 victim (Facilitator)
 - c. 1 batterer (Facilitator)
 - d. Domestic Violence Memo
 - e. Business card
 - f. FI card
 - g. Application for EPO
 - h. No injuries
 3. Procedure:
 - a. 2 recruits in uniform with Sam Browns will act as investigating officers
 - b. Select 2 different recruit officers for each of the following scenarios. The scenarios take place in the classroom, which will be a private residence.
 - 1) Domestic Violence Misdemeanor Situation
 - a) WIFE:
 - (1) Jealous because you found out that your husband was having an affair
 - (2) You’ve been married 3 years and you have a son
 - (3) Angry at your husband, but not at the officers
 - (4) If asked directly to tell the officers that your husband pushed, you against the wall after grabbing your wrist and shaking you.
 - (5) You are scared that the violence will continue, he’s hit you in the past
 - (6) You don’t have any visible injuries, but you complain of your wrist hurts and is sore
 - (7) Your husband threatened to take your son if you call 911 and you believed the threats
 - (8) You welcome the officers’ intervention and want help, but you are also frightened of leaving
 - (9) No weapons in the residence
 - (10) The police have been at the residence before
 - (11) Your husband has been drinking
 - b) HUSBAND:
 - (1) You have been drinking
 - (2) You tell the officers about the affair and your shock that your wife is upset
 - (3) If asked directly you will admit to grabbing your wife by the wrist, shaking her and throwing her against the wall

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- (4) You just wanted to frighten her, you didn't mean to hurt her
- (5) You are the man and she shouldn't question you
- (6) You had no intent of taking the child
- c) OFFICERS:
 - (1) Received radio call "See the woman, family dispute possible domestic violence at 5651 W Manchester Ave."
 - (2) Approach and conduct a thorough investigation, using all strategies discussed in curriculum
- 2) Appropriate Police Action
 - a) Determine dominant aggressor
 - b) Officer arrest for 243(e)(1) P.C. if during investigation they determine there is probable cause to arrest
 - c) If probable cause is lacking offer private person arrest for 243(e)(1) P.C.
 - d) Complete D/V arrest report
 - e) Check the CARPOS system for Restraining Orders
 - f) Check AFS for weapons and attach a copy of print out to report
 - g) Advise of EPO
 - h) Advise of DVTRO
 - i) Advise of OSCH and OAH
 - j) Offer shelter information
 - k) Offer civil stand-by
 - l) Leave D/V Victims Memo/V.I.N.E. Pamphlet
 - m) Advise of Marsy's Law
 - n) Leave a Business Card
- 3) LAPD policy, SHALL arrest for 243(e)(1) if you have probable cause, if parties are married, co-habitants or have a child in common (O.O. #5, 5-1-97) and you are able to determine dominant aggressor (Core Values, 117 c-e)
- 4. Debrief/Assessment:
 - a. After the scenario discuss if the investigating officers took the appropriate action. Ask the following questions to simulate discussion.
 - 1) What did the investigating officers do that worked?
 - 2) If you had been the investigating officer what would you have done differently?
 - 3) What were some of the behavioral cues that the victim and suspect (batterer) were displaying?