

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

Date Revised: 10/16/2018

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:

- The student will participate in a learning activity regarding law enforcement contact with a crime victim. At a minimum, the learning activities must include: Psychological reactions to victimization, Identification of any underlying or related problems (e.g., medical, emotional, financial, etc.), Assistance and support services available to the victim, Legal and procedural information to provide the victim, Qualifications for compensation under the Victims of Crime Compensation Program **[4.IV.B.1-5]**
- Identify the differences between the types of court orders to include: **[25.IV.A]** Criminal protective/stay-away orders **[25.IV.A.1]** Emergency Protective orders **[25.IV.A.2]**, Restraining Orders **[25.IV.A.3]**
- Identify the validity of a restraining order **[25.IV.B]**
- Identify the purpose for obtaining an Emergency protective order **[25.IV.C]**
- Demonstrate how to enforce a court order **[25.IV.D]**
- Identify how the peace officer can provide support for the victim **[25.V.B]**
- The student will participate in a Learning Activity relating to proper response to a domestic violence incident to include: Felony arrests, Misdemeanor arrests, Use of citizen arrests, Verification and enforcement of temporary restraining orders when the suspect is present and when the suspect has fled, Verification and enforcement of stay-away orders, Cite and release policies, Emergency assistance to victims to include medical care, transportation to a shelter, and law enforcement standbys for the removal of personal property, Assistance to victims in pursuing criminal options to include giving the report number and directing the victim to the proper investigative unit, Providing information card with local resources to victims at the scene. **[25.VII.A.1-9]**
- The student will participate in a Learning Activity requiring them to demonstrate the knowledge and ability to obtain an Emergency Protective Order (EPO): **[25.VII.B]** Who is eligible for an EPO, **[25.VII.B.1]** Legal authority, **[25.VII.B.2]**, Procedures for obtaining an EPO **[25.VII.B.3]** Completion of the appropriate documentation **[25.VII.B.4]** , Scope and duration of the EPO **[25.VII.B.5]**, Service of the EPO **[25.VII.B.6]**, Data entry of the EPO into the Domestic Violence Restraining Order System (DVROS) **[25.VII.B.7]**, Distribution of forms. **[25.VII.B.8]**

Session Time: 2 hours

Resources:

- Classroom with tables
- Whiteboard and Dry Erase
- Handouts: I. R., Domestic Violence Case Studies-Fred and Ethel, Smith & Wesson, **Fred and Ethel Follow-Up Case Study, Koreatown Property Rights**, Domestic Violence Overview, Confidentiality, EPO, Marsy's Rights Card, DV/VINE Pamphlet, Business Card

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

- **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
<ul style="list-style-type: none"> I. Protection of Victim, Documentation, and Victim Resources <ul style="list-style-type: none"> A. Protection of Victims [25.III.E] <ul style="list-style-type: none"> 1. Restraining Order Definitions [25.IV.A.3]; [25.IV.A] <ul style="list-style-type: none"> a. Emergency Protective Orders (EPO) [25.IV.A.2] [25.IV.C] <ul style="list-style-type: none"> 1) Obtained by officer 2) To provide immediate protection, limited protection to 3) Victim and children 4) Good for 5 business days or 7 calendar days. b. Domestic Violence Temporary Restraining Order (DVTRO) <ul style="list-style-type: none"> 1) Obtained by the victim at civil court 2) Most frequently obtained ex-parte restraining order 3) Ex-Parte Restraining Order is issued without prior notice or hearing, is valid until Order to Show Cause hearing date and only the victim is usually present. 4) It is good for 3 weeks. c. Order After Hearing (OAH) <ul style="list-style-type: none"> 1) Obtained by the victim at civil court 2) Issued at Order to Show Cause (OSC) hearing 3) Order to Show Cause hearing is held to determine if DVTRO is justified and should be extended 4) Good for up to 5 years d. Permanent Injunction <ul style="list-style-type: none"> 1) Obtained by the victim at civil court 2) Has no expiration date. e. Criminal Stay Away Order (a.k.a. Criminal Protective Orders) [25.IV.A.1] <ul style="list-style-type: none"> 1) Obtained by prosecutor at criminal court 	

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<ul style="list-style-type: none">2) As part of criminal case3) To prevent violence or intimidation by defendant.4) This order takes precedence over any other existing order, including those discussed.f. Out-of-State Restraining Orders (Foreign Orders)<ul style="list-style-type: none">1) Must be honored in California if it is valid2) Treat like a locally issued order2. Emergency Protective Orders (EPO's) [25.IV.A.2]<ul style="list-style-type: none">a. Who is eligible for and EPO:<ul style="list-style-type: none">1) The nine special relationships covered by 13700 P.C. and2) Persons related by consanguinity and affinity (within 2nd degree) and3) Current and former household members4) A child who is in immediate and present danger of physical, emotional, or sexual abuse by a family or household member or being abducted by a parent or relative.5) A person who is an immediate and present danger of stalking by anyone,6) And a person in immediate and present danger of elder or dependent abuse by anyoneb. Completion of the appropriate documentationc. Information included in EPO includes:<ul style="list-style-type: none">1) The name of the restrained party,2) The name of the protected party(ies)3) The reason for the order,4) The expiration date and time,5) Address of the court where the protective person resides6) A statement addressed "To the Protected Person"7) A statement addressed "To the Restrained Person"8) If firearms were observed, reported, searched for or seized9) PO's signature10) Name of commissioner, and11) Proof of service.d. Serving the EPO<ul style="list-style-type: none">1) Complete EPO2) Serve a copy to restrained party	
--	--

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

- | | |
|--|--|
| <ul style="list-style-type: none">3) Give a copy to protected party4) Maintain the other two copies until5) They are distributed at your division per divisional procedure, and6) The EPO is entered into CADVROS by records clerk (California Domestic Violence Restraining Order System)e. Refer students: to blank DVTRO exemplar and “lettered” OAH in the Recruit DV Reference Documents: Have students follow along as the following information is covered.<ul style="list-style-type: none">1) Identify the validity of a restraining order:
[25.IV.B]<ul style="list-style-type: none">a) Court Stamp (letter “A”)b) Case Control Number (letter “B”)c) Expiration Date (letter “C”)d) Person to be Protectede) Person to be Restrainedf) Proof of Service (letter “D”)g) Judge’s Signature (letter “E”)2) Verification and enforcement of temporary restraining orders when the suspect is present and when the suspect has fled3) Officers shall verify that<ul style="list-style-type: none">a) A copy of the order is on file with the Department orb) The protected person has a valid copy orc) The order is found in the CARPOS. (California Restraining and Protective Order System)d) That the order has not exists, ande) Officers must check the terms and conditions of the order.4) Violation of a restraining order is a Misdemeanor.5) Willful violation w/prior conviction within seven years involving violence or credible threat is a felony.6) Willful violation w/prior conviction within 1 year, w/injury to the victim, is a felony.7) If the suspect is GOA<ul style="list-style-type: none">a) A report shall be written,b) Victim shall be advised of follow-up procedures, and | |
|--|--|

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<p>8) A reasonable attempt shall be made to locate and arrest the suspect.</p> <p>f. Demonstrate how to enforce a court order [25.IV.D]</p> <p>1) Legal Authority – 836(c)(1) P.C.</p> <p>2) When officers have probable cause to believe a violation of a DV protective order has occurred</p> <p>3) The officers shall arrest w/out warrant</p> <p>4) Whether or not the violation occurred in the officer’s presence.</p> <p>5) The existence of the order and proof of service must be verified.</p> <p>g. Protected Person Invited Restrained Person to Violate Order</p> <p>1) The order remains valid regardless of the acts of the protected party.</p> <p>2) If protected party invites restrained party over, order is still valid.</p> <p>3) Only the court can change an order.</p> <p>4) Officers cannot violate by escorting restrained party to get personal belongings.</p> <p>h. Multiple Orders</p> <p>1) When confronted w/conflicting court orders, officers should:</p> <p>a) Verify the validity of all orders</p> <p>b) Determine which are criminal and which are civil</p> <p>c) Generally, criminal court protective orders take precedence over civil orders (Penal Code Section 136.2(h).)</p> <p>d) Under limited circumstances, EPO’s with more restrictive terms can take precedence over criminal and civil orders. (Penal Code Section 136.2(e)(2) (A through C)</p> <p>e) When 2 or more orders are in conflict, enforce the most recently issued.</p> <p>B. Key Learning Points</p> <p>1. Protective Orders are one of the best tools an officer can use to provide maximum protection for a domestic violence victim</p> <p>2. Individuals protected by EPO’s include victims of domestic violence, stalking, elder or dependent</p>	
---	--

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

abuse, and children being abducted by a parent or relative.

3. Peace officers must verify the validity of a restraining order prior to enforcing the court order.
4. The “protected” party of a restraining order cannot nullify an existing order (inviting over).

II. Documenting the Crime

A. Identify what information needs to be documented in a report **[25.V.A]**

1. Non-Crime Reports: Remind from Module 1: A report shall be completed on all incidents which meet the criteria of domestic violence as defined in Penal Code Section 13700 whether a specific crime has been identified. The unwillingness of the victim of domestic violence to sign a report does not exempt officers from requirement to complete a report of the incident. (Manual Section 5/3.1J-12) Documentation serves numerous purposes, two of which are for use in future criminal prosecution and for use in civil court restraining orders. Most importantly, it assures police integrity.
2. Crime Reports:
 - a. A crime report shall be taken in all Domestic Violence situation and shall be titled for the specific crime
 - 1) Violation of 273.5 P.C. report shall be titled:
 - a) Spousal Abuse
 - (1) Current and former spouse
 - b) Cohabitant Abuse
 - (1) Current and former Cohabitant and Child in common
 - 2) Violation of 243(e)(1) P.C. report shall be titled
 - a) Battery
 - 3) All other crimes as applicable to the specific crime
 - b. The domestic violence box shall be checked on all reports when applicable.
 - c. The Domestic Violence Supplemental Report (DVSR) is completed for all domestic violence crime and arrest reports per Department Manual 5/15.40.2. The supplemental report is not mandated on non-crime Domestic Violence reports.

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

- d. Advise students that officers shall complete a Request for Confidentiality of Information for all victims of offenses as specified in Government Code 6254 (273.5 P.C.), (422 P.C.) and (646.9 P.C.) whether they exercise the right to confidentiality per Department Manual 3/413.10.
- B. Identify how the peace officer can provide support for the victim and discuss resources available for victim protection **[25.V.B]**
 - 1. Medical Attention
 - a. Be sure to request appropriate medical attention
 - 2. Before leaving the scene of domestic violence, officers must provide the victim with follow-up information.
 - a. Case number
 - b. Phone number for investigative unit
 - c. Restraining orders
 - 1) EPO
 - 2) DVTRO
 - 3) OAH
 - d. Civil Stand-by
 - e. Transportation to shelters
 - f. Personal safety options
 - g. Confidentiality (if applicable)
 - h. DV Resource Info
 - i. Victim/Witness Services
 - j. VINE pamphlet
 - k. Marsy's Rights Card
 - 3. Refer recruit officers to Domestic Violence Resource Information references sheet in their Reference Documents
 - a. Review material as applicable
- C. Animal Cruelty linked to Domestic Violence
 - 1. Check home for any injured animals
 - a. DV Aggressor may abuse animals as power and control over victim
 - 2. Remember if it's a crime to do to a human being then it's a crime to do to an animal
 - 3. Take custody of injured animal
 - 4. Contact **RACR** who will connect you with Animal Cruelty task force
 - 5. Animal "impounded" to special facility for care
 - a. No 10.10 or property report for abused animals
 - b. Book any evidence related to animal abuse

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<p>c. If officers are directed to take an IR, the victim will be listed as City of Los Angeles</p> <p>III. Domestic Violence Practical Application (Large Group)</p> <p>A. Exercise Test: Identify the Validity of a Restraining Order [25.IV.B] [25.VII.A.1], [25.VII.A.2], [25.VII.A.7], [25.VII.A.8], [25.VII.A.9] [25.VII.B 1-8]</p> <ol style="list-style-type: none">1. Purpose: This exercise is designed to test the students' knowledge and ability to verify the validity of a court order.2. Material:3. Handout: OAH Blank Quiz4. Procedures: Group Exercise<ol style="list-style-type: none">a. Distribute OAH Blank (Quiz)<ol style="list-style-type: none">1) Advise students they will have approximately 10 minutes to identify the seven areas of the protective order that are mandatory for a protective order to be enforced2) Have students work in their learning teams3) Review that answers4) The following mandatory information SHALL be verified:<ol style="list-style-type: none">a) Court Stampb) Case Control Numberc) Expiration Dated) Person to be Protectede) Person to be Restrainedf) Proof of Serviceg) Judge's Signature <p>B. What is a GVRO? [Note]</p> <ol style="list-style-type: none">1. Gun violence Restraining Orders (GVRO) allows 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 or others.2. The GVRO also restricts the restrained individual from purchasing new guns, ammunition and magazines. <p>C. Learning Activity #1: Domestic Violence Case Studies [25.VII.A.1, 25.VII.A.7, 25.VII.A.8, 25.VII.A.9] [25.VII.C.1-5]</p> <ol style="list-style-type: none">1. Purpose: to provide recruits an opportunity to demonstrate their knowledge of a proper response to a domestic violence incident.2. Procedures: Have recruits work in their learning teams or break into small groups.<ol style="list-style-type: none">a. Distribute:<ol style="list-style-type: none">1) Case Study #1 – Fred and Ethel to 2-3 tables	<p>Ask the class what other civil restraining order you can recommend to the members of the family?</p> <p>[Note] Review with the class the Gun Violence Restraining Orders from session 15</p>
---	--

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<p>2) Case Study #2 – Smith & Wesson to 2-3 tables</p> <p>3) Case Study #3 – Fred and Ethel Follow up to 2-3 tables</p> <p>4) Case Study #4 – Korea Town Property Rights to 2-3 tables</p>	<p>Ask: What crime if any, has been committed?</p> <p>Ask: What is the classification?</p>
<p>D. Case Study #1 – Fred and Ethel</p> <p>1. Fred and his fiancée, Ethel, were having an argument about their wedding plans. Ethel is frustrated because she feels Fred is being ridiculously cheap. She is beginning to feel as though he doesn't like her family because he wants to cut the guest list in half. He tried to reassure Ethel that cutting down the wedding list had nothing to do with not liking her family. He told her the real reason for his frustration was about her continuing to spend excess money on unnecessary things while they were planning for a wedding and a new baby.</p> <p>2. Ethel was angry about Fred's statement. She told him that the "unnecessary" things were for the baby they were expecting in a few months. Ethel's feelings were hurt, and she decided to call off the wedding. She also threatened to never allow him to see their child when it was born and take to court to sue him for everything he had. Fred was enraged by Ethel's threats, at which point he punched her in the stomach and shoved her to the ground. Ethel sustained a small cut to her left knee and complained of stomach pains.</p> <p>3. Debrief the following questions with the class</p> <ol style="list-style-type: none"> What crime if any, has been committed? What is the classification? Who would make the arrest? Why or why not? What is the appropriate action for the officers to take? What resources should officers offer the victim? What type of report should the officers complete? 	<p>Ask: Who would make the arrest?</p> <p>Ask: Why or why not?</p> <p>Ask: What is the appropriate action for the officers to take?</p> <p>Ask: What resources should officers offer the victim?</p> <p>Ask: What type of report should the officers complete?</p>
<p>E. Case Study #2 – Smith & Wesson</p> <p>1. Smith and his domestic partner, Wesson were having an argument regarding the house chores. Smith frequently complains that he is tired of coming home to find Wesson's shoes and clothes all over the house, especially after having worked all day. Wesson says that he is equally tired of Smith constantly leaving dishes in the sink after diner. As the argument intensifies, Smith became so upset he yelled at Wesson and called him a "slob".</p> <p>2. Both Smith and Wesson began yelling and screaming obscenities at one another. Wesson was</p>	<p>Ask: What crime if any, has been committed?</p> <p>Ask: What is the classification?</p> <p>Ask: Who would make the arrest?</p> <p>Ask: Why or why not?</p> <p>Ask: What is the appropriate action for the officers to take?</p>

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<p>enraged at the fact that his lover would call him a slob and yelled “I have had enough; you want to see a slob.” Wesson reached for the laundry basket full of clothes and threw it at his partner striking him in the arm. The next-door neighbor, Berretta heard the yelling and phoned the police. When officers arrived, Smith complained that his arm was sore.</p> <ol style="list-style-type: none"> 3. Debrief the following questions with the class <ol style="list-style-type: none"> a. What crime if any, has been committed? b. What is the classification? c. Who would make the arrest? d. Why or why not? e. What is the appropriate action for the officers to take? f. What resources should officers offer the victim? g. What type of report should the officers complete? <p>F. Case Study #3 – Fred and Ethel Follow-Up Case Study</p> <ol style="list-style-type: none"> 1. Fred and his fiancée, Ethel, were having an argument about their wedding plans. Ethel is frustrated because she feels Fred is being ridiculously cheap. She is beginning to feel as though he doesn’t like her family because he wants to cut the guest list in half. He tried to reassure Ethel that cutting down the wedding list had nothing to do with not liking her family. He told her the real reason for his frustration was about her continuing to spend excess money on unnecessary things while they were planning for a wedding and a new baby. 2. Ethel was angry about Fred’s statement. She told him that the “unnecessary” things were for the baby they were expecting in a few months. Ethel’s feelings were hurt, and she decided to call off the wedding. She also threatened to never allow him to see their child when it was born and take to court to sue him for everything he had. Fred was enraged by Ethel’s threats, at which point he punched her in the stomach and shoved her to the ground. Ethel sustained a small cut to her left knee and complained of stomach pains. 3. Three weeks go by and you are summons back to the home of Ethel, Fred’s pregnant fiancée. She tells you that she and Fred were trying to work out their problems, but since they could not, she finally had to obtain a restraining order against Fred. She advises you that Fred had already left the location prior to your arrival. She shows you the actual restraining order. 4. Debrief the following questions with the class <ol style="list-style-type: none"> a. What crime if any, has been committed? 	<p>Ask: What resources should officers offer the victim?</p> <p>Ask: What type of report should the officers complete?</p> <p>Ask: What crime if any, has been committed?</p> <p>Ask: What is the classification?</p> <p>Ask: Who would make the arrest?</p> <p>Ask: Why or why not?</p> <p>Ask: What is the appropriate action for the officers to take?</p> <p>Ask: What resources should officers offer the victim?</p> <p>Ask: What type of report should the officers complete?</p> <p>Ask: How would you verify the validity of the restraining order?</p> <p>Ask: Upon verification, what action should you take?</p> <p>Ask: If Fred were to return to the location while you were there, what actions should you take?</p> <p>Ask: Is Fred eligible for cite/release procedure?</p>
--	--

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<ul style="list-style-type: none"> b. What is the classification? c. Who would make the arrest? d. Why or why not? e. What is the appropriate action for the officers to take? f. What resources should officers offer the victim? g. What type of report should the officers complete? h. How would you verify the validity of the restraining order? i. Upon verification, what action should you take? j. If Fred were to return to the location while you were there, what actions should you take? k. Is Fred eligible for cite/release procedure? <p>G. Case Study #4 – Koreatown Property Rights</p> <ol style="list-style-type: none"> 1. You are a probationary officer in your sixth month, assigned with a P-II working Wilshire Area. You respond to a “415” call and are met by a 28-year old Latino man and a 45-year old Korean man. Both are standing in front of the door of a small home in the “Koreatown” Area. The younger man is a primary Spanish-speaker, though he speaks understandable English. He is visibly upset, periodically crying when he speaks. He explains to you that his male partner of six years passed away that day. When he returned from the hospital, the locks to their shared home had been changed. The older man explains that the man who passed away was his brother and he had the locks changed on the house. He states that, because he is “next of kin,” the house and property belong to him. The younger man states that he and his “spouse” shared the home for six years, and that all his possessions are in the home. The older man counters that his brother was the sole owner of the home and that the “man who was living with him is an illegal immigrant.” The younger man responds that the property inside the house was paid for by both members of the relationship. The younger man gave the following additional information: When he first arrived home, he found the older man in the residence. The locks had been changed and the older man was putting the younger man’s belongings into cardboard boxes. He told the older man to stop but he would not. He told the older man to leave his home, but he refused to do so. It was about that time the officers arrived. 2. Debrief the following questions with the class <ol style="list-style-type: none"> a. What crime if any, has been committed? b. If Crime what is the classification? c. How do you determine who has the “property rights?” 	<p>Ask: What crime if any, has been committed?</p> <p>Ask: If Crime what is the classification?</p> <p>Ask: How do you determine who has the “property rights?”</p> <p>Ask: Do you attempt to “keep the peace” and act as an arbitrator, to work out a compromise?</p> <p>Ask: Do you determine if there is a “will” or other documentation that shows the property rights of the partner?</p> <p>Ask: What is the appropriate action for the officers to take?</p> <p>Ask: Do you ask the older man if he will accompany the younger man into the home, so he can retrieve some of his personal effects?</p> <p>Ask: Do you remain at the location to “keep the peace?”</p> <p>Ask: Do you provide a recommendation, referral or resource to either of the men?</p>
--	--

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<ul style="list-style-type: none"> d. Do you attempt to “keep the peace” and act as an arbitrator, to work out a compromise? e. Do you determine if there is a “will” or other documentation that shows the property rights of the partner? f. What is the appropriate action for the officers to take? g. Do you ask the older man if he will accompany the younger man into the home, so he can retrieve some of his personal effects? h. Do you remain at the location to “keep the peace?” i. Do you provide a recommendation, referral or resource to either of the men? j. Does the younger man’s immigrant status play any role in your decisions? k. Does the younger man have any legal rights? l. Because he has resided at the location for six years? m. Because the couple is registered as domestic partners in California? n. If he does not own the home (and the decedent was the sole owner)? o. If the decedent had no will or power of attorney? p. Do you or your partner have any obligation or legal standing to ask to see the will? <p>H. Case Study #4 – INSTRUCTOR GUIDELINES FOR PROPER CONDUCT</p> <ul style="list-style-type: none"> 1. Although a police officer’s primary duty in family disputes and landlord/tenant disputes is to keep the peace and attempt to arrive at agreement (“conflict resolution”) between the parties, recruit officers need to be told the law regarding “tenancy” and an occupant’s rights to access the occupant’s property as well as maintain occupancy in a location where the occupant has spent a period of time in physical residency. 2. If a solution/agreement is not attained, recruit officers need to be taught what referrals may be given so that the injured party may seek lawful action. 3. No actions by the officers may be based on legal residency in the United States, national origin or language ability. 4. If there is evidence that the man was living at the location (ID or paperwork bearing his name and the address), officers are obligated to advise the brother that he is in violation of the law. If there is no cooperation from the brother, officers must call a supervisor to the location and apprise the supervisor. 	<p>Ask: Does the younger man’s immigrant status play any role in your decisions?</p> <p>Ask: Does the younger man have any legal rights:</p> <p>Ask: Because he has resided at the location for six years?</p> <p>Ask: Because the couple is registered as domestic partners in California?</p> <p>Ask: If he does not own the home (and the decedent was the sole owner)?</p> <p>Ask: If the decedent had no will or power of attorney?</p> <p>Ask: Do you or your partner have any obligation or legal standing to ask to see the will?</p>
--	---

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

5. Recruit officers should be taught that the situation is emotional for the parties involved, and they must use a great deal of compassion in resolving the situation.
6. It meets the elements of Tenant Lockout Penal Code Section 418 (misd.) (LD24, Pg. 3-11)
7. It meets the elements of Unauthorized Entry of Dwelling (trespass), Penal Code Section 602.5. (misd.) (LD24, Pg. 3-13, LD 6, Pg. 3-2)

III Scenarios: Domestic Violence Practical Application

[4.IV.B.1-5]

- A. Learning Activity Recruit Role Play: Domestic Violence Situations
- B. Purpose: To allow to 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.
- C. Materials:
 1. 2 officers (students)
 2. 1 victim (Facilitator)
 3. 1 batterer (Facilitator)
 4. Domestic Violence Memo
 5. Marsy’s Law
 6. Business card
 7. FI card
 8. Application for EPO
 9. Make-up for replicating injuries
 10. Indemnification of victim (if applicable)
- D. Procedures:
 1. 2 recruit officers in uniform with Sam Browns will act as investigating officers.
 2. Select 2 different recruit officers for each scenario. The scenarios take place in the classroom, which will be simulated to be a private residence.
 3. At a minimum scenario should include 273.5 arrests, 243(e)1 arrests, domestic disputes, dominant aggressor arrests, incidents where the suspects are GOA. The scenarios shall address officers’ responsibilities at DV calls, officer safety, approaching and making initial contact, tactics once inside the residence, intervention and defusing techniques, arrest procedures, identifying evidence, protective orders, and victim resources. Additionally, recruits shall be tested with their ability to determine the proper action when confronted with a protective order include acceptance of PPA arrest and proper enforcement procedures. As appropriate recruit officers will be required to demonstrate their knowledge of EPO Procedures.

Ask: What did the investigating officers do that worked?

Ask: If you had been the investigating officer what would you have done differently?

Ask: What were some of the behavioral cues that the victim and suspect (batterer) were displaying?

**Event 8 – Family Violence
Session 16– Protection of Victims
LD 25 Domestic Violence**

<p>4. Debrief/Assessment: After the scenario discuss if the investigating officers took the appropriate action.</p> <ul style="list-style-type: none">a. Ask the following questions to stimulate discussion.b. What did the investigating officers do that worked?c. If you had been the investigating officer what would you have done differently? What were some of the behavioral cues that the victim and suspect (batterer) were displaying? <p>I. Key Points:</p> <ul style="list-style-type: none">1. It is essential that peace officers identify and record all relevant information.2. A report is required on all incidents of domestic violence.3. Accurate and thorough documentation will assist with future criminal prosecution, as well as, assuming police integrity.4. When officers provide support resources to domestic violence victims they are helping the victims regain control of their lives.	
---	--