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HANDBOOK ON DOMESTIC VIOLENCE

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OFFICE OF THE ATTORNEY GENERAL
CRIME PREVENTION UNIT



This pamphlet is one in a series of publications prepared for distribution to the public by the California Department of Justice, Office of the Attorney General.

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MESSAGE FROM THE ATTORNEY GENERAL

This booklet was originally prepared as a program supplement for distribution at the Attorney General's Conference on Domestic Violence held during the week of April 24-28, 1978 in San Francisco and Los Angeles. The purpose of the Conference on Domestic Violence was to provide a statewide policy level forum for sharing the newest information available about law enforcement and criminal justice procedures for dealing with domestic violence.

Topics covered at the conference included a review of the criminal justice system and other legal procedures for dealing with domestic violence cases; a critical analysis of the effectiveness of the system's response to the needs of victims, and law enforcement officials; a review of new legislation in the area; a review of specialized police crisis intervention training models; and an overview of emergency and other services to victims available through government agencies, community and private resources.

This handbook is designed to be a useful reference for law enforcement officials, as well as for victims and for people in government and private sectors who assist victims of domestic violence. The booklet provides information about some of the most commonly asked questions:

What is expected of law enforcement officials and of victims under the criminal justice system?

What alternatives are available to police and to victims?

Where can police refer victims for emergency medical and housing services, as well as for long range assistance?

What specialized training in domestic violence crisis intervention is available to law enforcement officials?

TABLE OF CONTENTS

There are five chapters in this handbook. Each chapter is summarized below:

	<u>Pages</u>
Chapter 1: DOMESTIC VIOLENCE: What is it? How widespread is it? Where does it happen? What are the dangers to women, men, children? What are the dangers to police?	2-4
Chapter 2: THE CRIMINAL JUSTICE SYSTEM AND DOMESTIC VIOLENCE: Relationship of victims, police, prosecutors, courts, and probation officers to domestic violence cases. How the system works and what are its limits? What is expected from a victim? What is required of the police?	5-34
A. SUMMARY OF CRIMINAL AND CIVIL LAWS THAT RELATE TO DOMESTIC VIOLENCE: Overview of procedures and choices available under present legal system for dealing with a domestic violence case.	20-30
B. FLOW CHART OF THE CRIMINAL JUSTICE SYSTEM AND RELATED SERVICES, PUBLIC AND PRIVATE.	31-34
Chapter 3: EMERGENCY SERVICES FOR VICTIMS: Emergency help for battered victims. Community and private services for victims, batterers, children. Referral for victims and for law enforcement use.	35-55
Chapter 4: LAW ENFORCEMENT: Officer injuries; Special crisis intervention training programs; Documentation: Referring victims to emergency services; Other resources and specialized training for domestic violence intervention by law enforcement.	56-63
Chapter 5: BIBLIOGRAPHY	64-72

CHAPTER 1: DOMESTIC VIOLENCE

Domestic violence is a problem of large scope both in California and in the United States. It is estimated that one fourth of all murders in this country occur within the family, and one half of these are husband-wife killings. People who have dealt with the problem first hand, as victims and as law enforcement officers or other crisis intervention personnel, report that domestic violence is a continuing nightmare for the people who live with it and that it is one of the most dangerous areas of intervention for law enforcement officials.

What is "domestic violence"? It is generally defined to include all forms of violent behavior between people who live together. It includes a husband who beats his wife; a wife who beats her husband; an unmarried person living with a person of the opposite sex who beats the other person; and a parent, guardian, or other family member who sexually assaults or physically abuses his or her child.

In California it is a crime for any person to beat or sexually assault another person. These crimes are generally called assaults or batteries, and may be punished as misdemeanors or felonies as provided by law.

According to statistics compiled by various law enforcement agencies, most reported domestic violence involves a man beating his wife or the woman that he is living with. Women from all social and economic levels of our society are victims of violent beatings by their husbands or male partners. One fourth of the women beaten are pregnant at the time of the beating. Many women report these crimes; many more women do not report the beatings because of fear, embarrassment, or lack of information on where to seek help, prior experience with police, and other factors.

On the basis of existing reports and information from federal, state and local government agencies, it is estimated that there is some form of domestic violence in 25% (one fourth) of all families in this country. In California, it is estimated that 50% of the married women will be assaulted by their husbands at some time during the relationship.

25% of all the homicides and murders in this country are by one spouse or partner against the other.

Domestic violence is a dangerous area for law enforcement intervention. 25% of the officers killed in action were killed while answering a call for help in solving domestic violence. 28% of officers injured in action are injured while answering domestic violence calls. ¹

Violence in a family may affect all family members. In many cases where there is beating of a woman there is also beating or sexual abuse of the children in the family.

Violence may perpetuate itself in future generations. Boys who have seen their fathers beat their mothers or beat their children are likely to grow up to become battering men also.

Domestic violence may come first to the attention of the police or sheriff's department when a call for assistance is received. Available statistics show that a large percentage of emergency assistance calls involve family violence. Officers report that domestic violence is one of the most difficult emergencies for police intervention. Often either or both the man and the woman are hostile to the officer who arrives on the scene. Sometimes the parties will attack the officer. Many people do not understand how the criminal and civil laws apply to domestic violence and they may be reluctant to seek the protection of those laws. Some law enforcement officials who have dealt with domestic violence crises believe that more cooperation is needed from victims who are willing to use the laws and procedures available for their protection. Some people contend that too much of the enforcement burden falls on the victim.

Battered women who have talked to police and to medical experts about their beatings often report the following:

(1) The beatings of the woman by the man do not stop, even though the man may apologize later and promise not to beat the woman again.

(2) The beatings often become more severe and more frequent over a period of time.

(3) The onset of a beating may occur with no provocation by the woman, such as while the woman is sitting

¹ The statistics included herein have been compiled from a variety of sources, including government and private studies, conferences (such as the White House Conference on Violence in the Family, July 1977) and news reports. Statistical research is currently being done on the topic of domestic violence in different areas of the country. For current statistics refer to the FBI yearly studies in the Uniform Crime Reports, available in public libraries and in police stations.

quietly or while the woman is sleeping.

(4) The man who has not beaten his children before, but only his wife, has at some point turned his violence against his children also and beaten his children.

Battered women who suffered violent beatings for many years, have stated the reasons that they stayed with their husbands or partners. Among the chief reasons given are:

(1) The woman was afraid of what the man would do to her and her children if she tried to leave him.

(2) The woman thought the man would change and stop beating her.

(3) The woman had no one to turn to and did not know where to go for help.

(4) The woman had no money and had no safe place or shelter to which she could go.

(5) The woman believed that she was at fault and that she had no worth as a person.

(6) The woman believed she had to keep her husband and family together at all costs, despite the pain and danger.

Many women who left their husbands or male partners to escape further beatings did so only when they believed that their lives and their children's lives were in danger because of the man's violence. Many of the women who left homes where there was domestic violence went to live in temporary shelters for battered women and children until they could become self sufficient. Some of these women have moved to other states to begin new lives under new names, to protect their safety and that of their children. Some battered wives have eventually reconciled with their husbands after the man or the couple accepted counseling and medical and psychiatric treatment.

The purpose of this Handbook on Domestic Violence is to provide as many facts as possible about the tragic problem of domestic violence. The information in this handbook should assist victims, families, law enforcement officers, and other people who aid victims to learn more about the legal protections that California provides for victims and the emergency and long range services available to victims.

CHAPTER 2: THE CRIMINAL JUSTICE SYSTEM AND DOMESTIC VIOLENCE

INTRODUCTION:

There has been some criticism of the way in which some police and sheriff's departments, some district attorneys, and some judges respond to the plight of the victim of domestic violence. There have been charges that some police departments do not respond within a reasonable time to domestic violence calls for help. Women have complained that when police have arrived on the scene the police refused to arrest the man despite the woman's pleas to do so, and that the police failed to inform the woman of her right to have a citizen's arrest made.

Despite these complaints, many people who work directly with the problem of domestic violence believe that police and sheriff's, district attorneys and judges are doing an adequate job, and in many cases the best job under difficult circumstances.

The legal process for dealing with crimes of domestic violence depends on the cooperation of law enforcement officials who are attuned to the special problems of victims of domestic violence and on the willingness of victims to assist police, district attorneys and courts by pressing charges and testifying at trial against the attacker.

It is hoped that it will be easier for law enforcement officers to carry out their duties and for victims to carry through by pressing charges and testifying if all parties understand how the criminal justice system works and if they realize that there are people and services available to provide assistance and encouragement to victims. Important alternatives to criminal prosecution are outlined in the handbook, also.

HOW THE SYSTEM WORKS:

This chapter will provide a simplified overview of the most important steps, procedures and alternatives available in processing a domestic violence case.

1. THE CRIME - ACT OF BEATING

It is a crime for one person to beat another. The crime is generally called assault and battery and is punishable as either a misdemeanor or a felony, depending on the amount of injury inflicted and the instrument used to inflict injury. Serious beatings are felonies. Less severe beatings are misdemeanors.

The California Penal Code defines different crimes of beatings. Different steps for arrest and punishment apply depending on the crime. The most commonly cited crimes for beating are outlined below.

-Assault: Penal Code § 240

It is a crime to threaten to beat or to try to beat another person. Even if the victim is not hurt, a crime exists if the attacker has the ability or strength to hurt the other person. The crime of assault may be either a misdemeanor or a felony depending on the amount of force used and the seriousness of possible injury.

-Battery: Penal Code § 243

Misdemeanor battery can apply to a beating that varies in the use of force or violence from a slap to a severe beating. It can be a misdemeanor or a felony depending on the amount of force used and the seriousness of possible injury.

-Assault With Deadly Force or Weapon:
Penal Code § 245a

An attempted beating is a felony if the attacker has a deadly weapon or attempts to beat the victim with enough force likely to cause severe injury. Under these circumstances, the beating is a felony even if the victim is not hurt during the attack.

-Mayhem: Penal Code § 203

It is a felony called mayhem if the beating causes permanent damage to any part of the victim's body. (An example would be causing blindness by striking the victim's eye.)

-Beating Where Persons Living Together:
Penal Code § 273.5

It is a felony for anyone to beat a person of the opposite sex with whom he or she is living. Under this statute, it is not necessary that the victim and attacker be married or related to each other. However, the victim must suffer actual physical harm for the beating to be a crime.

In Chapter 2-A of this booklet there is a more detailed description of possible crimes which occur in domestic violence situations.

2. WHAT TO DO: CALLING THE POLICE OR SHERIFF

An assaulted or battered person should do everything within her rights to protect herself. ²

-Staying at Home:

If the victim is being threatened or beaten, but feels safe enough to remain at home, she should call the police or sheriff immediately. The criminal justice system and law enforcement officers have a duty to protect the victim and to arrest the attacker.

If the victim feels that it is dangerous to stay at home, she should leave as quickly as possible and go to a safe place. From there, she can call the police or sheriff.

-Shelters for Battered Women:

If the victim needs other help or advice, she should phone the nearest shelter for victims of domestic violence or community service organization. ³ To help women find emergency shelters, this booklet contains a county-by-county list of 24-hour emergency numbers (See Chapter 3.) A person answering calls at these numbers will talk to the victim about her fears, and refer the victim to emergency medical, legal, food, shelter, and other resources in her community. A checklist of shelters, community services, and other resources available to victims can be found on page 36 of this handbook.

3. THE POLICE RESPONSE: POLICE REPORT

If the victim remains at home until the police arrive, she should ask them to fill out a police report of the beating or threats. She should insist on a police report whether or not she wishes to press charges and even if no arrest is made. If the victim has left her home, she should go to the police station and fill out a police report as soon as possible.

² Although victims and batterers can be of either sex, for the purposes of this handbook, the victims are presumed to be female and the attackers, male. This presumption does not discriminate against either sex, but serves merely to facilitate the use of language.

³ Most emergency shelters for battered women keep their addresses a secret so that an attacker cannot find the woman who goes to the shelter. A person from the shelter will arrange to meet the victim at a neutral place to take her to the shelter. Victims are asked to keep addresses of shelters confidential.

The police report is crucial for future protection. A police report is required if the victim ever wishes to press charges against her attacker. Even if the victim refuses to press charges the first time, a police record of threats or violence will support the victim if she is attacked again and later decides to press charges against her attacker, and if she files a civil suit against him or if she seeks a court order of child custody.

4. ARREST

There are two ways for the victim to have her attacker arrested. These are the police arrest and the citizen's arrest. Also, police may issue a misdemeanor citation against the attacker in less serious situations.

(a) Police Arrest

When the police answer a victim's call, she must tell them if she wants her attacker arrested. The police can arrest him only if they have reasonable cause to believe that a felony has been committed, or if the attacker commits a misdemeanor in their presence. To help the police decide whether a felony has been committed and whether to arrest the attacker, the victim should:

1. describe the attack to them, telling the amount of force used,
2. describe her injuries; and
3. tell the police if a weapon was used or threatened to be used.

Under the law, the police do not have authority to arrest unless they have reason to believe that a felony has been committed, or unless they see the attacker commit a misdemeanor or, of course, a felony. As discussed before, felonies are the more serious attacks and threats, while misdemeanors are less serious. A police officer has a duty to listen to the victim's statement and to make a police report. The victim should take the name and badge number of the officer for her own record.

(b) Citizen's Arrest

The victim has the right to arrest the attacker, even if the police refuse to or can't make an arrest. Every citizen can arrest another person who has committed a crime in his or her presence. Any time a victim is hit, beaten, or assaulted, the attacker is committing a crime in the victim's presence. The victim should tell the police if she wants to make a citizen's arrest and have her attacker taken away. The victim has a legal right to make a citizen's arrest and once the arrest is made, the police have a duty to take the arrestee into custody. If

the officer refuses to carry out the citizen's arrest, the victim may phone a woman's shelter for advice.

-Release of the Attacker

Even if the attacker is arrested and taken to the police station, it is important for the victim to know that he will be free to return home in a short period of time after his arrest. The police may issue a misdemeanor citation (similar to a traffic ticket) and let the attacker go. At most, a few hours after the attacker is taken to the police station, his bail will be set and, if he has money, the attacker can simply post bail and be released. If he has no money, but has friends or relatives who will vouch for him, he will be released on his own recognizance (i.e., his promise to return for a formal hearing.)

In any case, the victim must be prepared for the fact that her attacker may return soon after he has been arrested. He may return home in an angry, violent mood. On the other hand, the arrest may make him realize how serious his actions were.

Many counselors from women's shelters and some law enforcement officials recommend that it is very important that the woman make it clear to her attacker that she plans to do what she has to do to stop future attacks against her, even if it means prosecuting the attacker. Experts and counselors emphasize that violence does not cure family problems; it only makes them worse and endangers the lives of all persons in the family and of law enforcement officers.

The victim should not be discouraged from prosecuting her attacker by the fact that he may return home so soon after his arrest. If the woman believes the man will return home to beat her out of revenge for her legal actions, she should call a women's shelter immediately to arrange a safe place for her (and her children) to stay until the situation has cooled off or until she makes new plans.

(c) Misdemeanor Citations

If the police do not arrest the attacker, they might issue a misdemeanor citation to him. These citations are similar to traffic tickets, and are issued when misdemeanors have been committed. For the attacker to be released, he must promise to appear at a hearing and post bail that will be returned if he appears. If he doesn't appear at the hearing, he is guilty of the misdemeanor and will lose his money. If he doesn't post bail, but appears in court to fight the citation and loses, he will have to pay a fine. Thus, the only punishment to the

attacker under a misdemeanor citation is a loss of money. This loss of money will not help the victim, and may even hurt her if the attacker has control of her money. Most important, the attacker is not arrested or taken away in a misdemeanor citation, giving the victim no physical protection. If the attacker is fearful of minor criminal proceedings, the citation may discourage his violent actions; otherwise, the citation may only frustrate and anger the batterer.

The misdemeanor citation could lead to the attacker's arrest only if a magistrate issues a warrant when he does not post bail and does not appear at the hearing. This arrest requires police to take the attacker to the magistrate for further questioning.

5. THE DISTRICT ATTORNEY AND THE DECISION ON WHETHER TO PROSECUTE

After the police arrest the attacker, the police report is sent to the district attorney to draw up a complaint for prosecution. The district attorney may ask the victim to come to the district attorney's office for an interview. If the crime is a felony, the district attorney will sign the complaint. If the crime is a misdemeanor, and if there was no police officer at the scene of the beating who saw the crime and can testify as a witness at trial, the district attorney may ask the victim to sign the misdemeanor complaint.

If a citizen's arrest was made after the beating, the victim will have to go to the district attorney's office the next day to make a formal citizen's complaint. Some district attorneys may be reluctant to prosecute the attacker if it appears that the victim is not firm in her decision to press charges and if it appears she may be unwilling to testify against her attacker. Once the district attorney has filed a formal criminal complaint on behalf of the state, only the district attorney can withdraw it. In some single witness cases, it is difficult for the district attorney to proceed without the voluntary cooperation of the victim, but in some cases the district attorney may go forward with the prosecution by getting a court order ("subpoena") for the victim to testify as a witness at trial. The victim may be subpoenaed into court as a witness at the trial by the district attorney. A victim has the right to make a citizen's arrest, but the district attorney makes the final decision to prosecute.

Statistics show that the majority of domestic violence victims do withdraw their charges before trial and refuse to testify. Prosecuting a criminal case is time consuming and

⁴ Under the misdemeanor release statute, Penal Code § 853.6, a citation release may be denied if the attacker is committing a continuing offense or is a danger to the public.

costly to government. For this reason, district attorneys are reluctant to file a complaint if they believe the victim will not testify voluntarily. The victim who is serious about pressing charges and following through with testimony should emphasize these intentions to the district attorney to encourage prosecution.

If the attacker was not arrested and the victim has decided to press charges, she must file a police report and then go to the district attorney's office with a copy of the report. To proceed, the district attorney must be convinced that a crime probably was committed and that the person accused probably committed it. The victim should take along to the district attorney's office any evidence she has of the crime. It is helpful for the victim to get color photographs of her injuries for use at the trial. To encourage prosecution, the victim may have to convince the district attorney that she is serious in her decision to press charges and that she will not later withdraw her complaint and refuse to testify.

If the district attorney decides to prosecute the attacker for a crime or crimes, the case will go to preliminary hearing and trial, which are described in detail later in this chapter.

-Alternatives to Prosecution

-Citation Hearing

Recognizing the hardships on victims and families that occur when criminal prosecution is used, some district attorneys' offices have set up alternatives to criminal prosecution. Under these alternatives the attacker is not sent to trial and to jail, and efforts are made to help the parties work out their differences through peaceful means and to preserve the family. One of these non-criminal procedures that tries to reconcile disputes instead of punishing the attacker is called a citation hearing. A citation hearing provides a setting where both parties can present their feelings on the reasons for their dispute, rather than only presenting evidence about the attack, as they would at a trial. The success of a citation hearing depends on the cooperation of the attacker, his recognition of the seriousness of his offense, and the desire of both parties to preserve their relationship. However, if earlier attempts at professional counseling and resolution of family violence problems were tried and failed, or if the victim believes that the citation procedure is not useful, she should inform the district attorney of her conclusion and the reasons for it, and she should emphasize her intention to press charges and testify against her attacker.

If the crime was a serious one, if a dangerous weapon was used and/or the victim was seriously injured, the district attorney may be more willing to prosecute and less likely to suggest the citation procedure.

6. ARRAIGNMENT

The arraignment is a hearing before a judge where the defendant is told of the criminal charges against him. The arraignment usually is held a few days after the arrest. Bail will be set at this hearing. A victim may ask the judge, as a condition of the defendant's bail, to order that the defendant stay away from the victim. If such an order is issued as a condition to bail, and the defendant breaks the order by going to see the victim, the bail will be revoked and the defendant would be jailed until the time of his trial.

7. DISTRICT ATTORNEY: PRELIMINARY HEARING

After the victim presses charges and the district attorney issues a complaint, the criminal prosecution begins. In felony cases, the next step is the preliminary hearing. At this hearing, which is conducted before a magistrate, the district attorney must present enough evidence to convince the magistrate that there is reasonable or probable cause to believe the defendant is guilty of the crime. Reasonable or probable cause means such a state of facts as would lead a person of ordinary caution or prudence to believe and conscientiously entertain a strong suspicion of guilt. (Taylor v. Superior Court (1970) 3 Cal.3d 578; 91 Cal.Rptr. 275; 477 P.2d 131.) Guilt beyond a reasonable doubt need not be shown at this stage. In practice, it is usually not difficult to make the required showing. If the case evidence is too weak, the district attorney probably would not issue a complaint in the first place.

The victim will be required to testify at the preliminary hearing and she will be subjected to cross-examination by the defendant's attorney. Many victims fear cross-examination and it is important for the district attorney to explain this procedure. If she is unwilling to testify, the charges will probably be dismissed and the prosecution will end.

If the defendant is charged with a misdemeanor rather than a felony, a preliminary hearing is not held.

8. PLEA BARGAINING

The district attorney and the attorney for the defendant may try to settle the criminal charges without a trial. Under this "plea bargaining," the district attorney may offer to lessen the criminal charges against the defendant if the defendant agrees to plead guilty to the lesser charges and to

give up his right to a jury trial. Plea bargaining often occurs in misdemeanor cases.

9. TRIAL

Whether the case involves a felony or a misdemeanor, the victim will be required to testify against the defendant at trial. At the trial the district attorney will ask the victim about her relationship with the defendant, the defendant's personality and treatment of her, the argument or events which preceded the attack, the time and place of the attack, the pain and injuries she suffered, and the steps she has taken to protect herself.

The victim also will be cross examined by the defense attorney. This can be a very traumatic experience, and the victim should prepare herself for it mentally and emotionally. The defense attorney may try to undermine the victim's prior testimony, may challenge the truth of her statements, and may accuse her rather than the defendant of being at fault. If the defendant (attacker) says he beat the victim in his self-defense, his attorney will try to prove that the victim was the aggressor and that the defendant only reacted in order to protect himself from injury. Because this legal process can be humiliating and painful, and because the district attorney will be occupied with the trial itself, a victim is encouraged to bring friends or relatives to court with her who can give her moral support and encouragement. She may bring staff people from a women's shelter with her, also.

When the victim finishes testifying and is dismissed from the witness stand, she is free to leave the courthouse. She may wish to do so immediately to avoid seeing the defendant and to prevent him from following her to her home or a shelter when the trial is adjourned for the day. If the woman fears the man will be released and will follow her and beat her in retaliation, she should ask the police to escort her safely home.

To obtain a verdict of guilty, the district attorney must convince the judge or the jury that the defendant is guilty beyond a reasonable doubt. If the defendant is found not guilty he will be released immediately.

10. SENTENCING

If the defendant is found guilty, he may be fined and/or sentenced to a term in the county jail or state prison. The punishment will depend on the nature of the crime and the way it was carried out. Maximum punishments for various crimes involving domestic violence are discussed later in this chapter.

Important Note:

When an attacker is convicted of his first offense, the court often will not send the man to prison but will allow him to serve his sentence on probation. Thus, a victim cannot expect that the attacker will go to jail in every case, even if he is convicted of a crime. If the woman does not want the man to go to prison, she should tell the district attorney that she would like the district attorney in his plea bargaining to ask for mandatory therapy for the man as a condition to reduced charges.

- Suspended Sentence: Probation

The judge may give the defendant (attacker) a suspended sentence or release him on probation. Both of these choices mean that the defendant will not be imprisoned.

When will probation be granted? It is difficult to answer this question because the giving or denial of probation is left to the discretion of the judge once a defendant has been convicted and if that person is, in fact, eligible for probation. The law states: "(I)f the court determines that there are circumstances in mitigation of the punishment. . . or that the ends of justice would be subserved by granting probation to the person, it may place him on probation." (Penal Code § 1203(a)). The law also states that unless the case is an unusual one and justice would best be served by a grant of probation, probation is not to be granted where the defendant used, or attempted to use, a deadly weapon in connection with certain crimes, wilfully inflicted great bodily injury on his victim, has previously been convicted of two felonies, etc. (Penal Code § 1203(d)). In considering probation, the judge may review the seriousness of the crime, the defendant's prior criminal record, the defendant's admission of guilt and his repentance, the fact that unusual circumstances beyond his control caused him to commit the crime, and the fact that his income is immediately needed for the support of his family. A sentence is required if the defendant used a firearm.

11. PAROLE

Sometimes a person convicted of a crime and imprisoned will be released from jail on parole after part of the sentence is served and allowed to serve the rest of the time out of prison, so long as he follows the conditions of parole. If the person violates the terms of parole set out by the California Department of Corrections, the person may be sent back to prison.

If a victim of domestic violence has a husband in jail for beating her and if she fears he will return home to beat her if he is released on parole, the woman should notify in writing or by telephone the Community Release Board of the California Department of Corrections that she fears violence from her hus-

band. The Community Release Board can make one condition of parole the requirement that the husband not try to see his wife. If the man violates the parole condition, the woman should tell the husband's parole officer about the violation. The parole officer can have the husband sent to prison for violation of parole.

12. ALTERNATIVES TO PRISON: PRE-TRIAL DIVERSION PROGRAMS

Recognizing the hardships of criminal prosecution upon victims, defendants and families, some courts and counties have set up special community based programs that try to rehabilitate violence-prone couples through counseling, psychiatric care, participation in alcohol and drug abuse treatment programs, and other programs. In a proper case, usually where there is mutual consent, a minor offense and no violent crime or severe injury, a judge will stop the criminal proceedings and will allow the defendant (attacker) to be "deferred" into a pre-trial diversion program. If the diversion is not successful, the defendant may be tried at a later time for the crime.

To be eligible for a diversion program, the defendant may have to admit his guilt, or at least his moral responsibility for the crime.

13. OTHER PROCEDURES

(a) Conciliations Courts

Conciliation courts are special branches of the county courts that have been set up to assist spouses deal with a variety of domestic problems, including dissolution of marriage, child custody problems, support and criminal problems related to domestic violence. Certain conciliation courts have used their powers to allow a spouse with children to file a petition to obtain from the court a temporary restraining order against further violence, possibly an order for eviction of one spouse from the home temporarily, and an order requiring both parties into at least one counseling session with the conciliation court family counselor.⁵ Such a restraining order could be obtained without filing for a dissolution or separation. This procedure has been developed to assist the battered spouse who wishes to preserve the marriage and would rather not seek criminal prosecution.

Conciliation courts exist in the following counties, as of 1978: Alameda; Fresno; Imperial; Los Angeles; Sacramento; Napa; San Bernardino; San Diego; San Francisco; San Joaquin; San Mateo; Santa Clara; Sonoma; Shasta; Contra Costa.

⁵ Conciliation court of San Diego Superior Court program commenced in 1977.

(b) Dissolution of Marriage

Ending a marriage that is violent may be the solution chosen by a battered woman instead of or in addition to criminal prosecution. As a part of a dissolution action, a wife may be able to get a court order restraining her husband from molesting her and that excludes him from her home. (Civil Code §§ 4359, 5102.) A woman may obtain a final decree of dissolution six (6) months after her original petition for dissolution is served.

A new divorce law was passed in California in 1971. Under this new law, the term "divorce" was changed to "dissolution." Under this new law, the only two grounds for a dissolution in California are (1) irreconcilable differences and (2) incurable insanity. This law provides that property that has been gained during the marriage ("community property") will be equally divided between husband and wife. The law also permits the court to require a spouse to pay support to the other spouse and their children during the dissolution proceedings and for some time afterward, depending on the needs of the spouse and children and the ability to pay support.

The law also says that a spouse may have his or her support from an ex-spouse reduced if the spouse receiving support lives with another person as a sexual partner, even though not married to the other person, and has decreased economic need.

The children may be placed in the custody of either parent or someone else, depending on what is in the children's best interests, as determined by the court. Some courts prefer to give child custody to the person who has the children at the time of the hearing. Visiting rights are usually given to the parent without custody. (See Chapter 2 on "Child Custody" and third party visitation.)

In some cases, a court will require a man who has been living with a woman, although not legally married to her, to pay support to the woman after they stop living together. The court may also divide between the man and woman all property gained by the two while living together.

In California, a woman may use her maiden name while she is married, if she wishes, and after the marriage is dissolved.

In California, you can file for your own dissolution or you can hire a lawyer to file for you. If you cannot afford a lawyer, you may contact your local legal aid office for help. If your husband can afford a lawyer, he may be required to pay for your lawyer also. Shelters for battered women may provide victims with information and help in seeking a dissolution of marriage.

14. TEMPORARY RESTRAINING ORDERS

If a victim proves to a court that physical or emotional harm to her is threatened or imminent, the victim of domestic violence can obtain from the court a restraining order to keep her husband or attacker from molesting her and also to exclude him from the family home. Under the old law, these restraining orders were available only where the parties were married, and not to a victim living with a man but not married to him. The orders were issued only in connection with a dissolution, annulment, or legal separation proceeding.

Under new law passed in 1977 (Code of Civil Procedure § 527) these problems have been reduced. If a victim files an affidavit which the court believes shows reasonable proof that her husband or attacker committed past acts of violence resulting in physical injury to her, the court now can issue a restraining order against the attacker, not to exceed thirty (30) days in duration, whether the violence arose out of a marital or other domestic relationship. It is not necessary to have dissolution, annulment, or separation proceedings in progress to get the restraining order. The new law says that any willful violation of the restraining order is a crime and "shall be punishable pursuant to subdivision (4) of Section 166 of the Penal Code." This means that the police are obliged to arrest a person who violates this kind of restraining order for criminal contempt. To assist and insure such enforcement, the new law provides that a copy of the court's restraining order must immediately be made available by the clerk to the local law enforcement agency with jurisdiction over the woman's residence, upon such request by the woman or her attorney. The law says the law enforcement agency must transmit the information about the existence and current status of the restraining order to any law enforcement officer who requests it from a scene of domestic violence. (However, because this law is new and not yet widely known, the victim or her attorney may wish to follow up on the transmittal of this information.) Through this new procedure the officer can learn first hand that a misdemeanor (violation of the restraining order) is happening in his presence and that he has the necessary legal authority to make an arrest.

There are still problems for women who wish to get a restraining order against domestic violence. To get a restraining order from the court, the victim may hire an attorney (and would pay filing fees), or the victim may proceed without an attorney (in pro per) and ask the Court to waive fees. The woman is not protected from violence by the order until it is issued by the court. Some battered women's shelters and legal aid offices may provide free legal help to needy women who wish to get a restraining order, and may have do-it-yourself court forms.

15. CHILD CUSTODY AND FELONY CHILD STEALING

A woman who leaves home and takes her children with her may or may not have the legal right to do so. If there are no existing court orders regarding the custody of the children, either parent has the legal power to take the children away for their physical well-being. To protect her children from a violent spouse, the battered woman should take the first steps toward obtaining legal custody of her children. There are several ways to do this. Some women are afraid to go to court on a custody matter because they do not want to reveal their address for fear that the child's father will harrass the woman. Sometimes it is possible for a woman to arrange through her lawyer for use of an address different from the shelter or other place where she is living.

If a woman plans to leave the state with her children, before she leaves she should contact legal aid, a shelter or a lawyer for information and legal advice about custody in other states. Custody rules are different in many states.

Under Code of Civil Procedure § 527b, a battered woman can get a temporary restraining order that keeps the man away from her and grants her temporary custody of the children. To get such an order, she is required to file an affidavit showing reasonable proof of actual violation resulting in physical injury in the past and/or making it clear that the situation is an emergency and the children are in danger of physical abuse.

A woman or man can also file for temporary legal custody of the children by filing a petition for divorce under Civil Code § 4600.1. These two decrees of temporary exclusive legal custody will protect the woman from accusations of child stealing.

On the other hand, if the man has legal custody (a court order) or if both the man and woman share legal custody of the children, then problems arise. Under the Child Abduction Act, Penal Code §§ 278, 278.5, it is a felony for a person without legal custody to take away, hide, or even visit the children without the court's permission. If both the mother and father share legal custody under a court order for "joint custody" of the children and either parent takes or hides them from the other, it is a felony.

These laws can be used by the battered woman to protect her children from the batterer if she has legal custody. If the man has legal custody, the woman should immediately find a lawyer to establish her interest in protecting the children from a batterer. In any child custody situation, the battered woman should seek legal assistance.

A. SUMMARY OF CRIMINAL AND CIVIL LAWS THAT
RELATE TO DOMESTIC VIOLENCE

This section of the handbook summarizes California laws relevant to domestic disputes, minor as well as violent in nature. Criminal sanctions and civil remedies are described.

A. CRIMINAL SANCTIONS

1. Assault and Battery - Penal Code §§ 240, 242.

An assault is an attempt to commit violent injury upon another person, combined with the realistic ability to inflict the injury. A battery is the actual use of force or violence upon another person. Assault and battery is the most common criminal action arising out of domestic violence situations.

Because assault and battery is a misdemeanor, a police officer cannot make an arrest unless (1) the crime is committed in her or his presence; or (2) the victim has filed a complaint with the district attorney and a warrant has been issued; or (3) the victim makes a citizen's arrest. (For more detail, see discussion at page 6.)

2. Assault with a Deadly Weapon or Force Likely to
Produce Great Bodily Injury - Penal Code § 245.

Assault with a deadly weapon is a felony. The officer need only have a reasonable belief that the crime has been committed, and that the person arrested committed it, in order to make an arrest. Although cases of battering do not usually involve weapons such as firearms or knives, using a closed fist may be regarded as a deadly weapon or force under this statute. Actual injury is not required, only the use of a deadly weapon or force. (For more detail, see discussion at page 6.)

3. Assault with Intent to Commit Murder - Penal Code § 217.

Assault with intent to murder is a felony. The prosecution must prove that the batterer intended to kill. This intent can be shown by threats, conversations, past behavior, the amount of force used, and any other similar evidence. Despite the fact that many victims of battering believe that their assailant intends to kill them, and the fact that one out of eight homicides in the U.S. involve violence between spouses, arrests in this situation rarely occur under this statute. This is because the "intent to kill" is difficult to prove.

4. Mayhem - Penal Code § 203.

Mayhem is the removal, disfiguring, or disabling of a part of another person's body, such as the fingers, hands,

tongue, eyes, ears, lip, or nose. This crime is relevant to cases of domestic violence where a woman loses the use of part of her body during a beating.

5. Assault with Intent to Commit Mayhem - Penal Code § 220.

This felony requires an intent to amputate, disfigure, or disable a part of the body. An attack and injury alone will not be enough to show the assailant's intent. However, any disfigurement, such as the loss of eyesight or fingers, or a permanent scar will infer the required intent.

6. Possession of a Deadly Weapon with Intent to Assault - Penal Code § 467.

This statute is useful in the domestic violence situation where there have been threats without actual harm. A deadly weapon may be a gun or a knife, as well as other objects depending on the manner in which they are intended to be used, such as books, bats and other heavy, blunt objects.

Because carrying a deadly weapon with the intent to commit assault is a misdemeanor, the woman must file a complaint. The statute can be used to prevent violent confrontation, if the man is arrested and taken into custody. It is more likely, however, that the man will be released on bail or released on his own recognizance. The original situation might be aggravated, and the likelihood of violence against the woman might be increased. If a woman intends to use this law, she may wish first to contact a shelter to arrange for a safe place to stay.

7. Murder and Justifiable Homicide - Penal Code §§ 187, 198, 199.

Murder is the killing of another person. In some situations, however, the killing of another person is justifiable because it is done in self-defense. Showing justifiable homicide is crucial to the defense of a victim of domestic violence who kills her assailant.

To prove justifiable homicide, a victim of domestic violence must show that:

- (1) she was resisting the assailant's attempt to kill or seriously injure her;
- (2) she actually feared that she would lose her life or suffer severe injury;
- (3) the danger to her was immediate and impending;
- (4) she did not use excessive force to defend herself;

- (5) the circumstances were sufficient to excite the fears of a reasonable person;
- (6) she acted on the above fears alone, and not from other motives.

The requirement of immediate and impending danger means that a woman must be faced with attack before she can be justified in killing the batterer in self-defense. As a practical matter a woman's only opportunity to defend herself may be when her assailant is off-guard and not beating her. Recent court cases have suggested that killing in self-defense may be justifiable under certain circumstances, even if no imminent danger exists.

Some courts have found there was no defense of justifiable homicide where the woman had an opportunity to escape her attacker and did not do so. In California, however, there is no "retreat" requirement; a woman attacked in her home may stand and defend herself, and may kill in self-defense one who breaks into her home with felonious intent.

A woman may use only as much physical force as is necessary for her self-defense. Simple assault and battery or threats by an attacker will not justify killing the attacker. The court will look to many factors, including the nature of the attack, to determine the necessity of killing in self defense.

8. Woman Beating - Penal Code § 273.5.

This statute makes it a felony for any man or woman to use physical force on a person of the opposite sex he or she is living with. Since it is a felony, the officer can make an arrest even if the officer was not present at the time of the criminal act. Generally, injuries must be visible. Prosecution may be difficult if there are no marks of injury and no medical testimony about injury suffered by the victim.

District attorneys may be reluctant to charge an assailant in a domestic dispute with a felony. Factors considered are that the higher bail on felony arrests may strain a limited family budget and that longer jail sentences for felonies can worsen an unstable relationship and family economic problems.

9. Disturbing the Peace - Penal Code § 415.

This statute makes threatening and fighting conduct, or the use of vulgar, profane or indecent language, in the presence of a child or a woman, a misdemeanor. Visible abuse is not required.

The statute may be used as a preventive measure against some forms of violence.

10. Peace Bond - Penal Code § 706.

Where the court concludes that a person may "disturb the peace," the person complained of may be required to post a peace bond up to \$5000, enforceable for six months and renewable. Failure to deposit the bond with the court may result in imprisonment. If the person disturbs the peace after the bond is posted, the penalties are loss of money and possible criminal action.

The peace bond is rarely used in California because of questions about its constitutionality.

11. Burglary - Penal Code § 459.

This statute makes it illegal to enter any house, room or other enclosed space or structure (as defined by law), with intent to commit a felony. The crime must be committed by someone with no right to be in the room or building. Therefore, a man who enters his own home with the intent to commit a felony cannot be guilty of burglary. A woman who has separated from her spouse and lives in a separate dwelling, however, is protected by the statute if her husband attempts to break into her separate dwelling.

12. Unlawful Entry - Penal Code § 602.5.

This crime is a lesser crime than burglary, but also involves the unauthorized entry or presence in someone else's dwelling. If the man pays the rent on the premises, he cannot be guilty of unlawful entry.

Since it is a misdemeanor, the woman who wishes a man off her premises must make a citizen's arrest or file a complaint.

13. Forcible Entry and Detainer - Penal Code § 418.

Anyone using (or encouraging or assisting another to use) force or violence to gain entry upon the premises of another is guilty of a misdemeanor under this statute. Because the purpose of the statute is to keep the peace, a woman might argue that the man's ownership of the property is irrelevant.

14. Malicious Mischief and Vandalism - Penal Code § 594, 603.

Malicious mischief involves the destruction of property belonging to another. (Vandalism is a form of malicious mischief, where the criminal forcibly enters a dwelling belonging to another and damages or destroys any property in the dwelling.)

In a domestic confrontation between spouses these sanctions rarely apply, since any property damaged usually belongs to both husband and wife. A man would be guilty of malicious mischief if the property destroyed belonged to the woman only.

15. Criminal Contempt - Penal Code § 166.

It is a misdemeanor to disobey any orders issued by any court. This statute provides criminal sanctions against violating civil restraining orders. Restraining orders may be sought by victims of domestic violence to exclude an assailant from the premises in which the woman resides, to prohibit the assailant from disturbing the peace, or to determine the temporary custody of any children. Restraining orders are discussed more fully in section B of this chapter, "Civil Remedies".

Law enforcement officers may be reluctant to arrest a man on the victim's premises in violation of a restraining order unless the victim produces clear proof of the violation and a certified copy of the restraining order.

16. Felony Child Stealing - Penal Code §§ 278, 278.5.

It is a felony for any person who does not have legal custody rights over a child to take away, detain or hide that child from the person who has lawful custody over the child. The child must be returned to the person with legal custody at the expense of the defendant.

If there is no court order of custody, both parents have lawful custody over the child. In this case, where there is no custody order, it is not unlawful for the woman to take the children with her if she must leave a violent home to protect her safety and that of her children.

Child custody and felony child stealing is discussed in detail in section 13 of Chapter 2 of this handbook.

17. Child Abuse

It is a felony for any person to physically abuse or sexually assault a child. (For example, see Penal Code § 288 (a) and (b), § 261.5. Further references on child abuse are listed in Chapter 3 of this handbook beginning on page 51.

18. Imprisonment: Minimum and Maximum Penalties

The crimes discussed in this chapter are either misdemeanors or felonies. A misdemeanor is a less serious crime that is punishable by a fine or imprisonment in county jail for a term of less than one year. A felony is a serious crime punishable by imprisonment in a state prison.

Victims who decide to bring criminal charges against their attackers may discuss with the district attorney assigned to the case the probable sentence that the attacker will receive if convicted of a crime. A brief description of the California law on sentencing is set forth below.⁶

The Determinate Sentence Law of 1976 governs the imposition of prison sentences for felony crimes. The majority of prison terms under the new law are determined by adding the "base term" and any "enhancement". Also, there are "limitations" set on the maximum term.

Base Term. Every crime covered by the new law carries a range of 3 possible terms, an upper, middle and lower term. The judge must choose the middle term as the base term, unless there is a hearing which shows aggravating or mitigating circumstances. If aggravating circumstances are shown at the hearing, the upper sentence will be used as the base term. If mitigating circumstances are shown, the lower sentence will be used.

Enhancements. Once a base term is chosen for the particular crime charged, the sentence can be made longer if certain enhancements are found. The sentence will be lengthened if:

- (1) the defendant was armed with a firearm while committing or attempting to commit a felony (Penal Code § 12022);
- (2) the defendant used a firearm while committing or attempting to commit a felony (Penal Code § 12022.5);
- (3) the defendant intentionally caused great bodily injury (Penal Code § 12022.7);
- (4) the defendant took, damaged or destroyed any property while committing or attempting to commit a felony (Penal Code § 12022.6);
- (5) there were prior prison terms actually served by the defendant (Penal Code § 667.5);
- (6) consecutive sentences may be imposed (Penal Code §§ 669, 1170.1).

There are limitations on the total sentence, and these are covered by Penal Code §§ 1170.1(a), 1170.1(f), and 1170.1(d).

⁶ For detailed analysis of California's Determinate Sentence Law of 1976, see Cassou, "Determinate Sentencing in California: The New Numbers Game," 9 Pacific Law Journal 1 (1978).

19. Probation

For first offenses, the defendant is usually released on probation. The woman may contact the district attorney about a supervised probation with mandatory therapy. (See Chapter 2, "Sentencing", page 23.)

B CIVIL REMEDIES

1. Assault and Battery

In California a victim of domestic violence can receive compensation for injuries from her spouse for civil assault and battery. This civil action in tort may be an inadequate remedy, where the woman has had to leave her home, her possessions and sometimes her children. The victim receives no assurance of safety. Also she may not be able to collect her damages if the man has no money. If the woman is receiving alimony or child support from the man, a civil money judgment against the man may jeopardize his ability to make payments and cause his bankruptcy. A victim who sues her attacker for civil damages will have to wait for the matter to come to trial, which may take several years.

2. Temporary Restraining Order - Code Civ. Proc. §§ 526, 527; Civil Code §§ 4359.

Restraining orders are available under general civil laws and the California Family Law Act. The effects, to prevent harassment, beating, to keep the man out of the woman's home, etc., are similar although the legal requirements differ. For information, contact legal aid, a shelter, or a private attorney.

For discussion, see Chapter 2, "Temporary Restraining Order," page 17.

3. Civil Contempt - Code Civ. Proc. § 1209.

If a temporary restraining order has been violated, civil contempt procedure may be used to enforce the order. Civil contempt may result in fine or imprisonment of the person who violated the restraining order. However, a victim should be aware that civil contempt procedures are slow and may have little effect on an attacker who has already violated the court's restraining order. Criminal contempt (Penal Code § 166.4) procedure may be used also.

4. Forcible Entry - Code Civ. Proc. § 1159.

Forcible entry is the use of violence to gain entry onto any property, or using any force and threats after peaceful entry

on any property to turn out the party in possession. The law provides for compensation to the victim of forcible entry in the form of damages to the victim's property and for invasion of her right to peaceful possession. This statute protects only property interests and does not protect the occupant from physical or mental injury, which limits the statute's usefulness in domestic violence situations.

5. Compensation for Victims of Violent Crimes

California provides compensation to victims of violent crimes for monetary losses, including necessary medical expenses, lost earnings, child care, and costs of job retraining. Compensation is limited to a maximum of \$23,000.* Attorneys' fees up to 10% of the award are also available. To receive this state compensation, the victim must have suffered physical injury or death as a result of a violent crime and must have been a California resident when the crime occurred.

A victim of domestic violence may not receive compensation if she refuses to cooperate with the police in apprehending and prosecuting the batterer.

The amount of compensation the victim receives depends on her financial need. The state decides whether the victim is able to meet basic expenses from her own assets without serious financial hardship.

Most state programs do not allow compensation to victims who are married to or living with their assailant because the assailant might indirectly receive the compensation and benefit from his crime. California, however, allows compensation to victims who live with the batterer.

Information and application forms about compensation to victims of violent crimes may be obtained from the State Board of Control in Sacramento, California, or from the police, sheriff's department or other law enforcement agency involved.

6. Dissolution Proceedings - Civ. Code §§ 4350 et seq.

Marriage is dissolved by (1) the death of one of the parties, (2) a judgment of nullification, or (3) a competent court judgment decreeing dissolution. In California a person may terminate a marriage (called "dissolution" of the marriage) without proving fault by either party. The two grounds for dissolution in Calif-

* The \$23,000 is allocated: Up to \$10,000 for unreimbursed medical expenses; \$10,000 for lost wages; and \$3,000 for job-oriented rehabilitation or re-training.

ornia are irreconcilable differences and incurable insanity. If there is a record of violence in a marriage, a person wishing to dissolve the marriage would probably rely on irreconcilable differences as grounds. Dissolution of marriage is discussed in more detail in section 10(b) of Chapter 2 on "Dissolution of Marriage."

The court granting a decree of dissolution does not have authority to award money damages to a spouse who was a victim of violence in the marriage. The domestic court may award an equal division of community property and spousal and child support, where appropriate. To obtain money damages for physical injuries suffered during the marriage, the victim would have to use either the civil tort action for assault and battery or seek state compensation for victims of violent crimes.

7. Child Custody

Getting Custody:

If there is no court order of custody in effect, the mother and father of the child have equal custody rights. If you are a battered woman, you can take the child with you if you leave home, but the father can legally take the child back or refuse to let you take the child. This is true regardless of whether you and the father are married.

A custody order can be received under Civil Code § 4603. The custody order can be made in conjunction with a dissolution, legal separation, annulment or paternity suit. Also, a parent can bring an action for custody independent of any other action.

Determining Custody:

Under Civil Code § 4600 the court will determine the custody of the minor child according to the "best interests of the child." The child's wishes will be taken into account. Custody will be awarded in this order of preference:

- (1) to either parent according to the best interest of the child;
- (2) to the person with whom the child has been recently living, if in the best interests of the child; or
- (3) to another person deemed by the court to be able to provide proper care and guidance.

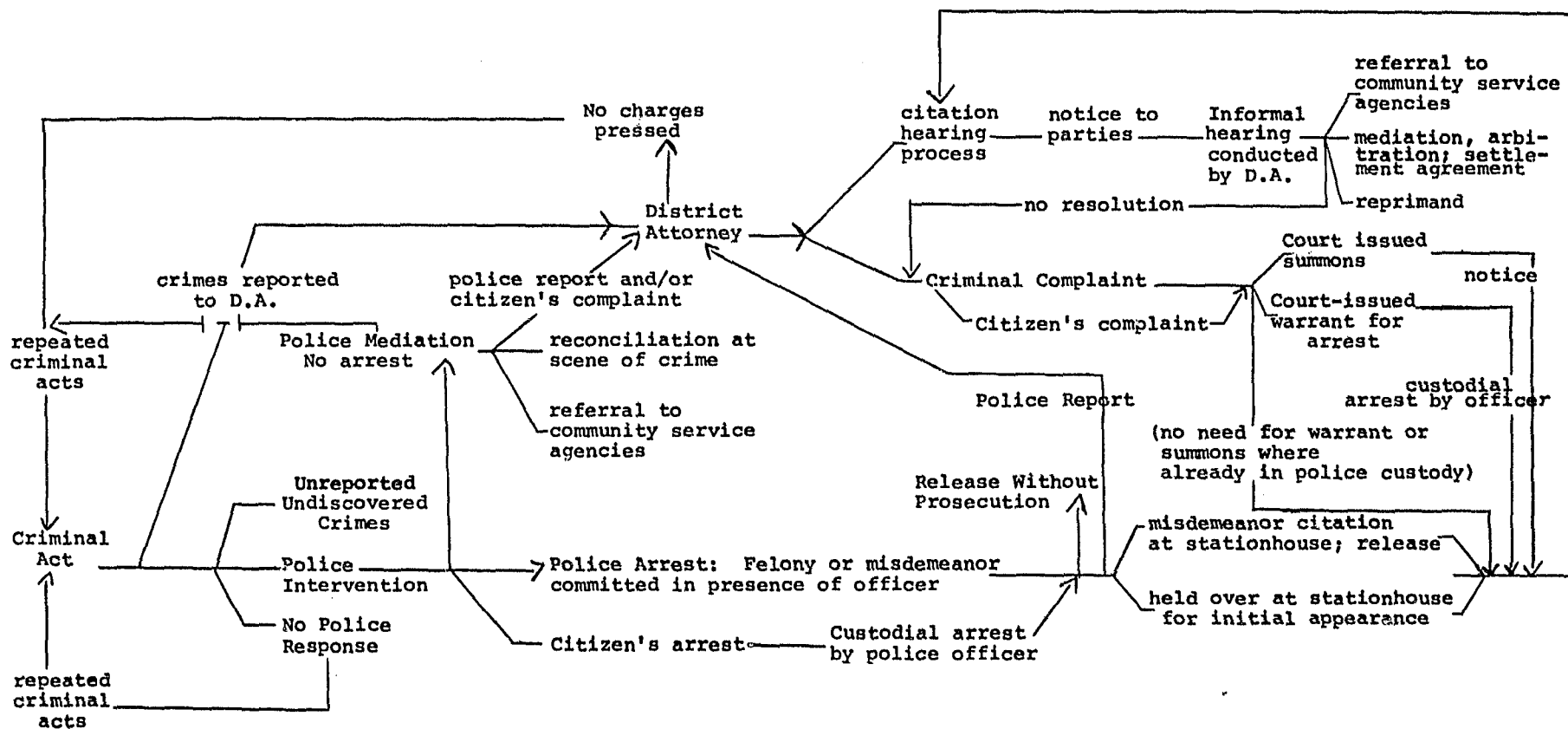
A custody order can be enforced by calling the police or going back to court.

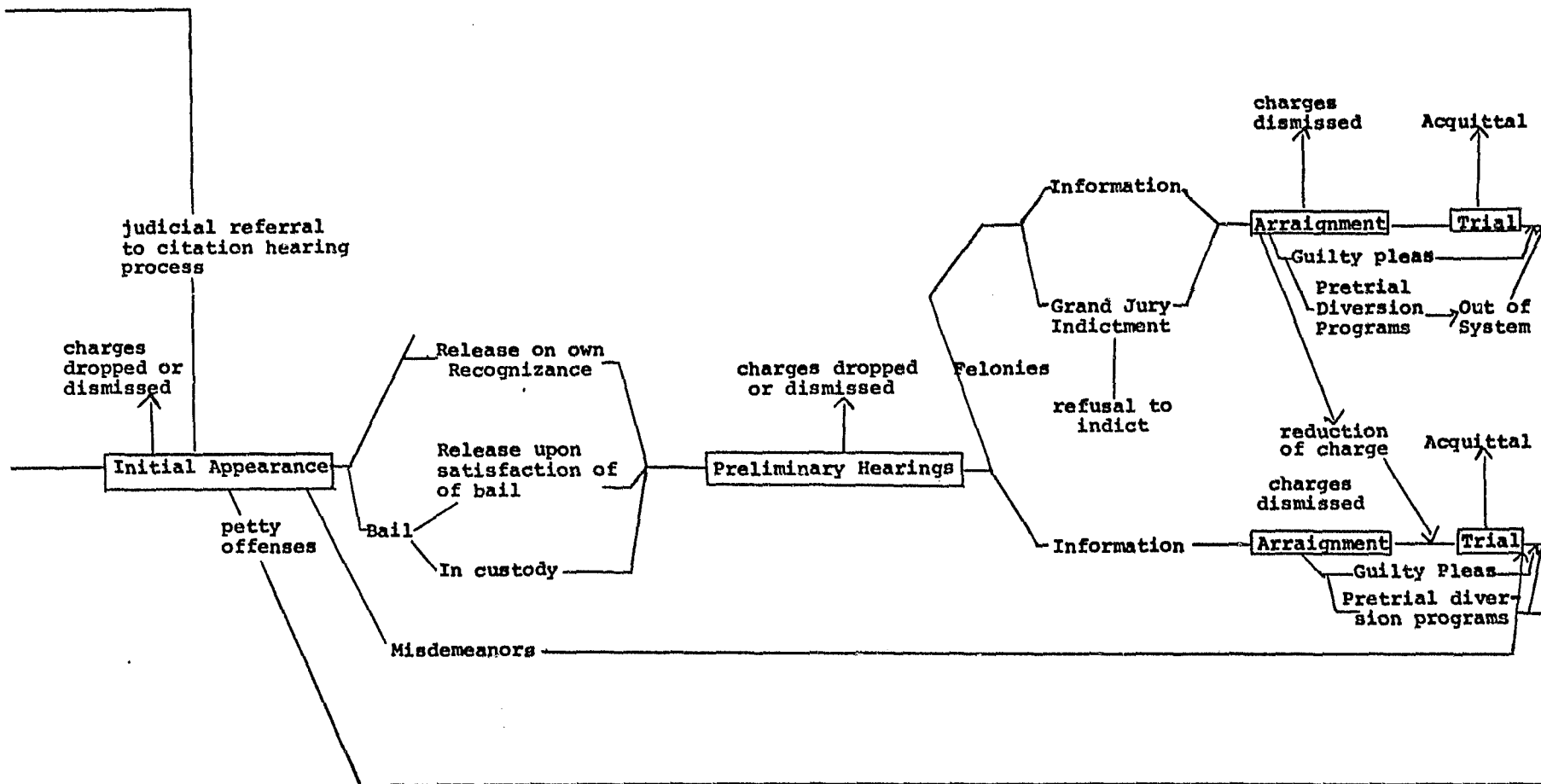
Visitation: Civil Code § 4601

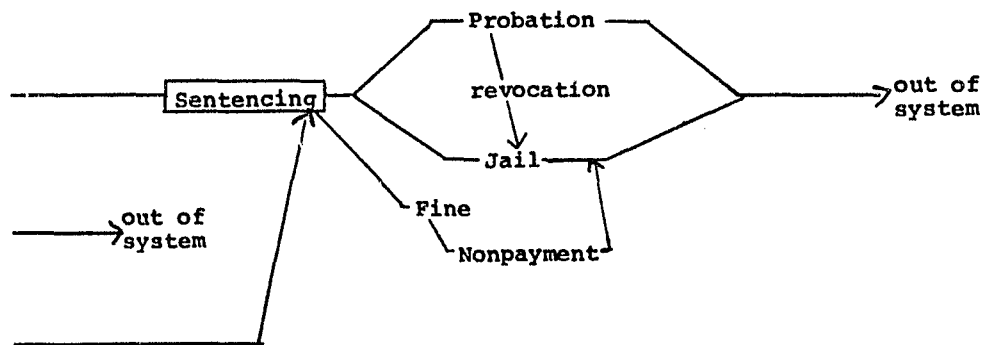
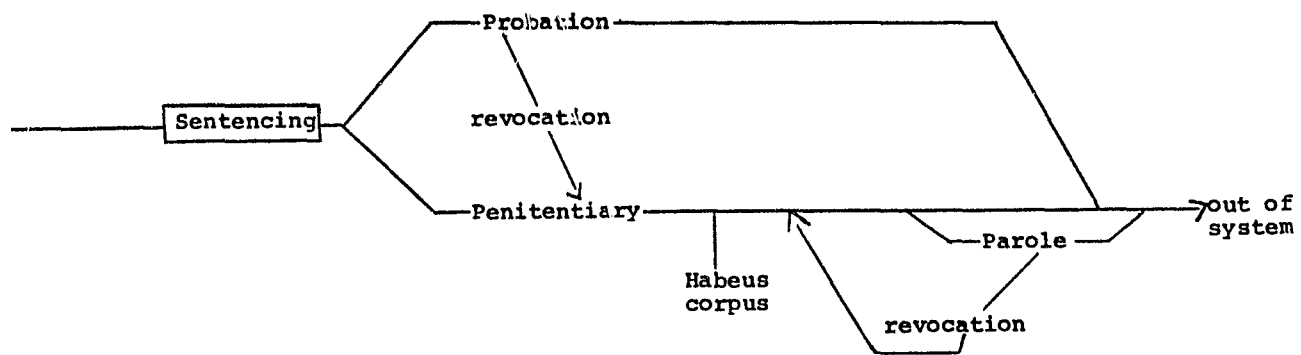
The court will award reasonable visitation rights to a parent (who does not have custody), unless it is shown that such visitation would be detrimental to the best interests of the child.

Third party visitation with a neutral party, so that the woman does not have to see the child's father, can be arranged. Shelters or attorneys can give a woman information about this.

**FLOW CHART OF CRIMINAL JUSTICE SYSTEM
AS IT RELATES TO DOMESTIC VIOLENCE CASES**







CHAPTER 3: DIRECTORY OF SERVICES FOR VICTIMS

- EMERGENCY SERVICES: WOMEN'S SHELTERS; SHERIFF;
CRISIS CENTERS
- COMMUNITY SERVICES AND INFORMATION

A. EMERGENCY SERVICES:

- POLICE AND SHERIFFS' OFFICES
- SHELTERS FOR BATTERED WOMEN AND CHILDREN

This general directory lists various government and private emergency services for battered women and children. This listing is not exhaustive but contains at least one emergency number for most counties which was correct at the date of this printing.

An emergency phone number for women in most of the counties in California is listed in the first part of this Directory. Many of these emergency numbers answer emergency calls 24 hours per day, every day of the week. Emergency numbers listed here should be able to help a victim who is threatened with immediate physical harm to find help quickly in such an emergency. The emergency help may be police intervention, legal counsel, medical attention, or removal of the woman and her children to a safe place.

Battered women and victims are encouraged to report a domestic violence crisis to the sheriff in the county where the crisis happens. Battered women are encouraged also to contact a battered women's shelter or other crisis center if it exists to get information about medical, legal, housing, counseling and financial help in an emergency.

This directory is not a complete listing of every emergency service for battered women. Many of the services listed here may be able to direct a victim to another agency or organization that can help with specific problems. If there is no emergency number shown for the county where you live, you may phone a number in the nearest county.

EMERGENCY SERVICES LISTED BY COUNTY:

<u>COUNTY</u>		<u>EMERGENCY NUMBER</u>
ALAMEDA	Berkeley	Woman's Refuge (415) 849-2314 24 hr.
	Hayward	Emergency Shelter Program (415) 881-1244 24 hr.
	Oakland	A Safe Place (415) 465-8135 24 hr.
	Livermore	Tri Valley Haven For Women (415) 443-1955 24 hr.
	Sheriff	(415) 784-5242
ALPINE	Sheriff	(916) 694-2231
	Call El Dorado County	
AMADOR	Sheriff	(209) 223-1131
BUTTE	Rape Crisis	(916) 345-6155 9 a.m. - 11 p.m.
	Sheriff	(916) 534-4321
CALAVERAS	Mountain Sisters	(209) 736-4801 Mon. - Sat. 11 a.m. - 5 p.m.
		(209) 736-2723 Other times
	Sheriff	(209) 754-4272
COLUSA	Sheriff	(916) 458-2115
CONTRA COSTA	Battered Women's Alternative	(415) 284-CARE 24 hr.
	or toll free	(Danville & Martinez: 932-HELP) (E. County, Antioch, Pittsburgh, Richmond, Pinole, Crockett: EN 16204 through operator. 24 hr.)
	Sheriff	(415) 372-2441

<u>COUNTY</u>		<u>EMERGENCY NUMBER</u>
DEL NORTE	Mental Health Department	(707) 464-9521 24 hr.
	Sheriff	(707) 464-4191
EL DORADO	Family Abuse Crisis Effort (S. Lake Tahoe)	(916) 541-1100 24 hr.
	Rape Crisis & Battered Women's Project (Placerville)	(916) 622-1235 24 hr.
	Sheriff	(916) 626-2211
FRESNO	Services for Abused Female Enterprises (SAFE)	(209) 268-6377 24 hr.
	Sheriff	(209) 488-3939
GLENN	Crisis Line	7 p.m. - 1 a.m. Enterprise 18349
	Sheriff	(916) 934-4631
HUMBOLDT	Humboldt Women for Shelter	(707) 445-5732
	Sheriff	(707) 445-7424
IMPERIAL	Womanhaven, Inc.	(714) 356-5566 24 hr.
	Sheriff	(714) 352-3111
INYO	Department of Mental Health	(714) 873-4251 24 hr.
	Sheriff	(714) 878-2441
KERN	Rape Crisis Line	(805) 322-7242 24 hr.
	Sheriff	(805) 327-3392

<u>COUNTY</u>		<u>EMERGENCY NUMBER</u>
KINGS	Department of Mental Health	(209) 582-4484 24 hr.
	Sheriff	(209) 584-3314
LAKE	Abused Women Crisis Line	(707) 994-4489 24 hr. (707) 994-6494 24 hr.
	Sheriff	(707) 263-2330
LASSEN	Department of Health	(916) 257-6091 24 hr.
	Sheriff	(916) 257-6121
LOS ANGELES	Los Angeles City	(213) 677-8116 24 hr.
	East Los Angeles	(213) 262-0944 24 hr.
	Santa Monica	(213) 399-9228
		Oceanpark Community Center 24 hr.
	Long Beach	(213) 437-4663
		Woman Shelter 24 hr.
	Pasadena	(213) 681-2626
		Havenhouse 24 hr.
	San Pedro	(213) 547-9343
		San Pedro YWCA 24 hr.
	San Fernando Valley Haven Hills	(Number to be listed soon -- call information)
	Sheriff	(213) 974-4101
MADERA	Department of Mental Health	(209) 673-3508 8 a.m. - 12 midnight
	Sheriff	(209) 674-2421

COUNTYEMERGENCY NUMBER

MARIN

Marin Abused Women's Services
(MAWS) (415) 924-6616 24 hr.

District Attorney's Victim
Witness Program (415) 479-1100

Sheriff (415) 479-2311

MARIPOSA

Mental Health (209) 966-2000
8 a.m. - 5 p.m. weekdays

Sheriff (209) 966-3614

MENDOCINO

Valley area: Mendocino County Women Against Rape
(707) 468-4303

Coast area: Rape Crisis Hotline
(707) 964-4357 24 hr.

Sheriff (707) 468-4111

MERCED

Commission on the Status of Women
(209) 726-7549 8 a.m. - 5 p.m.

after hour emergency number and
child protective services (209) 383-2879

Sheriff (209) 726-7360

MODOC

Mental Health (916) 233-3937 24 hr.

Sheriff (916) 233-3610

MONO

Department of Mental Health (714) 934-8648 24 hr.

Sheriff (714) 932-7451

<u>COUNTY</u>	<u>EMERGENCY NUMBER</u>
MONTEREY	<p>Women Against Domestic Violence (408) 372-6300 10 a.m. - 10 p.m.</p> <p>Salinas Crisis Line (408) 757-1001</p> <p>Emergency No. "911" and ask for the emergency social service worker</p> <p>Army: Fort Ord Army Community Services (408) 242-3240 (408) 242-3856</p> <p>Sheriff (408) 424-6487</p>
NAPA	<p>Rape Crisis Line (707) 252-1116 24 hr.</p> <p>Sheriff (707) 253-4451</p>
NEVADA	<p>Department of (916) 265-5811 24 hr. Mental Health</p> <p>Sheriff (916) 265-4545</p>
ORANGE	<p>Women's Transitional Living Center (714) 992-1931 24 hr.</p> <p>Sheriff (714) 834-3000</p>
PLACER	<p>Rape Crisis (916) 885-5571 24 hr.</p> <p>Sheriff (916) 823-4321</p>
PLUMAS	<p>Sheriff (916) 283-0400</p>
RIVERSIDE	<p>Helpline (714) 686-HELP (Alternatives to Domestic Violence Task Force)</p> <p>Sheriff (714) 787-2043</p>

<u>COUNTY</u>	<u>EMERGENCY NUMBER</u>
SACRAMENTO	Mothers' Emergency Stress Services (916) 446-7811
	Women Escaping a Violent Environment (WEAVE) (916) 421-8234
	Sheriff (916) 440-5111
SAN BENITO	Sheriff (408) 637-5323
SAN BERNARDINO	Rape Crisis Intervention Service Hotline (714) 882-5291 or Long Distance Zenith 75291
	Sheriff (714) 383-2511
SAN DIEGO	CWSS Underground Railroad (714) 233-3088 24 hr.
	North County: Oceanside Women's Resource Center (714) 722-1606 24 hr.
	Sheriff (714) 236-3755
SAN FRANCISCO	La Casa de Las Madres (415) 626-9343 24 hr. (415) 626-9344
	Victim Witness Assistance Program (415) 553-1153
	Sheriff (415) 558-2411
SAN JOAQUIN	Home of Peace Women's Mission (209) 982-0396
	Sheriff (209) 944-2181
SAN LUIS OBISPO	Department of Mental Health (805) 544-4722
	Hotline (805) 544-6162 24 hr.
	Sheriff (805) 543-2850

<u>COUNTY</u>	<u>EMERGENCY NUMBER</u>
SAN MATEO	Aid to Victims and Witnesses Program (415) 573-2236 24 hr.
	Sheriff (415) 364-1811
SANTA BARBARA	Helpline (Santa Barbara Switchboard, Inc.) (805) 968-2556 24 hr.
	Sheriff (805) 967-5561
SANTA CLARA	Gilroy South County Alternatives Women in Crisis (408) 683-4118
	San Jose Women's Alliance (408) 251-6655 24 hr.
	Sheriff (408) 294-1334
SANTA CRUZ	Women's Crisis Support (408) 425-2058
	Victims' Services (408) 335-5361
	Sheriff (408) 425-2121
SHASTA	Women Against Rape (916) 246-8448 24 hr.
	or call Sacramento or Yuba City
	Sheriff (916) 246-5651
SIERRA	Department of Mental Health (916) 289-3271 (Daytime)
	Welfare Department (916) 289-3271 (Daytime)
	At Night (916) 289-3239 (Welfare Director)
	Sheriff (916) 289-3521

<u>COUNTY</u>		<u>EMERGENCY NUMBER</u>
SISKIYOU	Department of Mental Health	(916) 842-3569 24 hr.
	Sheriff	(916) 842-4141
SOLANO	Solano Center for Battered Women	(707) 429-4357 24 hr.
	Sheriff	(707) 429-6541
SONOMA	YWCA Women's Emergency Shelter, Santa Rosa	(707) 546-1234
	Sheriff	(707) 527-2511
STANISLAUS	Stanislaus Women's Refuge Center	(209) 527-4251
	Sheriff	(209) 526-6432
SUTTER	Yuba City La Casa de Esperanza	(916) 674-2040
	Sheriff	(916) 673-1253
TEHAMA	Rape Crisis	(916) 541-7233
	Family Abuse Crisis Effort	(916) 541-1100 South Lake Tahoe
	Sheriff	(916) 527-1551
TRINITY	Department of Mental Health	(916) 623-5708 9 a.m. - 5 p.m. only
	Sheriff	(916) 623-2611
TULARE	Rape Crisis	(209) 686-8651 or Fresno
	Sheriff	(209) 733-6241

<u>COUNTY</u>	<u>EMERGENCY NUMBER</u>
TUOLUMNE	Motherlode Women's Crisis Line (209) 532-4704 (closed 8 a.m. - 1 p.m.) Sheriff (209) 532-7401
VENTURA	Action Lines (805) 642-0315 (805) 485-7506 Rape Crisis (805) 647-1101 Sheriff (805) 648-3311
YOLO	Crisis Lines (916) 758-8400 or Sacramento (916) 662-1133 (916) 371-1907 Sheriff (916) 666-8585
YUBA	La Casa de Esperanza (Yuba City) (916) 674-2040 Sheriff (916) 743-4634

B. COMMUNITY SERVICES AND INFORMATION:

The second part of this Directory lists various community services and resources that may be available to domestic violence victims within a county. To find out if these services exist in your county, you may check with a battered women's shelter (if one exists in your area) or you may check your telephone directory for appropriate listings. (General listings might be found under the following titles in your phone directory.)

- Social Services and Welfare Organizations
- Legal Assistance
- Employment
- Financial Assistance
- Child Care
- Immigrants
- Emergency Food and Clothing
- Alcohol/Drug Abuse
- Medical Services
- Housing

(1) GENERAL LEGAL ASSISTANCE:

Battered Women's Shelters often provide legal referral services and legal counseling. Other places to seek legal assistance are listed below.

1. Legal Aid Societies:

Legal aid societies provide free legal services to poverty level county residents. They can assist in separation or divorce matters and in obtaining restraining orders. They do not bring criminal prosecution against batterers. You can find out the phone number of the Legal Aid Society in your area by calling Legal Services in San Francisco (415) 566-6952.

San Francisco	San Francisco Neighborhood Legal Assistance Foundation Domestic Relations (415) 626-6581 Women's Litigation Unit (415) 626-3819
Los Angeles	Legal Aid Foundation of Los Angeles Family Law (213) 487-3310
Sacramento	Legal Aid Foundation of Sacramento County (916) 444-6760 (916) 443-4804 24 hr.
San Diego	Legal Aid Family Law Division (714) 232-1037

2. Legal Clinics:

Legal clinics are private associations which provide legal assistance in specialized areas of the law at rates adjusted to your gross income. Contact your local Bar Association Referral Service or emergency referral number for the legal clinics in your area.

San Diego	Women's Legal Center (714) 239-3954 University of San Diego Legal Clinics (714) 291-6481
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3. Bar Referral Services:

City Bar Associations and private lawyer referral services direct callers to private attorneys in their area according to the individual problem. Fees may be adjusted or

waived according to the client's income, depending on the system in your area. For lawyer referral, contact the Bar Association in your city or county, or a lawyer referral service.

San Francisco: (415) 391-6102

attorney fees are \$15 for the first half-hour, but this is waivable according to financial resources.

Los Angeles: (213) 464-5077
Sacramento: (916) 444-2333
San Diego: (714) 231-8585

4. District Attorney:

The Local District Attorney's office will bring criminal prosecution against a batterer, in appropriate cases. After filing a police report the police will refer the case to a District Attorney's Assault Division inspector. Some District Attorney Offices have Family Relations Bureaus which can invite the parties in for an informal hearing of the domestic dispute.

5. Some California counties have Family Court Services in their Superior Court system. Where a woman does not want to bring criminal charges against a batterer, the court can call the parties in for conciliation of domestic conflicts.

San Francisco: Family Court Services

San Francisco Superior Court
(415) 558-4186

Los Angeles: (213) 974-5524
Sacramento: (916) 440-5633
San Diego: (714) 236-2681

6. Minority Legal Defense Groups aid minorities with legal problems. The fees may be adjusted according to the ability to pay. Also, there may be bilingual services to aid non-English speaking clients.

NAACP Legal Defense and Education Fund:
San Francisco, Los Angeles, Sacramento

Mexican American Legal Defense and Education
Fund (MALDEF): San Francisco, Los Angeles

Mexican American Family Department,
Family Legal Services: Sacramento

Asian Law Caucus, San Francisco

Asian Legal Services Outreach Asian
Community Services: Sacramento

7. Divorce: Alternative Services

The Divorce Center offers non-legal secretarial help in obtaining "do it yourself" divorces in California for a fee of \$75.00 plus filing fees (\$8.50). There are no attorneys' fees because the client represents him or herself. The parties must be in complete agreement as to the custody of children, property and support. The center handles all of the necessary paperwork. Call the Divorce Center in your area.

San Francisco Divorce Center (415) 982-1371

(2) HOUSING:

1. Battered Women's Shelters provide emergency housing and referrals to social services. See the shelters and emergency referrals listing on page 36 of this booklet for emergency housing for women and their children.

2. The Housing Authority is a city and federally funded private organization which will assist women with children in obtaining low cost project housing.

San Francisco (415) 673-5800

3. See also the YWCA and Salvation Army (Housing Bureau Emergency Fund) in your area. They may provide temporary housing.

(3) FINANCIAL ASSISTANCE:

1. General Assistance - eligibility and benefits vary from county to county. Call your County Social Services Department.

Los Angeles - Call the office closest to you

San Francisco (415) 558-5711

2. AFDC (Aid to Families with Dependent Children) provides financial assistance to (a) single parents or pregnant women in financial need, and (b) parents in financial need with at least one child under 21. Call the County Social Services Department.

San Francisco (415) 558-5303

San Diego (714) 263-9221

3. Compensation for Victims of Violent Crime.
Please see Chapter 2, "Civil Remedies," at page 28.

4. Credit Unions are private associations which will provide loans. See the yellow pages for the various organizations.

San Francisco Bay Area Feminist Federal
Credit Union (415) 391-3003

5. State Disability Insurance will provide money for persons who are physically disabled from work, if the injury did not occur on the job. One must have been working for a private employer to be eligible and not on civil service or government employment. Call your local office of the California Employment Development Department.

San Francisco (415) 557-3000

6. Medi-cal and Food Stamps, see "Medical" and "Food and Clothing" listings below.

(4) MEDICAL ASSISTANCE:

1. Emergency medical care.

- a. Hospital emergency rooms.
A counselor is generally available to discuss fee adjustments if you are unable to pay.
- b. San Francisco: Central Emergency Center, (415) 431-2800, is city and county run. Ambulance and emergency medical care is free, regardless of your income.

2. Medical clinics may provide emergency or non-emergency medical care and provide financial assistance in the form of lower rates for those patients of low income.

- a. County-sponsored medical clinics are listed in the phonebook.
- b. Private clinics.

San Francisco Haight-Ashbury Free
Medical Clinic
Monday - Thursday evenings (415) 431-1714

San Francisco: University of California
Medical Clinics
General Information:
(415) 666-9000

3. Medi-Cal is a state-funded program which will cover medical bills for low income persons. Call the office of the California Department of Health in your county or the County Department of Social Services.

San Francisco: (415) 557-2770

(5) EMPLOYMENT:

1. California Employment Development Department provides job listings in their employment offices.

San Francisco (415) 557-1800

2. Comprehensive Employment Training Act (CETA). CETA is a federally-funded program which provides job listings and training for low income individuals. You must be a county resident of low income and unemployed to qualify. Call the local city hall for the phone number.

San Francisco	(415) 558-5636
Los Angeles	(213) 485-3906
Sacramento	(916) 449-5726
San Diego	(714) 236-4769

3. Private organizations may provide temporary or permanent job listings, and employment training and workshops.

San Francisco: Advocates for Women
(415) 391-4870
Women in Apprenticeship Program
(415) 673-3925

San Diego: Creative Resources for Women
(714) 254-6493
Center for Women's Studies and
Services
(714) 233-3088

(6) EMERGENCY FOOD AND CLOTHING:

1. Food Stamps are available to low income individuals for up to \$52 a month of food. Call your County Department of Social Services.

San Francisco (415) 558-5662

2. Call the Salvation Army (Housing Bureau Emergency Fund) or Red Cross in your area.

3. Other organizations.

San Diego Community Food Bank
(714) 235-6271

(7) CHILD CARE:

1. See your Yellow pages under "Child Care."
2. Child-care information and referral services exist in various places around the state and provide listings of public and private, temporary and full time child-care. Call your Department of Social Services.

Los Angeles Child Care Referral Service
(213) 294-5231

San Francisco (415) 282-7858
San Diego (714) 283-7131

3. Day Care Directories may exist in your area, which can refer you to child-care centers according to your location and ability pay. Cities, counties and private organizations may have listings.

San Francisco (415) 558-6161
San Diego (714) 279-8300 or
(714) 224-8055

4. State financial assistance may be available for child-care soon. Be sure to ask your county office.

(8) ADOPTION AND FOSTER CHILD AGENCIES:

1. County, state and private agencies exist which can help you place your child in a foster home or up for adoption, if you decide that these are the only alternatives. Some counties allow for voluntary, temporary placement in foster homes and some do not. Call your County Department of Social Services.

(9) SUICIDE PREVENTION:

1. Suicide prevention hotlines provide 24 hour counseling and outreach services.

San Francisco (415) 221-1424
Los Angeles (213) 381-5111
Sacramento (916) 441-1135
San Diego (714) 236-3339 or
(714) 262-3742

(10) IMMIGRANTS:

Resorting to governmental legal, financial and other services may present special problems or procedures to aliens, legal and illegal. Social service agencies may require proof of lawful residence and may report illegal aliens to the Immigration and Naturalization Service. Private shelters may be the only alternative for illegal alien women. If alien women plan to become citizens by marriage, counseling and therapy may provide greater long range assistance and help to obtain citizenship.

1. U.S. Department of Justice Immigration and Naturalization Service.
2. See "Legal Assistance" listing above.
3. Legal Aid Immigration Clinic
San Francisco (415) 362-5630
San Diego (714) 263-9221

(11) RAPE:

1. Rape Crisis Lines provide 24-hour counseling, outreach, and referral services for rape victims. Some of the Rape crisis lines in California are listed.

San Francisco	-	Women Against Rape (415) 647-7273
Los Angeles	-	Rape Crisis Hotline (213) 677-8116
Sacramento	-	Rape Crisis Line (916) 447-7273
San Diego	-	REACH (714) 225-1243 REAL (714) 466-5911

(12) ALCOHOL AND DRUG ABUSE:

If you or a member of your household has an alcohol or drug problem, there are organizations which provide medical and counseling services.

1. County alcohol program and drug abuse programs.
2. Private organizations.
 - a. Al-Anon
San Francisco: Families of Alcoholics Program
(415) 421-6198 24 hr.
 - b. San Diego: Women's Alcohol & Detox Center
(714) 279-1100
Defy (for Drug Problems)
(714) 236-3339 24 hr.

(13) SELF-DEFENSE:

Various educational institutions and private organizations offer courses in self defense for women or in specific martial arts.

1. Colleges and universities
2. YWCA
3. Private organizations; see telephone listings for "women's self defense classes".
4. Law enforcement agencies (police and sheriff's departments).

(14) MILITARY WIVES:

Women who live on military bases and who seek financial, legal, medical or other assistance may encounter special problems and procedures.

1. Red Cross Service to Military Families has offices throughout the country. It provides counseling, referrals and emergency financial assistance.
2. Base Chaplain's Office
3. Base Legal Officers WAG

(15) TRANSPORTATION ASSISTANCE:

1. Travelers Aid is a nationwide organization which helps individuals who are newly arrived and want to settle, or who are stranded and want to leave. They provide counseling, referral, and emergency food and housing for such individuals. Battered women who are fleeing a situation of domestic violence can call them.

San Francisco (415) 781-6738
 9 a.m. - 9 p.m.
 Greyhound Volunteer Booth

San Diego (714) 232-7991

(16) BILINGUAL REFERRAL SERVICES:

There may be an organization in your area which will refer non-English speaking persons to the various social services listed in this directory.

1. In general: Red Cross Language Bank

2. Asian languages

San Francisco - Chinese Newcomer Service
Center
(415) 421-0943

Police Chinese Hotline
(415) 553-1111

Nobiru-Kai, Japanese
Newcomers Service
(415) 922-2033

United Japanese
Community Services
(415) 563-8062

San Diego - Union of Pan-Asian
Communities
(714) 252-6454

3. Spanish Speaking

San Francisco - Public Mental Health
Station #1
(415) 558-2051 24 hr.

La Raza Information
and Referral Center
(415) 826-5855

San Diego - Chicano Federation
(714) 256-1228

(17) CHILD ABUSE:

Under California Penal Code 11161.5, it is a crime for certain specified professionals not to report suspected child abuse to the proper authorities as outlined in the code section.

Community members also have an important role in protecting children from abuse and neglect. If maltreatment of a child is suspected, it is important that a qualified, experienced person investigate and make a determination as soon as possible. Persons to call in a community include the following reporting agencies:

1. The local police or county sheriff.

2. The local city or county social services departments (such as the Human Resources Agency, Department of Social Services, Department of Health and Human Services, Department of Public Assistance, or the Department of Public

Social Services. Different communities have different names for these agencies.)

3. The local county juvenile probation department.

4. A child abuse and neglect hotline, council or center in the area, if established.

For further information, please refer to the California Department of Justice Information Pamphlet No. 8, Child Abuse: The Problem of the Abused and Neglected Child.

C. CENTRAL SOCIAL SERVICES DIRECTORIES:

There are central resource listings for different areas of California. These listings should be used by police departments and social and private service agencies to aid in referring victims of domestic violence to the services they need. A few of the listings are listed below. Call your local county Department of Welfare to find out if such a listing exists for your area.

San Francisco: Resource One (415) 626-0267

Resource One is a social services Referral Directory listing 500 agencies throughout San Francisco. It is a computerized listing distributed to subscribers. It is available to public through the libraries and hospitals.

Los Angeles: Community Resource Information Bank (CRIB) (213) 380-3680 ext. 361

CRIB publishes resource directories for 14 Los Angeles areas. These directors are used by county departments, but may be purchased by private organizations. CRIB is part of the Department of Public Social Services.

San Mateo: Community Information Project (415) 344-7926

Community Information Project lists 1000 different human services through their computer. The public can receive an individualized listing of services depending

on the problem and location, from the computer terminals in the 18 public libraries. Agencies and organizations can receive more comprehensive computer listings from the Welfare Department Resource Staff (415) 573-2298 or the Community Information Project. Directories for public purchase may be available soon.

CHAPTER 4: LAW ENFORCEMENT: SPECIAL TRAINING PROGRAMS AND OTHER RESOURCES

1. PROTECTING OFFICERS AGAINST INJURY

Law enforcement statistics compiled by federal, state and municipal agencies reveal that a high percentage (as high as 25%) of the officers killed in action were killed while responding to a call for help that involved some form of domestic violence. An even higher percentage of officer's injuries were incurred while responding to domestic violence calls. Law enforcement officials are seeking effective procedures for reducing these alarming statistics. Among the approaches currently employed are improved crisis intervention training and improved documentation of domestic violence situations to allow advanced planning for dealing with highly dangerous repeat cases.

Crisis Intervention Training:

Recent F.B.I. statistics suggest that officer's injuries incurred in responding to domestic violence calls have been reduced in departments that provided crisis intervention training to officers. Some of the crisis intervention programs offered to law enforcement officers as of this printing are listed in this Chapter.

Police Reports:

It is recommended that law enforcement agencies adopt a policy of taking and filing domestic violence reports, regardless of whether the victim requests the police report or not. These reports, properly recorded and indexed, can be used by officers receiving emergency calls as a quick reference to prior violent incidents in a domestic situation and as a valuable warning of situations where violence may have escalated to a dangerous level, both for the parties and for the intervening officers.

2. SPECIALIZED POLICE TRAINING IN CRISIS INTERVENTION

Peace Officers Standards and Training Commission (P.O.S.T.) certified law enforcement training courses in crisis intervention, adapted to special problems of domestic

violence cases, are available in California through the following institutions and consultants.

1. Riverside City College (Shelby Novley)
(714) 683-0942
2. Department of Justice
Advanced Training Center ("Herb" Hoover)
Sacramento
(916) 492-2132
3. Crisis Intervention and Management
Los Medanos College
Pittsburg, California
(415) 439-2181
4. Allen Kalmanoff and Mimi Silbert: (Crisis Intervention
Approach Associates Training)
Oakland
(415) 652-2842

Additional information about P.O.S.T. certified training courses may be obtained by telephoning P.O.S.T. at (916) 322-2180.

Other non-P.O.S.T. certified training courses are available from various agencies and private consultants.

3. POLICE REFERRAL OF VICTIMS TO EMERGENCY SERVICES

One of the greatest concerns of law enforcement officers who deal regularly with domestic violence and crisis intervention is the problem of finding emergency services for victims. Emergency medical service and housing for battered women and their children are the most urgent concerns at the scene of many domestic violence incidents.

Chapter 3 of this Handbook, "Directory of Services for Victims," contains a listing of emergency numbers, including a CRISIS CENTER NUMBER for most counties in California, at page 36.

This listing of emergency numbers may supplement existing referral lists used by some departments. A more complete listing of general services for victims is contained in Chapter 3, "Community Services and Information."

Some law enforcement agencies have produced or obtained (through government, foundation, or private funding) small booklets or "crisis cards" listing emergency numbers within the county. Crisis cards can be carried by officers and also distributed to victims, and are an effective method of insuring victim referral to appropriate services. Information about funding sources for emergency referral lists or crisis cards may be obtained by writing to the California Department of Justice, Information Services, 555 Capitol Mall, Suite 290, Sacramento, California 95814.

4. VICTIM-WITNESS ASSISTANCE PROGRAMS

Victim-witness assistance programs are special programs set up in some cities and counties, with state and federal funds, that provide various kinds of direct services and assistance to victims of violent crime.* Some of the special services for victims that may be offered are transportation; household assistance; notification of friends, relatives, and employer; arrangement for verification of medical benefits; referral to other agencies or community groups; assistance in applying for State victim compensation benefits; child care; and various other related personal services, as appropriate. The witness aspect of the program is designed to notify and inform witnesses prior to their being subpoenaed in criminal cases; assist them in reaching the Hall of Justice; provide reception and guidance at court; and explain unfamiliar procedures.

Victim-witness assistance programs administered by counties and police departments exist in the counties listed for California below. A telephone contact, current at this printing, is shown for each program. Law enforcement officers and other persons aiding victims of domestic violence may wish to refer the victim to such a program if it exists in the county.

* These programs vary by county in administration and services offered. The program may be administered by the district attorney, the courts, the probation department, police or sheriff's department, local bar association, or by an independent agency.

VICTIM WITNESS ASSISTANCE PROGRAMS IN CALIFORNIA--1978

Compiled by Jacqueline Vaughn, Department of Political Science,
University of California, Berkeley

COUNTY LEVEL PROGRAMS

Alameda County

Howard A. Janssen/ Andrea Rechten
Office of the District Attorney
Alameda County Courthouse
Oakland, California 94612
(415) 874-7618/ 874-6102/ 874-7619

Amador County

Martin A. Ryan
108 Court Street
Jackson, California 95642
(209) 223-1043

Contra Costa County

Vonnie Stornetta
Contra Costa Victims Program
4th Floor, County Courthouse
Martinez, California
(415) 372-4503

Fresno County

James Rowland
Fresno County Probation Department-
P.O. Box 453
Fresno, California 93709

Humboldt County

Don Umhofer
Room 825, Humboldt Courthouse
Eureka, California 95501
(707) 445-7411

Los Angeles County

Roy Azarnoff/Jim Scott
City Hall, Room 2100
200 N. Spring Street
Los Angeles, California 90012
(213) 485-4402

Vicky Simmons
14410 Sylvan
Van Nuys, California 91401
(213) 782-6125, ext. 855

Ms. Patsy Myers
Los Angeles County Bar Association
10850 Wilshire Blvd., Suite 400
Los Angeles, California 90024
(213) 474-0178

PROGRAM LIST (CONT.)

The Psychological Center
155 N. Madison Avenue
Pasadena, California 91101
(213) 795-5144

Ms. Lonnie Gordon
Victim Witness Unit Chief
LA County District Attorney's Office
210 West Temple Street
Los Angeles, California 90012
(213) 974-3525

Marin County

Ms. Holli Ploog
Victim/Witness Assistance Project Director
Civic Center, Suite 276
San Rafael, California 94903
(415) 479-1100 ext. 2971

Monterey County

Jay Hall
Executive Director
444 Pearl Street
Monterey, California 93940
(408) 373-6177

William D. Curtis
District Attorney
P.O. Box 1369
Salinas, California 93901
(408) 758-4626

Napa County

John Cunningham
Napa County Volunteers
Eight and River Streets
Napa, California 94558
(707) 252-6222

Orange County

Ms. Mary Spadoni
P.O. Box 808
Santa Ana, California 834-2807

San Bernardino County

Sterling E. O'Ran III
Coordinator, Victim Advocacy Program
Probation Department
175 W. 5th Street
San Bernardino, California 92415
(714) 383-1194

San Diego County

Ms. Margaret Douglas
Department of Community Relations
2210 Fourth Avenue
San Diego, California 92101
(714) 239-9341

San Francisco County

Sue Gershenson
560 Seventh Street
San Francisco, California 94103
(415) 553-1153

San Luis Obispo County

Robert N. Tait
District Attorney
Courthouse Annex
San Luis Obispo, California 93401

San Mateo County

Dave Mandel
Aid to Victims and Witnesses
30 West 39th Avenue
San Mateo, California 94403
(415) 573-2236

Santa Barbara County

Gary Blair
118 E. Figueroa Street
Santa Barbara, California 93101
(805) 963-1441

Santa Clara County

Lillian Silberstein
601 N. First Street
San Jose, California 95112
(408) 286-9663

Santa Cruz County

George Lavin
Santa Cruz Probation Department
P.O. Box 1299
Santa Cruz, California
(408) 235-5361

Siskiyou County

L.E. Taylor
Siskiyou County Sheriff
Courthouse
Yreka, California 96097
(916) 842-4141

Stanislaus County

Donald N. Stahl/Robert Reeve
Box 442
Modesto, California 95252
(209) 526-6345

Sonoma County

Marguerite McClurg
Victim Witness Coordinator
Hall of Justice
P.O. Box 1964
Santa Rosa, California 95403

Tulare County

Brenton A. Cleier
Assistant District Attorney
County Civic Center
Visalia, California 93277

LOCAL LEVEL PROGRAMS

Berkeley	Don Casimere, Ramona Thompson, Leola Polk Department of Community Services Berkeley Police Department Hall of Justice Berkeley, California (415) 644-6695
El Cerrito	Otis Timmons Victim Assistance Officer El Cerrito Police Department 10900 San Pablo Avenue El Cerrito, California 94530 (415) 237-2123
Fremont	Sharon Gregory Victim Services Project Fremont Police Department 39710 Civic Center Drive Fremont, California 94538 (415) 791-4488
Fresno	Theodore R. Large Fresno Police Department 2323 Mariposa Fresno, California 93721
Hayward	Maryellen Faria Hayward Police Department 300 West Winton Avenue Hayward, California 94544 (415) 881-7060
Sacramento	Dorothy Coolidge Sacramento Police Department 813 Sixth Street Sacramento, California 95814 (916) 449-5476

5. BATTERED WOMEN'S SHELTERS: SERVICES AND TRAINING
TO ASSIST LAW ENFORCEMENT OFFICERS WITH DOMESTIC
VIOLENCE CASES

Shelters' Speakers Bureaus

Shelters' speakers' bureaus were developed to meet community needs for education concerning the problem of woman battering. These bureaus try to raise the consciousness of students, women's groups, parents and citizens as to the seriousness of domestic violence, and to dispel myths concerning woman battering. La Casa de Las Madres, a San Francisco shelter, receives and delivers approximately 50 requests for speeches monthly. Departments may contact the local women's shelter to learn the availability of speakers.

Shelters' Sensitivity Training

Some women's shelters provide sensitivity training and education about victims of battering to professionals including physicians, emergency room staff, social service workers, family service, counselors, clergy, and law enforcement. The objective of these training programs is to compensate for the unavailability of professional curriculum dealing with the special problems encountered by battered women. The purpose of this type of training is to improve victim counseling by professionals, medical treatment for victims, and law enforcement assistance to victims.

Shelters' Advisory Committee for Police

The purpose of these committees, which are operated by some shelters, is to assist police with ongoing training for crisis intervention and to provide referral information.

The information provided in this chapter is only a partial list of specialized training and resources available to law enforcement agencies for domestic violence problems. This information was correct at the time of this printing. Any of the resources listed in this chapter may be able to provide additional resource information.

CHAPTER 5: BIBLIOGRAPHY

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