

The Cycle of Violence

Domestic violence affects all people. It occurs in the wealthiest as well as the poorest of neighborhoods. It is not limited to any particular age group nor is it confined to any particular ethnic group. It is important that an abusive person get a very clear message that the violence is unacceptable; the earlier in the relationship the better. As painful as it may be, we do no one a favor in pretending there is not a problem. Hoping it will go away by itself, and not calling it what it is: **VIOLENCE**. This only makes it possible for the situation to grow worse, resulting in more injuries and more serious crimes. No one benefits when this happens.

At times people become confused or discouraged with our legal system. But understanding how it works and why it is important to use the legal system to help stop family violence can and will help make the process more manageable. It is always useful to have records of incidents of violence that you have experienced, whether you use them immediately or not. Those records could become very useful in future legal matters that you may encounter, such as applying for a restraining order or child custody. We all deserve and have the right to have our homes and lives free from violence.

Domestic Violence is ...

Abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant or a person with whom the suspect has had a child, or has had a dating or engagement relationship. (Legal opinion is that in order for a domestic violence situation to exist, there must be some potential for romantic involvement between the disputing parties.)

Domestic violence does not necessarily involve physical violence or a criminal act.

“Abuse” in domestic violence situations is defined as intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable fear of imminent serious bodily injury to herself/himself or another.

Without some type of intervention, violent behavior usually does not stop. It tends to get more frequent and more severe. Using violence as a response to anger, or as a means to try and resolve conflict, is something that some individuals learn throughout their lives. Even the most well intentioned person will repeat violence unless some type of intervention occurs. Legal action is one way of intervening to stop violence.

A restraining order is a very important step in saying NO to violence. But it is also important to take additional precautions to insure your safety, such as changing the locks if necessary, or having other supportive people aware and available to help should you need them. Getting help from local support groups can also be very useful during this period.

Counseling is another possible choice. A combination of the two is most effective. A restraining order is a very important step in saying NO to violence. But it is also important to take additional precautions to insure your safety, such as changing the locks if necessary, or having other supportive people aware and available to help should you need them. Getting help from local support groups can also be very useful during this period.

Despite official restraint of the person alleged to have committed domestic violence, the restrained person may be released at any time. You may register an e-mail address and/or telephone numbers in order to be notified when an inmate is released, is pending release, or when transferred to a facility in another county or state prison. This service is called “Victim Information and Notification Everyday” or **VINE**. Call **VINE** toll-free at 877-411-5588 or visit the website www.vwmlink.com

You Have Rights...

You have a right to safety and tranquility in your own home. If you are a victim of domestic violence, besides having the right to make a citizen’s arrest for crimes that are committed against you, you should be aware of other certain legal remedies:

1) **Victims of domestic violence have the right to go to the Superior Court and file a petition requesting any of the following orders for relief:**

- a) An order restraining the attacker from abusing you and other family members
- b) An order directing the attacker to leave your household
- c) An order directing the attacker from entering your residence, school, business, or place of employment
- d) An order awarding you or another parent custody of, or visitation with, minor children in your custody
- e) An order restraining the attacker from molesting or interfering with minor children in your custody
- f) An order directing the party not granted custody to pay support of minor children, if that party has a legal obligation to do so
- g) An order directing the defendant to make specific debit payments coming due while the order is still in effect
- h) An order directing that either or both parties participate in counseling

2.) **Victims of domestic violence have the right to file a civil suit for losses suffered as a result of the abuse.** This may include medical expenses, loss of earnings, other expenses for injuries sustained, damages to property, and any other related expenses incurred by the victims or any agency that shelters the victim. You may wish to consult a legal professional to assist in obtaining a restraining order or to file a civil suit.

3.) **Victims of crimes related to domestic violence have the right to ask the District Attorney for a criminal complaint against the suspect.** File a report with the local law enforcement agency having jurisdiction.

4.) **Victims of crimes have the right to make a citizen’s arrest within a reasonable time after the incident.** For more information, ask your local law enforcement agency.

STRANGULATION/SUFFOCATION

If you were strangled or “choked” during the incident, it’s very important to keep in mind that strangulation or suffocation may cause internal injuries and therefore it’s very important that you seek medical attention. The investigating officer may ask you if you ever lost consciousness or felt like you couldn’t breathe. It’s crucial that you share this information with the officer, as they can assist you with obtaining medical assistance. While there might not be any visible signs of injury, you may still have injuries if you were strangled or suffocated.

SEXUAL ASSAULT

Sexual assault by a stranger or a person known to you, including your spouse, is a crime. If you are raped or sexually assaulted, **call 9-1-1 immediately** to report the crime. Many attackers are repeat offenders and reporting the crime may help identify and apprehend an attacker. It is important that you **DO NOT** wash, shower, douche, change clothes or brush your teeth. It could possibly destroy or contaminate evidence. San Diego County utilizes a Sexual Assault Response Team (SART). The SART consists of a nurse examiner that has been specially trained to provide a forensic evidentiary exam and medical support, a law enforcement officer to conduct an investigation of the crime and emergency assistance for the victim, and a victim advocate to provide emotional support. Refer to LMPD Sexual Assault Pamphlet for additional information on your rights and available services.

What's next...

The police officer will prepare a written report describing the incident you have experienced. That report will be an official record of the incident. If the incident involved a violation of a criminal law, the report may be submitted to a detective for any necessary follow-up investigation. Reports of criminal incidents may be delivered to the District Attorney's Office for evaluation, to determine what charges, if any, should be formally filed.

If the District Attorney files a criminal complaint against the suspect, you may be required to sign the complaint and later testify in court.

If the incident involves a violation of criminal law, a representative of the La Mesa Police Department and/or the District Attorney may contact you in the near future to inform you of the developments in your case or options you may have.

If an arrest has been made and the suspect jailed as the result of the incident, the person arrested has a right to post bail and be released from custody. The process can occur within a few hours. If the suspect remains in custody, the law requires that she/he be arraigned in court or released from custody within three business days.

For further information about a shelter, you may contact:

Becky's House	619-234-3164
DV Hotline	1-888-385-4657
Project Safe House	619-631-6442
Rachel's Women's Shelter	619-696-0873
East County Emergency Shelter	619-447-2428

For further information about other services in the community, where available, contact:

Center for Community Solutions
460 Magnolia Ave., El Cajon, 619-697-7477
Hours Monday-Friday 8:30 AM to 5:30 PM
www.ccssd.org

CCS services include: restraining orders, safety planning, court support, emergency shelter, legal assistance, rape victim counseling and more.

24-hour DV Hotline	888-385-4657
District Attorney's Office	619-441-4588
City Attorney's Office	619-667-1128
Women's Recourse Center	760-757-3500
Victim/Witness Assistance	619-441-4538
Crime Victim's Fund	619-531-4041
Rape Crisis Hotline	888-385-4657
CMH Suicide Hotline	800-479-3339
Aging Services	800-510-2020
Military Family Advocacy	800-342-9647
National Human Trafficking Hotline/Resource Center	888-3737888

State of California Program Information

Victim's Compensation	800-777-9229
Safe at Home	877-322-5227

Legal Resources

Battered Women's Services	619-239-2341
Community Solutions	619-697-7477
Legal Aid Society	877-534-2524
Family Court Services SD	619-456-4181
California Courts Self-Help	619-450-7888

www.courtinfo.ca.gov/selfhelp

Child Services/Abuse

Child Welfare Services	800-344-6000
Child Abuse Hotline	858-560-2191

DOMESTIC VIOLENCE RESOURCE GUIDE

What you should know

What you can do



**CITY OF
LA MESA**
JEWEL of the HILLS

POLICE DEPARTMENT

*Domestic Violence will not go
away until you get help.*

La Mesa Police Department
Chief Walt Vasquez
619-667-1400