

WHAT IS DOMESTIC VIOLENCE?



Domestic violence is abuse or threats of abuse when the person being abused and the abuser are or have been in an intimate relationship (married or domestic partners, are dating or used to date, live or lived together, or have a child together). It is also when the abused person and the abusive person are closely related by blood or by marriage.¹

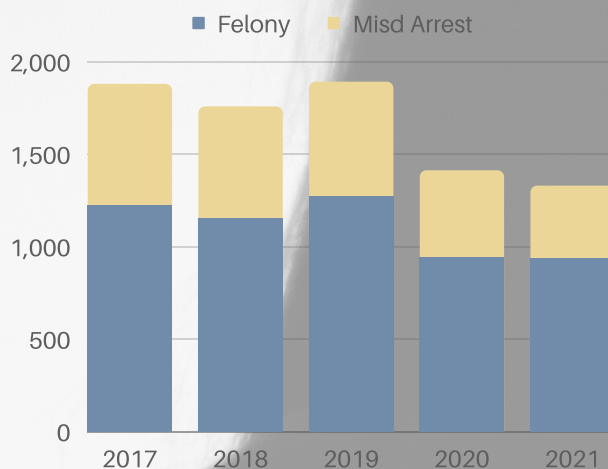
THE DOMESTIC VIOLENCE LAWS SAY “ABUSE” IS:

- Physically hurting or trying to hurt someone, intentionally or recklessly;
- Sexual assault;
- Making someone reasonably afraid that they or someone else are about to be seriously hurt (like threats or promises to harm someone); OR
- Behavior like harassing, stalking, threatening, or hitting someone; disturbing someone's peace; or destroying someone's personal property.

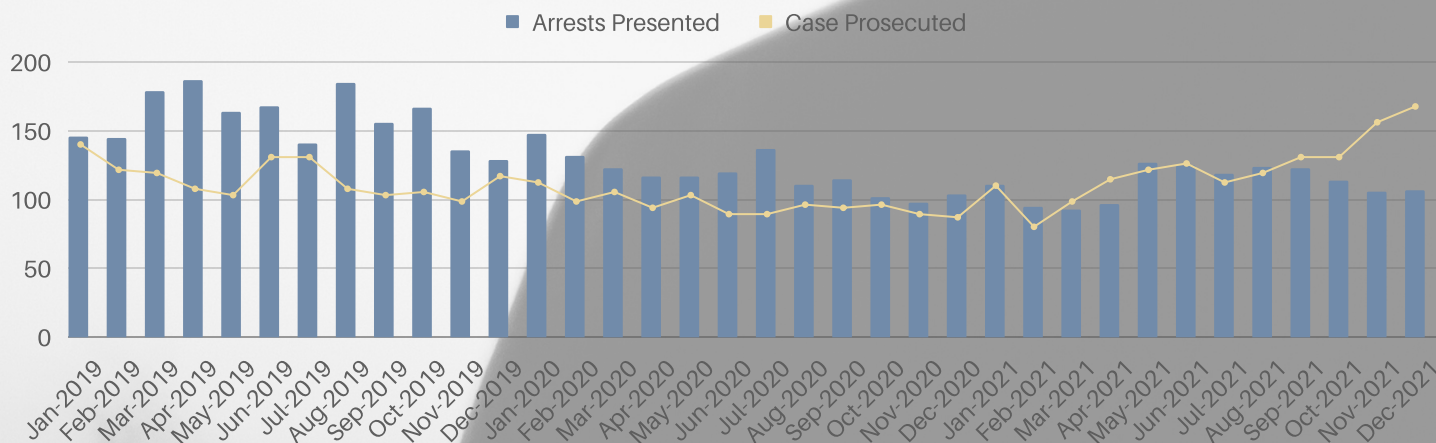
WHAT IS THE ROLE OF THE POLICE IN RESPONDING TO DOMESTIC VIOLENCE?

Police are usually the first responders when a domestic violence incident occurs. The California Penal Code requires police departments to develop policies that “encourage the arrest of domestic violence offenders if there is probable cause that an offense has been committed.”² Police are also the primary investigative agency for domestic violence incidents. The San Francisco Police Department is the arresting agency for more than 90% of domestic violence incidents in San Francisco. After an arrest occurs, the case is referred to the SFPD's Special Victims Unit (SVU), which is responsible for collecting evidence and presenting the case to the District Attorney's Office.

Arrested presented to the SF District Attorney's Office for domestic violence



Domestic violence arrests presented and cases prosecuted in San Francisco



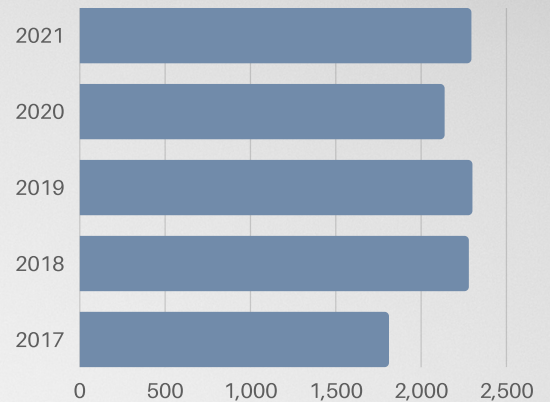
¹ Domestic violence in California is defined in Family Code § 6211 and Penal Code § 13700.

² California Penal Code § 13701.

WHAT IS THE ROLE OF THE DISTRICT ATTORNEY'S OFFICE?

The District Attorney's Office has two distinct roles in responding to domestic violence. The DA's Office is responsible for reviewing the evidence presented by the police and, if there is evidence beyond a reasonable doubt, filing criminal charges against the alleged perpetrator. If there is evidence beyond a reasonable doubt, the DA's Office must and will file criminal charges even if the victim does not want them. In addition to filing criminal charges, the DA's Office will file a criminal protective order to provide the victim-survivor with additional protection. Because the DA's Office can only prosecute when there is evidence beyond a reasonable doubt, while the police must make an arrest whenever there is probable cause, the DA's Office cannot and does not prosecute all arrests presented. However, the DA's Office can and does refer the case back to law enforcement for additional investigation; in addition, if an alleged perpetrator is on probation or parole, the DA's Office may file a motion to revoke their supervision.

The District Attorney's Office provides direct services to more than 2,000 domestic violence victim-survivors every year



In addition to reviewing and, when appropriate, prosecuting domestic violence incidents, the DA's Office is responsible for supporting victim-survivors of domestic violence, whether or not there is a criminal prosecution. Services provided by the Victims Services Division (VSD) include accompaniment to medical appointments and legal hearings, transportation, translation/interpretation, preparation of victim impact statements, support with relocation, and more.

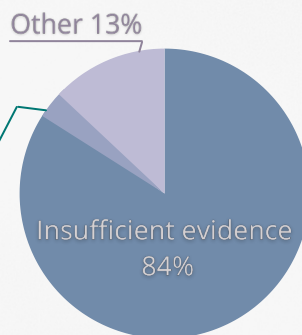
In the last 5 years, VSD has provided direct services to victim-survivors who are primary speakers of the following languages:

- American Sign Language
- Cambodian
- Korean
- Portuguese
- Tagalog
- Arabic
- Cantonese
- Mandarin
- Russian
- Thai
- Indian
- Mongolian
- Spanish
- Vietnamese

FACTS ABOUT DOMESTIC VIOLENCE IN SAN FRANCISCO

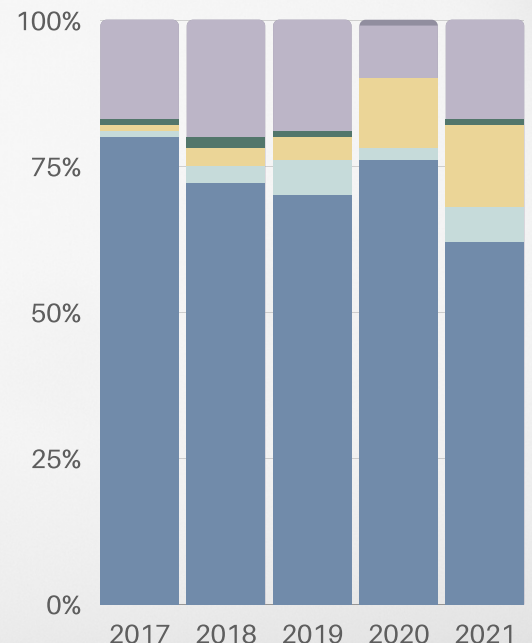
The most common reason why domestic violence cases are not charged (prosecuted) is because there is insufficient evidence provided by police.

Unable to sustain without victim's testimony 3%



Most felony domestic violence cases prosecuted by the District Attorney's Office result in a conviction

- Conviction
- Guilty Plea to Other Charge
- Successful Diversion
- Acquittal
- Dismissed
- Other



The rate at which the District Attorney's Office has filed new criminal charges in domestic violence cases has been relatively consistent over the last 5 years.

- New charges filed
- Filed motion to revoke or referred to other CJ agency
- Other DA Office Action
- Requested further investigation
- Discharged w/o further action

