



## Commission on Peace Officer Standards and Training

860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630  
[www.post.ca.gov](http://www.post.ca.gov)

Date: January 4, 2019

Bulletin: No. 2019-04

Subject: **SB 1331: Peace Officers - Domestic Violence Training: The assessment of lethality or signs of lethal violence in domestic violence situations**

### When does SB 1331 become law?

- The Governor signed SB 1131 on July 18, 2018. With no urgency clause, the bill became effective January 1, 2019.

### What does SB 1331 mean for law enforcement agencies and POST?

- Existing law (Section 13519 of the Penal Code) requires the Commission on Peace Officer Standards and Training to implement a training course for law enforcement officers in the handling of domestic violence complaints and to develop guidelines for officer response to domestic violence. Existing law requires the course to include instruction on specified procedures and techniques for responding to domestic violence, including, among others, the signs of domestic violence, and techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and promote the safety of the victim.
- SB 1331: This bill requires the course to include procedures and techniques for assessing lethality or signs of lethal violence in domestic violence situations.

### Recommendations

- POST encourages that agencies have first responders administer the Domestic Violence Lethality Risk Assessment to all victims of domestic violence to assess the level of danger and/or the severity of the situation. Law enforcement personnel or victim advocates should use their judgement to interpret the information which the victim provides.
- It is important to use the results of this assessment in a constructive way to help the victim plan for her/his safety and to make referrals to resources matching the specific circumstances of the victim's situation. The completed assessment can be attached to the incident or crime report.

*\*\*\*\*For presenters that want to add lethality assessment curricula to their existing courses, please see the additional note below.\*\*\*\**

### Additional Note

- POST is currently in the process of updating its Domestic Violence Policy Guidelines and model policy framework. POST anticipates this revision will be completed in the Spring of 2019. POST will provide a bulletin announcing its publication.

NOTE: Presenters will need to put their courses into modification, make the changes to their expanded course outlines, then submit for approval. The following content is designed for copy-paste into existing Domestic Violence courses.

Please [visit the POST Website to view more information on SB 1331: Domestic Violence – Lethality Assessments](#), including the [new risk assessment for first responders](#) (pdf).

## I. ASSESSING LETHALITY

### A. Domestic Violence is Dangerous

1. Occurs every 15 seconds
2. About 2.8 million incidents annually in the United States
3. 40-60% of law enforcement calls are Domestic Violence related
4. Escalates over time in frequency and severity
5. Most dangerous time is when and after the victim leaves

### B. Medical Costs of Domestic Violence

1. 500,000 women seek medical care each year for Domestic Violence
2. 25-40% of all Domestic Violence victims are pregnant
3. Medical personnel fail to identify Domestic Violence 95% of the time
4. PC 11160 - Medical mandated reporting of Domestic Violence

### C. Workplace Violence Statistics

1. Homicide is the leading cause of death for women on the job
2. 94% of corporate security directors rated Domestic Violence as a “high security problem”
3. 71% of human resources personnel reported they had experienced an incident of Domestic Violence on company property
4. Abusive partners harassed 74% of women at work, causing 56% to be late at least 5 times per month

### D. Danger Signs

1. Escalation
  - a. Increase in frequency of incidents
  - b. Increase in severity of injuries
  - c. History of violence
  - d. Extreme jealousy or possessiveness (Victim is central to abuser’s identity and worth)
2. Other Warning Signs
  - a. Threats to kill
  - b. Threats of suicide
  - c. Access to and use of weapons
  - d. Arson
  - e. Pet abuse
  - f. Stalking
  - g. Abuse moves from indoors to public places
  - h. Use of drugs and alcohol
  - i. Forced sex
  - j. Potential Triggering Events
    - 1) Birthdays
    - 2) Anniversary dates
    - 3) Special dates in relationship
  - k. Change in Responses
    - 1) Finally appears to accept end of relationship
    - 2) Resignation

- E. Research and Indicators, Work of Dr. Donna Cohen on Elder Homicides – Suicides
  - 1. About 1,500 cases annually in the U.S. since 1988
  - 2. 83% involve spouses and intimate partners
  - 3. The perpetrator has always been the male partner
  - 4. Guns used more than 90% of the time
  - 5. 30% of cases had a history of Domestic Violence
  - 6. Involves an overvalued attachment of the suspect to the victim and a desire to maintain the integrity of relationship when threatened with separation or dissolution
  - 7. High incidence of untreated and undetected psychiatric problems, especially, depression
  
- F. Lethality Assessment - Tennessee Case (student learning activity)
  - 1. Read account provided
    - a. Look for at least eight lethality indicators listed in the information
    - b. Report back to the class
  - 2. Tennessee Case Indicators
    - a. Ex-wife
    - b. Set house on fire
    - c. Former deputy - access to weapons
    - d. Depressed
    - e. Ex-wife remarried
    - f. Jealous
    - g. Forced to resign for sexual assault of teen
    - h. Restraining order
    - i. Prior threats
    - j. Refused to accept divorce, later became resigned to it
    - k. Stalking - watching with binoculars
    - l. Cut phone line
    - m. Charged with assault of a motorist
    - n. Victim had prior abusive relationships
  
- G. Lethality Assessment of Your Case (Student learning activity)
  - 1. Create a lethality assessment for your case
  - 2. Report back a number from 1 (lowest) to 10 (highest) which rates the level of lethality
  - 3. Provide reasons for your conclusion
  - 4. Add the assessment to your report to assist the prosecution
  
- H. Lethality Assessment Information
  - 1. Applying Assessment Information
  - 2. Educate victims
  - 3. Triage cases
  - 4. Urge prosecutor to file at an appropriate level

Questions regarding SB 1331 and the Domestic Violence Guidelines may be addressed to Senior Consultant [Drew Wyant](#) at (916) 227-3926.

MANUEL ALVAREZ, JR.  
Executive Director

MA:aw