



Women's Health
Council of RI

Law enforcement
intervention is vital in
breaking the cycle of
violence.

* most victims will have 6 or more interventions by the police before being able to leave their abusers

Charging Domestic Violence Cases- What's Different?



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- Tracy Thurman v. Torrington, CT – First nationally recognized case. Law Enforcement must now intervene in domestic violence cases
- Mandatory Arrest: If probable cause exists that one of the enumerated offenses occurred between a Family & Household Member, police must arrest, takes away discretion
- Mandatory No-Contact Order
- Mandatory Domestic Violence counseling
- Sentence enhancements



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Probable Cause

- Those facts and circumstances that would lead a reasonably prudent person to believe that a crime has been committed
- **Factors Leading to Probable Cause:**
 - dispatch information
 - visible injuries
 - signs of a physical altercation
 - victim's credible statement
 - credible witness statements (including children & the first person a sexual assault victim told)



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Law Enforcement Duties

- Enforce the laws and protect the victim
- Arrest the perpetrator when there is probable cause to believe any domestic crime has occurred
- Provide assistance to victim, including:
 - necessary medical treatment
 - info about getting a protective orders
 - victim's rights form
 - info about support services
 - stay at scene until victim is out of danger
 - information about victim's right to file a criminal complaint
 - arrest the primary aggressor

Assessing for Increased Violence or Lethality Risk



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- Increase in severity or frequency in past year
- Use of weapon or threat of use of weapon
- Own a gun
- Choking as part of abuse
- Forced sex
- Use of street drugs (uppers, speed, crack, etc.)
- Threats to kill
- Drunk every day or almost every day
- Degree of control of victim's daily activities
- Violently, constantly jealous (if I can't have you no one will)
- Suicide threats or attempts (offender or victim)
- Threats to children
- Does victim have a child who is not the abuser's child
- Is he unemployed?
- Does victim currently have a different intimate partner?
- Stalking, spying
- Has victim left within past year?
- Victim beaten while pregnant