

Women's  
Justice Center



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[Home/Página Principal](#)

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## Form for Evaluating Police Response to Domestic Violence

### Introduction

The form below was put together for use by domestic violence victims and their advocates. It was designed to assist you in evaluating the police response and the police report on your domestic violence call. The form should help you identify problems with the way the police responded so that you can act quickly to get these problems corrected. You can also use this form to provide feedback to your police department and to your community on how well police are responding to domestic violence cases.

Law enforcement agencies, also, can use this form to survey domestic violence victims as a means to do internal quality control of their officers' handling of domestic violence calls.

The police report is usually the most critical document a victim will have in determining whether or not she can escape domestic violence. If the police report is done properly, it can serve as a solid basis for prosecuting the perpetrator and for providing the authority for putting the perpetrator under control. A good police report can also frequently resolve problems the victim may encounter in many other arenas, such as family court, or in problems with landlords, school, employment, immigration, etc.

On the other hand, an inadequate police report - an incomplete or inaccurate report - can seriously undermine a victim's attempt to end the violence. A bad police report makes prosecution of the perpetrator very difficult or impossible. And the report may be used by the perpetrator against the victim. It's always worth the effort for victims and their advocates to evaluate the police response and report as soon as possible, and then seek to get needed corrections.

The evaluation form below doesn't cover all aspects of good police response to domestic violence. It's designed to touch on basic elements of good police response to domestic violence to help you focus your own more thorough evaluation. Be sure and add your own thoughts and comments along the way and in the space provided at the end of the form.

**Note:** *At the very end of the form there is a suggestion for a survey design that can done with your local police department(s).*

## Form for Evaluating Police Response to Domestic Violence

Please read the following notes before using the form.

Notes:

- You don't have to answer any question(s) you don't want to answer, and, of course, you don't have to answer questions that don't pertain to your situation.
- If more than one officer responded to your call, you can choose to answer in regard to just one officer, or you can answer in regard to both, referring to them as officer #1 and officer #2.
- Feel free to put your comments, explanations, and things you want to remember, in the spaces between the questions or in the space provided at the end of the form.

Date \_\_\_\_\_

Crime Report # \_\_\_\_\_

Date and Approximate Time of Call to Police \_\_\_\_\_

Name of Police Department \_\_\_\_\_

Your Name \_\_\_\_\_

### Part I:

### Evaluation of the Police Response to Your Domestic Violence Call

#### The Interview:

Did you feel the officer showed concern for you and your safety?

Yes \_\_\_\_\_ No \_\_\_\_\_

Did the officer make sure that you could tell your story safely and comfortably (by giving you enough time, privacy, encouragement, or whatever else you needed to tell your story)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you do not speak English well, did the officer provide you with a professional translator (either a fully bilingual officer or a telephone translator - not a family member or neighbor)?

Yes \_\_\_\_\_ No \_\_\_\_\_

Did the officer ask you about the history of abuse in the relationship?

Yes \_\_\_\_\_ No \_\_\_\_\_

Did the officer ask you whether the abuser had ever been abusive to the children?

Yes\_\_\_\_\_ No\_\_\_\_\_

Abusive to pets?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer ask you specific information about any threats made against you?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer ask you if your partner has ever forced you to have sex when you didn't want to have sex?

Yes\_\_\_\_\_ No\_\_\_\_\_

**Weapons:**

Did the officer ask you if the abuser ever used weapons against you?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer ask if the abuser has guns or has access to guns?

Yes\_\_\_\_\_ No\_\_\_\_\_

If you told the officer the abuser has guns, did the officer remove the guns?

Yes\_\_\_\_\_ No\_\_\_\_\_

*(Different states have different laws about officers' authority to remove firearms - ask about the law in your state.)*

**Your Injuries and Evidence:**

Did the officer ask about all your injuries?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer take pictures of all your injuries or arrange to have pictures taken?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the police make arrangements to take another set of pictures of your injuries later?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer collect, or take pictures of, all physical evidence (such as knives, broken furniture, broken phone lines, message tapes, etc.)? Yes\_\_\_\_\_ No\_\_\_\_\_

**Witnesses:**

Did the officer get a statement from each of the children who are old enough to talk?

Yes\_\_\_\_\_ No\_\_\_\_\_

If you were present, do you feel the officer interviewed your children with sensitivity (away from the perpetrator, with age-appropriate questions, at eye level with the children, and with a caring tone, etc.)

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer ask you about the possibility of other witnesses?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the police interview other possible witnesses or make an attempt to interview those witnesses?

Yes\_\_\_\_\_ No\_\_\_\_\_ Don't Know\_\_\_\_\_

**Arrest:**

If the abuser was present, did the officer arrest the abuser?

Yes\_\_\_\_\_ No\_\_\_\_\_ Don't Know \_\_\_\_\_

If the abuser left the scene, did the officer ask you for complete information about the possible whereabouts of the abuser?

Yes\_\_\_\_\_ No\_\_\_\_\_

**Protective Orders:**

Did the officer ask you if you have a protective order against the abuser? (A protective order can also be called a restraining order, stay away order, or no contact order.)

Yes\_\_\_\_\_ No\_\_\_\_\_

If you have a protective order, did the officer ask to see the order?

Yes\_\_\_\_\_ No\_\_\_\_\_

If you didn't have a restraining order, did the officer offer you an Emergency Protective Order?

Yes\_\_\_\_\_ No\_\_\_\_\_ Doesn't Apply \_\_\_\_\_

*(In some states officers don't have the power to write protective orders. Ask about the law in your state.)*

Did the officer issue you an Emergency Protective Order?

Yes\_\_\_\_\_ No\_\_\_\_\_

**Information:**

Did the officer give you verbal information on the services available to you?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer give you written information on the services available to you?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer give you the crime report number?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer ask you if you had any questions?

Yes\_\_\_\_\_ No\_\_\_\_\_

If you had questions, did the officer answer your questions to your satisfaction?

Yes\_\_\_\_\_ No\_\_\_\_\_

Did the officer adequately explain to you what will happen next and when it will happen?

Yes \_\_\_\_\_ No \_\_\_\_\_

## Part II: EVALUATION OF THE DOMESTIC VIOLENCE POLICE REPORT

**Note:** California Family Code Section 6228 and similar laws in other states give domestic violence victims the right to obtain a copy of the domestic violence police report. You can request a copy of the report from the police department or from the district attorney's office. Under these laws, the respective law enforcement agency is required to give the victim a complete copy of the police report.

If your state doesn't give you a right to the report or if for any other reason you haven't yet gotten a copy of the police report, go to the comments section at the end of this section.

Did the police write up a domestic violence crime report?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately reflect the story you told to the officer?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately describe the history of abuse?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the abuser has a history with law enforcement, did the police attach a copy of the abuser's criminal justice history to the domestic violence report?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you told the officer about abuse to the children or to pets, does the police report accurately describe that abuse?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately describe incidents of forced sex?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately describe all your injuries?

Yes \_\_\_\_\_ No \_\_\_\_\_

Are all threats against you correctly quoted in the police report?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately record the statements of the children?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report contain the statements of the other witnesses?

Yes \_\_\_\_\_ No \_\_\_\_\_

Does the police report accurately list all the physical evidence available (pictures, weapons, broken furniture, broken telephone lines, message machine recordings, etc.)?

Yes \_\_\_\_\_ No \_\_\_\_\_

Overall, does the police report seem fair to you in the way it was written?

Yes \_\_\_\_\_ No \_\_\_\_\_

Overall, does the police report seem complete in covering the incident?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you feel that the recommended charges on the report are adequate to cover what happened to you? (See the list of domestic violence-related crimes listed below.)

Yes \_\_\_\_\_ No \_\_\_\_\_

**Your Comments:**

*(You can use the space below to list the corrections you feel need to be made in your case and/or to write your comments on what you think the officer did that was helpful to you and what you think the officer can do to improve.)*

## Other Domestic Violence Related Crimes:

California Penal Code Section 13730, and many other state codes, require that police write a domestic violence report on all domestic violence related incidents. In addition to acts that are covered by the domestic violence section of the penal code, here is a list of other crimes that when committed by an intimate partner are 'domestic violence related' and hence must be written up on a domestic violence report form.

If you are not from California, it's most likely your state has equivalent crimes listed under different Penal Code sections.

**California Penal Code Sections:**

136.1 Intimidating or Dissuading a Witness.

166 Violation of a Court Order

148 Resisting Arrest

187 Murder

203 Mayhem

205 Aggravated Mayhem

206 Torture

207 Kidnapping

211 Robbery

236 False Imprisonment

240 Assault

242/243(a) Battery

243(e) Battery on a Spouse, Non-Cohabiting Former Spouse, Co-Parent, etc.

243(d) Battery with Serious Bodily Injury

245 Assault with a Deadly Weapon or with Force Likely to result in Great Bodily Injury  
246 Shooting at an Inhabited Dwelling  
261 Forcible Rape  
261.5 Statutory Rape  
262 Rape of a Spouse  
273.5 Spousal Abuse  
273.6 Violation of a Domestic Violence Restraining Order  
273(a) Abusing or Endangering of a Child (Felony)  
273(b) Abusing or Endangering of a Child (Misdemeanor)  
278 Taking, Enticing Away, Withholding, or Concealing Child by Person without Right of Custody  
278.5 Taking, Enticing Away, Withholding, or Concealing Child in Order to Deprive Lawful Custodian of Custody  
286 Sodomy  
288a Oral Copulation  
289 Penetration with a Foreign Object  
368 Elder Abuse  
417(a) Brandishing a Weapon  
418 Forcible Entry into the Home of Another  
422 Terrorist Threats  
459/460 Residential Burglary  
591 Malicious Destruction of a Telephone  
594(b) Vandalism  
597 Animal Abuse  
602.5 Trespassing  
603 Forcible Entry with Damage to Property  
646.9 Stalking  
12020(a) Possession of a Dangerous/Deadly Weapon  
12021(a) Felon in Possession of a Firearm  
12021(c) Possession of Firearm with Prior Misdemeanor Conviction for Spousal Battery/Abuse  
12025(a) Possession of a Concealed Weapon  
12031 Possession of a Loaded Firearm  
HS11550 Under the Influence

**Note:** *The following is a suggested design for a victim survey of your local police department response to domestic violence.*

*One obvious design that can be used by victim advocates is to simply routinely ask victims if they would be willing to fill out the evaluation form, anonymously or not. Then you can compile and analyze the data you receive.*

*A more scientific way to design this study is to select a start date and time. Then, using the police department dispatch records, pull the next 50 (or whatever number) domestic violence calls for service. Have an interviewer call each one of the case victims and ask the victim if she or he would be willing to be interviewed for the survey.*

*Probably the best choice of time and date for case selection is around four weeks prior to the time the interviewing will be done. Using this time frame gives most victims time to be somewhat stabilized at the time of interviewing and, at the same time, their memory of the police response will still be fresh.*

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