



The Cycle of Violence

The theory of the cycle of violence has three distinct phases which are generally present in a Violent relationship: tension-building, explosion & honeymoon.

Tension-Building

- The victim feels like he/she is “walking on eggshells.”
- Tension is felt by ALL household members, including children.
- The batterer is hyper critical of the victim.

Explosion

- The violent incident occurs.
- It is generally explosive in nature.
- The victim is not responsible for batterer’s behavior.

Honeymoon

- The batterer is sorry and remorseful.
- The batterer promises not to repeat the violence.
- The batterer promises to go to counseling.

**DOMESTIC VIOLENCE IS A CRIME.
IT IS NOT THE VICTIM’S FAULT.
HELP IS AVAILABLE.**

DIAL 9-1-1 IN AN EMERGENCY

Resources

Sacramento County District Attorney’s Office

Domestic Violence Unit.....916.874.6171

Victim Witness Program.....916.874.5701

Sacramento County Sheriff’s Dept.....916.874.5115

SIRENS.....916.874.6752

(Sheriff’s Inmate Release Elective Notification System)

Register @ www.sacsheriff.com

Sacramento County Probation.....916.875.0300

Sacramento Police Dept.....916.264.5471

Citrus Heights Police Dept.....916.727.5500

Elk Grove Police Dept.....916.478.8000

Folsom Police Dept.....916.355.7231

Galt Police Dept.....209.366.7000

Adult Protective Services.....916.874.9377

Children’s Protective Services.....916.875.5437

Family Law Court.....916.875.3400

Community Organizations

A Community For Peace.....916.728.7210

Crisis Child Care Nursery.....916.394.2000

My Sister’s House.....916.428.3271

(Asian/Pacific Islander Women/Children)

Weave

Support & Intervention.....916.920.2952



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@SacCountyDA

Rev. 1/15

**SACRAMENTO COUNTY
DISTRICT ATTORNEY
ANNE MARIE
SCHUBERT**

**DOMESTIC
VIOLENCE
HOME COURT**



Seek Justice, Serve Justice, Do Justice

**901 G Street
Sacramento CA 95814
916.874.6171**

www.sacda.org

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Sacramento CA 95814
916.874.5701

California Relay Service
800.735.2929 TDD or 711

Domestic Violence Home Court

Domestic violence cases begin in the home court. The following are some useful terms to help you understand the court process.

Defendant: The person charged with a crime.

Arraignment: First time a defendant appears in court.

- The defendant is charged.
- Judge asks the defendant if he/she can afford an attorney. If not, one will be appointed.
- Next court date is set.
- If the defendant is in custody, bail issues may be addressed.

Superior Court Review— Defendant takes responsibility for his/her behavior. The judge, deputy district attorney & defense attorney try to settle (come to an agreement) regarding the case.

- Usually takes more than one court hearing.
- The victim may attend if he/she chooses, but it's not required.
- If the case doesn't settle, a preliminary hearing is set for felony cases only. In misdemeanor cases, a trial date is set.

Preliminary Hearing—A hearing held to present case evidence.

- The case is presented in a court other than a home court.
- The victim usually testifies.
- If the victim has to testify, he/she will have been ordered to court by the judge, or have received a subpoena from the DA's Office.
- The officers who took the report, or who witnessed the incident can also testify.

- A **subpoena** is a written order requiring the victim or witness to come to court.
- The subpoena will have a date, time & place he/she needs to appear.
- **If the subpoenaed victim/witness doesn't come to court, a warrant may be issued for his/her arrest.**
- The judge will hear the evidence. He/she will decide if there is enough to set a jury trial.
- If there is sufficient evidence, a trial date is set.

Jury Trial— The case is presented in front of a jury (unless waived by the defendant).

- The case is presented in a court other than the home court.
- A jury is a group of 12 people. Alternate jurors may also be selected.
- The jury decides if the defendant is guilty or not guilty.
- If the victim has to testify, he/she will have been ordered to court by the judge, or have received a subpoena from the DA's Office.
- The officers who took the report or who witnessed the incident will also testify.
- Other witness, including family or neighbors, may testify.
- If the jury finds the defendant guilty, the case be sent to probation for a sentencing report, unless waived by the defendant.

Probation Report—A report written by a probation officer regarding the defendant's case. He/she makes a sentencing recommendation to the judge.

- If the case is sent to probation, the probation officer writes a report.
- The probation officer will attempt to contact the victim for a statement regarding the crime and restitution. It is helpful if the victim talks to the probation officer.

Restitution—Money the defendant will be ordered to pay the victim for losses related to the crime.

- The probation officer recommends a sentence to the judge and sends the case back to court.

Judgment & Sentencing—The judge sentences the defendant.

- The victim has the right make a victim impact statement.
- The statement should include:
 - The incident (what happened?)
 - The impact the crime has had on the victim's life
 - What the victim would like to see happen to the defendant

Other Important Information

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- Domestic violence is a crime.
 - It is a crime against the state of California.
 - It is up to the District Attorney's Office to press charges rather than the victim.

Available Services

- *****
- Advocate services are available throughout the court process. Service include:
 - Crisis and short term counseling.
 - Court support.
 - Information regarding domestic violence and the criminal justice system.

If you are interested in any of the above services, call the District Attorney's Office at 916.874.6171 and ask to speak with an advocate.