



HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
PAUL V. GALLEGOS • DISTRICT ATTORNEY

Criminal Division • tel (707) 445-7411 • fax (707) 445-7416 • 825 5th Street, Eureka, CA 95501
Victim Witness Assistance • tel (707) 445-7417 • fax (707) 445-7490 • 712 4th Street, Eureka, CA 95501

FOR IMMEDIATE RELEASE

Re: Domestic Violence-Criminal Justice Process

Date: October 12, 2011

Contact: District Attorney Paul Gallegos

Phone: (707) 268-2571, (707) 267-4400

October is Domestic Violence Awareness month and every week the Humboldt County District Attorney's Office will be issuing a press release focused on an important aspect of domestic violence in our community. This week the office will focus on the Criminal Justice Process as it relates to Domestic Violence.

"One way to help end domestic violence is to raise awareness and do what we can to hold those inflicting harm accountable," said Assistant District Attorney Kelly Neel. "Threatening or using force to control or dominate another person should not be tolerated."

Experts say that while it can be difficult, reporting suspected domestic violence to law enforcement is a crucial step to stopping it. "Victims should call, but concerned family, co-workers, neighbors and even strangers can also call," explained Humboldt Domestic Violence Services Program Director Dawn Watkins, "If you suspect someone is being injured, report it."

Unfortunately, Watkins acknowledged, that call can start a criminal justice process that can be unexpected, unfamiliar and sometimes overwhelming for the victim. "Often when a victim calls law enforcement, he or she is in danger and just wants the pain to stop. They can have no concept of the legal process they set in motion."

Responding officers will often arrest suspected perpetrators of domestic violence. A report is then prepared and submitted and if there is enough admissible evidence, the District Attorney's Office will file criminal charges.

"It is important to understand that if a crime has been committed, we have an obligation to prosecute that case. However difficult this may be, no matter the economic or other hardships this may impose on the victim or the victim's family, we cannot drop a case because the victim wants us to," District Attorney Paul Gallegos said.

Nor should they, Gallegos pointed out. "Our legal system is set up for a graduated response," he explained. "For a first conviction, offenders generally receive probation and must attend a 52 week domestic violence program. This is based on the premise that given opportunities and the skills they previously lacked, people can change."

The problem, according to Gallegos, is when a victim fails to report early incidences of violence.

"Unfortunately, violence often escalates and victims come forward when the cycle of abuse is already well established. At this point the graduated response is no longer appropriate, but it is still the law. If someone delays reporting the abuse, a system that would have been appropriate early on becomes counterproductive and even dangerous," he said.

Fortunately, there are organizations in place to support victims of domestic violence. Members of the Domestic Violence Response Team (DVRT) respond with the police department to domestic violence calls in Eureka.

“Our victim advocates come to scene and focus on the victim,” explained Watkins. “This gives law enforcement a chance to focus on the perpetrator.” According to Watkins, DVRT is comprised of crisis workers trained to identify and meet the victim’s needs. “Unfortunately, in these situations life often gets turned upside down for the victim. We can help them access shelter, resources, restraining orders and whatever else they need.”

Watkins added that Humboldt Domestic Violence Services advocates are available 24 hours a day, 7 days a week to help victims of domestic violence throughout Humboldt County.

Advocates from Humboldt Domestic Violence Services as well as the District Attorney’s Victim Witness Division can also support victims as they go through the criminal justice process by helping them understand the steps involved and accompanying them in court.

“Victims need to remember that it takes a long time for life to get where it is, and it will take a while to change it,” Watkins observed. “But victims need to realize that they must act or there will be no change.”

Resources:

Humboldt Domestic Violence Services

24 hour Crisis/Support Line to access support, information and referrals.

(707) 443-6042

(866) 668-6543

North Coast Rape Crisis

24 Hr Hotlines (collect calls accepted) providing free and confidential services to survivors of sexual assault and their loved ones in Humboldt and Del Norte counties.

* Humboldt (707) 445-2881

* Del Norte (707) 465-2851

Victim Witness/DA’s office

Supports victims and witnesses through the criminal justice process.

(707) 445-7417

Each week in October the District Attorney’s Office will be issuing a press release addressing an aspect of domestic violence.

The topic schedule is as follows:

- Week of October 3: Red flags in relationships.
- Week of October 10: Law enforcement response and the criminal justice process as it relates to domestic violence.
- Week of Oct. 17: Student/teen dating violence as well as special risks faced by international students in dating relationships.
- Week of Oct. 24: Less familiar incidences of domestic violence including male victims and violence in same sex or transgender relationships.