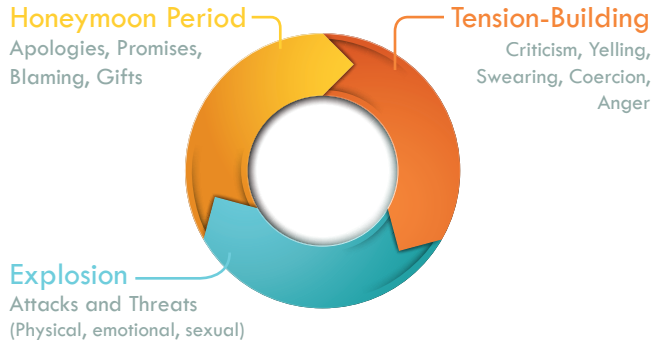


## The Cycle of Violence



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 Period

- 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 911 in an emergency.**

## Resources

<b>Sacramento County District Attorney's Office</b>	
Domestic Violence Unit	916.874.6171
Victim Witness Program	916.874.5701
<b>Sacramento County Sheriff's Dept</b>	916.874.5115
<b>SIRENS</b> <i>(Sheriff's Inmate Release Elective Notification System)</i> Register @ <a href="http://www.sacsheriff.com">www.sacsheriff.com</a>	916.874.6752
<b>Sacramento County Probation</b>	916.875.0300
<b>Sacramento Police Dept</b>	916.264.5471
<b>Citrus Heights Police Dept</b>	916.727.5500
<b>Elk Grove Police Dept</b>	916.478.8000
<b>Folsom Police Dept</b>	916.355.7230
<b>Galt Police Dept</b>	209.366.7000
<b>Adult Protective Services</b>	916.874.9377
<b>Children's Protective Services</b>	916.875.5437
<b>Family Law Court</b>	916.875.3400
<b>Community Organizations</b>	
<b>A Community For Peace</b>	916.728.7210
<b>Crisis Child Care Nursery</b>	916.394.2000
<b>My Sister's House</b> <i>(Asian/Pacific Islander Women/Children)</i>	916.428.3271
<b>Sacramento Regional Family Justice Center</b>	916.875.4673 916.875.HOPE
<b>WEAVE</b> Support & Intervention	916.920.2952

901 G Street - Sacramento, CA 95814  
916.874.6218

CA Relay Service 800.735.2929 TDD or 711

[Facebook.com/SacCountyDA](https://www.facebook.com/SacCountyDA) [@SacCountyDA](https://twitter.com/SacCountyDA)

Sacramento County  
District Attorney's Office

# Domestic Violence Home Court



District Attorney  
**Thien Ho**  
Sacramento County  
District Attorney's Office  
[sacda.org](http://sacda.org)

## Domestic Violence Home Court

Domestic violence cases begin in the Sacramento Domestic Violence 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:

If a 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 the 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 evidence 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 will be sent to the probation department 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 to 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

- 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.