



TRAINING BULLETIN

Woodland Police Department

SB 1141 (Rubio)-Domestic violence: coercive control

CODES: FC 6320

Makes certain findings and declarations relating to the impact of COVID-19 on victims of domestic violence.

Defines the term “disturbing the peace of the other party” under FC Section 6320 as: *conduct that, based on the totality of the circumstances, destroys the mental or emotional calm of the other party.*

Conduct includes *coercive control*, examples of which are :

- Isolating the other party from friends, relatives, or other sources of support.
- Depriving the other party of basic necessities.
- Controlling, regulating, or monitoring the other party's movements, communications, daily behavior, finances, economic resources, or access to services.
- Compelling the other party by force, threat of force, or intimidation, including threats based on actual or suspected immigration status, to engage in conduct from which the other party has a right to abstain or to abstain from conduct in which the other party has a right to engage.



WHAT THIS BILL MEANS:

In writing a police report, if an officer needs to articulate that a person is “disturbing the peace” of a protected person based on the new criteria of “coercive control”, the officer will need to articulate in the report that the offender unreasonably interfered with a protected party’s free will and personal liberty to interact with family, friends or household members.

When officers are seeking a restraining order under the Domestic Violence Prevention Act, they should ask specific questions about the suspect's actions. This bill elaborates on what actions would "disturb the peace of the victim." Officers should consider things such as:

- Did the suspect do anything to damage the mental or emotional well-being of the victim?
- Did the suspect disturb the victim's peace by using a third party or electronic form of communication?
- Was the suspect coercive and controlling? Meaning did they isolate the victim from friends and family? Did they coerce the victim to do things they didn't want to do or stop them from doing things they did want to do? Did the suspect control the victim's finances, access to services or other resources?

If any of these actions are present, SB 1141 has clarified that such actions are potentially grounds for a restraining order.