

Domestic/Dating Violence considerations

June 12, 2018 | 21 upvotes | by [rpsheepdog](#)

Things to consider while reading:

Domestic/Dating violence laws differ from state to state, county to county, and city/township to city/township

This post is in reference to Florida Law

OP is in Law Enforcement and has not been a suspect or accused of DV

A lot of this is basic legal definitions, but I'm pretty tired of reading shit advice saying you will go to jail for no reason.

Posts regarding domestic (also including dating, but from here on out will be referred to as domestic) violence always seem to generate a good bit of discussion, I saw there was a post about dealing with rape charges but none that I could find about possible domestic charges.

- Domestic Violence in Florida is a misdemeanor charge, which is usually at officer discretion to prosecute or write a ticket or dismiss outright. That being said, state law indicates that in DV cases an arrest WILL be made if a *primary aggressor* can be determined. If both parties have injuries then both parties will be arrested. A primary aggressor is up for interpretation, but if you get cut by your girl and shove her away she is the primary aggressor. If she pushes past you and you clock her in the mouth, you are the primary aggressor.

- Police officers are protected from civil lawsuits in DV cases if they take somebody to jail *in good faith* that the suspect actually committed the crime.

- DV is battery. Battery is simply the unwanted touching of somebody else, pending on the victim, this can be simply a smack on the ass, a punch, kick, spit, anything. When great bodily harm is involved or a weapon the charge becomes a *felony*

- Evidence: Victim simply stating the suspect hit victim is not enough to arrest somebody on. Also, *independent* witnesses will help clear or indicate somebody is a suspect. Injuries are the most common form evidence used in prosecution of DV, if somebody injures their own person, police cannot prove that the suspect did not do that. I.e. If you didn't actually get physical in an argument and she injures herself, you need to find a way to prove that. This is shitty, but read two points higher. This usually comes out later, but it doesn't mean you won't take the ride for the night.

- Having evidence to protect yourself is very important. If something gets hairy I'd recommend filming it as best you can, audio isn't always the best evidence.

- Nothing indicates that "the male has to go to jail", however, if you punch your girlfriend and she punches you, the likelihood of you being the primary aggressor is much higher considering you are a dude. This is not fair, but it is how the law works. Males and females are different and it is much easier to cause injuries to a female.

Some disclaimers: This is not advice how to *Beat a charge*, simply the way the system works. If you hit your girl then you broke the law. I'm not a lawyer and I'm not trying to help you not pay your due diligence for committing a crime.

I understand TRP is amoral, however, DV is a crime.

My opinion: Hitting a woman lets "her win" because you have you use your last resource as a male by confronting to violence.

I'll be around for a few hours for any other comments/questions

EDIT: Formatting to make easier to read.

Archived from theredarchive.com

Comments

chunderous • 25 points • 12 June, 2018 05:42 PM

In addition: under **ABSOLUTELY NO CIRCUMSTANCES** should you ever talk to the police.

I know this video is long, but the message is extremely important:

<https://www.youtube.com/watch?v=d-7o9xYp7eE>

rpsheepdog[S] • 10 points • 12 June, 2018 05:48 PM

Generally speaking, when police don't speak with the suspect and can't locate, charges tend to be dropped, especially if the victim is uncooperative.

hiddenpleasures123 • 18 points • 13 June, 2018 06:28 AM

If your girl ever shows any signs of physical rage(throwing things, breaking shit, getting physical with you during an argument) dump her immediately.

Steps to remember If things escalate to violence on her end:

1. Film immediately (DO NOT ALLOW HER POSSESSION OF PHONE)
2. Call the police(non negotiable)
3. Leave(physical property can be replaced)
4. If she tries to stop you(Inform her she is detaining you and whatever force necessary will be used to regain right-of-way)
5. Leave the area.

If you are trying to leave and it turns physical remember:

-Have that camera rolling

-Try to escape using the least amount of force possible

-Use the same force as her, hands for hands. deadly weapons require deadly force response.

-If arrested, don't talk to the police.

RedBigMan • 7 points • 13 June, 2018 04:13 PM

If your girl ever shows any signs of physical rage(throwing things, breaking shit, getting physical with you during an argument) dump her immediately.

^ This. Any female willing to use violence of any kind to get her own way should result in termination of the relationship. The whole use of violence thing is usually just the tip of the iceberg, women with rage problems tend to have enough problems they could end up in a psych ward if female craziness wasn't normalized in society. If she's willing to throw a punch she's probably willing to falsely accuse you of other stuff like rape.

rpsheepdog[S] • 2 points • 13 June, 2018 12:59 PM

this is pretty solid advice here

[deleted] • 2 points • 13 June, 2018 08:09 PM

The sad thing is that this is basically just a shit test and subconsciously she is really waiting to see if you'll give her the back of your hand to shut her up. I'm sure that's how it worked for the entirety of human

history. Any man who tries that now though must be outside his mind.

hiddenpleasures123 • 2 points • 13 June, 2018 09:44 PM

Yep. It's an easy ticket to jail. Plus, where I live DV can really fuck your life up.

1212121014 • 1 point • 14 June, 2018 04:43 PM

Wouldn't leaving be the best thing to do if you can't film? That would cool everyone down and it acts as a consequence for her crazy behavior.

Whenever my husband has walked away during an argument, that immediately cools things off and makes me reflect on whatever has been said in anger. Within minutes I will go to see him and we will resume a more civilized discussion. Just the act of him walking away becomes a consequence because I do enjoy his company and I want to be able to engage with him.

hiddenpleasures123 • 2 points • 14 June, 2018 10:16 PM

As mentioned in my post, leaving IS one of the steps.

Unfortunately, filming is super important. I've dealt with a violent girlfriend once. She started throwing dishes at the wall and floor. I immediately filmed her and kept the camera low. She punched herself in the face several times and said she'd call the cops if I didn't agree with her. I told her "I'm filming. Too late I'm calling them" and left.

Ended up getting an order of protection against her. Which she violated and went to jail for.

Now my phone is in my pocket ready to go, every temper tantrum any of my girlfriend's throw.

reluctantly_red • 6 points • 13 June, 2018 03:43 PM

Victim simply stating the suspect hit victim is not enough to arrest somebody

In every jurisdiction I know of it is. Unless the investigating officer has some reason to not believe the victim (e.g. she's drunk or there is an ongoing child custody dispute) the officer is obligated to arrest under most police departments' policies. At trial the judge will instruct the jury that the testimony of one witness (if believed) is enough to convict. I'm a criminal defense attorney who has handled over 1000 DV cases BTW (multiple rotations in DV court in a large California county).

[deleted] • 2 points • 13 June, 2018 08:10 PM

Why does the judge issue such an instruction? That seems completely outrageous. I thought it was up to the jury to decide if the testimony provided is enough to convict.

AllahHatesFags • 1 point • 13 June, 2018 06:12 PM

That's because OP is in Florida.

valvadi • 1 points • 12 June, 2018 07:56 PM **[recovered]**

I tried posting this on a fresh account but forgot about the anti-newbie ban, so I said screw it. If I get doxxed, I get doxxed. This topic hits home with me; I am a prosecuting attorney with years of experience in this field. While I do not prosecute in Florida, most, if not all states have these VAWA (violence against women act) laws that are uniformly enacted across multiple jurisdictions. Femi-nazis have lobbied each individual state to pass substantially similar legislation. Not every state has taken the bait but enough have to ensure their agenda is the norm across the country.

I plan on routinely posting on legal issues that adversely affect RP men. I hope to work with RPSheepDog (who clearly knows his shit btw) and any other RP man with substantial legal experience. I believe clear, concise, and accurate legal knowledge is something RP currently lacks, and I hope to help remedy that situation.

[deleted] • 3 points • 13 June, 2018 10:33 AM

So have a hidden high quality camera recording ur bedroom 24/7?

rpsheepdog[S] • 4 points • 13 June, 2018 12:58 PM

that could get fishy with regards to other law. If you were married or living with a woman who was crazy enough to justify filming 24/7 then possibly, an easier alternative would be to have a home security system with one of the cameras in your room.

[deleted] • 1 point • 13 June, 2018 01:55 PM

Those cameras have sound recording and are high resolution enough?

rpsheepdog[S] • 2 points • 13 June, 2018 02:22 PM

I don't think sound, but they might, video is usually pretty good, especially if all you needed to prove is that you are not the primary aggressor

[deleted] • 2 points • 13 June, 2018 02:24 PM

I meant rape acusations, can't see consent, especially for some rough sex

KyfhoMyoba • 1 point • 17 June, 2018 06:02 PM

As long as they are noticed that you are recording, you're good. So by your front door, right about at eye level, you post a sign that says "These entire premises are under audio and video surveillance." She's been noticed, plus she enters, = she agrees. Offer + acceptance = contract.

theonlyladyhere • 0 points • 13 June, 2018 02:54 PM

if you have sex in your bedroom then that's illegal. no point compiling evidence you can't use without being charged.

[deleted] • 3 points • 13 June, 2018 03:16 PM

So rape acusations are a risk we just have to accept? She's got all the power then, at best screening for crazy women.

theonlyladyhere • 0 points • 13 June, 2018 03:47 PM

im not saying rape accusations are something you have to accept, im saying that setting up a camera to record women sexually without their consent is less of a safety blanket and more of a liability.

a guy was caught recording consensual sex in his bedroom without consent to film it in NY and got one to three years in prison.

if anything i would say that you should ask for consent before fucking a girl and record that part of the conversation. with a voice recording of consent, any rape claim she'll come up with will be invalid and you won't be put on the sex offender registry for recording girls without their knowledge. its a win-win.

[deleted] • 1 point • 13 June, 2018 03:53 PM

Nobody does that, and remember she can change her mind anytime... So yeah there is always a

risk.

theonlyladyhere • 2 points • 13 June, 2018 03:55 PM

so... in order to protect yourself you're willing to commit a sex crime in itself... but not willing to take 10 seconds to ask an uncommon question and click 1 button on your phone?

[deleted] • 2 points • 13 June, 2018 03:58 PM

It kills the mood and u aren't addressing my point about withdrawing consent at any point.

theonlyladyhere • 1 point • 13 June, 2018 04:21 PM

so ill address your point about withdrawing consent: people won't care. after a woman is on record saying she consents there is no way she will legally win that fight. and let's look at this logically, you won't tell her she's being recorded. so if she wants to falsely accuse you of rape, why would she admit to consenting at one point? unless you tell her that you recorded it then the most effective tale for her to spin is that there was no verbal consent, because saying there was basically destroys her case.

so most likely not only will you have recorded consent, but also chances are that recording will catch her in a lie.

next thing ill address is what your statements combined are saying:

your need to try to protect yourself against rape accusations is legitimate. i completely support that. your insistence on committing a sex crime against every woman you sleep with isn't. think about it this way, every time a woman does not later falsely accuse you, you've committed a crime against her for no reason and she is absolutely within her rights legally and morally to put you in jail.

but you say that you HAVE to protect yourself and so its worth the risk.

except when a perfectly legally alternate is suggested, you say "nobody does that" and "it kills the mood". 'it' being asking for consent, im guessing.

...so... you care enough about protecting yourself to commit sex crimes..... but you don't care enough about protecting yourself to ask for consent? that doesnt line up...

[deleted] • 1 point • 13 June, 2018 05:09 PM

Fuck it, i'll take my chances...

theonlyladyhere • 1 point • 13 June, 2018 05:14 PM

Translation: i don't want to ask for consent and i want to record sex without consent.

AllahHatesFags • 3 points • 13 June, 2018 06:10 PM

Bullshit, it's only illegal under "revenge porn" laws if you release it on the internet to ruin someone's reputation. If you just hang on to it and show to no one except the cops when some cunt claims she was raped by you that isn't illegal.

The_Chiselator • 8 points • 12 June, 2018 06:58 PM

I cannot hit a woman unless she is threatening my life, the lives of those I love or my property.

But also I can never tell any woman that I'd never hit her. That remains ambiguous. In all my time with the old girl I have only ever taken a casserole and flung it so hard against the wall that she fled to the bedroom. And I left for the night.

Came back after 36 hours and now she behaves and never ever talks about my mother. Now my mother can be psychotic but I don't need my woman bitching about the woman who birthed me. That is one step from shitting on me. Had to be contained.

rpsheepdog[S] • 3 points • 12 June, 2018 07:09 PM

This is exactly what women want though, a man capable of violence, but controls it to not pummel her.

[deleted] • 2 points • 13 June, 2018 10:51 AM

And how does the Duluth model determine who the "primary aggressor" is?

rpsheepdog[S] • 2 points • 13 June, 2018 01:02 PM

Not familiar with it so I'm not gonna comment on it and put bad or incorrect info out there

yummyluckycharms • 1 point • 14 June, 2018 06:01 PM

the duluth model is misandry carved in stone - the male is always deemed the aggressor and abuser. Notice in the link below where the programs are - there is only a men's non violence program, despite women committing 50% of all domestic assaults.

<https://www.theduluthmodel.org/what-is-the-duluth-model/>

[deleted] • 1 point • 12 June, 2018 06:02 PM

In a one party consent state why wouldn't audio be the best evidence?

rpsheepdog[S] • 2 points • 12 June, 2018 06:09 PM

One party consent aside... It's hard to prove the person on audio is the alleged person making a statement
example: You (victim) provide an audio of a "suspect" claiming to do the crime.

Problem: Easy for defense to say "that is not the suspect making that statement" or "victim paid somebody to make that statement"

[deleted] • 5 points • 12 June, 2018 06:15 PM

Don't they have audio engineers that test and match that shit up?

Or has law in order been lying to me all these years? If lawyers can use that defense, how do police agency's bug phone lines and houses beat that defense?

I still think it's better then having no evidence at all and at least can put doubt in the jury and judges mind.

rpsheepdog[S] • 2 points • 12 June, 2018 06:28 PM

For a misdemeanor charge they would not do that, as most cases get dropped before a trial by jury.
But before that point, the defense would likely drop that evidence in a motion to suppress hearing.

For a large criminal case if a house was bugged or something the prosecution would go through the effort to indicate how and why they know a suspect is the person speaking. But for a simple misdemeanor battery charge most likely not.

What is your opinion on using reasonable force to subdue violent people? This is something Cesar Millan uses when dealing with dogs. Have you ever come across the term "reasonable force" in your line of duty? If so, what was the context?

hiddenpleasures123 • 5 points • 13 June, 2018 06:33 AM

Reasonable force is doing whatever necessary to protect one's self. Obviously if a 70 year old woman is slapping you in the face, you don't shoot in her the face. Especially when you could have reasonably restrained her from doing so.

In the case of DV, always try to leave/escape.

DONT_reply_with_THIS • 1 point • 13 June, 2018 07:58 PM

Won't restraining her in the case also be violence since you are now the primary aggressor in that you grabbed her and restrained her?

My advice is to just leave.

hiddenpleasures123 • 2 points • 13 June, 2018 09:57 PM

In a situation of self-defense, restraint is not violence. Violence is meant to be destructive behaviour meant to harm, damage or kill someone.

In one case, I had a guy getting in my face at the bar. I paid my tab and was trying to leave, he restricted my movement by blocking me. I informed him "You are detaining me, I will use whatever force necessary to regain right-of-way." He still didn't move, I tried to go around and the second his hand touched me to stop me, I put him in a frontal choke and took him to the ground.

It was broken up almost immediately. I was arrested, during the trial terms like "choke" were thrown around. I used the term "Vascular restraint". I told the court, "I could have easily damaged him by dropping elbows on the back of his head and neck. The guy wouldn't let me leave and was physically responding to me. So I restrained him.

I was found not guilty.

DONT_reply_with_THIS • 3 points • 13 June, 2018 10:05 PM

That's my point though, you restrained someone but you were still arrested and charged.

Restraining a woman will get you arrested unless she has a weapon, which you will have to prove and likely still be arrested.

hiddenpleasures123 • 2 points • 13 June, 2018 10:57 PM

You could be arrested and charged for almost anything. Court is to prove your innocence.

DONT_reply_with_THIS • 1 point • 13 June, 2018 11:14 PM

Much less likely you'll be arrested if you walk away, especially from a woman, and leave the area immediately.

KyfhoMyoba • 1 point • 17 June, 2018 06:04 PM

Obviously if a 70 year old woman is slapping you in the face, you don't shoot in her the face.

Cops have, and gotten 'Qualified Immunity'

reluctantly_red • 3 points • 13 June, 2018 03:48 PM

What is your opinion on using reasonable force to subdue violent people?

If you are in a domestic relationship with a violent person get the fuck out now!!! The burden is going to be on you to prove your use of force in self-defense was reasonable. You don't want to go there -- just get out.

rpsheepdog[S] • 2 points • 12 June, 2018 07:47 PM

With regards to DV? or encounters in general?