

STATE V. JUAN MARTINEZ

Figure 4

Juan Martinez is charged with assaulting his wife of three years, Gloria Martinez. Gloria is four months pregnant.

The police report indicates the following:

I was dispatched to 321 Day Street after 911 received a call with nobody on the line, but with yelling and crying in the distant background. When I arrived at the scene I was greeted by Gloria, who looked like she has been crying and had a bloody nose. A man who identified himself as Gloria's husband, Juan, was also present. Juan told me that he and Gloria were fighting about how much money she had spent on clothes. Juan said that Gloria became angry and lunged at him, so he pushed her head to prevent her from hitting him and she hit the wall. Juan had no apparent injuries. Gloria denied lunging at her husband. An investigator spoke with Gloria after her husband was removed from the room. When asked if Juan had ever hurt her in the past, Gloria mentioned that a few days earlier, she had sex with Juan "when she didn't want to" but that she wasn't physically hurt from the incident.

The victim advocate in your office, Naomi, tried to contact Gloria, but Gloria does not speak English well, so Naomi spoke to Gloria's friend Maria instead. Maria told Naomi that Gloria doesn't want Juan to go to jail because Gloria is afraid that she will have to go back to El Salvador.

Just prior to trial, you are unable to locate Gloria. You have reason to believe that she may be staying at the local shelter, but the shelter won't say if she is there. What do you do?

This incident report was created for training purposes. The names and incidents are fictitious.

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