

**NOTE:** If you would like to contact Mr. Owens please send an email to [ncfmsd@earthlink.net](mailto:ncfmsd@earthlink.net). Put in the "Subject" line "Please forward to Mr. Owens re his saga on your website".

All names have been changed. Otherwise the letter is as received.

**When domestic violence should be treated as a mental health rather than criminal issue.**

8/21/08

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**To whom it may concern in the Public Defender's Office representing Victoria Owens**

The back door to having the husband testify against his wife, charge domestic violence crimes make the husband the victim against his will be called to testify to who did this to him now making him the victim and his wife the aggressor of criminal when none of this is true as I gave her permission to touch me in this manner. In a session the hospital was told what to expect from my wife who is bipolar and this would mean hitting me scratching me spitting on me and more and would I accept this I said yes I would. So now to have the police and the D.A. place charges against my wife is outrageous as I gave her permission to do this. All my wife is guilty of is getting mentally sick.

On Sunday the 10<sup>th</sup> of 2008 my wife suffered a bipolar manic attack, which caused my stepson to call 911 in order to get help for his mothers medical condition, and I agreed with this act.

When the police arrived they were not concerned about my wife's bipolar condition or her need to go to her hospital nor to pay any attention to neither her meds nor did they try to contact her doctor **Dr. Char Cummings**, or anyone from the HelpFirst Psychiatry Clinic as I did point these out to them, and I asked them to get in touch with the Kiser Clinic in order to help my wife.

The police seemed more interested in talking to me and taking pictures of my face and neck and asking questions pertaining to these areas instead of helping my wife. I told these Officers this is not a Domestic Violence issue, it is a medical problem and my wife needs to go to the hospital.

**In all discussions** with these officers and a social worker that came into our home, did I ever state in any manor that I was a victim, as a matter of fact, I stated more than once that they were called here to give my wife medical attention, an take her to the hospital.

They kept all three of us separated, and instead of pulling us together to see how they and my step son could help, or give positive instruction in Victoria's best interest, but instead they kept us separated and integrated each of us in order to somehow find a way to get a Domestic Violence charge, and they were doing this with no victim, so now the police and the D.A.'s office have to create one.

It appears this group of police, and social worker were the Domestic Violence teams, not the medical team that should have been sent here, and it appeared they were not trained in medical situations what's so ever.

When these groups showed up and saw and heard the situation they should have without delay called in a medical unit from the sheriff's dept, if they didn't have one to get my wife to a hospital medical help.

My wife needed a Doctor not a jail guard, she is not a criminal, and she did not batter me.

I told the police when they left we did not know that they were going to take my wife to jail or we would not have called them, we thought that they were coming with a trained medical team and were going to take my wife to the hospital for medical help, or at least find out from the doctor what they should do. These units that came into my house under false pretences had no intent to deal with my wife's Bipolar problem as it appears they had no training in this filed.

As stated in the above I asked the police why are they putting my wife under arrest as no charges have not been filed or asked for by me. The police stated they didn't need me to file a complaint against my wife as they could do this on their own. This would certainly fly in the face of the law as stated I **the U.S. Supreme Courts decision in Crawford vs. Washington 124 S.Ct. 1354|2004** in which Antonin Scalia wrote *No longer could alleged perpetrators be convicted without the opportunity to challenge the testimony of others, including the alleged victim. This unconscionable practice, commonly known as "victimless prosecution" arguably protected few and resulted in untold thousands of falsely accused being wrongly restrained from their children, homes, and property; terminated from their employment, imprisoned, and ordered into batter intervention program; or, worse, driven to murder or suicide. **Also see new state law SB1356.*** I know they would say I was the victim but I gave permission for Victoria to touch me in this manner

Victoria was placed in jail now for seven days for an alleged crime of **Domestic Violence with no victim** unless you want to call the city of La Mesa the victim. This is called **victimless prosecution**.

I think it should be noted the 911 call stated that the woman had mental problems, and when the arrived were told these problems and shown the meds, and the Doctors name and phone number but these were all ignored. The police surrounded each one of us and kept us separate for integration reasons not for the reasons they were called for.

**The DA stated that the state was charging Victoria with Domestic Violence or abuse; I gave Victoria permission to touch me in this manor. There is no assault; this touching could not be listed as unlawful touching.**

Joseph Owens

Husband of Victoria Owens