Assault and Domestic Violence

The alleged domestic violence between Rihanna and Christopher Brown had people around the world talking about assault and domestic violence. Under California law, assault is an unlawful attempt to commit a violent injury on another. You don’t even have to make contact to be charged with assault---you just have to make the attempt. Simple assault is a misdemeanor under California law. California aggravated assault involves a deadly weapon such as a knife or gun. Most of the time, the assault occurs between people who know each other.

Domestic violence is a separate charge involving the abuse of someone who lives with the offender. The victim could be a wife, husband, child or parent. Domestic violence is one of the most painful assaults because of the emotional impact of being abused by someone you love.

**Penalties for assault and domestic violence**

Simple assault is a misdemeanor and usually does not result in prison time. Sentences may include up to six months in the county jail; a probation of up to three years, community service and up to a $1,000 fine. While on probation, the offender may be required to complete counseling.

Aggravated assault is a serious felony and penalties can range from two to 12 years in prison, lengthy probation and up to $10,000 in fines. The offender may be required to pay restitution to the victim. The sentenced is determined by several factors including the weapon used, the criminal history of the offender and the injuries of the victim.

Many people were outraged when Chris Brown received five years of probation, 180 days of community service and ordered to participate in a domestic abuse program for his assault on Rihanna. But his sentence was not unusual. Most first time offenders only receive probation, fines and are ordered to attend some type of counseling (anger management, domestic violence, etc…). However, if the assault was so serious that it was charged as a felony, the offender could spend several years in prison.

The attorneys at Luftman, Heck and Associates understand the complexity of assault and domestic violence laws. You have a defense if you were:

* Defending yourself or your property. Someone tries to break into your home and you hit them with a baseball bat. This is considered self-defense.
* Trying to stop a crime. For example, you see a man walking into a convenience store with a gun and you assault him to stop him from robbing the store.

Many people are falsely accused of domestic violence or assault. Let us help you get the charges dismissed and keep a conviction off your record.