

One Minute Brief

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
DISTRICT ATTORNEY NATHAN J. HOCHMAN



da.lacounty.gov •    @LADAAOffice •   @LACountyDA

NUMBER: 2025-09
BY: Michele A. Hanisee

DATE: August 29, 2025
TOPIC: Joanna's Law

ISSUE: What special duties does a law enforcement officer have when investigating the apparent accidental or suicide death of a decedent who has a history as a victim of domestic violence?

Effective January 1, 2025, Joanna's Law (SB 989), codified as Penal Code §§ 679.07, 13519, and Government Code § 27491, creates enhanced law enforcement protocols and procedures for investigating the death of a decedent whose cause of death initially appears to be accident or suicide when the decedent has been the subject of domestic violence during life.

The law is named after Joanna Hunter, whose 2011 death was deemed a suicide after a brief investigation and without an autopsy, despite a history of domestic violence by her husband, Mark Wayne Lewis. Lewis was eventually sentenced to 8 years in state prison for arson and stalking involving an ex-girlfriend, but he was never charged with Joanna's death.

Domestic violence-related homicides are highly susceptible to staging or alteration of the death scene before investigators can conduct a scene investigation. Early misattribution of the cause of death to accident or suicide compromises the ability of investigators to evaluate all possible causes of death adequately.

Key components of Joanna's Law:

Subdivision (b) of Penal Code § 679.07 codifies 10 evidence-based red flags to trigger further investigation in suspicious death cases.

1. The decedent died prematurely or in an untimely manner.
2. The scene of the death gives the appearance of death due to suicide or accident.
3. One partner wanted to end the relationship.
4. There is a history of being victimized by domestic violence that includes coercive control.
5. The decedent is found dead in a home or place of residence.
6. The decedent is found by a current or previous partner.
7. There is a history of being victimized by domestic violence that includes strangulation or suffocation.
8. The current or previous partner of the decedent, or child of the decedent or the decedent's current or previous partner, is the last to see the decedent alive.
9. The partner had control of the scene before law enforcement arrived.
10. The body of the decedent has been moved or the scene or other evidence is altered in some way.

Penal Code § 679.07, subdivisions (a)-(c), sets forth requirements and guidelines for law enforcement when investigating the death of an individual with an identifiable history of being victimized by domestic violence.

- Where three of the ten subdivision (b) red flags are present, law enforcement shall interview family members or close friends of the decedent with relevant information regarding the history of domestic violence.
- Investigators may request a complete autopsy when any of the subdivision (b) red flag conditions are present.
- Law enforcement personnel investigating such deaths shall be current in their training relating to domestic violence incidents.

Penal Code § 679.07 gives certain rights to family members of a decedent.

- To obtain death records.
- To request independent review of the investigation.
- To access victim services.

The law does not require law enforcement agencies to compromise an investigation or preempt the discretion provided to law enforcement in the investigation of death cases. P.C. § 679.07(f).

Joanna's law also mandates training for first responder's and coroner staff for signs of staged deaths. P.C. § 13519.

A YouTube link to a short training video produced by the Sacramento Police Department can be found [here](#).

BOTTOM LINE: When confronted with a suspicious death that bears any of the subdivision (b) red flags, investigators should avoid premature decisions and should follow the requirements and protocols set forth in Section 679.07.

This information was current as of publication date. It is not intended as legal advice. It is recommended that readers check for subsequent developments and consult legal advisors to ensure currency after publication. Local policies and procedures regarding application should be observed.