

# Texas CCP: Peace Officer Authority & Family Violence Laws Practice Test (Sample)

## Study Guide



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**SAMPLE**

## **Questions**

- 1. What must happen during joint investigations of abuse in nursing homes?**
  - A. Investigations should be postponed**
  - B. Investigations should occur only if there are multiple reports**
  - C. Investigations should begin within 24 hours of receiving a report**
  - D. Investigations are conducted at the discretion of the nursing home**
- 2. What is required of the attorney representing the state regarding protective orders?**
  - A. To prepare a public statement regarding the order**
  - B. To promptly file an application for a protective order for each victim of the offense if one has not yet been filed**
  - C. To notify the defendant about the order**
  - D. To collect evidence before filing an application**
- 3. Under what circumstances can a peace officer refrain from providing aid?**
  - A. If they feel untrained to assist**
  - B. If it exposes them or another person to risk of bodily injury**
  - C. If the injured person refuses help**
  - D. If they are busy with paperwork**
- 4. What is the role of a victim assistance counselor?**
  - A. To investigate crimes.**
  - B. To provide support and information to victims of crimes.**
  - C. To prepare legal documentation.**
  - D. To act as a liaison between offenders and the court.**
- 5. If a protective order does not specify a duration, what is the maximum duration allowed?**
  - A. One year from the date the order was issued**
  - B. Two years from the date the order was issued**
  - C. Three years from the date the order was issued**
  - D. Indefinitely, unless revoked**

- 6. What must a peace officer provide to a victim of sexual assault at the initial contact?**
- A. A written report of the incident**
  - B. A written notice about their rights and referral to a sexual assault program**
  - C. A list of local attorneys**
  - D. A medical examination form**
- 7. What jurisdiction do border patrol officers have?**
- A. Only within state lines**
  - B. Over ports and the border**
  - C. Only in city limits**
  - D. Nationwide jurisdiction**
- 8. What must the court find to issue a protective order?**
- A. Clear evidence of property damage**
  - B. Reasonable grounds that the applicant is a victim of specific criminal acts**
  - C. A confession from the alleged offender**
  - D. Testimony from family members of the applicant**
- 9. What does the phrase 'No Exception' in CCP 5.03 imply?**
- A. Peace officers can decide whether to act based on relationship**
  - B. Peace officers have no obligations to victims based on personal relationships**
  - C. Peace officers' duties are not diminished by personal relationships with victims**
  - D. Peace officers must inform victims of their personal ties before acting**
- 10. According to CCP 56A.3515, what must a peace officer do before interviewing a sexual assault victim?**
- A. Ensure the victim is in a safe location**
  - B. Offer the victim the opportunity to have an advocate present**
  - C. Provide a written statement of rights to the victim**
  - D. Document the time and place of the assault**

## **Answers**

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1. C
2. B
3. B
4. B
5. B
6. B
7. B
8. B
9. C
10. B

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## **Explanations**



1. What must happen during joint investigations of abuse in nursing homes?
  - A. Investigations should be postponed
  - B. Investigations should occur only if there are multiple reports
  - C. Investigations should begin within 24 hours of receiving a report**
  - D. Investigations are conducted at the discretion of the nursing home

For joint investigations of abuse in nursing homes, it is crucial that investigations begin within 24 hours of receiving a report. This prompt action is essential to ensure the safety and well-being of the residents involved, as delays could allow further harm to occur or crucial evidence to be lost. Timely investigations help ensure that any potential abuse is addressed swiftly and appropriately, adhering to regulatory standards and protecting vulnerable individuals in these facilities. The context of urgency in investigations arises from the need to keep residents safe, as they may be dependent on care from staff. Therefore, the law emphasizes quick responses to reports of potential abuse to safeguard residents' health and safety while also facilitating thorough and effective investigations. Other options such as postponing investigations, requiring multiple reports, or leaving the decision entirely up to the nursing home would undermine the integrity and effectiveness of the investigation process and potentially endanger residents.

2. What is required of the attorney representing the state regarding protective orders?
  - A. To prepare a public statement regarding the order
  - B. To promptly file an application for a protective order for each victim of the offense if one has not yet been filed**
  - C. To notify the defendant about the order
  - D. To collect evidence before filing an application

The requirement for the attorney representing the state to promptly file an application for a protective order for each victim of the offense if one has not yet been filed reflects a critical aspect of the legal process in cases involving family violence. This responsibility underscores the commitment of the state to protect victims and ensure their safety by actively seeking legal remedies on their behalf. When domestic violence or threats occur, it is essential that protective measures are implemented swiftly to prevent further harm to the victim. By promptly filing an application for a protective order, the attorney facilitates the legal means for the victim to seek immediate protection, which may include restraining the alleged offender from contacting or coming near the victim. This proactive approach is vital in cases of family violence, as delays could lead to further victimization. The law emphasizes that the state has a vested interest in the welfare of victims, thereby placing the onus on the attorney to act in their best interest promptly. Other options, while they might seem relevant, do not align with the specific requirements laid out in family violence laws. For example, preparing a public statement about the order or notifying the defendant about the order may not fall within the direct duties of the state's attorney in this context. Collecting evidence before filing an application, although

**3. Under what circumstances can a peace officer refrain from providing aid?**

- A. If they feel untrained to assist**
- B. If it exposes them or another person to risk of bodily injury**
- C. If the injured person refuses help**
- D. If they are busy with paperwork**

A peace officer has a duty to provide aid in emergency situations; however, there are scenarios in which refraining from rendering assistance is justifiable. When considering the correct answer, it is important to focus on the principle of ensuring safety for both the officer and others involved. In instances where providing aid may expose the officer or another person to a risk of bodily injury, the officer is justified in refraining from assistance. This is rooted in the understanding that both the officer's safety and the safety of others must be prioritized. For example, if an officer encounters a situation that could escalate to violence or where there are hazardous conditions, choosing not to intervene immediately protects everyone involved from potential harm. Other choices presented do not align with the legal or ethical standards governing peace officer conduct in emergency engagements. The perception of feeling untrained to assist is subjective and is not a legally recognized basis for avoiding aid. Similarly, if an injured person refuses help, it is not a sufficient reason for a peace officer to refrain from attempting to offer assistance, as they still have a duty to ensure the wellbeing of individuals in crisis situations. Lastly, being busy with paperwork is not a valid justification for neglecting a duty to assist since peace officers are expected to prioritize emergencies over administrative tasks

**4. What is the role of a victim assistance counselor?**

- A. To investigate crimes.**
- B. To provide support and information to victims of crimes.**
- C. To prepare legal documentation.**
- D. To act as a liaison between offenders and the court.**

The role of a victim assistance counselor is primarily focused on providing support and information to victims of crimes. This includes offering emotional support, helping victims understand their rights, guiding them through the legal process, and connecting them to resources such as counseling services and community support programs. The emphasis is on assisting victims in coping with the aftermath of the crime and navigating the complexities of the criminal justice system. In contrast, roles such as investigating crimes, preparing legal documentation, or acting as a liaison between offenders and the court fall outside the scope of a victim assistance counselor's responsibilities, which are dedicated to advocating for and supporting the needs of crime victims. This clarification makes it evident why the chosen answer correctly represents the primary function of a victim assistance counselor.

**5. If a protective order does not specify a duration, what is the maximum duration allowed?**

- A. One year from the date the order was issued**
- B. Two years from the date the order was issued**
- C. Three years from the date the order was issued**
- D. Indefinitely, unless revoked**

When a protective order is issued in Texas and does not specify a duration, it is subject to the maximum duration specified by law. Under Texas Family Code § 81.005, if a protective order does not include a specific term, the default length of the order is two years from the date it was issued. This provision ensures that individuals protected under these orders have a clear timeframe during which they can expect the legal protections to remain in effect, contributing to their safety and security. This duration can be critical in addressing issues of family violence, ensuring that the victim has a necessary period of legal protection while also providing a structured approach to reviewing and possibly renewing the order if further protection is deemed necessary. The option of two years is established to balance the needs for safety with the rights of the individual against whom the order is granted. The other durations specified, such as one year, three years, or an indefinite timeline, do not align with the existing legal framework regarding protective orders in Texas, making them incorrect in this context.

**6. What must a peace officer provide to a victim of sexual assault at the initial contact?**

- A. A written report of the incident**
- B. A written notice about their rights and referral to a sexual assault program**
- C. A list of local attorneys**
- D. A medical examination form**

A peace officer is required to provide a victim of sexual assault with a written notice regarding their rights, as well as a referral to a sexual assault program, at the initial point of contact. This requirement is in place to ensure that victims are fully informed of their rights under the law and are connected to resources that can provide them with the necessary support and assistance. This could include information about legal rights, options for counseling, and ways to seek medical care, all of which are crucial in helping the victim navigate the aftermath of the assault. Providing this written notice and referral serves several critical functions: it empowers the victim by ensuring they are aware of the options available to them, it helps to facilitate access to necessary services, and it affirms that their experience is taken seriously by law enforcement. Ensuring that victims understand their rights and have immediate access to support systems can significantly impact their recovery process and the decisions they make in the aftermath of the incident. The other options listed do not fulfill the specific requirements set forth in Texas law relating to the duties of peace officers when dealing with victims of sexual assault. For instance, while a written report of the incident is important, it is not the peace officer's immediate responsibility at first contact. Similarly, while legal

## 7. What jurisdiction do border patrol officers have?

- A. Only within state lines
- B. Over ports and the border**
- C. Only in city limits
- D. Nationwide jurisdiction

Border patrol officers primarily have jurisdiction over ports and the border, which allows them to enforce immigration laws, customs regulations, and other laws related to national security and transportation security. This jurisdiction is specifically tailored to their mission of preventing illegal immigration, human trafficking, and drug smuggling across the border. This authority extends to both land and maritime borders, and it allows border patrol officers to carry out their duties effectively in areas directly related to border security. Their enforcement actions can occur at checkpoints, in border zones, and within certain distances into the country from the actual border. The other options do not align with the specific mandates and operational focus of border patrol officers. While they do operate in certain areas inside the borders, their primary responsibility is closely linked to the border and entry points into the country. This detail differentiates their authority from police agencies that operate strictly within city limits or have limited jurisdiction, such as those confined solely to state lines or to designated urban areas.

## 8. What must the court find to issue a protective order?

- A. Clear evidence of property damage
- B. Reasonable grounds that the applicant is a victim of specific criminal acts**
- C. A confession from the alleged offender
- D. Testimony from family members of the applicant

To issue a protective order, the court must find reasonable grounds that the applicant is a victim of specific criminal acts. This requirement reflects the legal standards for determining whether there is sufficient basis to grant protection to an individual who may be at risk of harm from another person. The notion of "reasonable grounds" implies that the court needs to establish a credible belief, based on evidence and circumstances presented by the applicant, that the applicant has experienced or is likely to experience future harm due to specific acts that are recognized as criminal under the law. This could include acts like assault, stalking, or threats of violence. The other options do not meet the criteria established in the law for the issuance of a protective order, as they either focus on aspects that do not necessarily demonstrate a direct risk to the applicant or rely on forms of evidence that may not be warranted for granting such an order. The focus is clearly on establishing a victim's status in relation to those specific criminal acts rather than broader or less direct evidence.

- A. Peace officers can decide whether to act based on relationship**
- B. Peace officers have no obligations to victims based on personal relationships**
- C. Peace officers' duties are not diminished by personal relationships with victims**
- D. Peace officers must inform victims of their personal ties before acting**

**10. According to CCP 56A.3515, what must a peace officer do before interviewing a sexual assault victim?**

- A. Ensure the victim is in a safe location**
- B. Offer the victim the opportunity to have an advocate present**
- C. Provide a written statement of rights to the victim**
- D. Document the time and place of the assault**

Before interviewing a sexual assault victim, a peace officer is required to offer the victim the opportunity to have an advocate present. This is crucial for several reasons. First, having an advocate can provide emotional support to the victim during a highly traumatic time, helping them feel safe and more empowered to share their experience. The presence of an advocate not only ensures that the victim's rights are respected but also helps the officer conduct a thorough and sensitive interview. Advocates can provide insights into the needs of the victim, ensuring that the interaction is handled with care and consideration for the victim's emotional and psychological state. While ensuring the victim's safety, providing a statement of rights, and documenting details of the assault are important aspects of the investigative process, the primary emphasis of CCP 56A.3515 is on the victim's support and comfort during the initial stages of the investigation. This focus on support has a significant impact on the victim's willingness to cooperate with the investigation and can influence the overall effectiveness of the law enforcement response.