



GENERAL ORDER OPS-22 DOMESTIC VIOLENCE

EFFECTIVE DECEMBER 19, 2019

This General Order contains the following sections:

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I. POLICY

The Howard County Department of Police (HCPD) will take a proactive posture on domestic violence and will support the Howard County Sheriff's Office (HCSO) in the service of protective orders. This policy recognizes domestic violence as criminal activity and will not differentiate it from other criminal activities. Suspects will be arrested whenever the law authorizes and victims will be referred for assistance and family counseling as needed.

II. DEFINITIONS

- A. Abuse as defined in the Maryland Annotated Code, Family Law Article §4-501, means any of the following acts:
 - 1. An act that causes serious bodily harm.
 - 2. An act that places a person eligible for relief in fear of imminent serious bodily harm.
 - 3. Assault in any degree.
 - 4. Rape or sexual offense under §3-303, §3-304, §3-307, or §3-308 of the Criminal Law Article, or attempted rape or sexual offense in any degree.
 - 5. False imprisonment.
 - 6. Stalking under §3-802 of the Criminal Law Article.
 - 7. Revenge porn under §3-809 of the Criminal Law Article.
 - 8. If the person for whom relief is sought is a minor/child, abuse may also include abuse of a child as defined in Maryland Annotated Code, Family Law Article §5-701.
 - 9. If the person for whom relief is sought is a vulnerable adult, abuse may also include abuse of a vulnerable adult as defined in Maryland Family Law Title 14, Subtitle 1.

B. Child Abuse

1. Under Maryland Criminal Law § 3-601, child abuse is defined as a physical injury sustained by a minor as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances that indicate that the minor's health or welfare is harmed or threatened by the treatment or act.
2. Physical child abuse is NOT normal, acceptable discipline of a minor/child administered because of the minor/child's violation of normal, acceptable standards set by the parent/guardian. Discipline does not result in injury to the minor/child.
3. Child abuse cases shall be classified appropriately and completed on an Incident Report. Officers shall refer to General Order OPS-16, Child Abuse and Neglect Investigations, for further assistance.

C. Domestic Verbal: When one or both members of an intimate relationship are engaged in a verbal altercation and assistance from the HCPD is requested.

D. Domestic Violence: When a person commits or attempts to commit one of the following types of offenses against a current spouse or a person with whom he or she has had an intimate relationship:

1. A physical altercation that may or may not cause injury;
2. An act that places one in fear of physical injury to self or others;
3. Sexual assault; or
4. Violation of a protective order.

Note: This is a general definition of Domestic Violence. It is not inclusive of all arrests and officers should refer to Section IV of this policy when making a domestic related arrest.

E. Dominant Aggressor

1. The dominant aggressor is the person believed to be the most significant, rather than the first, aggressor.
2. In identifying the dominant aggressor, an officer shall consider:
 - a. The intent of the law to protect victims of domestic violence from continuing abuse;
 - b. The threats creating fear of physical injury;
 - c. The history of domestic violence between the involved parties;
 - d. Whether either party acted in self-defense;
 - e. The severity of the injuries inflicted on each person; and
 - f. Other observations, i.e. was the response/aggression reasonable or appropriate given the circumstances.

- F. Household Disturbance
1. When one member of a common household engages in a verbal-only altercation with another household member with whom no intimate relationship exists, i.e. parent/child, sibling relationships, roommates, etc.
 2. No physical assault occurred, was attempted, or threatened during the incident.
- G. Household Violence: When one member of a common household inflicts, attempts, or threatens physical injury against another household member with whom no intimate relationship exists, i.e. parent/adult child, sibling relationships, roommates, etc.
- H. Intimate Relationship: A relationship between individuals who:
1. Are married, separated, or divorced;
 2. Live or have lived together in a romantic relationship;
 3. Have children in common; or
 4. Are dating or have previously dated.
- I. Lethality Assessment: A way of identifying and assessing the domestic violence victim's potential for death by offender utilizing a lethality assessment form, HCPD Form 2152, Domestic Violence Lethality Screen for First Responders.
- J. Minor/Child: An individual under 18 years of age.
- K. Protective and Peace Orders are civil orders issued by a Judge or Commissioner to prevent the Respondent from committing certain acts against the person who applied for the protective or Peace order (the Petitioner). For details on eligibility, see General Order OPS-75, Protective & Peace Orders.
1. Interim Order
 - a. During the hours that the courts are closed, District Court Commissioners may issue interim protective orders that have the same applicability and enforceability as a temporary or final order.
 - b. Interim orders will contain a hearing date that will generally be the second (2nd) day a Judge is sitting after the issuance of an interim order.
 2. Temporary Order
 - a. A protective order issued by a judge of limited duration that does not exceed seven (7) days after the date of issuance but may be extended by the judge until a full hearing can be held.
 - b. Temporary orders include notice of a hearing, typically the last day the temporary order is in effect. During that hearing the court will determine if a final protective order is needed.
 3. Final Protective Order: An order issued by a judge after a full hearing that can last up to but typically does not exceed one (1) year.
- Note: In the rare circumstances when the court system is closed, i.e. inclement weather, power outages, etc., the order shall remain in effect until the first day the courts reopen.

- L. Respondent: The person alleged to have committed the abuse.
- M. Victim of domestic violence: An individual who has received deliberate, severe, and demonstrable physical injury, or is in fear of imminent, deliberate, severe, and demonstrable physical injury from a current or former spouse, or a current or former cohabitant as defined in the Maryland Annotated Code, Family Law Article §4-501.

III. PATROL INVESTIGATIVE RESPONSIBILITIES

- A. Members of the HCPD will treat domestic violence incidents as any other criminal investigation. Patrol officers shall determine if the parties involved are intimate or non-intimate and investigate the incident as completely as possible during their tour of duty.
 - 1. Case responsibility for Domestic Violence / Domestic Verbal / Household Violence / Household Disturbance incidents shall remain with the investigating patrol officer unless otherwise notified.
 - 2. Child abuse cases shall be classified appropriately and an Incident Report completed. Officers shall refer to General Order OPS-16, Child Abuse and Neglect Investigations, for further assistance.
- B. Interviewing
 - 1. The goal of the interview is to obtain information from the involved parties and witnesses, including children, pertaining to potential criminal activity for later use in court; to assess injuries; to capture relevant information; and to provide information to the victim.
 - 2. All questions should be clear, direct, and concise, and included in the officer's report or supplement.
- C. Forms to be Completed on the Scene¹
 - 1. Domestic Violence Assault Supplement (HCPD Form 2151)
 - a. Shall be completed on any Domestic Violence incident where one party has made a report of an assault even if visible injuries are not observed.
 - b. Shall be completed by the victim.
 - i. If both parties are claiming to have been assaulted, each party will complete this form. If the subject(s) is physically unable to complete the form the officer may assist and document this on the form.
 - ii. If the subject(s) refuses to complete the form, the officer shall complete the necessary boxes and mark that the subject refused.
 - 2. Lethality Assessment - Domestic Violence incidents only (HCPD Form 2152)
 - a. The initial officer shall complete a Lethality Assessment, HCPD Form 2152, if there is reason to believe that the involved parties are in an intimate relationship and any of the following conditions exist:²
 - i. The officer senses the potential for danger, i.e. assaults or allegations of assault.

¹ CALEA 82.2.1b

² CALEA 82.2.1b

- ii. There have been repeat visits by the police to the same residence or victim.
 - iii. The officer believes the screen should be completed.
 - iv. During any circumstance when a Lethality Assessment cannot be completed, justification for the reason shall be documented in the incident report by the reporting officer.
 - b. The lethality assessment form shall be completed on scene by the officer.
 - i. If the victim is physically or mentally unable to answer the questions, i.e. under the influence of drugs or alcohol, the officer shall determine if the HopeWorks hotline should be called, direct the victim to referral services, and re-contact the victim at a later time to complete the lethality assessment.
 - ii. If the victim refuses to answer any of the questions on the lethality assessment, the officer shall complete all the necessary blocks on the form and check that the victim refused.
 - c. The officer shall call HopeWorks of Howard County while on scene when indicated by the Lethality Assessment form protocols or if the officer believes such a call would be appropriate.
 - i. If the victim refuses to speak to a counselor, the officer shall attempt to encourage the victim.
 - ii. If the victim continues to refuse, the reason for refusal shall be documented on the lethality assessment.
- D. Officers are to be alert to other signs of problems or violence within the household such as abuse or neglect of a minor/child or animal. Officers shall fully document such incidents and take appropriate action.
- E. Supervisor Notification
 - 1. The assigned officer will notify a supervisor if there has been a serious assault. The nature and seriousness of the victim's injuries may dictate the need for an on-duty or on-call CIB supervisor.
 - 2. The patrol supervisor shall ensure a complete copy of all Domestic Violence reports involving an assault are marked "forward copy to Domestic Violence Section" and emailed to the Domestic Violence Section at DV@howardcountymd.gov prior to the end of shift.
- F. Collection of Evidence: Whenever possible, an officer shall:
 - 1. Obtain written statements from involved parties and witnesses.
 - 2. Identify and seize weapons or objects used as weapons.
 - 3. Seize clothing that may be evidence.
 - 4. Photograph the victim; the suspect; children, if applicable; any injuries; and the crime scene. During instances when a victim is alleging an assault but injuries are not observable, officers shall photograph the area(s) of the reported injury.

5. Arrange for or take additional photographs of the victim within five (5) calendar days when the bruises should be more developed.
6. Photograph the scene of the assault or alleged assault.
7. If a camera is not available, draw a clear, concise diagram of key locations.
8. Interview neighbors to see if they heard any screaming and/or acts relevant to the investigation.
9. Retrieve any notes or writings made by the assailant, victim, or witnesses.
10. Photograph any text messages or call logs that could be used in the prosecution of a case.

G. Call Classifications

1. All reports shall be properly classified with the most serious offense being listed as the primary offense.
 - a. If the incident is Domestic Violence or Household Violence related but there is another primary offense, the officer shall ensure Domestic Violence or Household Violence is listed as a secondary offense.
 - b. If the incident is a Household Disturbance absent any other primary offenses, the Household Disturbance classification shall be used as the primary offense.

Example 1: A Domestic Violence or Household Violence call involving a homicide, robbery, assault, attempted assault, etc. shall receive the appropriate primary report offense code classification with "Domestic Violence or Household Violence" as the secondary classification.

Example 2: A Domestic Violence call that is verbal only with no other primary offense codes reported shall receive a primary classification of "Domestic Verbal".

Example 3: A Household Disturbance or Household Violence incident that is investigated and found to be verbal only with no evidence of assault, attempted assault, threat, or involvement of any other offense code may be reclassified to "Household Disturbance" and given appropriate disposition of RTF or NR upon the authority of the area supervisor.

2. A "NR" (No Report) disposition is permitted when officers have exhausted all means of locating the involved parties. The call shall remain classified as a Domestic Violence, Domestic Verbal, Household Violence, or Household Disturbance incident with a disposition code of GOA or UTL.
3. Any other reclassifications or NRs shall be approved by a patrol supervisor.
 - a. The reason for the reclassification or NR disposition and the supervisor's ID number shall be documented in the comments section of the call via MDC prior to the primary officer clearing the call.
 - b. If the call is closed prior to the notes being added, officers shall notify their supervisor so they may make the necessary notes and changes in I-LEADS prior to end of shift.

H. Firearms

1. Pursuant to Family Law Article §4-511, law enforcement officers may remove firearms from the scene if there is probable cause to believe that an act of domestic violence/household violence has occurred **and** they have observed the firearm during the response.
 - a. A resident of the dwelling may lead the officer to the location of firearms if they wish for the officer to seize the weapons for safekeeping.
 - b. When investigating any incident where firearms can legally be seized and taken from a scene, officers shall not allow family, friends, or any other interested party to take the firearms as an alternative to seizure.
2. If officers do not observe firearms during their response but the victim indicates the suspect possesses or has access to firearms and there is sufficient information to believe the suspect poses an immediate and present danger to the suspect, victim, or others by possessing the firearms, the victim should be encouraged to file for an Extreme Risk Protective Order (ERPO) pursuant to General Order OPS-74, Extreme Risk Protective Orders.
3. If officers remove a firearm from the scene they shall advise the owner that the firearm will be held in the HCPD Property Room pending the outcome of the investigation. Officers shall complete HCPD Form 1225, Receipt for Surrendered Firearms and Ammunition, and provide the owner with a copy.

I. Written Reports

1. Incident Report (HCPD 1220)
 - a. An Incident Report shall be completed for all Household Violence calls.

Examples: Assaults between non-intimate roommates; harassment between siblings; threats of violence between parent and adult child, with the exceptions outlined in this Order.
 - b. If the incident is a Household Violence incident, the officer shall attempt to obtain a voluntary written statement from all involved parties. A suspect in custody shall be advised of his Miranda rights prior to obtaining a statement.
 - c. Any minor/child present at the time of the incident shall be included on an Additional Persons sheet, HCPD Form 1220a.
 - d. An Incident Report is not required for Household Disturbance calls when approved by the area supervisor.
 - e. All Household Violence or Household Disturbance reports shall be completed prior to the end of the officer's shift and submitted for review by the area supervisor.
2. Domestic Incident Report (HCPD Form 2150)
 - a. Shall be completed on all Domestic Violence/Domestic Verbal incidents where the involved parties are current or former intimate partners regardless of whether a crime has occurred, with the exceptions outlined in this Order.

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- b. If the incident is a Domestic Violence incident involving an assault and the parties are current or former intimate partners, the Domestic Violence Assault Supplement, HCPD Form 2151, and the Lethality Assessment, HCPD Form 2152, shall be completed.
 - c. Any minor/child present at the time of the incident shall be included on an Additional Persons sheet, HCPD Form 1220a.
 - d. The following information shall be documented in the report:³
 - i. The status of the relationship between the involved parties.
 - ii. The cause and extent of injuries.
 - iii. The use of force or weapons.
 - iv. The use of threatening language or actions.
 - v. The nature of the conflict that lead to the violence.
 - vi. The involved party's history of past violence and police intervention.
 - vii. The use of alcohol, illicit drugs, or medication.
 - viii. Excited utterances by the victim, suspect, and witnesses.
 - ix. Where evidence was located.
 - x. Any photographs.
 - 3. The officer shall make every effort to identify the dominant aggressor and properly classify him/her as the suspect in the report. In the rare cases where officers are unable to determine the dominant aggressor, officers shall list both parties as vic/sus.
 - 4. If the Domestic Violence Assault Supplement, HCPD Form 2151, and/or the Domestic Violence Lethality Screening, HCPD Form 2152, are completed, the officer shall submit them along with the report.⁴
 - 5. Officers shall refer to Appendix A to determine what forms shall be completed.
 - 6. All Domestic Violence / Domestic Verbal reports shall be completed prior to the end of the officer's shift. Domestic Violence reports involving an assault shall be scanned and emailed to the Domestic Violence Section at DV@howardcountymd.gov.
 - 7. Domestic violence reports will only be released consistent with Standard Operating Procedure SOP REC-06, Report Release.
- J. Assistance to Victims
- 1. In many cases, victims of abuse only want officers to stop the violence. Officers should make it clear to all parties that domestic violence is a crime regardless of their relationship with the suspect and will be dealt with accordingly.

³ CALEA 82.2.1c

⁴ CALEA 82.2.1b

2. In the event a warrantless arrest cannot be lawfully effected, officers will review and assist the victim in the charging process. Officers should be aware that many victims are not aware of the court proceedings and will seek guidance from the officer.
3. Officers shall:
 - a. Notify victims to contact the police if they are threatened or intimidated by the suspect's companions. Victims will be provided with a case number and the officer's contact information.
 - b. Provide victims with the HCPD Domestic Violence Information Form and Victim Handbook regardless if an arrest occurred.
 - c. Explain the protective/peace order application process to the victim.
 - d. Explain to the victim how to obtain a copy of the police report and provide the case number. The Records Section will provide copies of the police reports at no charge to victims of domestic violence.
 - e. Refer victims to HopeWorks, if applicable. HopeWorks is only available to victims of Domestic Violence as it relates to an intimate relationship.
4. When practical, officers will comply with reasonable requests of the victim such as transportation to another location or transportation to/from the Commissioner's Office.
5. The Victim Assistance Section will support the victims of Domestic Violence and Household Violence, as needed, to ensure all available services are provided to the victim.

K. Follow-up Requirements

1. Supervisors shall assign at least one follow-up to be conducted by the reporting officer or another officer designated by the reviewing supervisor for any Domestic Violence incident involving an assault or alleged assault between intimate parties residing together. The follow-up shall be conducted within five (5) calendar days of the initial incident report to ensure physical evidence of abuse, if present, is recorded.
2. Follow-up investigative efforts should include but not be limited to:
 - a. Follow-ups should be conducted in person with victims.
 - b. Photographs of any visible or alleged injuries shall be taken.
 - c. Photographs of any property damage sustained during the initial incident shall be taken.
 - d. Officers shall collect any property or evidence related to the assault not collected during the initial investigation
 - e. Officers shall obtain any additional verbal or written statements from the victim(s) or witness(es) available.
 - f. Officers shall complete a Domestic Assault Supplement, HCPD Form 2151, or Lethality Assessment, HCPD Form 2152, with the victim if these forms were not completed during the initial incident. Any additional refusals shall be documented.

IV. ARREST

- A. When probable cause exists, a criminal arrest shall be the primary means of police intervention for domestic violence and household violence incidents. Non-arrest measures are the exception and should be explained in the officer's narrative. **The victim not wanting criminal charges to be filed shall not influence an officer's decision when determining if an arrest is to be made.**
1. The law permits warrantless arrests for misdemeanor domestic violence/household violence that occurs outside the presence of an officer if:
 - a. The victim is the spouse or any other individual who resides with the suspect.
 - b. There is evidence of physical injury to the victim.
 - c. A report to the police was made within 48 hours of the alleged incident.
 - d. Unless the person is immediately arrested:
 - i. The person may not be apprehended; or
 - ii. The person may cause injury to the other person or damage to the property of one or more persons; or
 - iii. The person may tamper with, dispose of, or destroy evidence.
 2. Under Maryland Annotated Code, Criminal Procedure Article §2-204, an officer may arrest a person without a warrant if the officer has probable cause to believe that mutual battery occurred and an arrest is necessary. The officer shall consider whether one of the persons involved acted in self-defense when determining whether to arrest the person the officer believes to be the dominant aggressor.
 3. Any felony or misdemeanor committed or attempted in the presence of an officer shall result in arrest regardless of the relationship between the parties.
 4. An arrest will be effected when probable cause exists that a felony has occurred regardless of whether an officer was present. If the suspect is not on scene, an application for statement of charges shall be completed by the end of the officer's shift.
 5. An on-view arrest shall be effected when probable cause exists that a subject has violated the criminal provisions, listed below, of a verifiable interim, temporary, or final consent protective or peace order.
 - a. Officers must first confirm the conditions and that the order was served prior to making an arrest.
 - b. Conditions of the Order may include:
 - i. Further acts of abuse or threats of abuse to a person eligible for relief.
 - ii. Contacting, attempting to contact, or harassing the person eligible for relief.
 - iii. Re-entering the residence of the person eligible for relief.
 - iv. Not vacating the home where the person eligible for relief and the respondent had resided.

- v. Going to the place of employment, school, or temporary residence of a person eligible for relief.
6. Officers will attempt to obtain a written statement from the suspect in reference to the incident, post-Miranda, if the suspect is arrested.
7. In all cases of domestic violence/household violence where probable cause exists to support an arrest but an arrest was not effected, the investigating officer will document the reason(s) in the narrative of the report and will include the actions taken to ensure the safety of the victim. **The victim not wanting criminal charges to be filed shall not influence an officer's decision when determining if an arrest is to be made.**
8. In incidents where an arrest cannot be made due to the suspect not being present on scene and/or probable cause exists indicating a crime did occur, officers shall apply for a statement of charges or help facilitate the application for the victim.
9. If it is determined that the defendant is under the supervision of the Department of Parole and Probation, the officer will notify that agency of the arrest by calling the Division of Parole and Probation and/or faxing a copy of the case number to:

Office of Victim Assistance
Division of Parole and Probation
410-764-4091 or 877-227-8031
dppvictimserv@dpscs.state.md.us

B. Dual Arrests

1. Dual arrests in domestic violence/household violence refers to the arrest of both parties for mutual assault upon one another. Dual arrests should be avoided and only occur in the rare circumstances when an officer is unable to determine the dominant aggressor. In some cases, dual arrests are appropriate.
2. Cases of Mutual Assault
 - a. In recognition of the dynamics of domestic violence/household violence and the State's intent of holding the dominant aggressor accountable, cases of mutual arrest should be infrequent. The dominant aggressor should be determined and arrested.
 - b. If both parties committed assaults, neither party can be identified as the dominant aggressor, or neither party was acting in self-defense, both parties should be arrested.
 - c. Officers should avoid dual arrests whenever investigation reveals that one party acted in self-defense.
3. Consideration of Self-Defense in Mutual Assault
 - a. Maryland law requires officers to consider whether one of the parties acted in self-defense.
 - b. In Maryland, a person may act in self-defense when:
 - i. A belief exists as to being in immediate and imminent danger of bodily harm;
 - ii. The belief is reasonable;

- iii. Reasonable force is used in self-defense; and
- iv. The person must not have been the aggressor or provoked the conflict.

V. DOMESTIC VIOLENCE SECTION RESPONSIBILITIES

- A. The Domestic Violence Section shall review all Domestic Violence related incidents and arrest reports daily to address quality control issues and to ensure the proper handling of incidents.
 - 1. The Section supervisor or his designee shall screen each case and determine if the case responsibility remains with the patrol officer or if it will be assigned to the Domestic Violence Section.
 - 2. The Domestic Violence Section shall primarily investigate domestic incidents between parties involved in an intimate relationship.
- B. Follow up and enhance domestic violence cases by developing and gathering all available evidence to ensure the State's Attorney's ability to prosecute, regardless of the victim's cooperation.
- C. Assist in providing training to HCPD members in regard to domestic violence and other Family Crime and Sexual Assault Division topics.
- D. Evaluate the need to send the victim or other involved parties the HCPD Domestic Violence Letter.
- E. Assist victims of domestic violence by ensuring their safety, listening to them, referring them for additional services, and providing other means of assistance and problem solving in an attempt to stop the violence and prevent it from re-occurring.
- F. Maintain a liaison and collaboratively work with other allied agencies such as HopeWorks, the Department of Social Services (DSS), Howard County General Hospital, Foreign Informational Referral Network (FIRN), the Howard County State's Attorney's Office, and the Howard County Sheriff's Office, as well as other agencies' victim advocate groups.
- G. Provide outreach services for victims and families of domestic violence.
- H. Electronically track domestic violence cases and repeat offenders.
- I. Maintain an on-call status to assist patrol officers with domestic violence matters that require the immediate attention of an investigator. The criteria for a domestic violence investigator call-out is:
 - 1. To assist in domestic violence incidents where victim(s) have suffered serious or life-threatening injuries.
 - 2. A CIB supervisor shall determine the need for a domestic violence investigator to respond to assist and/or assume the investigation after reviewing the incident.

VI. DOMESTIC VIOLENCE / DOMESTIC VERBAL / HOUSEHOLD VIOLENCE / HOUSEHOLD DISTURBANCE INCIDENTS INVOLVING MEMBERS OF THE HCPD

- A. Domestic Violence, Domestic Verbal, Household Violence, and Household Disturbance incidents involving police officers will be investigated and reported the same as other Domestic Violence, Domestic Verbal, Household Violence, and Household Disturbance incidents, being mindful that a weapon may be involved.
- B. Arrests will be effected if permitted by law.

- C. Response to Domestic Violence/Domestic Verbal/Household Violence/Household Disturbance incidents involving Members of the HCPD:
1. A supervisor of at least equal rank to the victim/suspect shall respond to the scene and assume the role of the investigating officer.
 2. The investigating officer will complete and submit a detailed report prior to the end of the shift.
 3. The Watch Commander will:
 - a. Be responsible for making immediate notification to the appropriate Division, District, or Bureau Commander.
 - b. Forward a copy of the initial report to the Chief of Police, the Internal Affairs Division, and the involved officer's Bureau or District Commander.
 4. In the event probable cause exists to support the arrest of a sworn member or when a sworn member is arrested, a Commissioned Officer will respond to the scene and meet with the sworn member. The Commissioned Officer will:
 - a. After consultation through the Chain of Command, suspend the involved officer's police powers pursuant to General Order ADM-02, Internal Investigations;
 - b. Seize the involved officer's badge, police credentials, service weapon, any authorized off-duty firearm(s), and HCPD vehicle, if applicable; and
 - c. If the officer's police powers have been suspended, the Commissioned Officer will inform the officer that he may be assigned to administrative duties pending further review as set forth in General Order ADM-02, Internal Investigations.
- D. Any member who is listed as a respondent in a protective order will immediately notify his Deputy Chief. A sworn member's police powers will be suspended pending an immediate review by the Internal Affairs Division.

VII. DOMESTIC VIOLENCE / DOMESTIC VERBAL / HOUSEHOLD VIOLENCE / HOUSEHOLD DISTURBANCE INCIDENTS INVOLVING POLICE OFFICERS FROM OTHER AGENCIES

- A. A sergeant or lieutenant will respond to the scene to supervise the investigation.
- B. The investigating officer will ensure that he completes and submits a detailed initial report prior to the end of the shift.
- C. The Watch Commander will be responsible for forwarding a copy of the completed report to the Chief of Police, the Deputy Chief for Operations, and the Internal Affairs Division.
- D. In the event probable cause exists to support an arrest, whether an arrest was effected or not, the Watch Commander will contact a commander of the respective agency within four (4) hours.
- E. If a protective order has been served or needs to be served on an officer from another jurisdiction, the Watch Commander will make notification to a commander of the respective agency within four (4) hours.
- F. If the criminal provisions of a protective order need to be enforced against an officer from another jurisdiction, the Watch Commander will make notification to a commander of the respective agency within four (4) hours.

VIII. OTHER POLICE SERVICES

- A. Non-violent disputes between household members are primarily civil matters and the courts have specific proceedings and personnel to resolve them. In these types of incidents, officers will provide appropriate referral information and document that a referral was provided.
- B. Officers are required by law to accompany individuals who are alleged or potential victims of domestic violence/household violence to the family home to remove **personal clothing and personal effects, to include medicine and/or medical devices, that are required for immediate needs of themselves and any children in their custody**. Officers have an obligation to protect the individual from harm during such action.
- C. Guidelines for disputes over property or access to the household
 - 1. Officers will not act as arbitrators. If a party seeks possession of personal property and is the owner or tenant of the household not subject to a Court order to vacate, it will be presumed that there is a right to enter the premises.
 - 2. Where clear title to a vehicle cannot be determined, property disputes between household members shall be referred to private counsel.
 - 3. All other property disputes should be referred to private counsel.

IX. TRAINING

The Education and Training Division will ensure that all members are provided with updates on laws relating to the issues contained herein, as well as updates on referral services that are available.

X. CANCELLATION

This General Order cancels and replaces General Order OPS-22, Domestic Violence, dated February 13, 2017.

AUTHORITY:



Lisa D. Myers
Chief of Police