

Domestic Violence Lethality Assessment

Index Code: 1502

Effective Date: 11/01/05 (Revised 8/21/2023)

I. PURPOSE

The purpose of this directive is to establish procedures and to implement a domestic violence lethality assessment protocol for reporting, investigations, arrests and referrals in all incidents of domestic violence and other types of family disputes.

II. POLICY

It shall be the policy of the Queen Anne's County Office of the Sheriff, to take a pro-active posture on domestic violence, identifying victims of domestic violence in a potentially lethal situations, and placing those victims in immediate and direct contact with a domestic violence program counselor. This policy will recognize domestic violence as criminal activity and will not differentiate it from other criminal activities. Arrests will be affected whenever the law authorizes actions to be taken, and victims will be referred for assistance and family counseling as needed.

III. DEFINITIONS

Abuse Is defined as (Family Law Article, Section §4-501)-

- a. An act that causes serious bodily harm;
- b. An act that places a person eligible for relief in fear of imminent serious bodily harm;
- c. Assault in any degree;
- d. Rape or sexual offense under §§3-303 through 3-308 of the Criminal Law Article or attempted rape or sexual offense in any degree;
- e. False imprisonment; or
- f. Stalking under § 3-802 of the Criminal Law Article.

Domestic Violence - For Departmental reporting purposes, Domestic violence is a physical injury or the threat to inflict such an injury, committed by a person who is in or was in an intimate relationship with the victim.

Family Violence – Occurs when one family member inflicts or attempts to inflict physical injury against another family member, with whom no **consensual or incest** intimate relationship exists. This includes abuse and assault of any degree, stalking, and false imprisonment. Victim(s) and/or suspect(s) of family violence can include siblings, niece, nephew, aunt, uncle, cousin, grandchild, grandparent, child, stepchild, parent, stepparent, or a caregiver of a vulnerable adult.

Intimate Relationship – A relationship in which heterosexual or homosexual partners, have, or have had, a sexual or emotional relationship. Persons involved in an intimate relationship are partners who:

- a. Are married, separated, or divorced
- b. Live or have lived together in an intimate or romantic relationship
- c. Have children in common; or
- d. Date or have dated, but do not live or have never lived together.

Other Relationships (Roommates/Housemates) – Persons not involved in an intimate relationship, but within the meaning of the definition for the warrantless arrest criteria under Section II. This includes individuals living together in a platonic living situation such as a dormitory or rooming arrangement.

Domestic Situations - Any person who alleges to have been a victim of domestic abuse or who has been the victim of another domestic related crime such as a theft, burglary or malicious destruction may request assistance from the Office of the Sheriff. The Deputies shall protect the person from harm and conduct a thorough investigation. This will include but is not limited to, any call for service with an allegation of being domestic related, even if no actual assault/attempted assault, or crime occurred.

Domestic Stand-By- The officers shall accompany the victim to the family home to retrieve personal effects for his or her own needs or for those children in the victim's care and the Deputies shall protect the victim from harm while the victim attempts to remove such items. However, if access is denied to the family home and the victim has not been granted possession of the family home pursuant to an existing Temporary Protective Order, Protective Order, or a Peace Order, then the Deputies shall safely escort the victim from the family home and advise the victim to seek court or private legal assistance. The Deputies may also refer the victim to community assistance programs or other appropriate resources.

Cohabitant - Means a person who has had a sexual relationship with the respondent and resided with the respondent in the home for a period of at least 90 days within 1 year before the filing of the petition.

Partner - Any individual the victim has dated, cohabited with, has had intimate relations with, is/was married, and/or has a child in common.

Petitioner – The alleged victim of abuse.

Respondent- The person alleged to have committed the abuse.

Persons Eligible for Relief (Family Law Article, Section §4-501) - The following is a list of those eligible for relief.

- a. The current or former spouse of the respondent;
- b. A cohabitant of the respondent;
- c. A person related to the respondent by blood, marriage, or adoption;

- d. A parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person for at least 90 days within one year before the filing of the petition;
- e. A vulnerable adult; or
- f. An individual who has a child in common with the respondent.

Temporary Protection - A person who is eligible for relief as defined in Family Law Article §4-501 may petition the court for an order of protection from abuse. If the court finds reason to believe that a person eligible for relief has been abused, the court may issue a temporary protective order. (Family Law Article, Section §4-505)

The responsibility for service of temporary protective orders lies with the Queen Anne's County Office of the Sheriff. They are effective for seven (7) consecutive days after service and may be extended not to exceed thirty (30) consecutive days.

Protective Order - A protective order hearing is held no later than seven (7) consecutive days after service of the temporary protective order. The court may issue a protective order if it finds that abuse has occurred, or if the respondent consents. A protective order is effective for the period stated in the order, not to exceed 12 months, unless the court extends the term of the order. (Family Law Article, Section §4-506)

Extreme Risk Protective Order (ERPO)- is a civil process through which a petitioner may seek a court order to prohibit a respondent from purchasing or possessing firearms or ammunition for the duration of the order to prevent personal injury to any person.

Interim ERPO is issued by a District Court Commissioner when the District Court is closed. It is effective until a Temporary ERPO hearing is held by a Judge in District Court.

Temporary ERPO is issued by a District Court Judge and is effective for no more than seven (7) days after it is served unless extended by the Judge.

Final ERPO is issued by a District Court Judge and is valid for the period as stated in the order but for no longer than one year unless superseded by a Circuit Court Judge.

Firearm- includes a handgun, rifle, shotgun and starter guns

Peace Order - A Peace Order is a form of relief available to individuals who are experiencing problems with another person. A Peace Order is available to individuals who are not eligible for either a Temporary Protective Order or a Protective Order. The petitioner may seek relief by filing with the court a petition that alleges the commission of any of the following acts against the petitioner by the respondent, if the act occurred within 30 days before the filing of the petition: (Maryland Code Court and Judicial Proceedings §3-1503)

- a. An act that causes serious bodily harm;
- b. An act that places the petitioner in fear of imminent serious bodily harm;
- c. Assault in any degree;
- d. Rape of sexual offense under §§3-303 through 3-308 of the Criminal Law Article or attempted rape or sexual offense in any degree;

- e. False imprisonment;
- f. Harassment under §3-803 of the Criminal Law Article;
- g. Stalking under §3-802 of the Criminal Law Article;
- h. Trespass under Title 6, Subtitle 4 of the Criminal Law Article; or
- i. Malicious destruction of property under §6-301 of the Criminal Law Article.

If the court finds that there are reasonable grounds to believe that the respondent has committed, and is likely to commit in the future one of the above listed acts a Temporary Peace Order may be issued. The Temporary Peace Order may order the respondent to;

- a. Refrain from committing or threatening to commit one of the above listed acts against the petitioner;
- b. Refrain from contacting, attempting to contact, or harassing the petitioner;
- c. Refrain from entering the residence and upon the property of the petitioner; and
- d. Remain away from the place of employment, school, or temporary residence of the petitioner.

Uncooperative Victim - A victim who is contacted by a Deputy or Domestic Violence representative and refuses to either obtain a criminal charging document or civil order.

IV. Investigation

Members of the Queen Anne’s County Office of the Sheriff will treat domestic violence incidents as any other criminal investigation.

A. Initial Response

Upon arrival at the scene of an incident involving domestic violence, the deputy in charge will conduct the initial investigation according to existing policy.

Any response to a Domestic “Stand-By” will have, at minimum, two-law enforcement unit response.

B. Interviewing

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 and to capture relevant information.

C. Observations

Deputies are to be alert to other signs of problems or violence within the household, such as child abuse or neglect, or animal abuse or neglect, and fully document such incidents and take appropriate action.

D. Notification

The nature and the seriousness of the victim’s injuries may dictate the need for an investigator, members of Mid-Shore Counseling, and/or Mid-Shore Mobile Crisis to respond to the scene.

E. Collection of Evidence

Deputies shall follow Written Directive 1202 and Written Directive 1605.3. Whenever possible a Deputy will:

1. Obtain written statements from involved parties and witnesses.
2. Identify and seize weapons or objects used as weapons.
3. Seize clothing which may be evidence.
4. Take photographs of the victim, the suspect, any injuries any evidence seized and the scene of the incident. When taking photographs there should be long range photos, medium range photos and close up photos of the victim, perpetrator and the scene.
5. If a camera is not available, draw a clear, concise diagram.
6. Arrange for or take additional photographs of the victim, two or three days later when bruises would be more developed.
7. Interview neighbors to see if they heard any sounds and/or observed any acts relevant to the investigation.
8. Retrieve any notes/writings made by the assailant to the victim, along with any other items that could be considered as evidentiary in nature.

When warranted, file a copy of a public information act request to obtain a copy of any available 911 recordings along with a Certification of Authentication. After consulting with the State's Attorney's Office, provide a copy of the 911 recordings to the State's Attorney's office, summons/ subpoena all witnesses, and request hospital/medical records when applicable. (this may not be needed in every domestic situation).

F. Seizure of Firearms

1. Family Law Article §4-511 allows an officer at the scene of an alleged act of domestic violence to seize firearms when the officer has probable cause to believe that an act of domestic violence has occurred and the officer has observed the firearm on the scene during the response.
 - a. A resident of the dwelling may lead to the location of other firearms in areas of the dwelling for which they have legal standing to enter. In these circumstances, officers would have the authority to seize any firearms located. This does not permit the search of the home or the person of the respondent if the firearm has not been observed by the officer, without a consent to search said property
 - b. The statute does not require that the owner of firearm be a party to an act of domestic violence in order to authorize the seizure of the weapon. Likewise, the statute does not require that either party indicate a desire to initiate charges.
 - c. If officers remove a firearm from the scene, they shall advise the owner that the firearm will be held in the Property Section of the Queen Anne's County Office of the Sheriff pending a proceeding on the alleged act of domestic violence.
 - d. The firearm shall be held for a period of 30 days. If at this time the person eligible for relief does not file any type of protective order and the owner

has a legal right to possess the firearm (refer to Written Directive 1202) the firearm may be returned to the owner. The owner must request that the firearm be returned. This request shall be forwarded to the Commander of the Support Services Division or his or her designee who will determine if the firearm can be returned.

2. Family Law Article §4-506 states that if a firearm is surrendered as a result of a Temporary Protective Order the respondent may retake possession of the firearm at the end of the Temporary Protective Order unless:
 - a. The respondent is ordered to surrender the firearm in a Protective Order; or
 - b. The respondent is not otherwise legally entitled to own or possess the firearm.

3. Family Law Article §4-506 states that if a firearm is surrendered as a result of a Protective Order the respondent may retake possession of the firearm at the end of the Protective Order unless:
 - a. The Protective Order is extended; or
 - b. The respondent is not otherwise legally entitled to own or possess the firearm.

G. Written Reports

1. Cases of domestic violence, including attempts or threats to commit domestic violence, require a written report. Any call dispatched with an allegation of an actual/attempted assault or threat to commit an assault requires a written report, regardless of the Deputy's determination of whether or not an actual/attempted assault or threat occurred.

If the determination is made that an actual/attempted assault or threat to commit an assault did not occur, but a verbal domestic dispute did occur, the officer will complete the report only, labeling the report "Verbal Domestic."

If the officer determines that the entire incident is unfounded, the report will be labeled "Police Information". The Domestic Violence Report Forms and Domestic Violence Lethality Screen for First Responders do NOT need to be completed for "Verbal Domestics" or "Police Information" reports.

All written reports must articulate the facts of the case and contain as much information as possible under the circumstances concerning what occurred, to include: descriptions of physical evidence, emotional state of victim and suspect, names of witnesses, the age, race, sex, household status, whether or not alcohol/CDS was involved, the relationship of the parties, methods and contributing circumstances of the incident, and any police action taken.

Images of any text message or email of evidentiary value, obtained by consent, between the suspect and victim must be uploaded.

2. An Incident Report will be completed in all cases of Domestic Violence. In addition, a Domestic Violence Lethality Screen will be completed in all cases involving intimate (sexual) partners or past intimate (sexual) partners. Reporting officers will indicate yes in the DV box on the report if the incident is domestic related.
3. Deputies must realize that many domestic calls for service may not meet the Warrantless Arrest Criteria but **WILL** meet the above departmental reporting requirements. In an effort to be as clear as possible in determining which category a specific case falls under, officers should clearly and simply ask the victim if he/she is injured and to describe the injury(s) in detail. This information must be clearly documented in the report whether Deputies are making a warrantless arrest, applying for charges or documenting a threat.
4. The purpose of the Domestic Violence Supplement Report is to have all pertinent information available for the State's Attorney's Office. Therefore, this report must be filled out as completely as possible, i.e., with suspect information, children's information, etc. The form will not replace the initial Incident Report.
5. The supervisor shall review the Incident Report and Domestic Violence Lethality Assessment Screening for accuracy and completeness, indicating approval by digital signature in our reporting system.

The following information should be documented in the written report:

1. The status of the relationship between the involved parties;
2. The nature and extent of injuries;
3. The use of force or weapons;
4. The use of threatening language or actions;
5. The nature of the conflict which led to the violence;
6. The involved party's history of past violence and police intervention;
7. The use of alcohol, illicit drugs or medication;
8. Excited utterances by the victim, suspect and witnesses.
9. Any physical evidence related to the crime; and
10. Evidence of any type of animal abuse.

The following information within a domestic violence report will not be released to any person other than law enforcement agencies or the State's Attorney's Office.

1. Temporary location of the victim,
2. The names, addresses and phone numbers of witnesses; and
3. Any statements made by the victim or witnesses.

H. Lethality Assessment Screening

1. Deputies will conduct a lethality assessment screening for every incident involving intimate (sexual) partners or past intimate (sexual) partners using the Domestic Violence Lethality Screening (DVLS) form for First Responders. There will be occasions (the Deputy is alone, makes an arrest

and needs to immediately remove the suspect from the scene, etc.) when the Deputy is unable to complete the DVLS. When this occurs, the Deputy will indicate in the report that the DVLS was not completed so a follow-up can be completed. The Deputy or Domestic Violence representative will contact the victim as soon as possible to complete the DVLS.

2. Prior to conducting the assessment, convey to the victim that you have a few questions to ask to get a better overview of the entire situation. The assessment will help in determining the severity of the incident and better assess the victim's vulnerability.
3. Follow the direction on the DVLS. If the responses trigger a Protocol Referral advise the victim that you need to call the domestic violence hotline and that you would like for the victim to speak with a counselor. A land line phone should be used. **Call the Mid Shore Council on Family Violence hotline (1-800-927-4673)**. This procedure should be used to ensure that the abuser does not easily find out that the victim has contacted the hotline.
 2. If the victim needs to use their cell phone, use the same procedure as above, by calling the Mid Shore Council on Family Violence (1-800-927-4673).

Note: By performing this, the information number will appear on the cell phone and on the cell phone bill and may have adverse effects later.
 3. If no phone is available, it should be noted in the report that the DVLS was not completed. The Deputy will conduct the lethality assessment screening as soon as possible.
4. If the victim does not want to speak with a counselor, advise the counselor of the assessment and ask the counselor about safety planning should the victim want this. Deputies will obtain the name of the Counselor to whom they are speaking with and note that information on the Mid Shore Domestic Violence Lethality Screening and incident report.
5. If the victim wants to leave, arrange for or provide the transportation.
6. **Do not administer the lethality assessment to the abuser.**
7. Attach the DVLS form with the Incident Report.
8. **The reporting Deputy is responsible for forwarding a copy of the DVLS to the Domestic Violence Coordinator.**

I. Assistance to Involved Parties

In many cases, victims of abuse only want Deputies to stop the violence. Deputies 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.

1. In the event a warrantless arrest cannot be lawfully effected, Deputies will review the charging process with the victims;
 2. Deputies will provide victims with the brochure entitled CRIME VICTIMS AND WITNESSES: Your Rights and Services. The Crime Victims and Witnesses brochure will be given to all victims regardless of whether an arrest has occurred;
 3. Deputies will explain the Temporary Protective Order, Protective Order and Peace Order application process to the victim;
 4. Deputies will explain to the victim how to obtain a copy of the police report;
 5. Deputies will explain to the victim how to make a safety plan, in case they need to flee the home quickly; and
 6. When practical, Deputies will comply with reasonable requests of the victim, such as transportation to another location.
- J. Deputies should review the circumstances present in the household to determine if the victim is at risk of serious physical harm. Factors to consider include, but are not limited to:
1. Has the abuser threatened or attempted to kill the victim or themselves;
 2. Does the abuser have access to weapons and/or has used them against the victim;
 3. Has the victim recently considered leaving the relationship and is the abuser aware of that;
 4. Has the abuser threatened the victim their children or their pets;
 5. Has the abuser held the victim or children against their will;
 6. Does the abuser follow the victim or control who the victim can see and what they do;
 7. Has the abuser shown physical aggression or violence against the victim in public;
 8. Is the abuser depressed;
 9. Is the presence of alcohol or drugs a contributing factor to the violence; and
 10. Does the victim feel they are in more danger now than they have in the past?

Deputies who believe any of these indicators are present will advise the victim that they are at risk for future serious physical injury and encourage the victim to leave the residence.

- K. Deputies should assess the circumstance and responses presented in each circumstance to determine the need for an Extreme Risk Protective Order (ERPO). Each case shall be assessed in its entirety for the need for an Extreme Risk Protective Order (ERPO). All recommendations and actions shall be in accordance with policies and procedures outlined in **Index Code 1304. Extreme Risk Protective Orders**

V. Arrests

- A. Criminal arrests will be the primary means of law enforcement intervention during domestic violence incidents.
1. The law permits warrantless arrests for domestic assaults (misdemeanor) that occur outside the presence of an officer. The following elements must be present to apply this law:
 - a. The victim is the spouse or a person eligible for relief who resides with the suspect; AND
 - b. There is evidence* of physical injury to the victim; AND
 - c. Unless the person is immediately arrested;
 - i) The person may not be apprehended in the future;
 - ii) The person may cause injury to the person or damage to the property of one or more persons; or
 - iii) The person may tamper with, dispose of, or destroy evidenceAND
 - d. A report to the police was made within forty-eight (48) hours of the alleged incident.

* Evidence of physical injury is not limited to physical or observable evidence. The investigating officer is permitted to make reasonable inferences based on the circumstance of the situation. An example of such a case would be when a victim calls the police to report domestic violence, and upon the arrival of officers, complains of pain caused by domestic violence, and actually appears to be in pain. In this case, a reasonable inference could be made that the victim is exhibiting evidence of physical injury, even if the injury is not visible.

2. An act of violence against any person in the presence of a Deputy shall result in arrest, regardless of the relationship between the parties.
3. An arrest will be effected when probable cause exists that a felony has occurred, regardless whether a Deputy was present.
4. An arrest will be effected when probable cause exists that a subject has violated the criminal provisions of a verifiable Ex-parte or Protective Order.
5. Factors to consider when determining probable cause;
 - a. Visible injuries, whether they are offensive or defensive in nature.
 - b. Evidence of victim's non-visible injuries, such as blow to the stomach causing the victim to wince and hold the affected area.
 - c. Torn clothing, disheveled appearance.
 - d. Furniture in disarray.
 - e. Need for medical attention.
 - f. Corroborating statements of witnesses who can verify violence or threat of violence.
 - g. Threats and the presence of weapons.
 - h. Visibly upset children.

- i. Demeanor of the suspect.
 - j. History of violence or repeat calls for service.
 - k. Existence of a Civil Protective Order.
 - l. Refusal of suspect to allow the victim to be interviewed out of the subject's presence, and the victim complies.
 - m. Demeanor of the complainant.
 6. Factors NOT to be considered in determining probable cause;
 - a. Marital status.
 - b. Race or ethnic background.
 - c. Sexual orientation.
 - d. Location.
 - e. Verbal assurances that the violence will stop.
 - f. Refusal of the victim to prosecute.
 - g. Complainant's statement that they do not want the suspect arrested.
 - h. Denial from either party that abuse did not occur, despite evidence to the contrary.
 - i. Claims by the suspect that the complainant provoked the abuse.
 - j. Suspect is a police officer, public official or person of stature in the community.
 - k. Evidence that the suspect or victim is under the influence of drugs or alcohol.
 7. In all cases of domestic violence where probable cause existed to support an arrest, and an arrest was not effected, the investigating officer will document their reason(s) in the written report and will include the actions taken to ensure the safety of the victim.
 8. If the suspect is arrested, Deputies will attempt to obtain a written statement from the defendant in reference to the incident, post Miranda.
- B. Dual arrests in a domestic context usually refers to the arrest of both parties for mutual assault charges against each other. In some cases dual arrests are appropriate.
 1. Cases of mutual assault
 - a. Deputies should avoid dual arrests whenever investigations reveal that one party acted in self-defense.
 - b. The primary aggressor should be arrested
 - c. If both parties committed domestic assaults, and neither was acting in self-defense, both parties should be arrested.
 - d. In recognition of the dynamics of domestic violence and the State is intent of holding the primary aggressor accountable, cases of mutual arrest should be infrequent.
 2. Consideration of self-defense

Maryland law requires officers to consider whether one of the parties acted in self-defense. In Maryland, a person may act in self-defense when;

 - a. The person actually believed that they were in immediate and imminent danger of bodily harm;

- b. The person's belief was reasonable; and
 - c. The person used no more force than was reasonably necessary to defend themselves in light of the threat of actual harm.
- C. Enforcement of Interim Protective Orders, Protective Orders and Peace Orders, Extreme Risk Protective Orders;

Responding Deputies will have the Dispatch Center conduct a MILES/NCIC query on the respondent's name to verify whether an Order is outstanding, has been served, what county it was served in, and, if served, identify the conditions of the Order.

1. Interim Protective Order, Protective Orders and Peace Orders Issued in Queen Anne's County.
 - a. If the respondent is on the scene when the Deputies arrive, the Deputies will ascertain whether the respondent is in violation of the respective order. If the respondent is in violation of an Order they will be placed under arrest.
 - b. If the respondent is no longer on the scene when the Deputies arrive and probable cause exists to believe they were in violation of an Order, a lookout will be broadcast, and a reasonable effort will be made to locate them. If the subject is located they will be placed under arrest.
 - c. If probable cause exists to believe that a respondent has violated an Order and the subject could not be located, the responding ~~officer~~ Deputy shall:
 - i) File an Application for a Statement of Charges, or
 - ii) Refer the complainant to the District Court Commissioners Office, or
 - iii) Refer the complainant to their private counsel.
2. For charging purposes, Deputies should obtain copies of the served Orders and attach these copies to the Charging Documents and Incident Report.
3. Interim Protective Orders, Protective Orders and Peace Orders issued from other jurisdictions within Maryland.
 - a. Deputies have a duty to enforce all Interim Orders and Protective Orders issued in other jurisdictions, regardless of whether they are issued out of county.
 - b. Responding Deputies will have the Dispatch Center conduct a MILES/NCIC query on the respondent name to verify whether an Order is outstanding, has been served, and if served, identify the conditions of the Order.
 - c. If the respondent is on the scene when the Deputies arrive, the Deputies will ascertain whether the respondent is in violation of the

- respective Order. If the subject is in violation of a criminally enforceable provision of an order, they will be placed under arrest.
- d. If the respondent is no longer on the scene when Deputies arrive and probable cause exists to believe they were in violation of a criminally enforceable provision of an Order, a lookout will be broadcast, and a reasonable effort will be made to locate them. If the subject is located they will be placed under arrest.
 - e. If probable cause exists to believe that a respondent has violated an Order and the subject could not be located, the responding Deputy will:
 - i) Refer the complainant to the District Court Commissioner's Office, or
 - ii) Refer the complainant to their private counsel.
4. Out of State Protective Orders
- a. Deputies may arrest without a warrant a person whom the officer has probable cause to believe is in violation of a civil protective order that was issued by a court of another state or of an Indian tribe, and is in effect at the time of the violation.
If the person seeking assistance of the Deputy:
 - i) Has filed a copy of an authenticated order with the District or Circuit Court; or
 - ii) Displays or presents to the Deputy a copy of an out-of-state authenticated order.
 - b. Out of State orders are only enforceable to the extent a similar order issued in Maryland would be enforceable.
 - c. Responding Deputies will have the Dispatch Center conduct a MILES/NCIC query on the respondent's name to verify whether an Order is outstanding, has been served, and if served, identify the conditions of the Order.
 - d. If the respondent is on the scene when the Deputies arrive, the Deputies will ascertain whether the respondent is in violation of the respective Order. If the subject is in violation of a criminally enforceable provision of an Order, the subject will be placed under arrest.
 - e. If the respondent is no longer on the scene when Deputies arrive and probable cause exists to believe they were in violation of a criminally enforceable provision of an Order, a lookout (BOLO) will be disseminated and a reasonable effort will be made to locate them. If the subject is located they will be placed under arrest.
 - f. If probable cause exists to believe that a respondent has violated an Order and the subject could not be located, the responding Deputy will:
 - i) Refer the complainant to the District Court Commissioner's Office, or
 - ii) Refer the complainant to their private counsel.

VI. Domestic Violence Follow-up**A. Assigned Deputy:**

The assigned Deputy will be responsible for follow-up on all domestic violence cases. When the primary Deputy is on leave, or out for a period of time, the supervisor will assign another Deputy to complete a brief follow-up.

1. If an arrest has been made, the Deputy will make contact with the victim and explain the upcoming proceedings.
2. If an arrest has not been made, the Deputy will make contact with the victim and offer assistance in obtaining a warrant or a criminal summons for the suspect.
3. The Deputy will provide appropriate referrals as appropriate;
4. The Deputy will explain and assist the victim in obtaining a Protective Order as appropriate;
5. All efforts will be documented

B. Domestic Violence representative:

1. The agency DV representative will do a daily search of reports classified as domestic related by responding Deputies.
2. The agency designated DV representative will review all reports to ensure all reports are properly completed.
3. The DV representative will notify the Deputies supervisor of incomplete reports.
4. The DV representative will do a comparison of prior calls by cross referencing the victim's name and by cross referencing the address of occurrence.

C. Uncooperative Victim

A victim who is contacted by a Deputy or Domestic Violence representative and refuses to either obtain a criminal charging document or civil order will be defined as an uncooperative victim.

1. After following the procedures listed in policy, and the victim is determined to be an "uncooperative victim," the Deputy or Domestic Violence representative will follow-up again within ten (10) days.
2. The Deputy or Domestic Violence representative will offer the uncooperative victim domestic violence referrals as appropriate;
3. The Deputy or Domestic Violence representative should discuss the potentials for future abuse if there is no intervention.
4. The Deputy or Domestic Violence representative will document all efforts.

D. Annual Reporting

A yearly report will be submitted to the Chief Deputy, through the chain of command, documenting the number of Domestic Violence cases, to include the number of cases involving an arrest, the number of cases involving no arrest, and the number of uncooperative victim follow-ups.

**CALEA Reference 82.2.1, 82.2.2
Cancellation of policy dated 6/9/21**



Sheriff Gary Hofmann