

# A Checklist for Law Enforcement Response to Domestic Violence



## Domestic Violence in America

Domestic violence has been described as a nationwide "epidemic." The negative consequences of domestic violence, whether measured in economic terms or by its impact on quality of life, reach beyond family and friends into the workplace and to society as a whole. Domestic violence occurs in virtually every community and among every age, race, culture, and socio-economic class. It is estimated that in America one woman out of every four will be assaulted by an intimate partner at least once during

her lifetime.<sup>1</sup> Nearly half of all battered women report some type of injury as a result of their victimization.<sup>2</sup> The violence is not only debilitating; it can also be deadly. Three out of every ten women murdered in the U.S. are the victims of an intimate partner.<sup>3</sup>

While increasing numbers of jurisdictions have undertaken initiatives in recent years to improve their response to domestic violence, efforts have been uneven. To address this problem, Congress passed the Violence Against Women Act (VAWA) in 1994. The legislation was designed to help communities develop programs and strategies to provide better response to domestic violence specifically and violence against women generally. The Violence Against Women Office, under the U.S. Department of Justice, has supported the publication of this Checklist to help criminal justice officials identify and fill gaps in their response to domestic violence. This publication and the Checklists below are a part of that ongoing commitment.

## Checklists for Law Enforcement Response to Domestic Violence

This **Checklist for Law Enforcement Response to Domestic Violence** is one in a series of three booklets designed to help law enforcement officers and agencies evaluate and enhance their response to domestic violence, sexual assault, and stalking. This booklet focuses specifically on domestic violence. It provides guidance to law enforcement personnel on how they can effectively enforce the law and fulfill their responsibilities to protect and serve victims of domestic violence. Domestic violence victims are also often the victims of sexual assault, stalking, and other crimes at the hands of their abusers. Thus, the other Checklists in this Promising Practices series may be equally important to law enforcement officers seeking to develop a comprehensive response to domestic violence.

By using this Checklist, dispatchers, responding and investigating officers, supervisors, and agency policy-executives can assess their responses to cases involving domestic violence—both as individuals and at the agency level. This Checklist will help practitioners evaluate the effectiveness of policies and practices already in place and identify any weaknesses or gaps that may need to be addressed. Fully implementing the Checklist's practices will reduce the likelihood of additional harm to domestic violence victims and allow law enforcement personnel to intervene safely in protecting victims and in holding offenders accountable for their abusive actions.

## **The Importance of Law Enforcement Response to Domestic Violence**

Although considerable progress has been made by law enforcement agencies toward effective response to domestic violence, the crime remains a great challenge.<sup>1</sup> It is therefore critical that law enforcement professionals seek ways to develop and implement programs, policies, and practices that are both safe and effective in meeting the serious and unique challenges of domestic violence cases.

Law enforcement represents the entry point to the criminal justice system for most victims of domestic violence. As the first criminal justice professionals with whom victims are likely to come into contact, law enforcement officers establish the foundation for the victim's experience throughout the entire criminal justice process. How an officer does his/her job can dramatically affect the victim's ability, and even willingness, to participate in the criminal justice process.

Effective law enforcement policies, practices, and protocols related to domestic violence have been shown to reduce fear, violence, injury, and homicide rates.<sup>2</sup> Education, coordination, and full implementation of the basic strategies incorporated in this Checklist will give law enforcement better opportunities to protect victims while assisting in their recovery. Informed law enforcement professionals can provide victims with access to assistance programs that can address their physical, financial, and mental health needs. Aggressive and timely response from law enforcement also enhances the prospects for successful arrest and prosecution, sending a clear message to both victims and abusers that such crimes will bring a swift and sure response. Failure to respond appropriately can seriously undermine successful prosecution of domestic violence cases and may result in departmental and/or officer liability.

This Checklist will prove most effective when offered as part of law enforcement training and when integrated into protocols established in conjunction with other sectors.

### **How to Use This Checklist**

This Checklist is designed to allow law enforcement personnel to assess their response to domestic violence cases on both an individual and an agency-wide basis. It can be used in a variety of ways by various departments within an agency.

The Checklist is divided into sections that correspond with the roles and/or responsibilities of each law enforcement professional involved in the agency's overall response to domestic violence (e.g., dispatcher, initial responding officer, follow-up investigator, supervisor, and manager). Each section includes a list of specific steps and strategies officers should undertake to help ensure optimal response to domestic violence cases.

By comparing the Checklist with actual policies and practices, agencies and individual officers can determine which strategies are being successfully implemented and which represent opportunities for improvement.

Individual officers can use the Checklist (1) to assess their own responses during the course of an ongoing case; and (2) to measure their past performance in domestic violence cases. The Checklist can also be used to help train new recruits or to provide continuing education to veteran officers.

Supervisors can use the Checklist to assess both how officers are performing as individuals and how a unit is performing as a whole. Managers can employ the Checklist to determine the entire agency's effectiveness in responding to domestic violence and to develop an agency action plan to improve response.

While the Checklist is not intended to provide agencies with all the information they might need to create and implement comprehensive programs, policies, and protocols to address every issue raised in the assessment process, this packet includes references to resources that do offer such detailed information. The list also includes referrals to organizations and agencies that can provide technical assistance regarding program development and implementation.

***Review the points on the following list that are relevant to your role in responding to domestic violence cases. Check off those points that you (or your agency) successfully perform. Make note of the remaining items and develop a strategy for addressing them.***

## Dispatcher Response

### Obtain Critical Status and Victim Safety Information:

Determine the initial facts of the situation, whether the victim or others are in imminent danger or in need of emergency medical attention, and call for emergency medical assistance as necessary.

### Obtain Relevant Information from the Caller:

Determine who is making the call, whether the suspect is still present, and whether the victim is free to speak.

Obtain the name, address, phone number, location, and current status of the victim.

If the suspect is still present, and if the caller appears reluctant to disclose the nature of the emergency and domestic violence is suspected, ask questions that can be answered by a "yes" or "no" to the extent possible.

Determine the suspect's use or possession of a weapon.

If you assess imminent danger, advise the victim to move to a safe location (e.g., to the home of a neighbor or a family friend, a police station, a church), provided moving can be accomplished safely. Obtain the phone number where the victim can be reached at the new location. If the victim cannot move to a safer location, stay on the line until responding officers arrive.

Identify the incident as "domestic violence related" and assign the appropriate priority rating and treatment. (For policy on categorizing and priority rating domestic violence cases see protocols established by your department management.)

Promptly dispatch a minimum of two officers, whenever possible, or an immediate backup if a single officer is initially dispatched.

Where circumstances warrant, follow the protocol established for crisis intervention with domestic violence victim callers. (For policy related to crisis intervention, see protocols established by your department management.)

Record and preserve the victim's "excited utterances" for evidentiary purposes.

If the suspect is not present, attempt to determine his location, or possible locations, and the likelihood that he may return to the scene.

When the reporting party is not the victim, obtain the caller's name, address, phone number, and relationship to the victim, and the names of any other witnesses or parties involved.

### Obtain Related Information:

Obtain information from the caller to assist in apprehension of the suspect, including gender, physical description, clothing, vehicle description, weapon possession, and so on.

If the suspect is a law enforcement officer, dispatch a supervisor to the scene immediately.

Always send officers to the scene in cases where domestic violence is reported or suspected, even if the reporting party calls back to cancel the request for assistance.

### Provide Victim with Critical Information:

Remind the victim not to wash herself or clean the crime scene until responding officers have arrived and forensic examinations can be performed to preserve evidence. (See the section on forensic exams on page 9.)

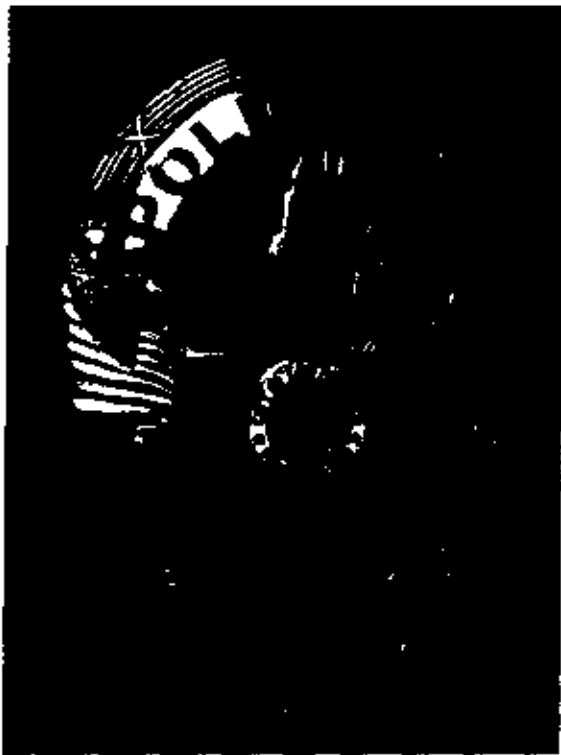
Notify the victim of available crisis response services. Indicate to the victim that crisis service providers are responding to the scene immediately. (For policy related to notification of crisis response services, see protocols established by your department management.)

## **Obtain Offender History and Information on the Likelihood of Danger:**

Use "Call History," "Criminal History," and other available databases to provide responding officers with crucial criminal and civil information, including firearm possession prohibitions, outstanding warrants, or unexecuted sentences.

Use available databases to obtain information concerning protection orders, conditions of release, or sentence pending against the suspect. Inform responding officers of such orders and the terms of each.

Furnish the officer with information on the suspect's dangerousness and specifics about the incident.



## **Initial Officer Response**

### **Respond to the Call:**

Respond to the dispatch call immediately, whether or not the report itself is immediate or delayed.

Based on information provided by the dispatcher, evaluate the potential for violence, and secure backup, whenever possible.

### **Approach the Scene:**

Determine whether there are multiple crime scenes (e.g., a crime that began at one location but ended at another).

Utilize tactical approach procedures, including a silent approach, a request for priority radio air upon arrival, parking of the vehicle away from the crime scene, and using an indirect foot approach (angle or side).

Examine the area surrounding the premises (e.g., observe and listen for indications of violence in progress; observe whether lights are on or windows are open; look for evidence of children, such as the presence of toys in the yard/driveway; and check vehicles parked at the location—consider radioing in tags and descriptions).

Suggest bystanders and others leave the immediate area surrounding the scene to ensure their safety.

### **Enter the Scene:**

Enter the premises in compliance with the laws of the state.

"Knock and announce." If you are denied access to the premises, effect forced entry in compliance with state law, to confirm victim welfare and absence of victim coercion, or seek a search warrant. If entry cannot be legally effected, immediately contact a supervisor to determine what additional action may be appropriate. An officer should, at a minimum, return to the scene on a frequent basis to witness any additional abusive behavior or evidence of violence that can be viewed from outside the residence.

### **Intervene to Stop Violence:**

Immediately stop any violence and separate the parties.

Keep the parties separated and secure at all times.

## Assess and Secure the Scene:

Evaluate the scene (e.g., whether it is in damaged or disturbed condition, whether there is evidence of alcohol/drug use, whether there are emergency health issues to be addressed, whether there are other witnesses, or if additional evidence is present).

If the suspect appears to be a law enforcement officer, implement department policies and protocol established for such situations (e.g., request a supervisor to come to the scene if one has not already been dispatched; secure service revolver pending internal investigation; file a report with internal affairs; and so forth). (For policy addressing officers as suspect, see protocols established by your department management.)

If possible, photograph or videotape the crime scene before it is disturbed. Record the locations of the victim and suspect at the time of your arrival.

Take steps necessary to preserve evidence on the victim's and suspect's persons and at the scene of the crime.

Secure and protect the crime scene, and request that forensic/crime scene technicians be dispatched, as available and appropriate.

Confiscate all weapons actually used or used to threaten the victim, including those in plain sight or in the possession of the suspect in violation of state or federal law (such as gun possession by a convicted domestic violence offender).

## Address the Immediate Needs of Victims:

If they are available and have not been called, summon victim crisis intervention personnel to the crime scene, once the crime scene is secure and the victim is safe. Otherwise, refer the victim in writing and by phone to appropriate domestic violence services. (For policy on notifying victim crisis intervention personnel and referrals, see protocols established by your department management.)

Assess the need for a sign-language interpreter or translator for the victim, witnesses, or suspect. Do not rely on family members

or interested parties for interpretation or translation.

Assure the victim that her immediate safety is your first priority as an officer.

Take steps necessary to protect the victim's personal privacy and dignity (e.g., allow the victim to cover or change out of ripped or bloodied clothes, in privacy, and as soon as possible and consistent with evidence collection considerations; protect the victim from intrusive media and onlookers).

Inquire as to the victim's need for emergency medical attention, and provide first aid, as necessary.

Assess and provide for the care and safety needs of any children present.

Arrange transportation to a designated medical facility for medical care, if necessary.

## Conduct an Initial Interview with the Victim:

If the victim is in critical need of medical attention, do not attempt to interview her until after she has received medical assistance to stabilize her condition. Limit the interview to those questions necessary to effect arrest of the suspect and only to the extent the victim's condition permits. Additional questions should be withheld until a follow-up interview.

Before attempting to interview the victim, remove either the victim or the suspect to a location that provides complete sight and sound isolation from all other parties. If this is not possible (e.g., if there is only one officer responding), await the arrival of backup. Allow only a victim advocate to be present if the victim indicates a need for support.

Ask questions in a supportive and non-judgmental manner. Be calm, direct, and patient. Be clear that you want to help. Explain the necessity for asking any personal questions or questions that may make the victim uncomfortable.

Record the "excited utterances" of the victim, family members, and witnesses.

Note the victim's demeanor, body language, and other nonverbal communication indicating her emotional and physical condition for evidentiary purposes.

Document the victim's injuries in detail, and inquire about injuries that may not be visible. Use body charts to assist in documentation. Use photography to provide additional documentation whenever possible.

Obtain information to determine whether the suspect's conduct constitutes multiple crimes (e.g., sexual assault, violation of a protection order, firearm possession, trespass).

Obtain preliminary information from the victim about the crime and specifics leading up to the abuse, whether there is a relationship between the victim and suspect, any prior history of abuse, any court orders, any use of weapons, or any use of alcohol or drugs.

If appropriate, encourage the victim to seek medical treatment and/or undergo a forensic exam, as necessary. (See the section on forensic exams on page 9.)

Explain to the victim the importance of evidence collection and medical treatment. Inform her that the cost of a forensic examination may not be her responsibility.

Arrange for transportation to a designated medical center or other facility to have the victim undergo medical treatment and/or a forensic exam, if the victim's condition has not previously required her transportation to a medical facility.

Obtain address/phone information for any temporary residence to which the victim may move.

Obtain address/phone information for any family member and/or other person entrusted with the victim's forwarding contact information.

Arrange for the victim's transportation to a place of safety (i.e., shelter, a friend's/relative's house, hotel, etc.), if necessary.

### **Determine Violation of Federal Law:**

Determine if suspect's conduct constitutes a violation of federal law (e.g., crossing a

state line to inflict bodily injury, to stalk, or to violate a protection order). If so, follow protocol established to notify appropriate federal authorities. (For policy on notification and coordination of response to federal crimes, see protocols established by your department management.)

### **Provide the Victim with Essential Information:**

Provide the victim with written referrals to system- and community-based assistance agencies and organizations.

Notify the victim of her rights as a victim under state law (e.g., the rights to notification, to be present, and to make a statement at proceedings; the right to apply for crime victim compensation).

Notify the victim of her right to seek an emergency protection order, if available, and provide information concerning how such an order may be obtained.

Provide the victim with basic information (both orally and in writing) about investigative processes and what role she may play in the investigation. To the extent possible, tell the victim what to expect in the process.

Provide the victim with immediate short-term safety recommendations and preliminary safety planning strategies.

Advise the victim that arrest of the suspect is not a guarantee of the victim's safety, as the suspect may be released on bond shortly after arrest and may pose an immediate threat to the victim or a family member.

While still at the scene, provide the victim in writing with the name, badge number, and contact information of all responding officers and the incident report number.

### **Identify and Interview Witnesses:**

Identify any witnesses and document their full names, addresses, phone numbers, etc. Note their relationships to the victim.

Interview nearby residents, co-workers, and any others who may have witnessed the current or previous incidents of abuse.

Note the witnesses' demeanor, and collect written statements from each.

Interview children who may have witnessed the incident. Inquire about previous incidents of abuse directed at the victim or themselves. Comply with protocols specifically related to interviews with child witnesses and victims.

- 1 Interview children in a manner appropriate for their age and in a way that does not put their safety at risk. Document any excited utterances, indications or signs of injuries, past or present.

Where evidence of child abuse or neglect exists, alert the adult victim and encourage her to make a report to the appropriate child protection services/agency. When she does not do so, file the report yourself; inform the adult victim that the report has been filed, and explain how she can contact the agency.

### **Interview the Suspect:**

- 1 Attempt to interview the suspect, if he is present or located, prior to arrest and custody.

Use audio- and/or videotape to record the suspect's interview. Inform the suspect that you are recording.

- 1 Obtain general information from the suspect (i.e., name, address, relationship to the victim, etc.).

Ask questions to clarify statements and facts asserted by the suspect.

Record the suspect's excited utterances, his emotional and physical condition, and his demeanor.

Note the suspect's injuries in detail. Use photography to document injuries, and inquire about injuries that may not be visible.

Note any evidence of substance/chemical consumption.

If the suspect cannot be found, apply for a warrant. If he is subsequently taken into custody, attempt to interview him only after a proper Miranda warning has been issued to him.

### **Collect Evidence at the Crime Scene:**

Determine whether a search warrant is needed (e.g., based on state law, determine whether any aspect of evidence collection will require a search warrant).

Determine whether there are multiple crime scenes (e.g., did the incident begin in another location, or did a previous and unreported incident occur at another site?).

Call in a crime scene technician, as indicated by department policy.

*Unless crime scene technicians or a forensic specialist will be called to the scene, responding officers should undertake the following:*

Assess the crime scene for physical evidence (e.g., fingerprints, body fluids, footprints, displaced objects, property destruction).

Obtain evidence of other crimes committed by the suspect (e.g., sexual assault, violation of a protection order, firearm possession, trespass, etc.).

Photograph and/or videotape the crime scene prior to touching, moving, or disrupting potential evidence. Provide an indication of size or scale for all evidence photographed. (See the section on forensic exams on page 9.)

Conduct a preliminary search for all physical evidence without compromising the crime scene.

Collect, properly package, and mark all evidence. Ensure that all evidence has been gathered before releasing the crime scene.

Diagram the crime scene; use specialized report forms/diagrams, and document all findings. (For policy or standardized forms concerning reports, see protocols established by your department management.)

Arrange for a same-sex photographer to photograph the victim's injuries, and alert the victim that subsequent bruising should also be photographed.

Photograph the suspect's injuries, and take full-body photographs.

Photograph children's injuries and

demeanor (i.e., take pictures that capture *physical expressions of emotions*).

Confiscate all weapons used in the commission of a crime.

Review and preserve all “911” and/or emergency dispatch tapes.

- Transport all collected evidence to a designated crime lab for analysis and/or to the law enforcement property room for storage in a way that maintains the proper chain of custody.

### **Collection of Evidence Off Site (Forensic Exams):**

- Transport or arrange transportation for the victim to a designated medical facility for emergency care and/or forensic evidence collection, if necessary.

- Contact victim services to provide medical accompaniment. Give the victim an opportunity to decline offers of assistance from victim service advocates once they have arrived at the facility.

- Make efforts to ensure that the victim is seen promptly at the medical facility.

Confirm that any professionals conducting assault and sexual assault forensic exams have the qualifications to do so.

Confirm that the attending nurse or physician has a standardized evidence collection kit and that he/she is trained in the use of the kit.

- Provide the attending nurse or physician with a brief account of the incident.

Make efforts to ensure that the victim's injuries are photographed in detail, with full consideration for the victim's comfort and privacy concerns. If possible, arrange for a same-sex forensic photographer or medical professional who has been trained in forensic photography and victim sensitivity.

- Ensure that all necessary physical evidence collection procedures are completed.

Confer with assisting medical personnel to obtain further information about the victim's condition and any evidence collected.

Request that the victim sign a medical *information release form*.

Provide the victim with preliminary safety planning and assistance prior to departure from the medical facility if such planning has not already been provided by another trained professional (e.g., safety tips, basic strategies for the short term, referral to other resources and services for emergency housing and comprehensive safety planning).

If the suspect is in custody, make sure physical and medical evidence is collected from him, and at a location different from that of the victim. Provide briefing to medical personnel responsible for conducting the exam regarding the general details of the incident prior to their performing the exam to assist them in the collection of evidence.

Make arrangements to transport collected evidence needing analysis to a designated crime lab and/or to a designated property room for storage in a way that maintains the chain of custody.

Arrange for the suspect's transport to an appropriate facility to collect physical and medical evidence, if necessary. If possible, transport the suspect to a facility other than one to which the victim was sent.



## **Make an Arrest Decision:**

### **The Decision to Arrest:**

- Arrest the suspect if probable cause exists pursuant to state law.
- Serve all warrants in a timely manner.

When both parties to a domestic violence incident allege violence or have sustained injury, officers should undertake a primary or predominant aggressor analysis in addition to evaluating any claims of self- or third-party defense. Officers should arrest both parties only in cases where a primary or predominant aggressor cannot be determined and arrest is otherwise warranted. (For policy on determining primary aggressor, see protocols established by your department management.)

- Charge the suspect with all crimes arising from the incident (e.g., assault, sexual assault, violation of a protection order, trespass, breaking and entering, firearm possession). Contact the prosecutor with any questions or concerns regarding appropriate charges.

Adhere to state law, and do not consider other factors (e.g., speculation that the victim will not go forward; likelihood of conviction; the victim's behavior prior to the incident; the race, culture, sexual orientation, class, or profession of either party).

### **The Decision Not to Arrest:**

If no arrest is made, discuss with the victim the possibility of all safe housing alternatives that may be available, and provide written information about organizations or agencies that provide housing assistance services for domestic violence victims.

If no arrest is made, consider requesting an emergency protection order on behalf of the victim.

If no arrest is made because the suspect is no longer present, obtain descriptive information (e.g., possible whereabouts; physical description; the time he left; vehicle color, type, and license number). Broadcast the information to assist in locating and apprehending the suspect.

File a full report even in the case of no arrest, explaining the rationale and circumstances for the decision in the report.

If the suspect is not arrested, explain to the victim the reasons for the decision.

If the suspect is not arrested, make it clear to both parties that the police take crimes of domestic violence seriously and that further conduct that constitutes domestic violence or other related crimes will lead to arrest.

### **Write an Incident Report:**

Complete a written report, whether or not an arrest is made. If an arrest was not made, explain the rationale and circumstances for that decision in the report.

Include all information, as indicated above.

Include diagrams specifying the nature and location of all injuries, including those that are not visible.

Make reference to previous incidents between the parties, either incidents known to responding officers or as reported by the victim or other witnesses.

Provide the follow-up investigator with all related information, reports, and documentation.

## **Follow-up Investigator Response**

### **Serve and Enforce Protection Orders:**

Make every effort to serve all protection orders obtained by the victim against the perpetrator (suspect) as soon as he is located.

Enforce all criminal and civil protection orders, restraining orders, or conditions of parole or probation against the suspect, including those issued in other jurisdictions or states.

### **Gather Further Information to Support Charges:**

Consult with the initial responding officer(s) and any agency personnel who were subsequently called to the scene.

- Develop an investigative strategy (e.g., consult with a prosecutor regarding evidentiary case issues; develop follow-up witness lists).
- Determine whether a search warrant is needed with regard to any aspect of the investigation.
- Arrange for a follow-up interview with the victim, if additional or clarifying information is needed.
- Look for ways to corroborate the victim's statements.
- Re-photograph the victim to document changes in the appearances of her injuries. Remind the victim that bruises and evidence of injury may appear later. In such circumstances, you should request that the victim contact you to arrange for additional photographs or other documentation.
- Encourage the victim to contact you or other investigative officers with any new information or evidence.
- Identify and obtain statements from any additional witnesses not interviewed at the scene, and collect all pertinent information.
- Submit a forensic lab service request after evaluating the evidence for its possible relevance based on the statements of parties involved and surrounding circumstances.
- Maintain contact with the forensic lab to obtain results. Identify and follow up on any evidentiary leads or issues that may arise.
- Obtain further information on the suspect's criminal/civil histories and other relevant background, when available. (For policy on criminal history, see protocols established under the Data Collection and Communications Section.)

**Address Victim Safety and Support Needs:**

- Arrange for a follow-up discussion with the victim to address her safety and support needs.

Call in and coordinate with relevant victim assistance providers and advocates from system- and community-based organizations and agencies (where available) to assist the victim with the development of safety planning strategies.

In coordination with victim assistance providers and advocates, assist the victim in the development of a safety plan to respond to ongoing threats of the suspect.

Base safety planning on the specific circumstances surrounding the current relationship between the victim and the suspect (e.g., temporarily separated, permanently separated, reunited). Adjust the plan as any change of circumstances may warrant.

On each subsequent contact, assess the likelihood of continued violence by the suspect toward the victim or other family members. Review and revise safety plans and response strategies, as needed, to provide optimal protection.

Utilize a "Lethality Checklist" to help assess the suspect's probability of continued or increased levels of violence.

Work closely with available victim assistance and advocacy providers to support the victim through interviews and other investigation procedures.

Encourage the victim to call law enforcement if the suspect violates any existing court orders, including, but not limited to, emergency or full civil protection orders or criminal orders.

**Provide Victims with Essential Information:**

- Adhere to state law and agency policy concerning the victim's rights to notification.
- Explain the general investigatory process to the victim. Provide a written description, if available.
- Keep the victim informed of all developments in the investigation to the extent that such information will not compromise the investigation.

- Provide the victim with report forms and guidance to assist her in documenting the suspect's further actions, if appropriate.

- Provide victim with a copy of the incident report without cost.

- Make referrals to any additional domestic violence and other victim-related assistance services, advocacy organizations, and agencies that provide support, counseling, housing, and financial assistance.

### **Deliver the Case to the Prosecution Office:**

- Discuss the case with the prosecutor's office, and conduct any further investigation, as requested, securing any additional evidence and communicating any additional information obtained to the prosecutor assigned.

- ▲ Provide the victim with the name and contact information for the prosecutor assigned to the case, if such information is known, and facilitate the initial contact and/or meeting between them.

- Facilitate contact between the victim and prosecutor and victim services, if available (e.g., provide contact information; arrange a meeting; notify victim services with the victim's permission).

- Complete necessary reports and forms, and transfer the information to the prosecutor's office.

- Testify as requested throughout any criminal justice proceedings.

- Where possible, provide victims with the secure transportation necessary to enable their participation in the criminal justice process and to facilitate their access to assistance services.

### **Supervisor Response**

- Create tracking procedures to document and facilitate compliance with statutorily mandated duties and all relevant departmental policies and procedures.

- Oversee officer compliance with agency policies and procedures related to domestic violence (e.g., incident reporting, weapons confiscation, evidence collection).

- Oversee officer compliance with interagency agreements related to domestic violence.

- Oversee officer performance concerning enforcement of protection orders.

- Oversee officer decision making regarding primary or predominant aggressor assessments in cases involving "dual arrest."

- Review the performance of each officer in his/her response to domestic violence cases. Reward officers for appropriate and exemplary performance. Undertake corrective action with officers whose performance fails to meet appropriate standards. Re-assign officers whose response to domestic violence cases consistently fails to meet performance standards.

- Determine and identify the need for additional officer training or supervision. Work with managers to develop an approach that will address the identified needs.

- Review officers' incident reports to ensure proper investigation procedures are being followed and appropriate charges are being filed.

### **Data Collection and Communications**

- Designate and retrieve all domestic violence-related case information.

- Automate case information to expedite access.

- Track cases from first call forward, including case substantiation and follow-through.

- Review case classification practices and procedures throughout the process to ensure domestic violence cases are being properly classified as such.

- Provide a method to track cases that are charged or filed as domestic violence cases regardless of how they may later be reclassified as the result of a plea or of recharging decisions.

Develop policies, protocols, and inter-agency agreements necessary to integrate criminal and civil histories of offenders into available databases.

## **Management Response**

### **Set Tone Through the Development of Protocols, Practices, Training, and other Mechanisms:**

Establish protocols and practices that are grounded in an understanding of domestic violence and that embody values such as victim safety and welfare; respect for victim dignity, privacy, and autonomy; and offender accountability.

Develop procedures for handling violence against women committed by law enforcement and other justice system personnel.

Develop a policy and protocol to give domestic violence calls priority rating and treatment by dispatchers.

Develop a crisis intervention policy and protocol for use by dispatchers when responding to calls from reporting victims.

Develop a program, policy, and protocol to provide victim crisis intervention services in response to the crime scene. Such programs should take into consideration service provider safety.

Develop specialized report forms for domestic violence, complete with diagrams to document injuries.

Develop a policy and protocol to encourage the arrest of the primary or predominant aggressor involved in domestic violence incidents, and minimize dual arrests.

Develop a strategy for addressing complex cases (e.g., convening problem-solving meetings with officers; designating officers to assume assignment of or assist with such cases; and consulting and coordinating with the prosecutor's office, with victim services, and with other relevant agencies or professionals).

Develop protocols for secondary response to domestic violence cases (e.g., calling out forensic/crime-scene technicians in cases where attempted murder, sexual assault, and/or strangulation are suspected).

Establish policies, protocols, and agreements to develop and coordinate response with federal authorities in domestic violence cases involving violations of federal law.

Promote proactive intervention in all domestic violence cases.

Allocate funds, resources, and personnel specifically for domestic violence cases (e.g., for adequate backup, evidence analysis and collection, training, victim assistance).

Support ongoing domestic violence training for all new and veteran staff (e.g., during orientation, roll call, continuing education/training). Support reimbursement for any overtime associated with such training.

Build a staff that reflects the demographics of the community it serves.

Develop strategies to remove barriers facing under-served populations that prevent them from having access to victim assistance services and utilizing the criminal justice system (e.g., translation of materials into relevant languages, 24-hour access to translation and interpreter services, education, and outreach).

Develop a system to monitor policy compliance.

Establish a coordinated response to domestic violence cases among victim service organizations, community service agencies, and criminal justice agencies.

Revise policies and practices to accommodate the rights, resource needs, and interests of domestic violence victims.

## Provide Leadership in Community Initiatives to Reduce Violence Against Women:

- 1. Ensure coordinated response and collaboration with other justice agencies and other relevant service providers. Develop interagency agreements as appropriate (e.g., encourage the adoption of a multidisciplinary response to domestic violence cases).
  - 2. Participate in community task forces or other collaborative efforts (e.g., systems review committees) to improve the response to domestic violence.
  - 3. Conduct or participate in fatality reviews at the community level to explore failures or problems in agency response to domestic violence cases.
- Support statewide policy changes and legislation that positively address domestic violence issues.
- 4. Recognize and support community-based advocacy programs and the critical role they play in supporting individual victims through all stages of the criminal justice process and in working with the criminal justice system to improve its response to domestic violence.

Promote community education concerning domestic violence and its unacceptability in society.

Provide a process for obtaining and responding to victim/citizen complaints regarding the handling of domestic violence cases. Inform victims of their opportunity to avail themselves of such a process. Proactively promote public awareness of the process and its availability to the general public.

Require updated or continuing education training for all officers on domestic violence response issues.

Include information on all new statutes, protocols, and procedures related to domestic violence in all updated training or continuing education programs.

Include information about local community resources and referral sources in officer and staff training programs. Verify and update the information as necessary.

Adopt agency policies that establish "appropriate response to domestic violence cases" as a job performance measure for all relevant personnel.

Utilize command-level monitoring to ensure policy compliance.

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## Footnotes

1. Patricia Tjaden and Nancy Thoennes, *National Violence Against Women Survey*. U.S. Department of Justice, National Institute of Justice, Washington, D.C. (2000). *Editor's note*: While victims and offenders of domestic violence, sexual assault, and stalking are both men and women, the vast majority of victims are female and offenders are male (see Tjaden and Thoennes above). For this reason, as well as for consistency of style, this manual refers to victims as women and offenders as men.
2. Lawrence A. Greenfeld, Michael Rand, Diane Craven, Ph.D., et al., *Violence by Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, or Girlfriends*, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C. (March 1998).
3. G.M. Rennison, and S. Welchans, *Intimate Partner Violence*. U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C. (May 2000).
4. See Eve S. and Carl G. Buzawa, *Domestic Violence: The Criminal Justice Response*, 2nd ed., Sage Publications (1996), pp. 40-42.
5. See, for example, Hillsborough (Florida) County Sheriff's Office's domestic violence response protocols. These protocols when implemented, resulted in a 68 percent drop in domestic violence-related homicides between 1994-1996. *Promising Practices: Improving the Criminal Justice System's Response to Violence Against Women*. STOP Violence Against Women Grants Technical Assistance Project, Office of Justice Programs, U.S. Department of Justice (1999), p. 41. See also San Diego Police Department's Domestic Violence Unit, whose efforts resulted in a 30 percent reduction in domestic violence related homicides over a two year period. San Diego Police Department Internet Site: [www.ci.san.diego.ca.us/police/crime-prevention/dvmanual.htm](http://www.ci.san.diego.ca.us/police/crime-prevention/dvmanual.htm).

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