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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

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SOP# P-045

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SUBJECT: DOMESTIC VIOLENCE

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INDEX AS: DOMESTIC VIOLENCE

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EFFECTIVE DATE: 8/9/2005

REVISED DATE:

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**I. PURPOSE:**

This purpose of this policy is to prescribe the preliminary courses of action that should be taken by Law Enforcement Officers in response to domestic violence incidents.

**II POLICY:**

This agency maintains that the nature and seriousness of crimes committed between family/household members are not mitigated solely because of the relationships or living arrangements of those involved. It is the policy of this agency that domestic violence be treated with the same consideration as violence in other enforcement contexts and , consistent with this policy, that officers combine the use of appropriate community services with enforcement of the law to :

1. Break the cycle of domestic violence by preventing future incidents or reducing the frequency and/or seriousness of such incidents.
2. Protect victims of domestic violence and provide them with support, and
3. Promote officer safety when dealing with domestic abuse situations.

**III. Definitions:**

Family/household member includes persons who fit into one of the following categories:

1. Are legally married to one another;
2. Were formerly married to one another;
3. Are related by blood,
4. Are related by marriage,
5. Have a child in common,
6. Are living together, who have lived together, or who have a dating relationship; or
7. Are specified as such by state law.

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Domestic violence occurs where a family or household member commits or attempts to commit the following types of offenses against another.

1. Bodily injury or threat of immediate bodily injury;
2. Sexual battery;
3. Physical restraint;
4. A property crime directed at the victim;
5. Violation of a court protection order or similar court injunction; or
6. Death.

#### IV DISPATCHER'S PROCEDURES

The Dispatcher who receives a domestic violence call can provide the responding officers with vital information that could save a victim's and the officer's lives. The dispatcher will give a domestic violence call the same priority as any other life-threatening call and will, whenever possible, dispatch at least two officers to every incident.

- A. In addition to information normally gathered, every effort should be made to determine and relay the following to responding officers:
  1. Whether the suspect is present and, if not, the suspect's description and possible whereabouts;
  2. Whether weapons are involved;
  3. Whether anyone has been injured;
  4. Whether the offender is under the influence of drugs or alcohol;
  5. Whether there are children present;
  6. Whether the victim has a current protective or restraining order; and
  7. Whether there is a history of domestic violence complaints at that location.

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- B. Dispatchers shall not cancel police response to a domestic violence complaint based solely on a follow-up call from the residence requesting such cancellation. However, the dispatcher shall advise the officers of the complainant's request.

**V. RESPONDING OFFICER PROCEDURES**

- A. On-Scene Investigation  
When responding to a family violence call, the officers shall:
1. Physically separate the parties involved in the dispute.
  2. Restore order by gaining control of the situation.
  3. Take control of all weapons used or threatened to be used in the crime.
  4. Assess the need for medical attention and call for medical assistance if indicated.
  5. Interview all parties
  6. Collect and record evidence and , where appropriate, take color photographs of injuries and property damage.
  7. Complete appropriate crime or incident reports necessary to fully document the officer's response, whether or not a crime was committed or an arrest made.
  8. Complete Victim Notification Report and turn over to Jail Personnel
  9. Give the victim a copy of the incident report or advise them how one may be obtained.
  10. If the offender has left the scene and a crime has been committed, the officers will do the following;
    - a. Search the immediate area if potentially worthwhile;
    - b. Obtain information from victims and witnesses as to where the offender might be;
    - c. Seek an arrest warrant, and/or if necessary.
    - d. Refer the matter to the investigative unit.

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B. Arrest

1. Officers should make an arrest when probable cause and legal authority exist to do so. Field release and issuance of a citation are not permitted in domestic violence cases when grounds for an arrest are present.
2. If an arrest is not made where probable cause exists, officers shall fully explain the basis for their non-arrest decision.
3. The officers should emphasize to the victim and the offender that the criminal action is being initiated by the state and not the victim.

C. Victim Assistance/ Crime Prevention

Many victims of domestic violence feel trapped in violent relationships because they are unaware that domestic violence is a crime or that resources are available to help them. Also the offenders may have threatened further violence if the victim attempts to leave or seek assistance. Therefore, officers are required to provide the following assistance to victims, a batterer, and where appropriate, the children of these individuals:

1. Advise all parties about the criminal nature of family violence, its potential for escalation, and that help is available;
2. Secure medical treatment for victims;
3. Ensure the safety of the children;
4. Remain on the scene until satisfied that there is no threat to the victim;
5. Remain on the scene to preserve the peace if one person needs to remove personal (not joint) property;
6. Provide the victim with a referral information packet for legal or social assistance and support;
7. When necessary, after arrangements have been made with the shelter, transport the victim to an available shelter or suitable alternative safe haven; and

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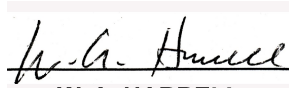
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8. If children need to be removed from the home, contact a supervisor.



W. A. HARRELL  
SHERIFF

8/9/2005  
EFFECTIVE DATE