


AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

06.09	Title: DOMESTIC VIOLENCE		
	Approved By: Vanessa Wilson, Chief of Police		Duty Honor Integrity
	Effective: 09/01/1998	Revised: 05/06/2021	
	Associated Policy:		
	References: APD Forms 070; Notice to Appear; APD Glossary.		
Review: Legal Advisor			Page 1 of 4

6.9 DOMESTIC VIOLENCE

The policy of the Aurora Police Department is to view all domestic violence complaints as possible instances of criminal conduct. This type of crime involves distinctly different dynamics from other types of assault, harassment or like cases. Because of this, the actions taken by the police department in domestic violence cases will be as designated by this directive.

Cases involving domestic violence are handled differently from other types of misdemeanor cases. Provisions are made for the immediate arrest of offenders and the processing of domestic violence cases is expedited.

Incidents involving same sex couples are classified as domestic violence. When the investigating officer determines that same sex partners are, or have been involved in an intimate relationship, the incident should be handled according to the provisions of this directive. The investigating officer should include any information discovered that gives evidence that the relationship is or has been intimate (e.g. admission, co-habiting, sharing same bedroom, etc.).

6.9.1 Enforcement Guidelines

When an officer determines that there is probable cause to believe that a crime or offense involving domestic violence (see glossary) has been committed, and that the suspect committed the offense, the officer will arrest the suspect and charge the suspect with the appropriate criminal charges. The arrested person will be removed from the scene of the arrest and taken to the Aurora Detention Center for booking. The arrested person may be held or released by following the bonding schedule for the jurisdiction in which charges were filed.

If an officer receives complaints of domestic violence from two or more opposing persons, the officer will evaluate each complaint separately to determine if a crime has been committed by one or more persons. In determining whether a crime has been committed by one or more persons, the officer will consider the following:

- Any prior complaints of domestic violence.
- The relative severity of the injuries inflicted on each person.

- The likelihood of future injury to each person.
- The possibility that one person acted in self-defense.

A Domestic Violence Case Summary Sheet (APD 070) will be completed when a summons is issued, an arrest is made, or an arrest warrant is applied for. Should the victim refuse to fill out all information, such refusal will be noted in the officer's report. The officer will complete the officer's portion of the Domestic Violence Case Summary Sheet (APD 070) and submit it to the Records Unit where it will be scanned and attached to the report.

If the victim completes any portion of the Domestic Violence Case Summary Sheet (APD 070), that form will be placed into evidence and a copy will be attached to the report where it will be scanned and retained with the report.

Aurora Municipal Court Cases

In cases charged into Municipal Court, the officer will complete an MRE General Offense Report and submit it to the Watch Commander for approval. The officer will affix a red tag (denoting "next day arraignment") to the supporting documents and submit them to the Watch Commander for supervisory approval. After approval, the red-tagged documents will immediately be forwarded to the Records Unit to be processed for next day court arraignment. The cut-off time will be midnight for next day arraignment. For instance, an arrest made at 0005 hours on a Tuesday is set for arraignment on Wednesday. Officers will issue the victim a Municipal Court subpoena instructing the victim (in the "Trial/Hearing" area), to report to Municipal Court, Division 8, at 0830 hours on the day of arraignment.

All investigations of domestic violence calls will require a written report unless unfounded and a written report is specifically excused by a supervisor. Members will list the names and ages of all minor children residing with the parties, or involved in the domestic relationship, regardless of their participation in this reported incident. Any MDC reports on domestic violence cases will carry the authorizing supervisor's name.

Members handling domestic violence cases involving juvenile suspects will complete all reports as required and forward the report to the appropriate District Detective Unit for filing. The juvenile will be processed for fingerprints and photographs at the Detention Center juvenile processing area. The juvenile suspect will then be taken to the appropriate juvenile detention center. Juvenile suspects may not be released to a parent, social services or other placement.

Arapahoe County Court Cases

Members investigating a domestic violence incident in Arapahoe County that involves misdemeanor child abuse or restraining order violations (or any other misdemeanor violation that cannot be charged into Municipal Court that is related to a domestic situation) will charge them into Arapahoe County Court on a next day arraignment schedule.

Members will complete all currently required paperwork associated with a domestic violence report with the following exceptions:

- Members will charge the suspect on a County Court summons. The court date will be set for the next court day (as is currently done for Municipal charges). The time for arraignment is 0830 hours and will be written into Arapahoe County Combined Court at 7325 South Potomac Street, Centennial, CO 80112. The cut-off time will remain at midnight for next day arraignment.
- Members will complete a warrantless arrest affidavit for Arapahoe County.
- Members will issue an 18th Judicial District Notice to Appear form to the victim (instead of a Municipal subpoena). Check the appropriate time box for appearance as indicated on the Notice to Appear and add in the same date as the arraignment. The notice will direct the victim to 7325 South Potomac Street, room #208 which is the victim witness waiting room. The Arapahoe County Notice to Appear forms should be available in the districts' forms rooms. A Notice to Appear does not carry the same consequences for failure to appear as a subpoena; nevertheless, members should refrain from telling or suggesting to a domestic violence victim that the Notice to Appear is not a court order and they are not legally bound to appear.

Adams County Court Cases

Members investigating a domestic violence incident in Adams County that involves misdemeanor child abuse or restraining order violations (or any other misdemeanor violation that cannot be charged into Municipal Court that is related to a domestic situation) will place them in the Aurora Detention Center.

Members will complete all currently required paperwork associated with a domestic violence report with the following exceptions:

- Members will charge the suspect on an Adams County Court summons (long form). The Aurora Detention Center, in cooperation with the Adams County Sheriff's Office, will arrange for the suspect to be taken before a judge in an expedited manner (Adams County does not allow the suspect to bond before arraignment).
- Members will complete a warrantless arrest affidavit for Adams County.
- Members will issue an Adams County subpoena to the victim. The Adams County subpoena forms will be available in the District forms rooms. The subpoena will be set for 1300 hours on the same day as the arraignment. Adams County Court arraignments are scheduled for three business days after the suspect has been jailed. The telephone number for the District Attorney's Office is on the subpoena form and victims should be encouraged to call ahead to confirm the date and time of their appearance.

Felony Cases

Felony charges will be handled according to current procedures (Place the suspect in detention pending a filing by the appropriate detective. Do not issue a summons, subpoena or Notice to Appear). As always, if there are felony charges and the felony is **unrelated to the domestic**, you may split the charges. **Members will NOT split charges if the felony charge is related to the domestic violence call.**

6.9.2 **Domestic Violence Case Follow-up**

If an arrest cannot be made on a timely basis, the reporting officer will apply for an arrest warrant to the appropriate Court. See Directive 8.10.10 for specific information on municipal cases.

If the reporting officer is not able to complete follow-up to obtain a warrant, e.g., due to vacation or conflicting shift hours, the case will be submitted to the Watch Commander for reassignment for timely follow-up.

6.9.3 **Victim Assistance/Information**

In all domestic violence cases, victims will be informed of the following resources:

- Aurora Police Department Victim Services Unit, and any other service providers listed by the Victim Services Unit. The Victim Services Unit is available at all times through the Public Safety Communications Department.
- Gateway Domestic Violence Services and the telephone number.
- Providing the victim a Gateway Domestic Violence Services brochure will provide the victim the required information on municipal misdemeanor cases.