

ELIZABETH POLICE DEPARTMENT GENERAL ORDERS



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SUBJECT: DOMESTIC VIOLENCE CRISIS RESPONSE TEAM

EFFECTIVE DATE:

March 2, 2023

BY THE ORDER OF:

CHIEF GIACOMO SACCA

BY AUTHORITY OF:

**POLICE DIRECTOR EARL J.
GRAVES**

ACCREDITATION STANDARDS:

NJSACOP 3.5.7

SUPERSEDES ORDER #:

PURPOSE: To define the departmental procedure relative to the response of the Crisis Response Team.

POLICY: The Elizabeth Police Department acknowledges the significant impact that acts of domestic violence can have on victims.

Domestic violence victims are often isolated and feel trapped in abusive relationships. Studies have indicated that many domestic violence victims are more likely to return to their abusers if they are provided with little or no support.

While police officers can provide protection to domestic violence victims by arresting and criminally charging perpetrators, domestic violence victims often request or require additional assistance which police officers cannot adequately provide.

As a result of the collaborative efforts of the Elizabeth Police Department and *Project Protect* of the YWCA of Eastern Union County, a Crisis Response Team, formerly known as the Domestic Violence Response Team, has been created to provide assistance to domestic violence victims.

The YWCA is the oldest multicultural women’s organization in the world. Its mission is to eliminate racism, empower women and promote peace, justice, freedom, and dignity for all.

The YWCA of Eastern Union County has been serving the women, children, and families of Union County since 1920.

In response to a growing concern about domestic violence, the YWCA of Eastern Union County initially established *Project Protect* in 1978 to provide emergency shelter for battered women and their children.

Today, *Project Protect* offers a wide range of additional support services for domestic violence victims and the YWCA of Eastern Union County has been recognized as the principal domestic violence support organization in Union County. It has been charged with countywide administration and supervision of the Crisis Response Team program pursuant to the provisions of *N.J.S.A. 2A:84A-22.14*.

The Crisis Response Team is comprised of volunteer members who have been trained by the YWCA of Eastern Union County and can be requested by the Elizabeth Police Department to provide assistance to domestic violence victims.

The goals of the Crisis Response Team include the following:

- To decrease the emotional trauma experienced by domestic violence victims *(by providing a domestic violence victim with an opportunity to express his or her emotional response to the crisis and by educating him or her about the dynamics of domestic violence)*;
- To increase the ability of domestic violence victims to make educated decisions about their options *(by increasing a domestic violence victim's awareness of available community resources and legal options, to include an understanding of the legal process)*;
- To increase domestic violence victims' awareness of and access to available community resources *(by providing a domestic violence victim with the necessary information to access available community resources and assisting him or her in contacting those resources)*.

It shall be the policy of the Elizabeth Police Department to offer the assistance of the Crisis Response Team to all domestic violence victims.

This department policy establishes procedures for offering, notifying, and utilizing the Crisis Response Team, as well as the support to be rendered to its volunteer members when called upon to provide assistance to domestic violence victims at the Elizabeth Police Department or over the telephone.

PROCEDURE:

I. DEFINITIONS

- A. CRISIS RESPONSE TEAM – a group of volunteers who have been trained by the YWCA of Eastern Union County and may be requested by the Elizabeth Police Department to provide assistance to domestic violence victims. The Crisis Response Team has been created in accordance with provisions of the *Prevention of Domestic Violence Act (2C:25 et. al.)*.
- B. DOMESTIC VIOLENCE LIAISON OFFICER – the sworn police officer member of the Elizabeth Police Department who has been designated by the Chief of Police to act as the liaison between the Elizabeth Police Department and the Union County Prosecutor's Office on matters related to domestic violence. The department's Domestic Violence Liaison Officer shall also act as the liaison between the Elizabeth Police Department and the YWCA of Eastern Union County on all matters related to the Crisis Response Team.

Some of the duties and responsibilities of the department's Domestic Violence Liaison Officer as they pertain to the Crisis Response Team shall include the following:

1. To assist with the on-going training of volunteer members of the Crisis Response Team (*this shall include attendance at any scheduled training sessions, classes or meetings, when requested or required*);
2. To familiarize volunteer members of the Crisis Response Team with laws relating to domestic violence, as well as department policy and procedure relating to police response to and investigation of domestic violence incidents;
3. To assist with the creation of a contact list of Crisis Response Team volunteer members who are available to respond to requests for assistance from domestic violence victims;
4. To educate Elizabeth Police Department members on the proper procedures for offering, notifying, and utilizing the Crisis Response Team;
5. To continuously evaluate the performance of the Crisis Response Team to identify any problems with procedures, volunteer member performance and/or any other matters which require attention or warrant concern;
6. To assist with public outreach efforts to recruit volunteer members for the Crisis Response Team (*this may include interviewing potential volunteer members, when requested or required*);
7. To complete required criminal history checks and background investigations for all potential Crisis Response Team volunteer members;
8. To complete any statistical or other required reports which detail the operations and activities of the Crisis Response Team;

9. To perform any other duty or function which the Chief of Police, or his designee, deems proper and/or necessary for the efficient and effect operation of the Crisis Response Team.

II. POLICE OFFICER RESPONSE TO ACTS OF DOMESTIC VIOLENCE

- A. The procedures police officers shall follow when responding to reports of domestic violence incidents are outlined in full by the *Prevention of Domestic Violence Act, (N.J.S. 2C:25 et. al.)* and Elizabeth Police Department's Standing Operating Procedure on "*Domestic Violence Investigations*".
 1. Responding police officers shall secure the scene to prevent any further violence;
 2. Responding police officers shall determine if an act of domestic violence as defined by *N.J.S. 2C:25-19 (Definitions)* has occurred;
 3. Responding police officers shall take immediate action to remove the alleged perpetrator from the scene and assist the domestic violence victim;
 4. In instances where an alleged sexual assault has occurred, responding police officers shall follow those procedures outlined in the *Union County Sex Crime Investigation Protocol* issued by the Prosecutor of Union County.
- B. Police officers shall offer the assistance of the Crisis Response Team whenever an act of domestic violence as defined by *N.J.S. 2C:25-19 (Definitions)* is alleged to have occurred. Domestic violence victims shall be offered the assistance of the Crisis Response Team regardless of whether criminal charges or protective orders have been sought or obtained.
 1. In instances where an arrest of one party is made with probable cause, but a criminal complaint is signed against another party, the police officer should offer the assistance of the Crisis Response Team to the victim of the probable cause arrest.
 2. In instances where criminal complaints are signed against both parties, police officers should attempt to determine which party is the *primary* victim. In doing so, the comparative extent of injuries, the history of domestic violence between the parties, if any, and other relevant factors should be considered. Police officers should offer the assistance of the Crisis Response Team to the *primary* victim.
 3. Police officers may activate the Crisis Response Team, at their discretion, and without the victim's consent, when there is probable cause to believe that an indictable crime has occurred in violation of the *Prevention of Domestic Violence Act, (N.J.S. 2C:25 et. al.)*.
 4. Police officers shall activate the Crisis Response Team when there is probable cause to believe that a fourth-degree Contempt, in violation of

N.J.S.A. 2C:29-9b, has occurred. The victim's consent is not required in this situation.

5. Police officers shall not offer the assistance of the Crisis Response Team in any of the following circumstances:
 - a. When the incident which occurred is determined not to be an act of domestic violence as defined by *N.J.S. 2C:25-19 (Definitions)*;
 - b. When the act of domestic violence determined to have occurred is a sexual assault;

The Crisis Response Team shall not be requested for sexual assaults.

Police officers shall follow those procedures outlined in the Union County Sex Crime Investigation Protocol issued by the Prosecutor of Union County in all such instances.

- c. When the act of domestic violence determined to have occurred is a major crime of violence (*such as attempted murder, aggravated assault, etc.*). **Note: The CRT may still be activated. CRT members can still provide domestic violence victims with resources and/or support while going through an emotional crisis;**
 - d. When the domestic violence victim is under the influence alcohol and/or drugs, is violent or is a mental health risk;
 - e. In any other situation where police officers reasonably believe that a Domestic Violence volunteer member may be placed at risk of harm for any other reason.
6. The Crisis Response Team shall not be requested if a domestic violence victim has explicitly declined the assistance of the Crisis Response Team.
7. Police officers shall utilize the *V.I.N.E. Form (see attached form)* to document all offers of assistance from the Crisis Response Team. This form shall be included in the domestic violence report packet containing all other required forms and reports to be completed when documenting acts of domestic violence.
8. Whenever an act of domestic violence as defined by *N.J.S. 2C:25-19 (Definitions)* is determined to have occurred and the Crisis Response Team is not requested, the reason for not doing so shall be noted in the narrative of any accompanying incident report. (*For example: "The domestic violence victim was offered but refused the assistance of the Crisis Response Team."*)
9. The Crisis Response Team shall not be requested to assist domestic violence perpetrators or suspects.

C. Notifying the Crisis Response Team

1. When a police officer receives a request for the Crisis Response Team, he or she shall notify a police supervisor. The police supervisor shall ensure that all criteria for notification of the Crisis Response Team have been met.
2. If all criteria for notification of the Crisis Response Team have been met, the police supervisor shall contact the Crisis Response Team Hotline and provide the operator with:
 - a. the domestic violence victim's contact information;
 - b. the time and day when it's safe to contact the domestic violence victim;
 - c. a request for an interpreter, and specific language needed, if applicable.
3. Whenever possible, the Crisis Response Team shall be notified by a police supervisor.
4. The Crisis Response Team shall strive to maintain 24-hour availability.
 - a. The Crisis Response Team Hotline operator will be responsible for assigning the appropriate Crisis Response Team volunteer member to the police supervisor's request for assistance.
 - b. If the designated "on-call" Crisis Response Team volunteer member does not respond to the message in a reasonable amount of time or advises that he or she cannot respond, then the Crisis Response Team Hotline operator shall contact another Crisis Response Team volunteer member to respond.
 - c. If a Crisis Response Team volunteer member cannot be reached or is unavailable to respond, the Crisis Response Team Hotline operator will contact the Crisis Response Team Coordinator who will respond.
 - d. In instances when the Crisis Response Team Hotline operator cannot be reached, the police supervisor shall direct the domestic violence victim to contact the YWCA of Eastern Union County via its 24-hour Domestic Violence Hotline at **908-355-HELP (4357)**.
5. Once the Crisis Response Team Hotline operator has made contact with an available Crisis Response Team volunteer member, the operator shall inform the Crisis Response Team volunteer member of the request.
 - a. The Crisis Response Team volunteer member shall be provided with the name of the domestic violence victim requesting assistance. An inquiry shall be made as to whether or not the victim is known to the Crisis Response Team volunteer member.

- b. If the domestic violence victim is known to the Crisis Response Team volunteer member, then the Crisis Response Team volunteer member will advise the operator of such. The operator shall make arrangements for another Crisis Response Team volunteer member to respond.
6. The Crisis Response Team volunteer member shall always be directed to respond to the Elizabeth Police Department.

The Crisis Response Team volunteer member shall never be directed to respond to the scene of a domestic violence incident, a domestic violence victim's residence or anywhere else, including a hospital.

7. If a domestic violence victim has requested the assistance of the Crisis Response Team but he or she refuses to respond to the Elizabeth Police Department, an available Crisis Response Team volunteer member may still be requested to speak with the domestic violence victim via telephone.

- a. The Crisis Response Team volunteer member may:
 - 1) Respond to the Elizabeth Police Department and contact the domestic violence victim via police department telephone, or
 - 2) Contact the domestic violence victim via Crisis Response Team-issued cellular telephone if the Crisis Response Team member is not able to respond to Police Headquarters, or **(Note: Officers shall advise the domestic violence victim that the Crisis Response Team phone number will appear as a private number on the victim's caller identification.)**
 - a) If the Crisis Response Team volunteer member contacts the domestic violence victim via his/her issued cellular telephone, the Crisis Response Team volunteer member shall notify the Elizabeth Police Department upon completion of the call in order to confirm the domestic violence victim's request to speak with a Crisis Response Team volunteer member was satisfied.

D. Response of the Crisis Response Team

1. When requested, Crisis Response Team volunteer members shall be prepared to:
- a. Advise domestic violence victims about their available options;
 - b. Explain applicable criminal justice or civil court procedures to domestic violence victims;
 - c. Assist domestic violence victims obtain temporary protective

- orders;
- d. Arrange for shelter for domestic violence victims and their children;
 - e. Provide domestic violence victims with information about available community resources and assist them in contacting those resources;
 - f. Arrange for an interpreter for domestic violence victims to assist them in communicating with the police or Crisis Response Team volunteer members.
2. It shall be deemed impermissible for a Crisis Response Team volunteer member to do any of the following:
- a. Maintain detailed notes or reports of conversations with domestic violence victims, except for those needed to complete “*call-out*” or other reports required by the Elizabeth Police Department and/or the YWCA of Eastern Union County;
 - b. Disclose the contents of any conversation with domestic violence victims, unless written informed consent has been issued by the domestic violence victims (*except under certain circumstances, such as threats to harm oneself, threats to harm another person and child abuse and/or neglect, which warrant a breach of confidentiality*);
 - c. Meet with domestic violence victims at any location other than the Elizabeth Police Department;
 - d. Divulge to domestic violence victims their last names;
 - e. Divulge to domestic violence victims their home or cellular telephone numbers or home addresses;
 - f. Divulge to domestic violence victims any information about their families or places of employment.
3. A Crisis Response Team volunteer member shall immediately notify the Chief of Police, the department’s Domestic Violence Liaison Officer or their designees if any of the following situations should occur:
- a. If contacted by an attorney or any person other than an authorized member of the Crisis Response Team seeking any information relating to any assistance, he or she rendered to a domestic violence victim;
 - b. If served with a subpoena to testify in any matter or to produce any documents relating to any assistance, he or she rendered to a domestic violence victim;

- c. If any personal injury or property damage is sustained while rendering assistance to a domestic violence victim.

E. At the Elizabeth Police Department:

1. Police supervisors shall provide Crisis Response Team volunteer members with a confidential meeting room to meet with domestic violence victims and their children.
2. Police supervisors shall ensure that domestic violence victims and Crisis Response Team volunteer members have no physical or verbal contact with perpetrators. The separation of parties by both sight and sound shall be maintained at all times.
3. Police officers shall not utilize Crisis Response Team volunteer members to assist with the investigation of acts of domestic violence. In no way shall a Crisis Response Team volunteer member be construed as an aid to the investigative process.
4. Due to safety considerations, Crisis Response Team volunteer members shall only be permitted to assist one domestic violence victim at a time.
 - a. If there is an additional domestic violence victim in need of simultaneous assistance, an additional Crisis Response Team volunteer member shall be requested.
 - b. In such instances, police supervisors shall make another confidential meeting room available for use by the additional Crisis Response Team volunteer member.
5. The Crisis Response Team may request that a police supervisor contact an additional Crisis Response Team volunteer member if additional assistance is required to manage a domestic violence victim's children.
6. When contact with domestic violence victims has concluded, either in-person, via the department telephone, or via Crisis Response Team-issued cellular telephone, the Crisis Response Team volunteer members shall notify a police supervisor. If in-person contact was made, the domestic violence victim may then be returned to the presence of a police officer.
7. After in-person contact with Crisis Response Team volunteer members has concluded, police supervisors shall ensure that domestic violence victims are escorted back to their residences or places of refuge.
8. Police supervisors shall provide Crisis Response Team volunteer members with access to telephones, copy machines, fax machines, paper shredders and any other equipment and/or supplies needed to complete crisis intervention tasks.
9. After contact with domestic violence victims has concluded and upon completion of any "call-out" or other required reports, police supervisors

shall escort Crisis Response Team volunteer members home, if they believe that their safety has been compromised.

10. Police officers shall protect the identity of Crisis Response Team volunteer members and shall not disclose their identities in any incident or other reports. Police officers should simply state “*a Crisis Response Team volunteer member responded to the Elizabeth Police Department to assist the domestic violence victim*” or “*a Crisis Response Team volunteer member assisted the domestic violence victim via the Crisis Response Team-issued cellular telephone.*”
11. Any police supervisor who notifies the Crisis Response Team shall notify the department’s Domestic Violence Liaison Officer via departmental e-mail. The date and time of the domestic violence incident, as well as a referral Elizabeth Police Department case number, shall be provided in the electronic communication.
12. Any police supervisor or police officer who encounters any problem with a Crisis Response Team volunteer shall forward a written account of the incident to the Chief of Police through his or her chain of command.

F. Additional Assistance

1. Pursuant to N.J.S.A. 2C:25-23, officers shall provide a domestic violence victim his/her rights by using the Union County Domestic Violence Rights Form and Planning Form.
2. Officers should inform the victim that the Safety Plan should be discussed with the Crisis Response Team member.
3. Officers may assist the victim with transportation to the Union County Safe House for Domestic Violence Victims, or any other safe location for the victim.

G. Confidentiality

1. The “*Victim Counselor’s Privilege*” of Crisis Response Team volunteer members shall be recognized in accordance with *N.J.S. 2A:84A-22.13 et. seq.* All communication between a Crisis Response Team volunteer member and domestic violence victim shall be regarded as privileged information and, therefore, confidential.
2. A Crisis Response Team volunteer member shall not disclose any privileged information with police officers, prosecutors, attorneys or any other person or agency, unless written informed consent has been issued by the domestic violence victim.
3. A Crisis Response Team volunteer member shall not disclose any privileged information with any member of the Crisis Response Team other than his or her supervisor (*a Crisis Response Team Coordinator*).

4. There are circumstances which warrant a breach of confidentiality. Only under the following circumstances may a Crisis Response Team volunteer member breach confidentiality:
 - a. Threats to harm oneself (*such as instances in which the domestic violence victim discloses that he or she has intentions to commit suicide*);
 - b. Threats to harm another person (*such as instances in which the Crisis Response Team volunteer member becomes aware that someone has expressed intentions to harm another person*);
 - c. Child abuse and/or neglect (*such as instances in which the Crisis Response Team volunteer member becomes aware that a child is in danger due to child abuse and/or neglect*).

In the above instances it shall be the responsibility of the Crisis Response Team volunteer member to notify the proper authorities (i.e., the police).

5. Any Crisis Response Team volunteer member who improperly discloses any privileged information shall be dismissed from the Crisis Response Team by the Chief of Police or the Executive Director of the YWCA of Eastern Union County.
6. Crisis Response Team volunteer members may be suspended or dismissed from the Crisis Response Team for any reason deemed appropriate by the Chief of Police or the Executive Director of the YWCA of Eastern Union County.