

	Greenville, SC Police Department GENERAL ORDER		
	Subject Domestic Violence	Number 252A3	Type Operational
Effective Date 11/16/2023	Amends/ Rescinds 252A2	Pages 1 of 3	Re-evaluation Annual-October
References CALEA N/A			Notes Minor wording updates. Removed Section 3.5.1 and 3.5.2. Removed Section 4.0 DV High and Aggravated.

1.0 Policy

Domestic violence is a serious crime which not only threatens the safety of the victim(s) but also threatens the integrity of the family unit and negatively impacts other family members. The Greenville Police Department will treat domestic violence with at least the same consideration as violence in other enforcement contexts. Enforcement will be conducted in cooperation with the judicial system and other social service agencies in an effort to break the cycle of violence, protect the victims of domestic violence, and provide support for the victims and families of domestic violence. Goals of domestic violence intervention include:

- Bring order to the situation;
- Arrest the suspect(s) as appropriate;
- Ensure the victim and/or family is safe and has needed support and aid;
- Ensure appropriate information is provided to the victim and appropriate personnel have been notified;
- Cooperate with the judicial system and/or social service agencies to provide intervention in an effort to break the cycle of violence in order to prevent further incidents of violence.

2.0 Definitions

Household Member: Spouses, former spouses, persons who have a child in common, or a male and female who are cohabitating or formerly have cohabitated.

Primary Aggressor: If two or more persons are involved in a criminal domestic violence incident the primary aggressor is the person who was predominantly responsible for instigating or significantly escalating the violence.

3.0 Procedures

- 3.1 An officer may arrest and take into custody any person the officer has probable cause to believe has violated 16-25-20 (Prohibited Acts) of the South Carolina Code of Laws. Officers have some discretion in these cases and an arrest is not always mandatory; however, the domestic incident must be documented in a report.

The Greenville Police Department will enforce all valid Orders of Protection or Restraining Orders despite what court or jurisdiction issued the order. Officers must confirm the order is valid.

- 3.2 Even when probable cause does not exist, and domestic violence is reported by others or alleged by the victim, a proper written report must be completed so a thorough investigation may be done. There is no discretion in documenting all domestic violence brought to the attention of any officer.

- 3.3 If two or more household members are involved in a domestic violence incident the officer must attempt to determine who was the primary aggressor. If the officer determines one person was the primary aggressor the officer must not arrest the other person accused of domestic violence. In determining whether a person was the primary aggressor the following, and any other, factors must be considered:

- Prior complaints of domestic or family violence;
- The relative severity of the injuries inflicted on each person taking into account injuries alleged which may not be easily visible at the time of the investigation;
- The likelihood of future injury to each person;
- Whether one of the persons acted in self-defense; and
- Household member accounts regarding the history of domestic violence.

- 3.4 If two or more persons are arrested for domestic violence the officer must include in the Incident Report the grounds for arresting both parties and a statement the officer attempted to determine who was the primary aggressor but was unable to make the determination based on the evidence available at the time of arrest.



- 3.5 Officers may enter the residence of a person to be arrested when making a warrantless arrest for domestic violence when officers have probable cause to believe the action is reasonably necessary to prevent physical harm or danger to a family or household member.
- 3.6 Orders of protection issued by the Greenville County Family Court are on file with the Greenville County Sheriff's Office. The existence of each order should be verified by the officer prior to an arrest being made for a violation of 16-25-20. The officer should make sure the specific provisions have been violated, as they can vary with the circumstances of the parties involved.
- 3.7 Officers will distribute the Victim/Witness Information Form (GPD Form GPD176) as a part of their duties when responding to domestic violence call for service and will document this fact in their written report.
- 3.8 Officers responding to or investigating a Domestic Violence incident must either arrest the subject(s) or request an arrest warrant for the subject(s) prior to the end of the officer's shift. If an arrest warrant is obtained the officer will inform the on-coming shift supervisor of the warrant so the on-coming shift may attempt to locate and arrest the subject(s).

DocuSigned by:

J. H. Thompson

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J.H. Thompson, Chief of Police

11/16/2023

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Agency*