P.O. 214 Domestic Violence			
Effective From:	10/20/2025	Effective To:	Current

N. P.O. 214 - Domestic Violence

1. PURPOSE
   i) The Louisiana Department of Public Safety and Corrections, Public Safety Services is committed to promoting the health and safety of its employees and to making a significant difference in the fight to end domestic violence.
2. DEFINITIONS
   i) Court - Any court of competent jurisdiction in the State of Louisiana.
   ii) Domestic incident – Any dispute, violence or report of an offense between family and/or household members or dating partners where police intervention is requested. A domestic incident is not always a violation of law.
   iii) Domestic violence – Abuse that includes, but is not limited to, physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family member, household member or dating partner against another family member, household member or dating partner.
   iv) Employee – An individual who works for Public Safety Services on a full-time, part-time or temporary basis. It includes volunteers, contractors and consultants engaged to perform services for Public Safety Services.
   v) Family member – Spouse, former spouse, parents, children, stepparents, stepchildren, foster parents and foster children.
   vi) Household member – Any person presently or formerly living in the same residence with the alleged perpetrator, whether opposite sex or same sex, whether married or not married.
   vii) Protective Order – For purposes of this policy only, a court order issued after a hearing or by consent of the parties. Protective orders are for a fixed period of time, generally not to exceed eighteen months, unless extended by the court. Protective orders issued within this state or outside this state shall be accorded full faith and credit by the courts of this state and enforced as if it were the order of the enforcing court provided the order was issued in compliance with LRS 14:79 (A) (2).
   viii) Temporary Restraining Order (TRO) – For purposes of this policy only, a court order which was issued without a hearing and is valid for a short period of time until a hearing is held. A TRO may contain provisions relative to protection of persons, child custody, possession of property, use of property, etc. A TRO is not enforceable unless the defendant has been served.
   ix) Workplace – All Public Safety Services facilities, premises or equipment and any location where employees are engaged in Public Safety Services business.
3. POLICY
   i) It is the policy of the Department of Public Safety and Corrections, Public Safety Services to promote a safe environment for its employees and to communicate the attitude that violent behavior will not be excused nor tolerated. The Department is committed to assisting victims of domestic violence. All reports of domestic violence will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures or expressions that communicate a direct or indirect threat of physical harm. Any employee who commits an act of domestic violence may be removed from the premises and may be subject to disciplinary and/or criminal penalties. The perpetrator shall be held accountable regardless of the employment, position or status.
   ii) Any employee who reports domestic violence, reports a credible threat of domestic violence, or assists the Department in a domestic violence investigation shall not be retaliated against.
   iii) Cooperation of all employees is imperative to implement this policy effectively and maintain

a safe working environment. Employees should not ignore violent, threatening, harassing, intimidating or other disruptive behavior.

iv) Employees who observe such behavior on Department property shall perform at least one of the following:
   a) Report the behavior to a supervisor.
   b) Contact local law enforcement.
   c) Contact State Police Physical Security, if the occurrence is in Baton Rouge on property under its authority.
   d) Take appropriate action as outlined in section 5 (Duties of Commissioned Personnel) of this order.
   e) Additional information and assistance may be obtained by calling the following:
      1) Louisiana Coalition Against Domestic Violence Hotline, 888-411-1333.
      2) National Coalition Against Domestic Violence Hotline, 800-799-SAFE (7223).

4. MANDATORY NOTIFICATION

i) An employee who becomes a victim of domestic violence must report the incident to his supervisor as soon as practicable following the incident.

ii) An employee who has been arrested or involved in a domestic incident must notify his supervisor as soon as practicable following the arrest or domestic incident.

iii) An employee who has been named as a defendant and served with a Temporary Restraining Order or Protective Order resulting from a domestic incident must notify his supervisor as soon as practicable following service.

5. DUTIES OF COMMISSIONED PERSONNEL

i) As authorized by Code of Criminal Procedure Article 213 and more specifically LRS 46:2140 and LRS 14:79, when a commissioned officer has reason to believe that a family or household member or a dating partner has been abused, the commissioned officer shall immediately use all reasonable means to prevent further abuse including:
   a) Arresting the abusive party, with or without a warrant, if probable cause exists to believe that a felony has been committed by that person, whether or not the offense occurred in the presence of the commissioned officer.
   b) Arresting the abusive party, with or without a warrant, if any criminal offense is committed by that person in the presence of the commissioned officer.
   c) Arresting the abusive party, with or without a warrant, if probable cause exists to believe that a misdemeanor crime which endangers the physical safety of the abused person occurred, whether or not in the presence of the officer. If there is no probable cause to believe there is impending danger, arresting the abusive party is at the officer's discretion.
   d) Determining if a TRO or Protective Order is in effect. If a TRO or Protective Order is in effect and probable cause exists to support a finding that the order was violated, the officer should make an arrest.

ii) An arrest offers the greatest potential for ending domestic violence. Although the probable cause standard used in domestic violence cases is no different from the standard used in any other crime, the officer will give every consideration to making an arrest if domestic abuse has been committed.

iii) In cases of self-defense, the officer shall attempt to identify the aggressor. Only the aggressor should be arrested, as dual arrests are usually not a viable solution and should be avoided.

iv) In accordance with the provisions of LRS 46:2141, any commissioned officer investigating an allegation of domestic abuse, whether or not an arrest is made, shall make a written report of the alleged incident, including a statement of the complainant and disposition of the case.

v) A commissioned officer reporting in good faith, exercising due care in the making of an arrest or providing assistance pursuant to the law, in accordance with the provisions of LRS 46:2142, has immunity from any civil liability that otherwise might be incurred or imposed because of the report, arrest or assistance provided.

vi) If no TRO or Protective Order is in effect, and a commissioned officer is unable to otherwise establish probable cause to support an arrest for domestic abuse during an initial investigation, the case shall be referred to the proper investigative authorities for follow-up.

vii) On occasion, a complaint is made against a person named as a defendant in a TRO, but the defendant was not previously served with the order. If a certified copy of the TRO is available to the officer, the officer shall serve the certified copy to the defendant. In accordance with provisions of LRS 14:79(A)(1), notation of such service in the police report shall be deemed sufficient evidence of service of process and is admissible in any civil or criminal proceeding. If no certified copy of the TRO is available to the officer, he shall make every effort to arrange service.

6. DISPATCH PROCEDURE

i) On occasion, a Troop/Section may receive notification of a domestic incident. In those instances in which the call is not forwarded to a local law enforcement agency and a LSP or DPS officer is dispatched, the Communications Officer or other individual dispatching the officer shall adhere to the following procedures:

a) The dispatcher shall give domestic violence calls the same priority as any other life-threatening call and, whenever possible, will dispatch at least two officers to every incident.

b) In addition to information normally gathered, the dispatcher should make the effort to determine and relay the following to the 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 the offender is under the influence of alcohol or drugs.
4) Whether children are present.
5) Whether the victim has a current Protective Order or TRO.
6) Complaint history at that location.

c) The dispatcher 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 request.

7. RESPONDING OFFICER'S PROCEDURES

i) When responding to a domestic violence call, officers shall adhere to the following procedures:

a) Approach carefully, listening as approaching.
b) Insist on speaking with everyone if entry to the structure is refused (warrantless entry without consent is authorized only in exigent circumstances).
c) Restore order and gain control by separating the parties and calming them down.
d) Take control of all weapons used or threatened to be used.
e) Assess the need for medical attention and call for medical assistance if indicated.
f) Interview all parties separately, including the victim, offender and all witnesses.
g) Interview children in a manner appropriate to their age.
h) Establish if there has been a history of violence in the home.
i) Collect and record evidence and, when appropriate, photograph injuries and property damage.
j) Search the immediate area if the offender left the scene and a crime was committed.

1) Obtain information regarding the offender's whereabouts from victims and witnesses.
2) Refer the matter to the appropriate investigative authorities for follow-up.

k) Complete appropriate crime or incident reports, including written statements from all parties and witnesses regardless if a crime was committed or an arrest was made.
l) Make no statements that would discourage a victim from reporting domestic violence (i.e., threatening to arrest everyone if they call the police again).

8. VICTIM ASSISTANCE/CRIME PREVENTION
    i) Officers shall use all reasonable means to prevent further abuse, including the following:
        a) Assisting the abused person in obtaining necessary medical treatment necessitated by the battery.
        b) Advising all parties of the criminal nature of domestic violence, its potential for escalation, and the availability of assistance.
        c) Advising the abused person of the:
            1) Right to initiate criminal or civil proceedings.
            2) Availability of a protective order under LRS 46:2136.
            3) Availability of community assistance for domestic violence victims.
        d) Arranging for, assisting with, or providing transportation for the abused person to a place of shelter or safety.
        e) Insuring the safety of the children.
        f) Remaining on the scene until satisfied that there is no threat to the victim.
        g) Remaining on the scene to preserve the peace as one person removes personal property necessary only for that day and the next day.
9. MANDATORY REPORTING
    i) In accordance with the provisions of LRS 46:2141, an officer investigating an allegation of domestic violence, whether or not an arrest is made, shall make a written report of the alleged incident, including a statement of the complainant and the disposition of the case.
    ii) An officer reporting in good faith, exercising due care in the making of an arrest or providing assistance pursuant to the law, in accordance with the provisions of LRS 46:2142, has immunity from any civil liability that otherwise might be incurred or imposed because of the report, arrest or assistance provided.
    iii) If no TRO or Protective Order is in effect, and an officer is unable to otherwise establish probable cause to support an arrest for domestic violence during an initial investigation, the case shall be referred to the proper investigative authorities for follow-up.
10. INCIDENTS INVOLVING LAW ENFORCEMENT PERSONNEL
    i) When an officer learns through any means, whether by responding to a scene or otherwise, that a Department employee or other member of the criminal justice system is involved in a domestic incident, the following procedures shall apply:
        a) The officer shall promptly report the information to his supervisor.
        b) If the reporting officer's supervisor is of lesser rank than the offending party, the supervisor shall notify his superior officer, who shall be obligated to act in accordance with this procedure.
        c) The supervisor is obligated to ensure that the law is applied equally to all members of the community.
        d) If the offending party is not a Department employee, the supervisor is obligated to inform the offending party's agency supervisor of the incident.
11. RESPONSIBILITIES
    i) Employee
        a) Employees shall report to their supervisor all incidents of domestic violence or domestic incidents involving the employee.
        b) Employees shall notify their supervisor of any restraining orders issued on behalf of the employee against family members or household members.
        c) Employees shall cooperate with DPS personnel officially involved in a domestic violence complaint or investigation.
    ii) Supervisor
        a) Supervisors shall ensure that the domestic violence policy is explained to new employees.
        b) Supervisors shall monitor daily activity in the workplace, identify potential domestic violence incidents and take appropriate action to divert such disturbances in the

workplace.

c) Supervisors shall obtain a Domestic Violence Incident Statement (DPSSP 6671) from each employee who is a witness or party to a credible threat or act of domestic violence. Attempts should be made to obtain a DPSSP 6671 or a written statement from non-employee witnesses, also. The form and written statements shall be forwarded through the chain-of-command to the reporting officer's Deputy Superintendent.

d) Supervisors shall cooperate with DPS personnel officially involved in a domestic violence complaint or investigation.

e) Supervisors shall take appropriate action based on the findings of a domestic violence investigation.

f) Supervisors shall notify the Deputy Superintendent in their chain-of-command of any restraining orders issued on behalf of an employee against family members or household members.

iii) Deputy Superintendent

a) Each Deputy Superintendent shall be responsible for implementing in his respective budget unit all Department policies and procedures related to domestic violence.

b) The Deputy Superintendent shall notify the Superintendent of complaints regarding domestic violence.

c) The Deputy Superintendent shall take appropriate action based on the findings of a domestic investigation.

d) The Deputy Superintendent shall forward the Domestic Violence Incident Statement (DPSSP 6671) and written statements to the EEO Officer.

iv) Human Resources

a) The Human Resources Office shall not conduct investigations. The Office will act as secondary contact for the Department by providing employees who are victims of domestic abuse with resources for counseling and additional support.

b) The Human Resources Office shall assist the EEO Officer in determining the effectiveness of this policy and developing changes as appropriate to prevent domestic violence.

v) Equal Employment Opportunity (EEO) Officer

a) The EEO Officer shall receive all Domestic Violence Incident Statements (DPSSP 6671) and establish a uniform reporting system to track all domestic violence incidents. He shall maintain DPSSP 6671 and related records in accordance with public records laws.

b) The EEO Officer shall not conduct investigations. The EEO Officer will act as primary contact for the Department by providing employees who are victims of domestic abuse with resources for counseling and additional support.

c) The EEO Officer shall evaluate the effectiveness of this policy and recommend policy changes as appropriate to prevent domestic violence.

12. CONFIDENTIALITY

i) Confidentiality of the reporting employee shall be protected at all times. Employees will be informed on a need-to-know basis, and only to the extent provided by law.