

**LITTLE ROCK POLICE DEPARTMENT  
GENERAL ORDER**

**G.O. 310 DOMESTIC ABUSE**

<b>DATE:</b> 04/24/2025	<b>DISTRIBUTION:</b> DEPARTMENTAL	<b>REPLACES:</b> 07/11/2024	<b>NUMBER:</b> G.O. 310
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**I. Purpose and Policy**

- A. The nature and seriousness of crimes committed between family or household members are not mitigated because of the relationships or living arrangements of those involved. It is the intent of this policy to prescribe courses of action, which police officers should take in response to domestic violence that will enforce the law, while also serving to intervene and prevent future incidents of violence.
- B. It is the Policy of this Department to:
  - 1. Reduce the incidence and severity of domestic abuse;
  - 2. Protect victims of domestic abuse and provide them with support through a combination of law enforcement and community services;
  - 3. Promote officer safety by ensuring that officers are fully prepared to respond to and effectively deal with domestic abuse calls; and,
  - 4. Adhere to the provisions herein with respect to domestic violence.
- C. The Little Rock Police Department recognizes that domestic violence may be preventable. By thoroughly investigating incidents of domestic violence and appropriately enforcing applicable laws, short- and long-term positive effects are realized.
- D. In both arrest and non-arrest situations, officers of this Department will take all reasonable measures necessary to assist and/or assure the immediate safety of the victim(s), the children, the offender, or any other person who may be affected; and to determine what action will be most effective in preventing future domestic violence. The Legislature has adopted a preferred action standard indicating that when evidence of domestic abuse exists, an arrest within twelve (12) hours of the occurrence is the preferred action by law enforcement.

**II. Definitions**

- A. "Domestic Abuse" means:
  - 1. Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members, or,
  - 2. Any sexual conduct between family or household members whether minors or adults, which constitutes a crime under the laws of this state (A.C.A. § 16-81-113(b)(1)).

- B. “Family or household member” means spouses, former spouses, parents and children, persons related by blood, within the fourth degree of consanguinity, persons related by marriage within the second degree of consanguinity, any child residing in the household, persons who presently or in the past have resided or cohabitated together, persons who have or have had a child in common and persons who are presently or in the past have been in a dating relationship together. (A.C.A. § 16-81-113(b)(3)).
- C. “Dating relationship” means a romantic or intimate social relationship between two (2) individuals which shall be determined by examining the following factors:
1. The length of the relationship;
  2. The type of relationship; and,
  3. The frequency of interaction between the two (2) individuals involved in the relationship.
- “Dating relationship” shall not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context.
- D. “Consanguinity” means lineage or origin by blood relationship. This relationship in domestic abuse violations extends to the fourth degree and includes Great, Great Grandparents and children, Great-Grand Uncles and Aunts, and Great-Grand Nephews and Nieces. (See Chart at end of this Order).
- E. “Order of Protection” means an order, issued by a Circuit Court, which prohibits a person from engaging in certain conduct or contact with another person.
- F. “No Contact Order” means an order issued to a person arrested for a domestic abuse violation, upon their first appearance in District Court. This order limits or prohibits contact with the victim, by the suspect, until the case is disposed of.
- G. “Probable Cause” means the combination of facts which gives the officer reasonable grounds to believe that a crime has been committed, and that the person to be arrested committed the crime.
- H. “Ex-Parte Orders” means temporary orders issued by a Circuit Court, which prohibit a person from engaging in certain conduct or contact with another person.
- I. “Petitioner” means the person alleging abuse in a petition for an Order of Protection.
- J. “Respondent” means the person alleged to have abused another in a petition or Order of Protection.
- K. “Predominant Aggressor” means the person involved in a domestic abuse incident who, when all pertinent factors are considered, is determined to be the party perpetrating the preponderance of the aggression.
- L. “Preferred Response,” means law enforcement officers shall arrest a person committing domestic abuse unless there is a clear and compelling reason not to arrest.

- M. "Weapon" means any firearm, explosive, metal knuckles, knife, or other device employed as an instrument of crime subjecting another to physical harm or fear of physical harm.

### **III. Communications Center Personnel Procedures**

- A. Communication Center personnel who receives a domestic abuse call can provide the responding officers with vital information that could save the victim's and the officer's life. Communications Center personnel will give a domestic abuse call the same priority as any other life-threatening call and will, whenever possible, dispatch at least two (2) officers to every incident; including those that involve or appear to involve a police officer of any department.
- B. In addition to information normally gathered, an 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 and whether the offender is under the influence of drugs or alcohol;
  3. Whether there are children present and whether the victim has a current protective or restraining order; and,
  4. Complaint history at that location.
- C. No Communications Center employee, in speaking with a victim of domestic violence, will discuss, or make any comments concerning the victim's desire to "press charges," "drop charges," or "prosecute."
- D. Communications Center personnel shall not cancel the police response to a domestic abuse complaint based solely on a follow-up call from the residence requesting such cancellation. However, Communications Center personnel shall advise responding officers of the complainant's request.
- E. Communications Center personnel shall maintain a current list and contact information of all local domestic violence victim advocacy organizations for on-scene officers and supervisors to provide to victims.

### **IV. Responding Officer Procedures**

- A. On-Scene Investigation- When responding to a domestic abuse call, officers shall:
1. Restore order by gaining control of the situation and taking possession of all weapons used or threatened to be used in the crime;
  2. Assess the need for medical attention and call for medical assistance, if requested;
    - a) The Crime Scene Search Unit (CSSU) may also be requested for photographs or other crime scene processing services.

3. Interview all parties; and,
  4. Take possession of and record evidence found at the scene.
  5. After each party has been interviewed, responding officers shall determine if an arrest should be made or whether other actions should be taken. Where physical evidence exists, that domestic abuse has occurred within the last twelve (12) hours, the officer will arrest the suspect.
  6. Per state law, the first officer who interviews the victim of domestic violence shall assess the potential for danger by asking a series of questions provided on the LRPD Domestic Violence Lethality Assessment Form. Officers will use this form when investigating any case of domestic violence. The completed LRPD Domestic Violence Lethality Assessment Form shall be submitted with the report. A copy of this form will be attached to the ADR and provided to the Pulaski County Regional Detention Facility. This copy does not need a supervisor's signature however the original will need to be signed prior to attaching it in the RMS system and forwarding to Victim Services.
  7. Per state law, provide the victim, and if applicable, the victim's family, a Domestic Abuse Victim's Rights card (Laura's Card) and be sure they understand their rights.
  8. If the offender has left the scene and a crime has been committed, the officer(s) will:
    - a) Conduct a search of the immediate area, obtain information from victims and witnesses as to where the offender might be, and make a reasonable effort to apprehend the offender.
    - b) Refer the victim to the Prosecuting Attorney's Office for assistance in obtaining a misdemeanor warrant, in those instances where such is appropriate. All felonies and enhancements will be followed up by the Violent Crimes Unit.
- B. When responding to a domestic violence call, officers may enter a premises or vehicle without consent or warrant, when there is probable cause to believe that individuals therein are in imminent danger of death or serious bodily harm (ARCrP 14.3 (a)).

## **V. Arrest Authority**

- A. In addition to other arrest authority, officers are authorized to make a warrantless, probable cause arrest of a person for a misdemeanor offense, even if the act occurred outside the officer's presence when:
1. Within the preceding twelve (12) hours the person:
    - a) Committed a crime in Arkansas; and,
    - b) The crime committed constitutes an act of domestic abuse against a family or household member. (A.C.A. § 16-81-113(a)).
  2. The person has committed the offense of battery upon another person; and,
    - a) The officer finds evidence of bodily harm; and,

- b) The officer reasonably believes there is danger of continued violence, unless the person is arrested without delay (A.C.A. § 16-81-106). (This authority is not limited to domestic abuse situations and has no time limitation.)
  - 3. The person:
    - a) Is subject to an Order of Protection; and,
    - b) Has knowledge of the order; and,
    - c) Knowingly violated the order (A.C.A. § 5-53-134).
  - 4. The person violates an Order of No Contact (A.C.A. 16-10-108).
- B. Probable cause shall be based on the following criteria:
  - 1. Evidence is visible and apparent; and/or,
  - 2. The victim's report is supported by statements of participants or witnesses; and/or,
  - 3. The evidence and information indicate a particular party was capable of and had the opportunity to commit the offense.
- C. Primary Aggressor
  - 1. To determine the primary aggressor in domestic abuse-related incidents, or when an officer has probable cause to believe that two (2) or more persons committed a domestic related offense, or where there are allegations that each party assaulted the other, officers shall consider the following:
    - a) The severity and extent of the injuries inflicted on each person;
    - b) Whether one of the persons acted in self-defense; and
    - c) Damage to personal property; and,
    - d) Evidence from witnesses of the domestic abuse.
  - 2. The Little Rock Police Department discourages dual arrests; however, if sufficient evidence exists justifying a dual arrest, and the officer determines that this course of action would be the most appropriate under the given circumstances, a dual arrest is authorized.
  - 3. Arrests should be made without consideration of:
    - a) Marital status, sexual orientation, race, or cultural, economic, social, political, or professional position;

- b) Ownership, tenancy rights of either party, or the fact the incident occurred in a private place;
- c) Belief that the victim will not cooperate with criminal prosecution or that the arrest may not lead to a conviction;
- d) Verbal assurances that the abuse will stop;
- e) Denial by either party that the abuse occurred when there is evidence of domestic abuse;
- f) Lack of a court order restraining or restricting the suspect;
- g) Concern about reprisals against the victim;
- h) Adverse financial consequences that might result from the arrest; or,
- i) Chemical dependency or intoxication of the involved parties.

D. Officers shall not:

- 1. Make any statements which would discourage a victim from reporting an act of domestic violence; or,
- 2. Threaten, suggest, or otherwise indicate the possible arrest of all parties to discourage future requests for intervention by law enforcement personnel.
- 3. Release or issue a citation to any person arrested for a domestic abuse related offense (Per District Court order: Persons charged with any degree of domestic battery shall be detained without bond privileges).

E. Field supervisory personnel will monitor any domestic violence incident dispatched to any officer under their chain of command or within their area of responsibility.

F. Requests for Violent Crimes Unit personnel to respond to the scene of a domestic related incident should generally be limited to the following incidents:

- 1. Police personnel (sworn and civilian) involved in domestic related incidents;
- 2. Victim(s) and/or suspect(s) in domestic violence incident require treatment at a hospital;
- 3. Spousal rapes;
- 4. Domestic related aggravated assaults where weapons are used and suspect is not in custody;
- 5. Domestic related kidnapping or hostage situations;
- 6. Domestic related stalking cases where victim is in imminent danger;

7. Domestic related homicides (joint investigation with Homicide Unit); and,
  8. Juvenile sex crimes involving domestic abuse (joint investigations with the Juvenile Unit).
- G. In addition, the Violent Crimes Unit will conduct investigations when:
1. Cases are directed from the Prosecuting Attorney's Office;
  2. Victims (walk-ins) come directly to the Violent Crimes Unit office for assistance;
  3. Cases are referred by other agencies or mandated reporters;
  4. The Violent Crimes Unit supervisor assigns special investigations.

## VI. Documentation of Domestic Violence Incidents

- A. A Little Rock Police Department "Incident Report" will be completed whenever an officer investigates an allegation that domestic abuse has occurred or has responded to a domestic related disturbance.
- B. A Little Rock Police Department Domestic Lethality Assessment Form will be completed whenever an officer responds to a report of domestic violence or investigates an allegation that domestic abuse has occurred.
- C. Officers investigating domestic related incidents shall give the victim and, if applicable, the victim's family, a preprinted document to be known as "Laura's Card", LRPD Form No.5410-03.
- D. Officers investigating domestic related incidents shall be cognizant of the applicable "enhancement" laws associated with the charging of persons with a domestic abuse related offense.
  1. A domestic offense may be enhanced if the suspect has a conviction for a similar offense, which occurred within the five (5) years preceding the commission of the current offense.
  2. A domestic offense may be enhanced if the suspect has convictions for two similar offenses, which occurred within the ten (10) years preceding the commission of the current offense.
  3. A domestic offense may be enhanced if the suspect knew or should have known the woman abused was pregnant.
- E. Investigating officers, upon deciding to make an arrest or determining that a dual arrest would be appropriate under the circumstances, must be able to articulate their reasoning and justification for taking such action and include this information in their report.
- F. All domestic violence incidents resulting in probable cause arrests will require a Field Services supervisor *or investigating detective* to create a digital case in Evidence Library (also called VideoManager EL or WatchGuard) and save the relevant BWC and MVR video files to it. ~~two (2) copies of any MVR video files from any MVR equipped vehicles involved in the incident. One copy of any MVR video files will be included in the case file and the other copy will be stored as evidence.~~

G. In all felony domestic abuse cases, or misdemeanor cases as described in Section V.F & V.G of this order, the assigned detective shall prepare the investigative file ~~(burgundy folder)~~ and ensure that the following documentation is included:

1. Information report(s);
2. L.R.P.D. Domestic Violence Lethality Assessment Form;
3. L.R.P.D. "Domestic Violence Field Report(s)";
4. Affidavit(s) of Arrest;
5. Copies of warrants served within the course of the investigation;
6. Arrest(s) report or juvenile affidavit(s);
7. Original officer reports;
8. Victim and witness statement(s);
9. Miranda rights form;
10. Statements of suspect(s);
11. All other notes and documentation obtained during investigation;
12. All Digital photographs taken. ~~(Copies of the photographs and the compact disc shall be placed in the original case file.); and,~~
13. ~~Copies of any MVR video files~~

H. In all misdemeanor domestic abuse cases, resulting in arrest, the arresting officer shall prepare a field investigation file and ensure that the following documentation is included: ~~The following documentation should be secured in a lavender file folder and forwarded to the Victim Services Unit:~~

1. ~~Case File Submission Form;~~
1. Copies of Incident report(s);
2. L.R.P.D. Domestic Violence Lethality Assessment Form;
3. Affidavit(s) of Arrest;
4. Arrest report(s) or juvenile affidavit(s);
5. L.R.P.D. Domestic Violence Field Reports (5410-02);
6. All Digital photographs taken. (Copies of the photographs shall be ~~placed in the original case file or~~ attached to the report in RMS.); and,



7. ~~Copies of any MVR video files;~~
8. ~~Copies of any 911 calls (If applicable); and,~~
7. LRPD Form 5400-81, Authorization to Disclose Health/Confidential Information, (if victim requires medical attention.)
- I. Prior to the end of the officer's shift the ~~domestic file~~ required documentation will be completed and saved together as a single PDF computer document that will act as the arrest file. The file shall be uploaded to Karpel and emailed to an on-duty Patrol Supervisor. ~~forwarded to a Patrol Supervisor for approval. The Patrol Supervisor will sign the inside front cover of the file to indicate that the file is complete and in compliance with this policy. The signing receiving supervisor will also verify the file for completeness and forward a copy of the completed domestic file to the prosecutor's office via email at LRDPA@pulaskipa.org and to Victim Services via email at khause@littlerock.gov. This file will be forwarded to the Victim Services Unit Supervisor to determine if follow up investigation is necessary and for statistical accountability.~~
- J. It shall be the responsibility of the responding officers to verify that there is no need for an enhancement of the charges due to previous convictions of domestic abuse or pregnancy. Additionally, when reviewing the case file completed by the officer, Supervisors shall send an ~~email~~ Audio-Video Request Form, LRPD Form 5500-24, to 911shiftsupervisors@littlerock.gov requesting a copy of the 911 calls ~~to be added to the file~~ which will be attached to Karpel by the arresting officer or investigating detective.
- K. If the domestic violence allegation does not result in an arrest and a domestic file is not generated, the officer shall scan the Domestic Violence Lethality Assessment form into the Report Management System (RMS), attach it to the Incident Report and forward the original Domestic Violence Lethality Assessment form to the Victim Services Unit for storage.

## VII. Transporting of Arrested Persons

- A. Officers who have taken into custody persons arrested for any felony domestic abuse related offense shall transport that person to the Major Crimes Division for processing of the arrested person.
- B. Officers who have taken into custody persons arrested for any misdemeanor domestic abuse related offense will be responsible for conducting an investigation.
- C. Officers may conduct these investigations in the field, or transport persons arrested for misdemeanor domestic abuse charges to the Major Crimes Division, or any other Police facility (except Special Operations) in order to assure an environment conducive to their investigation.
  1. Officers may request witnesses, victims, or other persons needed for the investigation to meet them at the Police facility to obtain statement, photograph injuries, or any other actions necessary for the completion of the investigation.
  2. Patrol Supervisors should have access to digital camera equipment for use in the investigation when such equipment in the Detective Offices is not accessible.

3. Officers should include a criminal history printout of the suspect(s) to verify the possible enhancement of the charge to felony level has been checked. If any doubt exists as to the felony or misdemeanor status of a case a Patrol Supervisor or a Major Crimes Division Supervisor should be consulted.
4. In order to investigate misdemeanor domestic abuse cases in the field, patrol officers should assure they report for duty with an adequate supply of :
  - a) L.R.P.D. Miranda Rights Forms (5400-3);
  - b) L.R.P.D. Witness Statement Forms (5400-11);
  - c) L.R.P.D. Domestic Violence Field Reports (5410-02);
  - d) L.R.P.D. Domestic Violence Lethality Assessment Forms; and
  - e) L.R.P.D. Laura's Card (5410-03)

#### **VIII. Domestic Abuse Related Incidents Involving Sworn Officers**

##### **A. Federal Law**

1. Title 18 USC, 922 (g) bans individuals convicted on most criminal acts involving domestic violence, including child abuse, from owning, shipping, receiving, transporting or possessing a firearm or ammunition. Law enforcement officers are not exempt. The prohibition includes any offense that is:
  - a) A misdemeanor under federal or state law;
  - b) Has, as an element of the offense, the use or attempted use of physical force, or the threatened use of deadly force; and
  - c) Is committed by a current or former spouse, parent or guardian or by a person cohabitating with or who has cohabitated with the victim or persons who are presently or in the past have been in a dating relationship together.
2. This includes assault or battery even when the state statute or ordinance does not specifically define the offense as a domestic violence offense.

**B.** The Little Rock Police Department recognizes that domestic abuse is a crime and that some police officers commit domestic violence against their intimate partners, family members, and household members. This policy is written to insure that the victims are protected and that Department procedures are followed in accordance with state and federal law.

**C.** This policy also provides guidance for investigating incidents of domestic violence where one or more of the involved parties are sworn members of the Little Rock Police Department; or, if one or more of the involved parties are sworn members of another agency and the incident occurred within the jurisdiction of the City of Little Rock.

**D.** Communications Center Personnel Responsibilities

1. When Communications Center personnel receives a call or report of domestic violence involving a police officer he/she shall immediately contact his/her supervisor.
2. The Communications Center supervisor will then immediately contact the Shift Commander responsible for the Division from which the call originated as well as a Major Crimes Division supervisor.
3. Communications Center personnel will dispatch at least two (2) officers to all officer involved domestic violence related incidents.

E. Responding Officer Responsibilities

1. Any officer arriving at the scene of a domestic violence incident involving a police officer shall immediately contact his/her immediate supervisor, regardless of the involved officer(s) jurisdiction.
2. The responding officer(s) will adhere to the following procedures:
  - a) Take immediate action to ensure the safety of the victim(s);
  - b) Take control of all weapons used or threatened to be used in the incident; and,
  - c) Assess the need for medical attention and call for medical attention if required or requested.

F. Responsibilities of the Supervisor

1. A supervisor will respond to all officer involved domestic related incidents and, upon his/her arrival, assume all on-scene decision making.
2. If the supervisor has probable cause to believe that there is evidence of physical abuse and that the abuser is a sworn member of this Department, the supervisor will arrest the offender and will seize and take into custody all Department issued firearms in possession of the sworn officer. In addition, the supervisor will request that the sworn member surrender all personally owned firearms.
3. If the incident involves a sworn member of another agency, the supervisor will arrest the offender and will seize and take into custody any and all firearms in possession of the person at the time of arrest. Also, the supervisor will notify, as soon as possible, an on-duty commander from the accused officer's department and forward all pertinent information for that person's review and possible instructions in reference to the accused officer. This notification shall be made within twenty-four (24) hours of the incident and shall be documented in the supervisor's letter.
4. If, after a thorough investigation, the supervisor determines that an arrest is not the appropriate action at the time, or that a domestic abuse offense did not occur, the supervisor shall submit a detailed report articulating his/her reasoning for arriving at that conclusion and forward this documentation through his/her chain of command for review.

5. If the offending officer is of a higher rank than the responding supervisory officer, the supervisor shall contact his/her Shift Commander who will then respond to the scene and will also notify his/her Division Commander. The Division Commander will be briefed on the incident and will provide direction as needed.
6. If a sworn member of this Department does not have their Department issued firearm on their person or under their control at the time of the incident, the supervisor shall accompany the sworn member to the location of the firearm and take custody of the firearm.
7. If the offender has left the scene and a crime of domestic abuse has been committed, the supervisor will conduct a search of the immediate area and obtain information from the victim and/or witness as to where the offender might be. If unable to locate the offender, the supervisor will forward all information to the Major Crimes Division supervisor for appropriate action.
8. The supervisor shall be responsible for notifying the Division Commander within the involved officer's chain of command, the Major Crimes Division supervisor, and the Professional Standards Section.
9. The supervisor will ensure that the victim receives written documentation providing information on available community resources and local domestic violence organizations. The victim will also be made aware of applicable laws as well as department protocols and policies as they relate to domestic violence incidents. Every effort shall be made to ensure that the victim takes advantage of all opportunities for safety and successful prosecution.
10. The Violent Crimes Unit supervisor shall serve as the victim's principal contact agent throughout the duration of the investigation and shall make themselves available for any assistance needed or requested by the victim.

G. Responsibilities of Major Crimes Division Personnel

1. Respond to the scene of any officer involved domestic related incident.
  - a) The Violent Crimes Unit Supervisor will be notified if an officer is charged with a domestic related incident.
2. Ensure that a supervisor has responded to the scene and, under the direction of that supervisor shall:
  - a) Search the crime scene and ensure that all crime scene evidence is preserved, marked, collected and turned into the LRPD property room;
  - b) Attempt to obtain consent from the parties involved to search the incident scene for the purpose of seizing and taking into temporary custody all privately owned firearms present;
  - c) Locate and interview all suspects, victims and witnesses to the incident;
  - d) Forward a copy of all reports to the Violent Crimes Unit as well as to the Professional Standards Section; and,

e) Determine if an order of protection, restraining order, or any other court order has been issued or is currently in effect against the offender.

3. The Violent Crimes Unit, under the supervision of the Violent Crimes Unit supervisor, shall be responsible for preparing the case file for criminal prosecution.

H. Responsibilities of the Professional Standards Section

1. The Professional Standards Section shall conduct an internal investigation upon receipt of information that a sworn member of this Department has been involved in a domestic related incident.

2. In cases where an arrest was not made, but sufficient concern exists, the Department may conduct an independent administrative investigation. Administrative actions should be made in a timely manner and should not be contingent on the anticipated outcome of the criminal proceeding.

3. In cases where the sworn member is the victim, the Professional Standards Section is not required to conduct an investigation unless ordered to do so by the Office of the Chief of Police.

4. In instances where a sworn officer of the Little Rock Police Department is involved in a domestic related incident in another jurisdiction, it shall be the responsibility of the Professional Standards Section to contact the involved agency and report their findings to the Office of the Chief of Police for determination of administrative action.

I. Responsibilities of Sworn Officer(s)

1. Any sworn member of this Department who has been served with any restraining order, no contact order or order of protection (including a temporary order) or any order from a District, Circuit, or Juvenile court, or any other court or learns that they are a defendant named in any such order will immediately notify their supervisor.

2. Any sworn member who receives notice of any changes in status of any existing restraining order or order of protection, including, but not limited to the modification or addition of restrictions or an extension of the expiration date, will notify their immediate supervisor and the Professional Standards Section, in writing, prior to their first scheduled tour of duty after the incident.

3. Any sworn member of this Department who is involved in a domestic abuse related incident which occurs inside or outside the jurisdiction of the Little Rock Police Department will immediately report the incident to an on-duty supervisor. The supervisor will be responsible for notifying the sworn member's Division Commander and the Professional Standards Section.

J. Reporting Incidents of Domestic Abuse

1. Any sworn member of this Department who witnesses or has firsthand knowledge of a domestic violence related incident involving a sworn member of this Department

as the alleged suspect and who fails to officially report this information, will be subject to disciplinary action up to and including termination.

2. Officers of this Department will be investigated and charged criminally if they engage in activities such as stalking, surveillance, intimidation, or harassment of the victims or witnesses in an attempt to interfere with investigations of other officers accused of domestic violence.

## **IX. Victim Services**

- A. Many victims of domestic abuse feel trapped in violent relationships because they are unaware of the resources available to help them or that domestic abuse is a crime. Also, the offenders may have threatened further violence if the victim attempts to leave or seek assistance. Therefore, officers shall provide the following assistance to victims, batterers, and, where appropriate, their children:
  1. Explain options available to the victim including the prosecution process, ex-parte order of protection, and in case of arrest, the follow-up procedures and ensuing criminal proceedings;
  2. Advise the victim of available community resources;
  3. Inform all parties involved that the State will be pursuing charges and not the victim;
  4. Secure medical treatment for victims, as needed, and insure the safety of any children;
    - a) Officers of this Department shall place a high priority on the appropriate placement and overall safety of children involved in domestic related incidents.
    - b) Under no circumstances shall the investigating officer(s) conclude their investigation without verifying that all involved juveniles are adequately placed and are being properly cared for.
  5. Advise victims of the criminal nature of domestic violence, it's potential for escalation, and that help is available. Suggest what to do if the suspect or others threatens or otherwise intimidates the victim.
  6. Remain on the scene to preserve the peace as one person removes personal property as may be necessary for departure only.
  7. Provide the victim(s) with a Laura's Card (LRPD Form #5410-03) which shall include the following information;
    - a) Case number and subsequent steps in processing the case.
    - b) L.R.P.D. Major Crimes Division phone number (501-371-4660), where additional case information can be directed to or can be obtained from.

- c) Women and Children First (501-376-3219) for shelter, support, and consultation.
- d) The Prosecuting Attorney Complaints Office (501-340-8000) for appropriate arrest warrants, if an offense occurred, but was not a battery and did not occur within the past twelve (12) hours, or the perpetrator was not apprehended.
- e) The Prosecuting Attorney's Victim/Witness Unit (501-340-8000) for assistance with their case in the criminal justice system, or for additional referral information.
- f) Contact information for other community and state programs for crime victims and their families.

**X. Orders of Protection/No Contact Orders.**

**A. General.**

1. Orders of protection are issued by the Circuit Court. Temporary orders may provide relief for up to thirty days, and final orders may provide relief for a period ranging from ninety days up to ten (10) years. In order to get a final (sometimes called "permanent") order of protection, a petition must be completed, and an ex-parte hearing first held to determine if there is good cause to issue a temporary order of protection prior to the hearing date (which must be scheduled within 30 days). Once a temporary order is granted, a copy of the temporary order must be personally serviced on the respondent advising of the hearing date for the final order of protection.
2. An order of protection can restrain the abuser from contacting and harassing the victim in person, by telephone, or even indirectly through someone else. It can order the respondent to keep away from the victim's resident, workplace and children's school, and restrict him/her from possessing firearms for the duration of the order. Child custody and support issues may be addressed in orders of protection if the parties have children together. Orders of Protection issued in any county in Arkansas are enforceable in every county of the state.
3. In addition to protective orders issued in Arkansas, protective orders issued out-of-state will be enforced in Arkansas, provided the form of the order meets the "full faith and credit requirements" (valid jurisdiction, reasonable notice and opportunity for a hearing on the face of the order). Any protective order that meets these requirements is to be enforced as if it had been issued in this state.
4. Act 995 of 1995, codified in Ark. Code. Ann. 12-12-215, requires the Arkansas Crime Information Center (ACIC) to maintain a registry of all orders of protection and temporary orders of protection issued by a state court or registered in the state. The court clerk provides a copy of the orders to the sheriff or other law enforcement agency for immediate entry into ACIC.
5. Restraining Orders: Orders issued by the Circuit Court, but only in the context of a divorce proceeding. It is common for a restraining order to prohibit the parties from

harassing each other and also require both parties to protect the marital property interests during the time preceding divorce.

6. No Contact Orders (as Conditions of Pretrial Release or Probation/S.I.S.): When criminal charges are involved, and no support or child custody issues exist between the parties, a no contact order can be requested by the victim (or by the prosecutor on behalf of the victim). No contact orders are issued by Circuit and District courts in association with violent criminal charges, as either a condition of pretrial release/bond or as a condition of probation/sentence suspension (post-trial).
7. To Arrest for a violation of an Order of Protection, officers shall:
  - a) Have the Communications Center employee contact the Sheriff's office and confirm that the court's order has been properly served, is on file, and the conduct or contact is prohibited;
  - b) Charge the person with "Violation of an Order or Protection (A.C.A. 5-53-134)"; there is no twelve (12) hour limitation imposed upon an Order of Protection.
  - c) In the event that an officer is presented with an uncompleted Service Statement, he will complete the form and serve the Order of Protection. The officer will then follow the NOTICE TO LAW ENFORCEMENT OFFICER instructions and fax or mail the Service Statement and copy #2 of the order to the Sheriff's Department.
8. Any officer receiving information that an order of protection has been issued, and that the respondent may be in violation, will make an appropriate investigation and take such action as may be necessary in its enforcement.
  - a) Upon notice that an order of protection is in effect, the officer will verify its existence by contacting the Communications Center.
  - b) In the case of an ex-parte order of protection the officer will ensure that it has been "served" on the respondent or that the respondent has otherwise acquired actual knowledge of its existence before taking further action (i.e., notified by officers on a prior occasion);
  - c) If the respondent does not have actual knowledge of the ex-parte order of protection the officer will inform him/her of its existence, the substance of its contents, and the consequences of violating the ex-parte order;
  - d) In making a determination of whether the respondent does in fact have actual knowledge of an ex-parte order of protection the officer may rely on the notation on the order itself showing that another officer has made notification, an admission by the respondent that he/she is aware of the order, or any information supplied by the petitioner or other party which may be reasonably believed;
  - e) If there is probable cause to believe that the respondent has violated the terms of the order, the officer will arrest the respondent and file an Incident Report;



- f) Full Faith & Credit considerations will be extended to all orders issued outside the jurisdiction of Pulaski County courts

## **XI. Training**

- A. The Major Crimes Division Commander shall be responsible for implementing a comprehensive training program for employees of the Department on domestic violence. New officers must complete twenty (20) hours of training in handling domestic violence and child abuse cases. In addition, training will be made available to satisfy requests from the community. This shall include other law enforcement agencies, schools, hospitals, courts, prosecutors, etc.
- B. Departmental personnel shall receive instruction on the following issues/topics:
  - 1. The Department's domestic violence procedures;
  - 2. Cultural, racial, gender, and same sex issues;
  - 3. Domestic violence dynamics and potential barriers to assistance/intervention;
  - 4. Stalking tactics and behavior recognition;
  - 5. Warning signs of domestic violence by officers;
  - 6. Domestic violence response protocol;
  - 7. Command notification and reporting procedures;
  - 8. General domestic violence investigation and evidence collection;
  - 9. Primary/dominant aggressor determination;
  - 10. Officer safety;
  - 11. Victim rights and safety;
  - 12. Confidentiality issues;
  - 13. Ethical considerations;
  - 14. Criminal and civil liability;
  - 15. Lethality assessment and safety planning;
  - 16. Cross-jurisdictional policies and protocol;
  - 17. Intra/interstate enforcement of protective orders; and
  - 18. Federal stalking, domestic violence, immigration and gun control laws.

- C. Additional Administrative Command/Supervisor training related to domestic violence will address the following:
  - 1. Department legal considerations and liability;
  - 2. Media and public relations;
  - 3. Criminal versus administrative regulations; and
  - 4. Conducting lethality assessments.
- D. Employees will receive training on the topic of domestic violence on at least an annual basis. This training may be scheduled during the employee's forty (40) hour in-service training.
- E. Departmental personnel may receive additional instruction on domestic abuse and stalking during roll call training.
- F. The Violent Crimes Unit shall collaborate with local domestic violence victim advocacy organizations, coordinating councils, and state domestic violence coalitions in the development of domestic violence training curriculum and may use local advocates in the training of officers.
- G. This policy does not preclude the Violent Crimes Unit from providing additional training upon request or when additional training would be in the best interest of the Department and its employees.

Additions and revisions are *italicized and underlined*.

Deletions are denoted with a strikethrough.