



NEWARK POLICE DIVISION GENERAL ORDER



SUBJECT: Domestic Violence Policy	GENERAL ORDER NO. 95-01
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SUPERSEDES: G.O. 95-01 (<i>Dated 02/21/25</i>)	DATED: October 30, 2025
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RELATED POLICIES:
G.O. 23-02 (BREATHE Team)
G.O. 05-01 (Domestic Violence Response Team)
G.O. 96-09, (Calls for Service Management System)

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I. POLICY

- A. It is the policy of the Newark Police Division that Domestic Violence will not be tolerated or excused, and that the Division will undertake any or all actions bestowed upon it by law, to afford domestic violence victims protection from physical violence by their offenders.
- B. Therefore, it shall be incumbent upon all Police Officers to enforce all laws that allow for police intervention in a domestic violence situation, with the purpose of relieving immediate physical violence, or the threat of physical violence against any person.
- C. By responding expeditiously to all acts of Domestic Violence, the Police Division will emphatically communicate to domestic violence offenders its zero-tolerance policy for such criminal behavior.

II. PURPOSE

- A. The purpose of this order is to ensure that all Division personnel are cognizant of their responsibilities under *N.J.S.A. 2C:25-17 (The Prevention of Domestic Violence Act)*. In addition, this order shall provide direction and guidance to police personnel regarding the enforcement of the law, and the necessary administrative requirements when a police officer takes an action under this statute.

III. RATIONALE

- A. Domestic violence is a serious crime against humanity. Thousands of persons are regularly beaten, tortured, and even killed by their spouses or cohabitants. Domestic violence is translucent, afflicting persons of all social, racial and economic backgrounds, causing damage to individual families and society as a whole.
- B. The Newark Police Division is committed to strictly enforcing all domestic violence laws and affording all domestic violence victims their rights and protection under the law.

IV. DEFINITION OF TERMS

- A. **Victim of Domestic Violence:** A person protected by the *Prevention of Domestic Violence Act*, which includes any person who is eighteen (18) years of age or older, **or** an emancipated minor, **and** has been subjected to domestic violence by:
 - 1. Current or former spouse,
 - 2. A person who is a present or former household member,
 - 3. A person (*regardless of age*), with whom the victim has a child in common, **or** anticipates having a child in common (*if one of the parties is pregnant*),
 - 4. A person with whom the victim has a present or a past dating relationship.



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- a. There is no distinction made in the definition of victim by sex, age, physical, or psychological condition. Furthermore, domestic violence may occur between two (2) persons of the same sex.

- B. **Domestic Violence Suspect:** A person who is suspected of having committed a Domestic Violence Offense and is eighteen (18) years of age or older, *or* is an emancipated minor

- C. **Domestic Violence:** The occurrence of one or more of the following acts inflicted by an adult or emancipated minor, upon a person protected by the *Prevention of Domestic Violence Act*:
 - 1. Homicide *N.J.S. 2C:11-1*
 - 2. Assault *N.J.S. 2C:12-1*
 - 3. Terroristic Threats *N.J.S. 2C:12-3*
 - 4. Kidnapping *N.J.S. 2C:13-1*
 - 5. Criminal Restraint *N.J.S. 2C:13-2*
 - 6. False Imprisonment *N.J.S. 2C:13-3*
 - 7. Sexual Assault *N.J.S. 2C:14-2*
 - 8. Criminal Sexual Contact *N.J.S. 2C:14-3*
 - 9. Lewdness *N.J.S. 2C:14-4*
 - 10. Criminal Mischief *N.J.S. 2C:17-3*
 - 11. Burglary *N.J.S. 2C:18-2*
 - 12. Criminal Trespass *N.J.S. 2C:18-3*
 - 13. Harassment *N.J.S. 2C:33-4*
 - 14. Stalking *N.J.S. 2C:12-10*
 - 15. Criminal Coercion *N.J.S. 2C:13-5*
 - 16. Robbery *N.J.S. 2C:15-1*
 - 17. Contempt of a DV Order *N.J.S. 2C:29-9*
 - 18. Cyber-Harassment *N.J.S. 2C:33-4.1*
 - 19. Any other crime involving risk of death or serious bodily injury to a person protected under the "*Prevention of Domestic Violence Act of 1991*" *N.J.S. 2C:25-17*

- D. **Emancipated Minor:** A person who is under eighteen (18) years of age, has been married, entered military service, has a child and/or is pregnant, previously declared by a court or an administrative agency to be emancipated.

- E. **Household Member:** Generally, this means a person who resides in the same house or premises. Household shall include not only traditional family-oriented households, but also roommates, dormitory suite and shared rental arrangements, involving adults or emancipated minors of the same or opposite sex.
 - 1. An overnight or weekend guest would not be considered a household member because the person is not residing at the location.
 - 2. When determining if an individual is a household member, the officer should consider such relevant factors as the length of time since the two (2) persons resided together, if the person receives mail at the address, or has a driver's license, or other official document indicating that address as his or her address.

- F. **Dating Relationship:** A dating relationship is an intentionally broad and discretionary term that applies to traditional and same sex relationships.



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- G. **State of New Jersey Domestic Violence Civil Complaint (TRO):** A *Domestic Violence Civil Complaint* is also known as a Temporary Restraining Order. A form that is executed when requested by a victim of an alleged domestic violence incident and approved by a Municipal or Superior Court Judge. The order prohibits the named defendant from personal contact with the victim until directed otherwise by a judge, during a court hearing. A TRO can be obtained without a domestic violence criminal complaint, and a domestic violence criminal complaint can be filed without a TRO, or both may be filed.
- H. **State of New Jersey Domestic Violence Supplementary Offense Report (DVI):** A New Jersey State form that must be completed on every domestic violence criminal complaint and/or every domestic violence civil complaint.
- I. **State of New Jersey Victim / Witness Notification Form:** A New Jersey State form that must be completed on every domestic violence criminal complaint and/or every domestic violence civil complaint. This form informs the victim of the *Crime Victim's Bill of Rights*, and allows the victim or a witness to be notified when the arrested party is released from custody.
- J. **Strangulation Report:** An administrative report that all Division Personnel must complete when taking a domestic violence complaint, which involves the strangulation of a victim. (*Attachment A*)
- K. **Domestic Violence Response Team Intervention Awareness Form (DVRT):** An administrative report that all Division personnel must complete when documenting a domestic violence complaint, which allows the victim to speak with a trained civilian volunteer, who can offer information and support in a time of crisis. This form indicates whether the victim accepted or declined DVRT services, and if a DVRT volunteer responded. (*Attachment B*)
- L. **Temporary Restraining Order Administrative Report:** An administrative report that all Division Personnel must complete when documenting a domestic violence complaint, which indicates that the officer advised the victim of the right to contact a judge and obtain a Temporary Restraining Order. This form indicates whether the victim accepted or declined that right. (*Attachment C*)
- M. **BREATHE Team Report:** An administrative report that all Division Personnel must complete when documenting a complaint involving the alleged strangulation of a victim, which indicates the officer advised the victim of their right to access to *BREATHE Team* services. This form indicates whether the victim accepted or declined that right. (*Attachment F*)
- V. **DOMESTIC VIOLENCE LIAISON OFFICER (DVLO)**
- A. Domestic Violence is an area of the law that evolves and changes rapidly and requires the utmost sensitivity when working with victims. Whether it is the addition of newly designated domestic violence crimes or the implementation of new technology (*such as eTRO, proper domestic violence response, and processing*) is contingent upon awareness.
- B. To ensure that the Newark Police Division maintains knowledge of legislative changes, technological advancements, potential changes to policy and procedure, and employs best practices, the Domestic Violence Liaison Officer (DVLO) shall be the point person for domestic violence.



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- C. The responsibilities of the Domestic Violence Liaison Officer (*DVLO*) include but are not limited to:
1. Serve as the Police Division's in-house expert on how to respond to domestic violence;
 2. Work collaboratively with the Essex County DVRT Coordinator to ensure access and utilization of the DVRT Program;
 3. Regularly review and ensure adherence to policies regarding language access, dual arrest, violations of civil restraining orders, criminal no-contact orders, officers' response to subpoenas, and others related to domestic violence;
 4. Represent the Newark Police Division at meetings with the County Prosecutor, local domestic violence programs, submitting a report following each meeting to the SVD Commander detailing what was discussed;
 5. Represent the Newark Police Division at the Essex County Domestic Violence Working Group meetings, and submit a report following each meeting to the SVD Commander detailing what was discussed;
 6. Regularly review and monitor the agency's service of *eTROs* and documenting any issues or deficiencies found in a report to the SVD commander; Ensuring patrol officers are issuing summons for DV offenses properly and following up to make sure that all are completed and correct;
 7. Review DV reports to ensure this General Order is being followed and identify any victims/offenders, affected parties, or others who may need follow-up from social services and make referrals in accordance with *General Order #25-01 "Referrals to the Office of Violence Prevention & Trauma Recovery"*;
 8. Ensure the Newark Police Division's DV informational pamphlets are up-to-date and available to the public;
 9. Identify repeat victims/offenders for referrals;
 10. Ensuring DV statistics are shared with the Office of Violence Prevention and Trauma Recovery to identify repeat victims and/or offenders so services can be offered;
 11. Identify any specialized training regarding Domestic Violence that enhances the Newark Police Division's response and service to domestic violence. Training requests shall follow the Newark Police Division's established chain of command.

VI. RESPONSIBILITY OF DIVISION PERSONNEL RESPONDING TO AN ACT OF DOMESTIC VIOLENCE INCIDENT

- A. Upon notification of a domestic violence incident in progress, personnel assigned to the call shall respond as quickly and safely as possible.



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1. Personnel utilizing an emergency police vehicle shall operate overhead emergency lights and siren when responding to such calls.

- B. Upon arriving at the scene of an alleged domestic violence incident, the *primary* duty of personnel shall be to protect the victim, and enforce any violation of law.
 1. Personnel shall eliminate the immediate threat of further violence or injury by separating the parties involved.
 2. Personnel shall ascertain the extent of physical injuries to either party, and where appropriate, render immediate first aid, and summon trained medical emergency personnel.
 3. If there is an allegation of sexual assault, personnel shall ensure the victim is transported to the medical center of their choosing for examination and treatment.

- C. Read and disseminate to the victim, the rights granted them under the *Prevention of Domestic Violence Act, 2C:25-23*. Explain in simple terms if necessary.

- D. Notify the Special Victims Division, and Division of Child Protection and Permanency, if there is an allegation of child abuse and/or child endangerment.

- E. Conduct a preliminary investigation which shall include the following;
 1. To identify and apprehend the aggressor, and provide Miranda warning where applicable.
 2. Interview the parties separately.
 3. Interview any witnesses.
 4. The Crime Scene Unit shall collect all physical evidence, and photograph any physical injuries.
 5. Assist the victim with any immediate needs and or requests, and complete all required reports (*i.e., requests for Temporary Restraining Orders, and requests to speak to a member of the Domestic Violence Response Team*).
 6. Advise and refer the victim to emergency shelter services.
 - a. Women’s Referral Center800.322.8092
 - b. Essex County Domestic Violence Hotline 862.444.3126
 - c. Essex County Office of Victim/Witness Advocacy 973.621.4687
 - d. Essex County Family Justice Center 973.230.7229
 7. Escort the victim to the location of social service providers if necessary.
 8. Facilitate contact with relatives and friends who may assist the persons involved.
 9. Escort the victim to Family Court if necessary, during court business hours.



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10. Officers that respond to a Domestic Violence Incident where the perpetrator is not on scene and probable cause exists for the issuance of a complaint, the following procedure shall be adhered to:
 - a. Officers shall, in addition to completing the applicable domestic violence reports (*i.e. DPI-802, e-TRO, Victim Notification, etc.*), complete a CDR-1 (*summons*) for the following offenses:
 - i.* Simple Assault
 - ii.* Criminal Mischief
 - iii.* Harassment
 - b. For all summonses, as many identifiers as possible should be used, but at a minimum three (3) (*ex: birthdate, address, driver's license #, social security #, SBI#, etc.*).
 - i.* All summons numbers shall be listed in the incident report.
11. Officers shall ensure there are no active restraining orders by checking the Domestic Violence Registry. Injuries or complaints of pain that are reported must be detailed/described in the Incident Report (*DPI:802*).
12. Officers are strictly *prohibited* from discouraging victims from filing complaints. Allegations of Domestic Violence shall be documented without exception by completing an Incident Report (*802*) and all other applicable reports.

VII. PROCEDURE FOR STRANGULATION INCIDENTS

- A. When a police officer receives information that a victim has been strangled in a domestic violence incident, a Strangulation Report (*attachment A*) shall be completed.
- B. A victim of strangulation does not always immediately display external injuries, therefore victims of strangulation should be encouraged to be transported to a hospital for medical assistance.
 1. Personnel shall be guided by *G.O. 23-02 BREATHE Team*.
- C. Instances of strangulation, the Crime Scene Unit shall be notified for photographs of the victim. In the event Crime Scene Unit is not available, the investigating officer may document the victim's injury utilizing their body worn camera, or Division issued mobile device.
 1. All photographs shall be emailed to the Special Victims Division general email address specialvictimsdivision@ci.newark.nj.us.
- D. The Strangulation Report shall be forwarded to the Special Victims Division email address with all other required domestic violence paperwork.



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- E. All victims reporting an incident of domestic violence strangulation during normal business hours (0830 and 1530 hours Monday through Friday) shall be transported to the Essex County Family Justice Center which I located at 60 Nelson Place, 2nd Floor. The Essex County Family Justice Center Newark Police Liaison will handle the incident.
- F. The Commander of the Special Victims Division shall track all strangulation incidents, include statistical data in a monthly report, and shall provide the data to the Essex County Family Justice Center upon request.

VIII. ARREST RESPONSIBILITIES

- A. Division personnel **shall** arrest the offender and sign a criminal complaint, when probable cause exists to believe that domestic violence has occurred if:
 - 1. Victim exhibits signs of injury caused by an act of domestic violence;
 - 2. A warrant is in effect;
 - 3. There is probable cause to believe that a contempt order (*N.J.S. 2C: 29-9*) has been violated;
 - 4. There is probable cause to believe that a weapon, as defined in *N.J.S. 2C: 39-1*, has been involved in the commission of an act of domestic violence.
- B. Division personnel **may** arrest the offender and sign a criminal complaint, where there is probable cause to believe that an act of domestic violence has occurred, but where none of the conditions from *section VII, subsection A* apply.

IX. PROCEDURE FOR THE SEIZURE OF WEAPONS

- A. Division personnel summoned to a domestic violence call, having probable cause to believe that a domestic violence offense has occurred, shall upon seeing or learning that a weapon is present on the premises, seize any weapon that the officer reasonably believes would expose the victim to risk of serious bodily injury.
 - 1. Division personnel shall seize the weapon as evidence and arrest the assailant, where probable cause exists to believe that a weapon of any type (*firearm, knife, club, etc.*) was used, or threatened to have been used by the assailant.
 - 2. If the weapon is not in plain view, or within the area of arrest which an officer may search as an incident to lawful arrest, the officer can:
 - a. Obtain permission to search the dwelling by obtaining a written consent to search.
 - b. Obtain a search warrant to conduct a search of the premises when no permission to search is authorized.



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XI. DOMESTIC VIOLENCE INCIDENTS INVOLVING A POLICE OFFICER

When a situation arises that a Police Officer is involved in a domestic violence incident within the confines of the City of Newark, the responding police officer(s) shall follow the procedures established in *General Order #99-1*, titled “*Duties and Responsibilities in the Handling of Domestic Violence Offenses Involving Police Officers*”.

XII. PROCEDURE AFTER SEIZURE OF WEAPONS IN A DOMESTIC VIOLENCE INCIDENT

A. All weapons seized by Police Division personnel, whether as evidence, contraband, or for safekeeping, shall be inventoried on a Newark Police Property Report (*DPI:152*), and stored according to standard Newark Police Division policy.

1. Weapons seized for safekeeping shall not be engraved by Newark Police personnel *under any circumstance*.

B. Procedures:

1. Where a County Prosecutor has determined that it is not practical to safely store weapons seized in domestic violence cases at the County Prosecutor’s Office facility, the Prosecutor *may* authorize the storage of these weapons at the local police departments that seized the weapons.

✓ Weapon(s) seized from a ***police officer***, the Office of Professional Standards (*OPS*) shall execute the below delineated procedures.

✓ Weapon(s) seized from a ***civilian***, the Special Victims Division (*SVD*) shall execute the below delineated procedures.

a. Weapons seized by Division Personnel in a domestic violence incident shall be secured in the property room promptly after seizure.

b. Division Personnel shall designate an officer or officers, who shall be responsible for ensuring the proper documents are forwarded to the County Prosecutor’s Office as set forth below, and function as a point of contact for communications regarding the weapons.

c. Division Personnel shall forward to the County Prosecutor, within twenty-four (24) hours of the weapons seizure, a *written* inventory of all weapons, including any available serial numbers.

d. Division Personnel shall forward to the Essex County Prosecutor’s Domestic Violence Unit within seven (7) days of the domestic violence incident, any criminal and arrest reports, disorderly, or domestic violence complaints, restraining order issued, any seized firearms documentation (*firearms purchaser identification card, permit to purchase a handgun, permit to carry a handgun, etc.*), and any other relevant document(s).



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2. *Under no circumstances* shall any weapons seized during a domestic violence incident be returned by any member of the Newark Police Division to the owner, without *prior written* authorization from the Essex County Prosecutor's Office, or an order of the Superior Court.

C. **Firearms Related Consequences Following a Conviction:**

1. A defendant convicted of a Domestic Violence crime or offense is *prohibited* from purchasing, owning, possessing, or controlling a firearm, and from receiving/retaining a firearm's purchaser identification card or purchase permit.
 - a. The defendant must surrender, or law enforcement may seize any such permits, which will be deemed immediately revoked.
2. Within five (5) days of the court's order, the defendant may sell any surrendered firearms to a licensed retail dealer. The dealer may obtain the firearm from the law enforcement agency to which it was surrendered.
3. Division personnel shall provide the defendant a receipt listing the date of the surrender (*Attachment E*), defendant's name, items surrendered (*serial #, manufacturer, and model of firearm*). If the defendant does not sell the firearm(s), law enforcement may dispose of the firearm(s) in accordance with *N.J.S.A. 2C: 64-6*, ten (10) business days from when the court order was issued.
4. Any restraining order the court issues shall bar the defendant from purchasing, owning, possessing, or controlling a firearm, and from receiving a firearm's purchaser identification card, or purchase permit for two (2) years, or the length of the restraining order, whichever is greater.

XIII. **EXECUTION OF THE DOMESTIC VIOLENCE SUPPLEMENTARY OFFENSE REPORT**

- A. It shall be the responsibility of Division Personnel who respond to a domestic violence call for service, to complete a State of New Jersey Supplementary Domestic Violence Report for each victim of a domestic violence incident.

XIV. **STATE OF NEW JERSEY VICTIM / WITNESS NOTIFICATION FORM**

- A. The State of New Jersey Victim / Witness Notification Form is mandated by the Prevention of Domestic Violence Act. The Victim/Witness Notification Form shall *always* be completed by the investigating officer whenever an alleged act of domestic violence occurs.
- B. The Victim / Witness Notification Form provides space for the victim's signature, and a Personal Identification Number (*PIN*) to be used when the suspect is released, the date, case number, and several check-off boxes, indicating among other things, whether or not the victim desires a Temporary Restraining Order at the time. The issuing officer shall ensure that the victim understands and signs the form.



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C. Routing of the Victim/Witness Notification Form:

1. Division members shall provide a copy of the Victim/Witness Notification Form to all victims of domestic violence.
2. Additional copies of the Victim/Witness Notification Form shall be affixed to the investigative packet, along with original copies of all other reports, and forwarded to the Special Victims Division.

XV. STATE OF NEW JERSEY DOMESTIC VIOLENCE CIVIL COMPLAINT (*TRO*)

- A. Division Personnel shall inform victims of domestic violence of their right to obtain a Temporary Restraining Order (*TRO*), in accordance with *N.J.S.A. 2C: 25-23*. If the victim wishes to exercise their right to apply for a *TRO*, the responding officer shall assist the victim in applying for the *TRO* as outlined below.
1. The victim may file:
 - a. A domestic violence civil complaint alleging the defendant committed an act of domestic violence, asking the court for a temporary restraining court order, *or*
 - b. A criminal complaint alleging the defendant committed a criminal act, *or*
 - c. Both of the above.
- B. Jurisdiction for filing domestic violence civil complaints by the victim is dependent upon the time of day, the day of week, and holidays:
1. Temporary Restraining Orders are issued at Essex County Superior Court/Family Court Division located at 350 University Avenue.
 2. The following procedures shall be adhered to when assisting a victim/complainant with obtaining a *TRO*.
 - a. If a domestic violence incident leads to the issuance of a complaint-warrant (*arrest*) or complaint-summons (*i.e., harassment, criminal mischief, simple assault*) the *TRO* shall be handled at the same time as the complaint.
 - i. Personnel handling the assignment, shall contact a Municipal Court Judge, (*even during Superior Court hours, M-F, 0830-1600 hours*).
 - b. During court hours, if no criminal complaint is issued, the victim can contact Family Court by telephone to initiate a *TRO* (*973.776.9300, ext. 57210*). Officers shall provide the telephone number where applicable. Same shall be noted on the Incident Report, (*DPI:802*) and on the standard Division *TRO* acceptance/refusal form.



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- v. There is no specific time frame for service attempts, however two (2) separate attempts via '444 code' must be made.
 - vi. Supervisors shall ensure all '444 codes' are dispatched in accordance with 'Priority Four' status per *General Order 96-09, 'Calls for Service Management System'*;
 - vii. This directive shall include any out-of-state *RO's* or orders of protection.
- b. The following disposition codes shall be utilized anytime a Restraining Order is attempted to be served;
- i. **917 code:** Restraining Order Served.
 - ii. **971 code:** Restraining Order Unable to be Served.
2. The Commander of the Communications Division shall ensure the following;
- a. All Communications supervisors are properly trained in all facets of the New Jersey Court system regarding the processing of *RO's*.
 - b. Ensure supervisors under their charge are accessing the *eTRO* system *twice* per day (*0700- and 1900-hour intervals*).
 - c. Ensure that *RO's* are being entered into the Communications dispatch queue and dispatched according to this directive.
 - d. Maintain at the command level all data related to the service of restraining orders.
- C. **Operations Bureau:**
1. All Division Personnel dispatched to a '444 code' shall adhere to the following protocols:
- a. Respond to the precinct and access the New Jersey Court / *eTRO* system and obtain two (2) copies of the restraining order.
 - i. If an attempt to serve has already occurred, a hard copy of the *Restraining Order* should be available at the corresponding precinct. First attempts must be printed from *eTRO* system.
 - b. Respond to the defendant's address with the two (2) copies. Additional known addresses shall be canvassed for the defendant if unsuccessful at the initial residence.
 - i. One copy will be served on the defendant. Officers shall not use a 'substitute service' of the restraining order (*e.g. provide a copy to someone other than the defendant*).



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2. TRO's generated by Division Personnel shall initiate a police action using (444 code), and follow the tenets of *section XV, subsection B.1.*
 - a. If a TRO is denied by a Municipal Court Judge, the denial and Complaint/TRO shall be entered into *eTRO*, and forwarded to the Family Division Court by the end of the officer's tour;
 - i. Officers shall indicate in the "*Comments*" section the specific reason(s) why the TRO was denied by the Judge.
3. Out-of-State Restraining Orders or orders of protection, shall be recognized as valid and enforced as if it were issued by the New Jersey courts. Out-of-state orders shall be enforced in this state even if:
 - a. The victim would not otherwise be eligible for a restraining order or order of protection in this state.
 - b. The out-of-state order grants the applicant more relief than the victim would have received under New Jersey law.
 - i. Division Personnel shall advise their immediate supervisor when notified of any out-of-state order(s), and initiate a police action using dispatch code (444).
 - ii. Personnel shall read and follow all instructions on the court order and attempt to serve the order accordingly.
 - iii. Personnel shall contact the out-of-state jurisdiction and provide notification as to the results of the service.
 - iv. Personnel shall complete any necessary information on the court order and return same via email or facsimile.
 - v. Personnel shall complete and submit an Administrative Report (*DPI:1001*), via Records Management System indicating the results of the service to include all pertinent information.
4. **Supervisors** shall ensure all personnel under their charge are adhering to the tenets of this policy, including all procedures related to the service and processing of restraining orders per *NJ Code of Criminal Justice 2C:25-28.*
 - a. Consistent with this policy, Desk supervisors shall ensure officers enter all pertinent information into the *eTRO* system when serving, or attempting to serve any restraining order.
 - b. Desk supervisors shall ensure that any person(s) entering the Precinct seeking assistance in obtaining a restraining order receive prompt service.
5. **Precinct Commanders** shall ensure all personnel under their charge are properly trained in the New Jersey Court / *eTRO* system.



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D. Special Victims Division:

1. The Special Victims Domestic Violence Liaison Officer shall monitor the Police Division's response to the service of all restraining orders.
 - a. The Domestic Violence Liaison Officer (*DVLO*) shall;
 - i. The *DVLO* shall provide the results of audits to the Special Victims Division Commander for appropriate follow up with corrections (*if necessary*), weekly meetings, and Comstat.
 - ii. Review of the New Jersey Court/eTRO system in order to ensure all Restraining Orders are being dispatched for service via '444 code'.
 - iii. Ensure service attempts are being made by patrol units. This shall include cross-checking information from CAD data (*444 codes*), *eTRO* records and Continuation Reports, *DP1:795's*.
 - a. There is no specific time frame for service attempts, however only making one failed attempt should be avoided for each restraining order.
 - iv. Ensure patrol officers are properly submitting data into the *eTRO* system according to service attempts.
 - v. When necessary, assist patrol in the service of restraining orders (*possibly making service attempts with patrol officers and/or Special Victims personnel*).
 - vi. Coordinate with Family Court personnel regarding the Police Division's response to serving restraining orders.
 - a. The purpose of this contact with Family Court is to ensure the division is responsive to the mandates of the Court.
 - b. The *DVLO* will be a point of contact to the Family Court should any concerns arise, or revisions occur to the process of serving restraining orders.
 - vii. Ensure notification to the Commander of the Special Victims Division if deficiencies are discovered in the processing of restraining orders.

XVII. DOMESTIC VIOLENCE VICTIM ASSISTANCE AND REFERRAL

- A. Officers and detectives assigned to investigate incidents of domestic violence shall advise victims that they may seek a temporary restraining order, and should they choose to seek one, they shall assist the victim in obtaining one.



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- B. Officers shall indicate if the victim wanted or refused a temporary restraining order in their Incident Report, and the NPD Temporary Restraining Order Administrative Report.
- C. If a victim needs shelter, counseling, or further referrals, the officer can contact either:
 - 1. The Essex County/Safe House 973.459.2154
 - 2. New Jersey 24 Hour Hotline 800.572.7233
 - 3. National 24 Hour Hotline 800.799.7233
 - 4. Shani Baraka Women’s Resource Center 973.757.7377
 - 5. Essex County Family Justice Center 973.230.7229 ext. 200 (0800-1630)
- D. The following services are provided by the Essex County Prosecutor’s Office of Victim / Witness Advocacy:
 - 1. Crisis Intervention
 - 2. Referral to social service programs
 - 3. Information about the criminal justice system
 - 4. Information on the status and disposition of cases
 - 5. Transportation
 - 6. Child care
 - 7. Assistance in applying for compensation for financial losses through a restitution request.
 - 8. Property return assistance.
 - 9. Court accompaniment.
 - 10. Employer, school, landlord, and creditor intercession services.
 - 11. Provide a separate and secure waiting area in the courthouse.
 - 12. Assistance with victim impact statements.
 - 13. Assistance with document replacement.



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- E. In cases of sexual assault, the Special Victim's Division investigator shall advise the victim of the following:
1. Upon request, the victim has the right to obtain an approved serological test for Acquired Immunodeficiency Syndrome (*AIDS*), or infection with the Human Immunodeficiency Virus (*HIV*), or other related virus identified as a probable causative agent of *AIDS*.
 2. Upon request, the victim has the right to obtain a court order requiring the offender to submit to an approved serological test for Acquired Immunodeficiency Syndrome (*AIDS*), or infection with the Human Immunodeficiency Virus (*HIV*), or other related virus identified as a probable causative agent of *AIDS* in the event that the offender is indicted, formally charged, or convicted.
 3. The victim has a right to be notified of the offender's test results.

XVIII. RECODING OF A DOMESTIC VIOLENCE CALL FOR SERVICE

- A. Division personnel responding to a call for service and/or complaint regarding a domestic violence incident, where the officer reasonably believes (*based on the circumstances and information available to him/her at the time*) the assignment should be recoded shall ensure their immediate supervisor is notified.
1. The dispatcher shall ensure that a field supervisor, and Command Post (*if available at the time*), are dispatched to the location.
 2. The responding supervisor shall then assess the situation based on the facts available at the time, and shall advise the dispatcher of any appropriate code change if necessary.
 - a. If the immediate supervisor is unable to respond to the scene (*due to a critical incident or other emergent factors*), they may satisfy the in-presence requirement by leveraging the live stream capabilities using the officers AXON BWC.

XIX. EFFECT

This General Order shall become effective immediately upon its issuance. Any *prior* General Order or Memoranda, which is contrary to the tenets of this General Order is hereby immediately rescinded.



NEWARK POLICE DIVISION GENERAL ORDER



XX. COMPLIANCE

All Newark Police Division personnel shall be responsible for compliance with this General Order.

By Order of:

A handwritten signature in black ink, appearing to read "Emanuel Miranda, Sr.", written over a horizontal line.

EMANUEL MIRANDA, SR.
PUBLIC SAFETY DIRECTOR

EM/JAG/JG:tr