1. **DEFINITIONS & PROCEDURES**

A. Domestic Violence (DV) Relationships Arizona Revised Statute (ARS) 13-3601	Plaintiff (Victim) and Defendant: • Married to each other (past or present) • Live together (past or present) – intimate partners • Romantic or sexual relationship (past or present) • Parent of a child in common • One party is pregnant by the other • Related as parent, grandparent, child, grandchild, or sibling. (Includes step & in-laws) • Live together (past or present) – no intimate partners **NOTE:** Former in-laws who never lived together is not a qualifying DV relationship. Live Together (Past or Present): Must have been in the same household. To help determine household, officers may consider whether the living situation is a family-like setting: eat meals together, shared chores or common areas, daily contact and interaction, a common bathroom, shared furniture or appliances. (*See* Legal Tip of the Week – Roommates 2-8-17). **EXCLUSIONS**: Medical facilities, court-ordered placements, and half-way houses where each resident lives in a different unit and they do not participate in a "family-like" sharing of space. Considerations for qualifying romantic or sexual relationships: • Knowledge of and familiarity with personal or identifying information • Length of the relationship • Frequency & quantity of contact
B. DV Offenses	Aggravated DV as defined by ARS 13-3601.02 If the suspect is arrested for a DV offense, officers will contact the Central Booking Detail during the booking process and request a complete criminal history records check to determine prior DV convictions within the past 84 months (*See* sections 2.B.(2)(d) and 2.C.(2) of this order for additional requirements). • Assault and aggravated assault • Child or vulnerable adult abuse • Criminal damage: * Officers should make an arrest for criminal damage when the property involved is community property or is owned solely by the victim. * Officers need to ensure both parties agree the damaged property is community property or other elements of probable cause exist before the suspect may be booked. * If the suspect claims to be sole owner and no other elements of probable cause exist, officers will submit a Case Report (CR) and no arrest will be made at that time. • Custodial interference • Disorderly conduct as defined by ARS 13-2904 (*See* sections A.1, 2, 3, or 6) • Endangerment • Harassment and aggravated harassment • Interference with judicial proceedings • Kidnapping • Stalking • Surreptitious photographing, video recording, filming, or digitally recording or viewing as defined by ARS 13-3019 • Trespass • Threatening and intimidating • Unlawful imprisonment • Unlawful disclosure of images depicting states of nudity or specific sexual activities

1. **DEFINITIONS & PROCEDURES** (Continued)

C. Officer Responsibilities ARS 13-3601	• Officers **may** arrest a suspect with or without a warrant if probable cause exists. • Officers **shall** arrest suspects if probable cause exists **and** the offense involves the infliction of injury or the discharge, use, or threatening exhibition of a deadly weapon of dangerous instrument, unless the officer has reasonable grounds to believe the circumstances at the time are such that the victim will be protected from further injury. * Failure to make an arrest does not give rise to civil liability unless the officer intended to cause injury or was grossly negligent. • In order to arrest both parties, officers shall have probable cause to believe **both** parties **independently** committed an act of domestic violence. • Officers **shall** provide each victim with a Victim's Rights Pamphlet PPD #54. • Officers may question persons to determine the presence of firearms on the premises. * Firearms found on the premises may be temporarily seized by officers if the firearm is in plain view or was found pursuant to a consent search and the officer reasonably believes the firearm would expose the victim or another person in the household to a risk of serious bodily injury or death. * Firearms owned or possessed by the victim shall not be seized unless there is probable cause the victim committed an independent act of domestic violence.
D. Intimate Partners	• Married to each other (past or present) • Live together (past or present) – with romantic/sexual relationship * Excludes: residing together without a relationship listed in this box • Parent of a child in common • One party pregnant by the other • Dating relationship (past or present)
E. Strangulation ARS 13-1204.B1	DV strangulation is an aggravated assault (Class 4 Felony). To obtain successful prosecution, it is imperative victims obtain a medical examination by a forensic nurse examiner (FNE). Officers will determine if all the following criteria are met: (1) DV relationship as defined in ARS 13-3601 (*See* section 1.A above) (2) The victim's breathing or circulation was impeded (even if only momentarily impeded). (3) Victim expresses signs or symptoms of strangulation (victim may not be able to verbalize symptoms due to confusion or stress at the time): • Victim reports his/her neck/throat was "choked" by hands, arm (carotid hold), forearm, legs, or with an object like a cord or belt. • Victim reports suffocation: possibly with a hand, pillow, or any other device used to cover the victim's nose/mouth to impede breathing. • Breathing or circulation was impaired/impeded; some symptoms include: * Fainting or loss of consciousness * Memory loss and/or confusion * Loss of control of urine or bowels * Loss of sense of time * Nausea or vomiting * Neck pain or sore throat * Difficulty breathing or swallowing * Scratches or claw marks to victim or defendant * Dizziness * Voice changes * Redness * Bruising * Swelling to neck * Pain with swallowing **NOTE:** Injuries may not yet be visible at the time patrol responds. (4) The victim consents to an examination.

1. **DEFINITIONS & PROCEDURES** (Continued)

E. Strangulation (Continued)	If all the criteria are met, officers will follow the below procedures: • Contact the Family Investigations Bureau (FIB) during normal business hours at 602-534-2121, or the Violent Crimes Bureau (VCB) desk sergeant after hours at 602-262-6141, to request an FNE response (nurses will respond within one hour). • The FNE will be paged to coordinate where the examination will be completed. • Officers will transport the victim to one of the below locations: * Phoenix Family Advocacy Center (FAC): 2120 North Central Avenue, Suite 250, Phoenix, Arizona 85004 * Scottsdale FAC: 10225 East Via Linda, Scottsdale, Arizona 85258 * Glendale FAC: 4600 West Glendale Avenue, Glendale, Arizona 85301 • Officers will supply the FNE with the Case Folder number, victim's information, and elements related to the crime. • During normal business hours, officers will contact the Phoenix FAC (602-534-2120) for victim assistance. After normal business hours, request a Fire Department Crisis Response Unit response. • For the safety and security of the victim and FNE, officers will stand by until the FNE advises they are no longer needed. After normal business hours, officers may be relieved by the Crisis Response unit. **NOTE**: The FNE only determines if the injuries are consistent with the victim's statement (An FNE *does not* determine if the victim was strangled). In-custody suspect alleging strangulation • When an in-custody suspect alleges strangulation, officers will follow the steps listed above and if all the criteria are met, a strangulation examination will be offered. • When contacted by the FNE, officers will advise the FNE that the subject is in custody. • The officer will be directed to transport the subject to be examined at HonorHealth Scottsdale Osborn Medical Center, 7400 East Osborn Road, Scottsdale. * The examination will be conducted in the emergency room and upon arrival, the staff will direct the officer and subject to the assigned room. Documentation - Officers will: • Audio record all interviews. • Ensure photographs of the victim, suspect, and scene are taken by a digital camera certified employee. • Complete the original CR. * Because the examination is medical in nature, document the examination with the following statement in the Narrative (fill in the name and address of the location): "A medical examination was completed by a forensic nurse examiner at…" • Ensure the Narrative section of the CR opens with a statement indicating the existence of all audio recordings (Including of any victim, witness, or suspect). • Select ARS 13-1204 for the "Statute" and "13A" for the "NIBRS Options".
F. Coercive Control	One intimate partner's course of conduct to generally control the other partner using physical and/or nonphysical acts which intimidate, isolate, or control that partner. • When determining if a suspect is exhibiting coercive control, consideration should be given to the current incident as well as past behaviors between the defendant and current and past partners.

1. **DEFINITIONS & PROCEDURES** (Continued)

G. Course of Conduct	The application of coercive control by one intimate partner over the other involving a series of acts over a period of time showing a pattern aimed at, and motivated by, a desire to control the other partner.
H. Primary Aggressor	The individual who represents a higher degree of immediate danger or is most likely to escalate their aggressive behavior if left at the scene. • The primary aggressor is not always the person who threw the first punch, started the argument, or is more intoxicated or agitated. When determining the primary aggressor, consideration should be given to the following: * ARS Title 13, Chapter 4, Justification of Force * Severity of injuries and fear inflicted by both parties * Use of force and intimidation by both parties * Prior DV related offenses committed by both parties * The likelihood of either party to cause further or future injury to the other * The level of fear of the other party * Was either party acting in self-defense? • When probable cause exists, the primary aggressor should be arrested.
I. Mutual Force	Applies only when **both** parties **independently** commit an act of violence and not just in response to the primary aggressor • Both parties should rarely be arrested as there is almost always a primary aggressor. • A determination as to whether or not to charge the other party will be made by the assigned investigator and/or prosecutor.
J. Form IV(C) Release Questionnaire Intimate Partner Risk Assessment Form 80-597D	All the information and answers to the Tier 1 and Tier 2 questions on this form **will be** obtained **at the scene** for **all** intimate partner suspects. • Pocket sized, 3 X 5 versions of the form (80-597DA, English and 80-597.1DA, Spanish) are available to assist officers in obtaining the required answers which **must be** transferred to the RMS Form IV(c) form (see below for more information). • Victim participation in this assessment is entirely voluntary and victims must be advised they may decline to answer any or all questions. Even if the victim declines, if appropriate, they should be referred for follow up based on the officer's professional judgment (check the appropriate box at the bottom of the form). • Victims must also be advised their answers are discoverable during court. • Officers will complete an RMS Form IV(c) within the Case Folder whether or not the suspect is booked.
K. Audio Recording Requirements	**Felonies** - Cases where the alleged crime **is** or **may** be a felony. • Officers **will** audio record all interviews with victims, suspects, and witnesses. Per the Maricopa County Attorney's Office (MCAO), body-worn camera (BWC) footage is **not** acceptable as the audio recorded interview. • If no audio recording device is readily available, officers will request one through radio. * When recorded interviews cannot be completed, officers will notify a supervisor and document the reason for not recording in the CR. * The **originating officer** will be responsible for re-contacting and obtaining recorded statements of all the involved parties who were at the scene at the time of the original call. Officers should be reminded: • When an assault is committed while an Order of Protection (OOP) is in effect, the crime becomes an Aggravated Assault, ARS 13-1204.A.7, a class 6 felony. • Aggravated Domestic Violence, ARS 13-3601.02, is a class 5 felony (*See* section 1.B for more information). **Misdemeanors** - Recorded interviews will be conducted at the officer's discretion.

1. **DEFINITIONS & PROCEDURES** (Continued)

L. Recorded Statement Procedures	• Do not record until the scene has been stabilized. • Each recording should start with the date, time, location, and who is present at the interview. Interviews with suspects in custody should include the Miranda warnings on the recording. • Record all involved parties present (victim, witness, and suspect—adults and children) • The Narrative section of the CR must open with a statement indicating the existence of all audio recordings (victim, witness, suspect). • Interviews should be paraphrased in the CR and not transcribed word for word.
M. Impounding Recorded Statements	Ensure all digitally recorded statements are retained as outlined in Operations Order 5.8.05, Photographs and Audio/Video Procedures.
N. Patrol Officer's Follow-Up Responsibilities	When the suspect has fled and there is probable cause to arrest in cases where the relationship between the suspect and victim involves one-sided coercive controlling violence and/or one-sided coercive control or, involving felony offenses, serious injury, and/or repeat offenders, patrol officers should: • Conduct follow-up in an attempt to arrest the suspect. • Pass on suspect information to relieving shifts if an arrest was not made in order for follow-up to continue. • Add incident remarks to the initial call if no arrest was made. • Coordinate continued follow-up with the assigned case agent.

2. **INVESTIGATING DOMESTIC VIOLENCE (DV)**

A. Scene Investigation - If an offense is DV officers will:

(1) All Domestic Violence (DV) incidents shall be investigated **in person** by responding officers. Telephone-based investigations of DV cases are **prohibited**, except in unusual circumstances where an in-person response is not reasonably feasible, such as when the involved parties reside outside the city or in another jurisdiction far from responding units. **Any deviation** from an in-person investigation **must receive prior approval from a supervisor**, and the rationale for the exception shall be documented in the incident report.

(2) Complete a thorough interview with victims, witnesses, and suspects (when possible), and record interviews with all involved parties if required (*See* section 1.K), including children who are victims or witnesses—saw or heard the incident—regardless of age.

EXCEPTION: [1]If a child is a victim of child abuse, officers should not interview the child. Officers will immediately notify the Department of Child Safety (DCS) and the Crimes Against Children Unit (CACU).

[2]If a child witness of a DV offense discloses that they may have been a victim of child abuse in another incident, officers should terminate the interview and immediately notify DCS and CACU.

(a) Officers will notify DCS when a child is a victim *or* witness of a DV offense.

(b) When interviewing a child:

- Talk with the child alone in a private setting.
- If it becomes necessary for another person to be present for the interview, document that person's full name in the CR.
- Use non-leading questions and phrases (Such as, "I heard something may have happened. Tell me about it?")
- If the victim is very young or will not make any statements, a detective will arrange for a forensic interview at a later date.

2. A. (3) Ask all parties if any Orders of Protection (OOPs) or Injunctions Against Harassment (IAHs), Injunction Against Workplace Harassment (IAWH), or Lifetime No-Contact Injunctions are currently in effect.

(4) Ensure all injuries and criminal damage are photographed by a digital camera certified employee. Every effort to obtain photographs will be made (*i.e.*, request via radio, request to another precinct, request to crime scene technicians, etc.).

(5) Notify a supervisor immediately if during an investigation the suspect or victim is found to be a police officer or Department employee. If the suspect is a Department employee, the supervisor will notify the employee's chain of command (*See* Operations Order, 4.7.05 – section 9), and the DV investigation will be conducted as outlined in this order and as specified in Operations Order 2.2.00, Misconduct Investigations.

B. Documentation - Officers will:

(1) In cases involving intimate partners, complete a Form IV(C) Release Questionnaire Intimate Partner Risk Assessment Form 80-597D (*See* section 1.J of this order).

(2) Complete the original CR.

(a) Ensure "Yes" is selected for the "Domestic Violence" drop-down box in the Special Crime Elements portion of the Header section.

(b) In the Victims, Others, and Offenders sections of the CR, include detailed information on all involved persons.

(c) The beginning of the Narrative will include a synopsis indicating the existence of all audio recordings (victim, witness, and suspect), identification of the DV relationship (*See* section 1.A), and whether a court order is in place.

- If a court order is in place, document the case number, the issuing court, the restrictions, and how it was verified (*See* section 4.H.(2) below).

(d) If the suspect has two or more convictions of DV within 84 months (*See* section 1.B. above), document the following in the Narrative and Form IV:

- Title of the offenses
- Dates of the commission of the offenses
- Dates of the convictions
- Responsible courts
- Case/report numbers

NOTE: Pursuant to ARS 13-3601.02, the dates of the commission of the offenses are the determining factor in applying the 84-month provision. The two or more convictions *cannot* be from the same date of violation.

C. Arrest and Booking Procedures

(1) When probable cause exists, officers will arrest the primary aggressor of a DV offense even if the victim does not desire prosecution or the offense did not occur in the officer's presence.

(2) If the adult or juvenile arrested person has two or more convictions of DV within 84 months (*See* sections 1.B. and 2.B.(2)(d) above), the suspect will be charged with Aggravated Domestic Violence, ARS 13-3601.02 (Class 5 felony) in addition to any current charges. Include the information listed in section 2.B.(2)(d) above on the Form IV.

2. C. (3) The victim may be allowed to make a citizen's arrest.

(4) *Do not* issue an ATTC in lieu of detention to suspects arrested for a DV offense.

D. Additional Information/Procedures

(1) Provide all victims a Victim's Rights Pamphlet (Form PPD #54), or advise victims to go online to www.phoenix.gov/police or download the app, and locate the Victim's Rights Information.

(2) If a crime has not been committed as defined in this order, but the circumstances tend to show controlling behaviors or aggression by one or more parties in a DV relationship, document the incident in a Field Interview (FI) ensuring the FI is routed to "WF – Domestic Violence Supervisors". Doing this helps to determine a subject's violence potential and expedites future charges if they become necessary.

(3) If it is determined an incident is not DV, ensure the call type is changed to reflect the accurate nature of the incident.

E. DV Firearms Seizure

(1) If firearms are seized as Evidence, refer to Operations Order 5.8.03, Firearms and Ammunition Procedures for impounding procedures.

(2) In DV incidents, officers will question all persons present to determine if firearms are on the premises.

(3) Officers will seize firearms under the following conditions:

- When observed in plain view or found pursuant to a lawful consent search, ***and***
- When the officer reasonably believes the firearm would expose the victim or another person in the household to a risk of serious bodily injury or death

(4) In incidents where a DV crime has not been committed, officers may impound firearms for safekeeping with the owner's or possessor's consent.

(5) Firearms belonging to the victim will not be seized unless there is probable cause to believe the victim has also committed an act of DV, or the victim consents to removal for safekeeping.

(6) If firearms are seized for safekeeping, officers will:

(a) Provide the victim with a Notification of Domestic Violence Firearm Seizure – Part I, and fill in the following information: Date and time of seizure, address of seizure, Case Folder number, and officer's name and serial number.

(b) Provide the owner or possessor with a Domestic Violence Firearm Seizure Receipt – Part II, and fill in the following information:

- Make
- Model
- Serial number
- Officer's name and serial number
- Case Folder number
- Date and time of seizure

2. E. (6) (c) Inform the owner or possessor and the victim the following:

- Firearms will be held for a minimum of 72 hours, and no longer than six months, from the date of seizure.
- The prosecuting attorney's office will send notice to the owner if the prosecutor asks the court for the firearm to be retained longer than 72 hours (allowing the owner an opportunity to contest the seizure duration).
- The Department will notify the owner by mail when the firearm is released and how it may be picked up.
- An OOP may affect the length of time a firearm is retained by the Department.

(d) When firearms are seized for safekeeping related to a DV incident, ***complete a CR*** to thoroughly document the following:

- Reasons why the firearm would expose the victim or the complainant to a risk of serious bodily injury or death.
- The owner's or possessor's personal information including full name, date of birth, social security number, and address. This information assists the prosecuting office when it seeks an order to retain the firearm for up to six months.
- The following information will be included in the Narrative section:

Owner/Possessor Information	Victim Notification
• Date and time of seizure • Address of seizure • Person to whom receipt was given • Officer's name and serial number	• Date and time of notification • Address of notification • Person notified • Officer's name and serial number

(7) The assigned case agent will be responsible for authorizing the release of a DV-seized firearm impounded for safekeeping.

3. PROTECTIVE COURT ORDERS

A. Types of Protective Court Orders

(1) Order of Protection (OOP) (ARS 13-3602)

(a) A court order used to restrain a person from committing domestic violence or contacting a protected person. (*See* ARS 13-3601).

(b) An OOP against a person younger than twelve can *only* be granted by a juvenile court.

(c) The petitioner must have a qualifying relationship with the person against whom an OOP will be issued. (*See* section 1.A of this order).

(2) Injunction Against Harassment (IAH) (ARS 12-1809)

(a) A court order prohibiting a person from harassing another person.

(b) Harassment here means a series of acts over any period of time that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed, or harassed *and* the conduct in fact seriously alarms, annoys, or harasses the person and serves no legitimate purpose.

3. A. (3) Injunction Against Workplace Harassment (IAWH) (ARS 12-1810)

(a) A court order prohibiting harassment of employees at the workplace, any person who enters the employer's property, and any person who is performing official work duties.

(b) Filed by an employer or an employer's agent.

(c) Allows the inclusion of numerous people under the protective umbrella of this injunction.

(d) Harassment here means a single threat or act of physical harm or damage or a series of acts over any period of time that would cause a reasonable person to be seriously alarmed or annoyed.

(4) Lifetime No-Contact Injunction (ARS 13-719)

(a) A court order prohibiting a defendant from contacting a victim if the defendant was convicted of certain felony offenses against the victim.

B. Obtaining and Accessing Protective Court Orders

(1) AZPOINT (Arizona Protective Order Initiation and Notification Tool) is an online Arizona court portal designed to allow petitioners to obtain, and law enforcement to manage OOPs, IAHs, and IAWHs. Lifetime No-Contact Orders are *not* obtained through AZPOINT.

(a) AZPOINT has three access levels:

- Plaintiff
- Judicial
- Law Enforcement

(b) Law Enforcement users must first register through an AZPOINT administrator.

- Department employees must email the DV Lieutenant and request access (call FIB 602-534-2121 for the DV Lieutenant's contact information).
- USERNAME is employee's City email address and PASSWORD is set by the employee.

(2) Obtaining an OOP, IAH, or IAWH

(a) The plaintiff (petitioner) first creates an account through the Plaintiff Portal at AZPOINT.

(b) The plaintiff will complete the online Petition and Service of Process (SOP) forms, print them out, and submit both to an Arizona court to obtain a hearing.

- Courts can access and print petitions from AZPOINT.
- AZPOINT retains completed and unsubmitted forms for 90 days.

(c) The court will hold a hearing on the same day a plaintiff submits the petition to the court. If the court grants a petition and issues a protective order, the court will immediately upload a copy to AZPOINT.

- IAHs and IAWHs are placed in the Judicial Portal
- OOPs are placed in both the Judicial Portal and the Law Enforcement Portal.

3. B. (2) (d) AZPOINT will email a notice of an issued OOP to the Department's Communications Bureau at *OrdersOfProtection.PPD@phoenix.gov*

NOTE: Inform plaintiffs that the Department will start the service process upon receipt of the notice from AZPOINT. (The plaintiff cannot hold an issued OOP to delay service).

(3) Obtaining a Lifetime No-Contact Injunction

(a) These are issued by the court at the time of sentencing at the request of either a victim or a prosecutor.

(b) For convictions prior to 24 September, 2022, a victim may submit a petition to the court.

(c) A law enforcement agency shall serve this injunction at no charge to the victim.

C. Duration of Protective Orders

(1) Injunction Against Harassment (IAH) and Injunction Against Workplace Harassment (IAWH)

- Expires *one year after service* on the defendant.
- Expires if not served within one year after being issued by the court.
- A modification to the injunction does *not* extend the original one-year duration.

(2) Order of Protection (OOP)

- Expires *two years after service* on the defendant.
- Expires if not served within one year after being issued by the court.
- A modification to an OOP does *not* extend the original two-year duration.

(3) Lifetime No-Contact Injunction

- *Does not expire* (valid for the defendant's natural lifetime).
- This injunction is dismissed if the victim dies, the conviction has been dismissed, expunged or overturned, the defendant has been pardoned, or if the court dismisses the injunction on the victim's request.

4. **SERVICE AND DOCUMENTATION**

A. Authority to Serve Protective Orders

(1) ARS 13-3602 authorizes officers to serve protective orders. The Department is required by City Charter to serve protective orders if the service will occur within City limits.

(2) Any protective order issued by a not-Arizona court is the responsibility of the Maricopa County Sheriff's Office (MCSO). Forward any complainants related to OOPs issued from a state other than Arizona to the MCSO Civil Division (602-876-1840).

B. Procedure for Injunctions Against Harassment (IAHs & IAWHs)

(1) A plaintiff must call Crime Stop to initiate a call for service at the defendant's location. Once assigned to the call, and before contacting the Defendant, officers will:

- Access AZPOINT
- Print the Petition, the IAH, and a Defendant's Guide Sheet
- Logout out of AZPOINT

4. B. (2) Upon successful service of an IAH/IAWH, officers will sign back into AZPOINT as soon as reasonably possible and complete the Declaration of Service (DOS), ensuring the following information is entered correctly:

- Date and time of service are accurate
- Proper order type is selected in the What Was Served drop down menu
- If the date of birth is Exact or Approximate
- How the defendant was identified (state issued ID number, etc.)
- If the name on the order was spelled incorrectly (the correct name can be added in the second address line on the DOS)

(a) When the DOS is complete, select Confirm, then Submit. Before logging out, download/save (or print to PDF) the IAH/IAWH and DOS to the MDC desktop to be added as an "Attachment" to the Case Folder. (see 4.C.(6) below).

- Should an erroneous DOS be submitted, a phone call or email to the Arizona Office of Courts (AOC) Help Desk will be required to correct it. Call 602-452-3900 or email *help@courts.az.gov*
- AOC enters the service information into the National Crime Information Center (NCIC) daily. Completion of the DOS in AZPOINT is the only way NCIC is updated when a valid IAH is served.

(3) If AZPOINT is down and the DOS cannot be completed online see section 4.D. of this order.

(4) Officers will inform the plaintiff whether the IAH/IAWH was served. If not served, advise the plaintiff they must call back to initiate further attempts to serve the order.

(5) If service of an IAH/IAWH is successful, officers will complete an FI ensuring the FI is routed to "WF Assaults Supervisors" and add the DOS as an "Attachment" in the Case Folder.

(6) Plaintiffs will be billed by the Fiscal Management Bureau (FMB) for service of the IAH/IAWH, *unless* they have obtained a waiver of service fee from the issuing court.

C. Procedure for Orders Of Protection (OOP)

(1) Upon receipt of a notification email from AZPOINT, Communications Bureau staff will access AZPOINT and review the Service of Process (SOP) form and the OOP.

(2) Communications Bureau will create a call for service and send the responding officer an email from the *OrdersOfProtection.PPD@phoenix.gov* address, with the OOP number and service instructions.

(3) Once assigned to a call and *before* contacting a defendant, officers will:

- Access AZPOINT
- Review the OOP
- Review the SOP form, location of service, and officer safety information
- Print the petition, the OOP, and the Defendant Guide Sheet
- Log out of AZPOINT
- Conduct a records check on the defendant for any outstanding warrants and review any available photograph of the defendant (to help identify the defendant)

NOTE: Pursuant to ARS 13-3602, an order is effective on the defendant on service of a copy of the order **AND** petition. If you do not serve both the petition and order required by statute and rules, a judge may find service was not completed and dismiss the criminal charge alleging violation of the order.

4. C. (4) Upon contact with a defendant, officers will:

(a) Confirm defendant's identity with a state issued identification or by other reasonable means.

(b) Serve the Petition, the OOP, and a Defendant's Guide Sheet on the defendant.

(c) Read and explain the OOP and its restrictions to the defendant, especially the following:

- All protected people or animals.
- The defendant's right to request a hearing to contest the order.
- If the firearms box is checked, the process for transferring the weapons. (*See* section 4.F. of this order)
- Violation of the order may lead to arrest, even if invited by the plaintiff.

(5) Officers will log back into AZPOINT as soon as reasonably possible after service of the OOP to complete the Declaration of Service (DOS), ensuring the following information is entered correctly:

- Date and time of service are accurate
- Proper order type is selected in the What Was Served drop down menu
- How the defendant was identified (state issued identification number, etc.)
- If the date of birth is Exact or Approximate
- If the name on the order was spelled incorrectly (the correct name will be added to the second address line on the DOS)

(a) When the DOS is complete, officers will select Confirm, then Submit. Before logging out, download/save (or print to PDF) the DOS and OOP to the MDC desktop to be added as an "Attachment" to the Case Folder (see 4.C.(6) below).

- If DOS is submitted in error, contact the AOC Help Desk by calling 602-452-3900 or emailing *help@courts.az.gov*.

(b) Completion of the DOS in AZPOINT is the only way NCIC is updated when a valid OOP is served. AOC enters the service information into NCIC daily.

- If AZPOINT is down and the DOS cannot be completed online, see section 4.D. of this order.

(c) Once the OOP is served and the DOS is entered into AZPOINT, the plaintiff, if they opted in, will be notified electronically of the successful service.

(6) Officers will complete an FI with the following:

- Route to "WF Domestic Violence Supervisors"
- List both parties in the "Individuals" section
- Add the OOP and DOS as "Attachments" to the Case Folder
- Document the successful service in the Narrative including: issuing court and case number, the way the defendant was identified, and any other important information regarding the service (*e.g.*, officer safety concerns, the defendant threw the OOP away or refused to listen to the explanation, etc.).

(7) Officers will Reply All to the original email noting service was successful and the DOS was completed in AZPOINT.

4. C. (8) If the defendant was not located or service was unsuccessful, officers will log back into AZPOINT and document the attempt under the Service Attempt tab.

(a) Officers must complete all the boxes as to why the service was unsuccessful, including:

- Any intel that was gained, such as any person contacted.
- If the location is a viable address so service can be attempted again later or if the defendant is known to have permanently moved from the location.
- Any officer safety information in the Comments section.

(b) If AZPOINT is down, officers should Reply All to the email with the above information.

D. Procedures if AZPOINT is Down

(1) Officers will complete a Generic Declaration of Service (DOS) form, ensuring the following information is entered:

- Case number
- Plaintiff's name
- Defendant's name
- Type of protective order (IAH, IAWH, OOP, etc.)
- Date and Time of service.
- Location of service.
- Service officer's signature and serial number on affiant line
- Named of issuing court

(2) Officers will complete an FI with the following:

- For an OOP, route to "WF Domestic Violence Supervisors"
- For an IAH, route to "WF Judicial Process Supervisors"
- List both parties in the "Individuals" section
- Add the OOP and DOS as "Attachments" to the Case Folder
- Document the successful service in the Narrative including: issuing court and case number, the way the defendant was identified, and any other important information regarding the service (*e.g.*, officer safety concerns, the defendant threw the OOP away or refused to listen to the explanation, etc.).

(3) After scanning and attaching the Generic DOS and copy of the order (if available) to the Case Folder, forward all documents, and any forms indicating waived service fees, to JPD immediately.

(4) Contact and advise the OOP plaintiff and inform them service was accomplished.

(5) Officers will make it a priority as soon as AZPOINT is restored to complete the DOS in AZPOINT so the OOP/IAH is entered into NCIC and, for OOPs, the plaintiff is automatically notified electronically of the successful service.

E. Serving Phoenix Municipal Court (PMC) OOPs with Firearms Transfer

(1) After signing into AZPOINT and determining the OOP has been issued by PMC and the Firearms Transfer Order box **is checked**, officers will:

(a) Review the SOP for locations to serve as well as officer safety information

4. E. (1) (b) Print the following documents:

- Petition for the Order of Protection
- OOP
- Defendant Guide Sheet
- Declaration of Firearm Transfer
- Instructions for Transferring Firearms to Law Enforcement

(c) Log out of AZPOINT

(d) Conduct a records check on the defendant for outstanding warrants and if possible, review a photograph of the defendant to help identify them.

(2) Upon contact with the defendant, officers should:

(a) Positively confirm the defendant's identity with a state issued identification or by other reasonable means.

(b) Serve the Petition, the OOP, and a Defendant's Guide Sheet on the defendant.

(c) Instruct the defendant to immediately transfer any firearms currently in their possession to the officers. If the defendant owns or controls firearms not in their possession at the time of service, inform the defendant they have 24 hours to deliver the firearms to the Department.

- Failure to transfer owned or possessed firearm/s to law enforcement is a violation of ARS 13-2810 (Interfering with Judicial Proceedings), and the defendant will be arrested for a violation.

(3) The Declaration of Firearm Transfer form will be provided to the defendant and, if any firearms are transferred to the officers, the defendant must legibly complete, sign, and return the form to the officer.

(a) Officers will conduct a records check on all transferred firearms.

(b) Officers will verify the information on the Declaration of Firearm Transfer form, sign the form, and give the form back to the defendant.

(4) The defendant must be informed it is **their responsibility** to file the completed Declaration of Firearm Transfer form with PMC within two days of being served with the OOP.

(a) The form must be filed whether any firearms are transferred to law enforcement or not and may be filed in person or by email to pmc.oop@phoenix.gov.

(b) If filing in person and PMC is closed on the second day, the form must be filed on the next day PMC is open.

(5) Officers will ensure the defendant is given the Instructions for Transferring Firearms to Law Enforcement form and explain the OOP and any additional restrictions, including but not limited to:

(a) If other persons or animals are listed as protected

(b) The defendant's right to request a hearing to contest the order. This must be done at the same court the OOP was issued **anytime** during the year after service; however, once requested, the court must set the hearing within 10 days.

(c) The plaintiff cannot violate the order and, even upon invitation by the plaintiff, the defendant may be arrested if found to be in violation.

4. E. (6) Officers will follow the procedures listed in section 4.C.(5-8) of this order with the following differences when completing an FI for firearms impound:

(a) Officers will generate a Property Sheet and list the transferred firearm/s in the "Property Detail" section.

- Under "Impounding Action", select "Order of Protection Gun"
- Under "Property Type", select "Firearms"
- In the "Description", include the Order of Protection case number
- In the "Release Comments", add: "Do not release without verification from the court"

F. Firearms Transfer Procedure

(1) For the purpose of this section, "transferor" is a subject who transfers firearms to the Department pursuant to a court order.

(2) When a transferor needs to transfer firearms pursuant to a court order, they must call Crime Stop. A Priority 2 call for service will be created and the transferor will be instructed to meet officers at the nearest precinct parking lot.

(3) Upon arrival at the precinct, officers will collect the firearms from the transferor's vehicle. For OOPs issued by PMC, see section 4.E.(3-5) of this order.

(4) Officers will complete a new FI within the same Case Folder, following the instructions in section 4.E.(6) of this order.

G. Enforcement of a Protective Order

(1) An OOP should be presumed valid if ALL are of the following are found on the OOP:

- Names of the Plaintiff and the Defendant (and any other affected person)
- Date the OOP was issued
- Date the OOP expires
- Terms and conditions applicable to the reported event
- Name of issuing court
- Signature by or on behalf of a judicial officer (Includes tribal court officers)

(2) To verify an OOP from an Arizona court and determine the specific conditions, log into AZPOINT and review the protective order (*See* Section 8 for out-of-state OOPs).

(a) Download and save (or print to PDF) the OOP and DOS and add both to the RMS Case Folder.

(b) When AZPOINT is down, officers will verify an OOP through NCIC when completing the records checks on the involved parties.

(3) A records check will be completed on both involved parties.

(4) A plaintiff cannot violate an OOP issued on their behalf. A plaintiff's actions do *not* modify an OOP without the issuing court making the modification.

EXAMPLE: If a plaintiff initiates or invites any contact with a defendant, the defendant is responsible to avoid and report the contact or seek a modification of the order with the court which issued the OOP. *Any contact* prohibited by an OOP is a violation.

4. G. (5) An Interfering with Judicial Proceedings CR will be completed on **all** OOP violations even if the violator left prior to police arrival. In the Narrative section, document the case number, issuing court, and restrictions of the OOP and how it was verified.

(6) Officers will arrest OOP violators when probable cause exists, even if the violation is a misdemeanor offense, did not occur in the officer's presence, or the victim does not desire prosecution.

(a) When a plaintiff's address is protected, use the guidelines below to determine if the defendant knew the plaintiff was present and/or attempted to contact the plaintiff, and establish probable cause that the OOP was violated.

- In AZPOINT, click the information ("i") button to see if the plaintiff's protected address is listed.
- Run a P01 in CLIPS™ for an AOC hit to see if the plaintiff's protected address is listed.
- Was the defendant served at the protected address?
- Did the defendant previously live at the protected address with the plaintiff and the plaintiff still lives there?
- If the plaintiff recently moved to a new address, and the defendant is alleging they did not know, then why is the defendant at the new location?
- Through interview and interrogation, officers should work to determine the defendant's motive, knowledge, and intent of being at the protected address.

(7) If AZPOINT is down, officers will still arrest violators when probable cause exists that the order was served. For example, a defendant admits they were served an OOP; the victim provides a copy of the DOS; an FI is located documenting service of the OOP; or, NCIC shows a valid OOP is in effect.

(8) The victim may be allowed to make a citizen's arrest.

(9) Arrested persons must be booked; an ATTC in lieu of detention *cannot* be issued.

(a) In cases involving intimate partners, ensure a Form IV(C) Release Questionnaire Intimate Partner Risk Assessment form is completed within the Case Folder and the booking number is included (*See* section 1.J for more information).

(b) For all cases, when completing the Booking Report, ensure a PDF copy of the OOP and DOS are each added as "PDF Attachments".

(10) OOP violators will be charged with ARS 13-2810, Interfering with Judicial Proceedings, in the "Charge Code" drop-down of the Booking Report.

(a) The following information will also be entered/selected in the "New/On-View Charge Information" section:

- Any additional felony and/or misdemeanor violations
- The appropriate court name or division from the "Court Code" drop-down box
- "Yes" must be selected in the "Domestic Violence" drop-down box

(b) The "Domestic Violence Defendant Issues" section must be completed on the Form IV.

4. G. (11) OOP defendants allowed by law to return only **once** to a protected location that is a shared residence—to retrieve personal belongings—and they **must** be accompanied by a law enforcement officer.

(a) Depending on the circumstances, officers will allow a reasonable amount of time for the defendant to retrieve their property.

(b) Officers will not take a position on any disputed property. (Civil court issue).

(c) If officers need to respond to an emergency call, they will tell the defendant to leave the protected location immediately or they will be in violation of the OOP.

(12) If a plaintiff returns to a shared residence that is not a protected location on the OOP, officers should inform the plaintiff that officers cannot guarantee the plaintiff's safety and will inform the plaintiff they should leave the property immediately.

(13) Injunctions (IAHs and IAWHs) will be investigated in the same manner as OOPs. Officers may use discretion whether or not to arrest violators of an IAH or IAWH.

5. **NOTICE OF HEARINGS FOR OOP/IAH**

A. A Notice of Hearing for an OOP/IAH informs a defendant of the date, time, and courtroom assignment of a hearing. Officers will serve Phoenix Municipal Court (PMC) Notice of Hearings when the plaintiff supplies a certified copy of the notice.

(1) The Declaration of Service, included with the Notice of Hearing, will be completed and forwarded to JPD. If the defendant cannot be served, the notice will be returned to the plaintiff.

(2) Notice of Hearings issued out of any court other than PMC will not be served and the plaintiff will be advised to return to the court of issuance for further instructions.

6. **PRELIMINARY INJUNCTIONS**

A. Preliminary injunctions are temporary court orders issued to maintain status pending further court hearings and orders dealing with the subject matter of the preliminary injunction. They are often issued in domestic relation cases by Superior Court.

B. Enforcement

(1) Officers will not arrest a subject solely for violating a preliminary injunction.

(2) The party seeking enforcement of the injunction should be advised to contact the court of issuance regarding potential action for contempt of court.

(3) Officers should arrest a subject for any criminal acts committed in conjunction with the preliminary injunction violation.

(4) When DV is involved, officers will follow the DV policy and include documentation in the CR Narrative that a preliminary injunction has been issued.

7. **EMERGENCY ORDERS OF PROTECTION (EOP) (ARS 13-3624)**

A. Judges are available by telephone to issue EOPs if an officer states to the judge that the officer has reasonable grounds to believe the victim/plaintiff is in immediate/imminent danger of DV based on an allegation of a recent incident of actual domestic violence.

7. A. (1) Officers should consider obtaining an EOP for the victim/plaintiff:

- After normal business/court hours or on weekends.
- When the suspect/defendant is in custody and able to be served.
- When the victim's/plaintiff's life or health is in imminent danger by the suspect/defendant even upon arrest or other people acting on behalf of the suspect/defendant.

(2) It is not required that the victim/plaintiff requests the EOP.

B. How to Obtain an EOP

(1) Officers will open an Emergency Order of Protection (EOP) form (also available on PolicePoint/Document Center/Authorized Forms) and enter information for the plaintiff, any other protected person, and the defendant.

(2) Officers will call the Initial Appearance (IA) judge's office (602-372-9421) for a review of the facts regarding the need to obtain an EOP. Officers will provide a brief summary of the case being investigated and the facts of any threat of continued violence or harassment by the defendant, even upon arrest, or other people acting on behalf of the defendant.

(3) If the judge finds the victim's (plaintiff) life or health is in imminent danger, the judge may issue an EOP which gives exclusive use of a shared residence to the victim.

(4) The judge may also prohibit the defendant from purchasing or possessing a firearm if, based on the officer's statement, the judge believes the suspect may inflict harm on the victim.

(5) If the judge grants the EOP, officers will complete the remainder of the EOP form, using the Case Folder number as the EOP case number.

(6) Officers will print a copy of the EOP and serve it on the defendant if their location is known or, if in custody, place the copy of the EOP in their prisoner property. Petitions are communicated verbally to a judge by an officer; therefore, the petition is *not* available for printing and service like an OOP.

(7) Immediately following the personal service of the EOP, officers will complete the Certificate of Service section of the EOP (page 2) and email the served EOP to the RMS Helpdesk at RMSSecurityAccess.ppd@phoenix.gov. The RMS Helpdesk staff is trained to enter served EOPs into NCIC and have staff available 24/7. They will also ensure the court receives a copy of the served EOP so it can be filed with the court.

(8) Once an EOP is personally served to the suspect/defendant, officers will give the victim a copy of the served EOP by either emailing them a copy or hand delivering it. A printed copy of the served EOP will be placed in the precinct briefing book.

(9) If contact cannot be made with the defendant to personally serve the EOP, pursuant to ARS 13-3624.F, the defendant may receive "actual notice of the existence and substance of the order" and once notified, will be subject to arrest for any violations of the EOP. Officers will attempt to notify the defendant of an issued EOP and the restrictions the EOP places on the defendant.

(a) If officers are unable to serve the EOP, the issued EOP will be emailed to the RMS Helpdesk at RMSSecurityAccess.ppd@phoenix.gov. Before emailing the EOP, document on the bottom of its Page 2:

- What attempts were made to serve the EOP.
- Why the EOP was not able to be served.
- If the suspect/defendant was notified of the existence and substance of the order instead of being served.

7. B. (9) (b) If notice is successfully given to a defendant, officers will document that in the CR/FI with the following additional information:

- How the officer spoke with the defendant
- What instructions and terms were communicated
- Any other important detail – the more information on how the defendant was advised and what was said, the stronger the probable cause will be to arrest if the defendant violates the EOP.

(10) If officers notify the defendant of the EOP's existence and substance, officers will inform the victim of the notification. A printed copy of the EOP (with the officer's notes at the bottom) will be placed in the precinct briefing book.

(11) An EOP is normally valid for 72 hours after it is issued or, if the court is closed for longer than 72 hours from issue, the EOP is valid until the close of the next court business day.

(a) For time beyond 72 hours, a victim (plaintiff) is required to create an account on AZPOINT and file the Petition and SOP with an Arizona court (*See* section 3.B.(2) above for more information).

(12) All officer involvement in the EOP process will be documented in a CR/FI. A PDF copy of the served EOP will be added as an "Attachment" within the Case Folder.

8. **ENFORCEMENT OF OUT-OF-STATE ORDERS OF PROTECTION**

A. An officer may presume the validity of and rely on a copy of a protection order issued by another state, Indian Tribe, or United States Territory. Officers will make every reasonable effort to verify the validity of the order (such as by telephone calls, faxes, e-mail, etc.).

B. An officer may also rely on the statement of any person who is protected by the order that the order is currently in effect. Ask questions of the parties involved which might show their knowledge of the order, for example where they got the order, who the judge was, or what process they went through.

C. An officer who acts in good faith regarding a protection order is not criminally or civilly liable for enforcing the protection order pursuant to this section. Officers should consult a supervisor prior to enforcing an order when there is still uncertainty about its validity.

9. **FEDERAL VIOLENT CRIME CONTROL PLAN**

A. Federal law prohibits any person from possessing, receiving, transporting, or shipping a firearm or ammunition if such person is subject to an OOP or other order and **all** the following conditions exist:

(1) The court order was issued after a hearing and the person subject to the order received actual notice of the hearing and had the opportunity to participate in the hearing.

(2) The court order specifically restrains the person subject to the order from harassing, stalking, or threatening an intimate partner of the person or the intimate partner's child or person's own child, or specifically restrains the person from engaging in other conduct which would place the intimate partner in reasonable fear of bodily injury to the partner or child.

(3) The court order includes a finding that the person subject to the order represents a credible threat to the physical safety of the person's intimate partner or child, or by the order's terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the person's intimate partner or child which would reasonably be expected to cause bodily injury.

9. A. (4) If a citizen is subject to an OOP and is in violation of the Crime Control Law, but has no ARS violation, the complainant will be advised to contact the Bureau of Alcohol, Tobacco, and Firearms (ATF).

B. Officers will not take enforcement action on the federal violation alone. If enforcement action on violations of ARS is taken, officers will contact ATF and advise them of the federal violations if all the above-listed conditions exist.

10. **CUSTODIAL INTERFERENCE**

A. Pursuant to ARS 13-1302.A., A person commits custodial interference if, knowing or having reason to know that the person has no legal right to do so, the person does one of the following:

- Takes, entices or keeps from lawful custody any child, or any person who is incompetent, and who is entrusted by authority of law to the custody of another person or institution.
- Before the entry of a court order determining custodial rights, takes, entices or withholds any child from the other parent denying that parent access to any child.
- If the person is one of two persons who have joint legal custody of a child takes, entices or withholds from physical custody the child from the other custodian.
- At the expiration of access rights outside this state, intentionally fails or refuses to return or impedes the return of a child to the lawful custodian.

B. Custodial Interference is a crime that applies only to complainants who have joint custody, or are the sole or primary legal custodial parent/guardian and the visiting parent has not returned the child.

C. Enforcement

(1) If the below exigent circumstances exist, a CR will be completed and consideration will be given to contacting on-call FIB personnel.

- A concern for the health or well-being of the child
- Physical violence has been committed or threatened
- Suspect is present or possibly enroute

(2) If exigent circumstances are not present but there is reason to believe the child has been removed from the state (not simply on vacation), a CR will be completed. Custodial Interference is a class 4 felony if the child has been removed from the state.

(3) If exigent circumstances are not present **and** there is **no** reason to believe the child has been removed from the state, an FI will be completed ensuring the FI is routed to “WF Domestic Violence Supervisors”.

- Complainants should be referred to Family Court for assistance.
- A CR may be completed if it is in the best interest of the Department.

(4) Arrests will not be made without approval from a supervisor.

(5) Officers will not remove a child from the home unless the health or welfare of the child is in jeopardy and a supervisor has approved the removal.

(6) If a child is not relinquished, the parent will be advised to contact Domestic Relations Court to obtain a writ to be served by the sheriff’s office to recover the child.

10. C. (7) When a CR is to be completed, officers will attempt to contact the suspect and obtain a statement as to why they are not returning the child. If the suspect is a parent or agent of the child taken, officers may advise the suspect the Custodial Interference charge is a class 6 felony but may be reduced to a class 1 misdemeanor if the child is returned voluntarily and without injury prior to arrest.

(8) All reports documenting custodial interference will begin with a records check on all involved parties.

(9) When completing the CR/FI, officers will include the following:

- If the suspect knew they did not have a legal right to take or keep the child/children entrusted to the custody of another person or institution.
- Current legal status of child custody, including current or pending court actions.
- If sole custody has been awarded and to whom.
- Court documentation (if available) specifying the terms of the joint custody.

(10) If the suspect states they are fearful for the child's safety as a reason for noncompliance, it is a defense pursuant to ARS 13-1302.C.2.a, and officers will articulate this in the CR.

(11) If the suspect would permit the child to go with the other parent but the child refuses to go, officers will articulate the refusal in either a CR or an FI. The child must be of an age which can show he/she is reasonable and able to articulate for themselves why they do not want to go (usually 13-17 years old).

11. **ACCESS INTERFERENCE**

A. Pursuant to ARS 13-1305.A, "A person commits access interference if, knowing or having reason to know that the person has no legal right to do so, the person knowingly engages in a pattern of behavior that prevents, obstructs or frustrates the access rights of a person who is entitled to have access to a child pursuant to a court order."

B. Access Interference is a crime that applies to complainants who have been granted only visitation or access through a court order of the Maricopa County Superior Court's Family Court Division and they are not receiving the court ordered visitation or access.

C. Enforcement

(1) If the below exigent circumstances exist or a "pattern of behavior" is established, a CR will be completed.

(a) Exigent circumstances:

- A concern for the health or well-being of the child
- Physical violence has been committed or threatened
- Suspect is present or possibly enroute

(b) "Pattern of behavior" - A complete denial of court ordered access to a parent/guardian for four consecutive weeks or more in cases where visitation is weekly and for more than one month of visitation in cases where visitation is monthly.

- Officers will clearly document the dates of occurrence to meet the criteria of denial.
- Officers will ask for court documentation (if available) specifying the terms of visitation.
- Attempts to contact the other party should be made and statements of denial of access clearly documented.

11. C. (2) Officers **will** complete an FI, ensuring the FI is routed to "WF Domestic Violence Supervisors", for non-exigent calls until the statutory requirement of a "pattern of behavior" has been established.

(3) If the suspect says they are making the child available but the child refuses to go, officers will articulate the refusal in the CR or FI.

(4) Complainants will be advised to return to Maricopa County Superior Court's Family Court Division and request a contempt of court charge.

12. **GENERAL STATEMENTS AND CLARIFICATION FOR CUSTODIAL/ACCESS INTERFERENCE**

A. If a CR is required per section 10.C of this order, a CR documenting the **custodial interference** will be completed when the complainant:

- Has been granted joint custody from a court custody order.
- Is the primary custodial parent in non-joint custody arrangements or sole legal custodian/guardian.
- Is an unwed mother and there is **NO** custody order from a court.

B. If a CR is required per section 11.C of this order, a CR documenting the **access interference** will be completed when the complainant is the non-custodial/visitation-only parent.

C. A CR documenting custodial or access interference is **NOT** required if the complainant is still married and no process has been started for legal separation or divorce; refer the complainant to family court.

D. The parents/guardians involved in custodial or access interference reports will be listed as victims and/or suspects NOT reporting persons and/or witnesses.

E. Reports involving violations of child custody agreements should have the appropriate offense code, Custodial Interference, ARS 13-1302.A or Access Interference, ARS 13-1305.A selected according to the guidelines listed above; NOT Interfering with Judicial Proceedings, ARS 13-2810.

F. Officers should not advise complainants a detective will contact them upon receipt of a report; a letter will be sent out only if certain criteria are met.

G. Officers should ask for court documentation specifying the criteria of visitation (date, time, etc.).

- Documentation does not need to be certified and may be in copy form.
- This information should be documented, including the court case number, if a CR is completed.

13. Employee Involved Domestic Violence – See Operations Order 4.7.05, Employee Related Administrative Procedures.

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