

314.2 RESPONSE TO DOMESTIC VIOLENCE AND DATING VIOLENCE INCIDENTS

- I. PURPOSE: The purpose of this Standard Operating Procedure is to establish the department's priorities, guidelines, and policies governing the response to domestic and dating violence incidents. These incidents pose a significant risk to victims, children, and responding officers. This policy establishes expectations and the procedures required to ensure officers intervene effectively, safeguard victims, hold offenders accountable, and conduct thorough, evidence-based investigations. It further ensures compliance with all applicable Florida Statutes, including mandatory lethality assessment requirements, and promotes consistent coordination with advocacy partners and follow-up service providers. The overall intent of this policy is to reduce repeat victimization, interrupt the cycle of violence, and prevent further escalation.

- II. POLICY: It is the policy of this department to deliver a victim-centered and proactive response to incidents of domestic and dating violence. Domestic and dating violence is a pattern of coercive and controlling behavior that often escalates in both frequency and severity, placing victims and responding officers at increased risk. Officers are often the first individuals outside the household to interrupt this cycle of violence and must do so with professionalism, decisiveness, and a clear understanding of their statutory responsibilities. Victim safety and offender accountability are paramount, and officers must take all reasonable steps to stabilize the scene, protect vulnerable individuals, and prevent further harm.

Officers are expected to arrest any person who commits a crime of domestic or dating violence as defined by law, unless a clear and compelling reason exists not to arrest, such as lawful self-defense or the absence of probable cause, following a comprehensive investigation to identify the predominant aggressor. Officers shall conduct thorough investigations, collect all available evidence - regardless of whether an arrest is made - and complete all required reports and documentation. Officers are also required to conduct the state-mandated lethality assessment in all intimate partner domestic violence investigations. All domestic or dating violence incidents, with or without an arrest, shall receive supervisory review and appropriate follow-up by the Domestic Violence Unit (DVU) to ensure compliance with policy, facilitate victim services, and reduce the likelihood of repeat victimization.

III. DEFINITIONS:

- A. Dating Violence: Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death committed between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. A qualifying dating relationship must have existed within the past six months, been characterized by an expectation of affection or sexual involvement, and involved interaction between the parties that occurred over time and on a continuous basis throughout the relationship. *Note: The definition does not include violence in a*

casual acquaintanceship or violence between individuals who only engaged in ordinary fraternization in a business or social context. (FSS §784.046).

- B. Domestic or Dating Violence Center: The contracted domestic violence center for Hillsborough County is The Spring of Tampa Bay, which is reachable 24/7 at **(813) 247-SAFE** (813-247-7233).
- C. Domestic or Dating Violence Injunction: A court order that requires a family or household member, or a person in a dating or intimate relationship, to take or refrain from specific actions, including prohibiting contact with a designated individual or individuals. Injunctions serve as a legal mechanism to enhance victim safety, restrict abusive behavior, and establish enforceable boundaries between the involved parties. (See SOP 314.4)
- D. Domestic Violence: Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. (FSS §741.28)
- E. Family or Household Member: Includes a spouse, former spouse, or any person related by blood or marriage who is residing with or has resided with another individual as a family. It also includes persons who are parents of a child in common, regardless of whether they have ever been married. Except for persons who have a child in common, family or household members must currently reside - or must have previously resided - together in the same single dwelling unit. *Note: Roommates or cohabitants who are not engaged in an intimate relationship do not qualify as a family or household member under the domestic or dating violence statutes.* (FSS §741.28)
- F. Lethality Assessment: A standardized, state-mandated screening tool used during intimate partner domestic or dating violence investigations to identify victims who are at heightened risk of serious injury or homicide. The assessment guides officers in recognizing high-risk indicators, informs immediate safety planning, and ensures that victims who screen in receive prompt connection to advocacy services and enhanced intervention measures.
- G. No Contact Order: A court-ordered condition of pretrial release issued by the presiding judge in an ongoing criminal prosecution and served on the defendant prior to release from custody. *Note: A No Contact Order is generally enforceable for the duration of the pending criminal case unless modified or removed by the court. No Contact Orders are not listed in FCIC/NCIC.* (FSS §903.047)
- H. Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, and Stalking Brochure: An

informational brochure developed and distributed through the State Attorney's Office Victim Assistance Program that provides statutorily required information pursuant to Chapters 741 and 784, Florida Statutes, including available victim services, the right to file criminal charges, and the right to seek an injunction for protection. (See SOP 302.3)

- I. Predominant Aggressor: The predominant aggressor is the individual who poses the most serious and ongoing threat in a domestic or dating violence incident, regardless of who initiated the physical conflict. Identifying the predominant aggressor requires evaluating the totality of circumstances - including injury patterns, history of violence, defensive actions, and witness statements - to ensure that victims acting in self-defense are not inappropriately arrested and that the true source of the threat is held accountable.
- J. Victims' Rights Brochure: An informational brochure developed and distributed through the State Attorney's Office Victim Assistance Program that outlines the constitutional and statutory rights of crime victims and provides a general overview of the criminal justice process and a victim's role within that process.
- K. Victims' Rights Card: An informational card provided to crime victims that includes space for the responding officer's name, report number, and contact phone number. The card also contains a QR code providing access to all required victims' rights brochures and contact information for the assigned victim advocate.

IV. PROCEDURES:

A. Communications Section Response:

Upon receiving a report of a domestic or dating violence incident, Communications Section personnel should adhere the department's established protocols. In addition, personnel shall:

1. A minimum of two officers shall be dispatched to all domestic or dating violence calls for service whenever possible.
2. Domestic or dating violence calls for service shall not be cancelled prior to officers' arrival. Responding officers must verify the situation in person to ensure that all parties are safe.
3. Communications Section personnel should conduct records checks on all involved parties, including warrants, injunctions for protection, probation or supervision status, no contact orders issued as conditions of pretrial release, and any known risk indicators. All relevant information shall be promptly relayed to responding officers to support informed decision-making and enhance officer and victim safety.

4. Communications Section personnel shall make every reasonable effort to obtain all available information from the caller that may assist responding officers in assessing the situation, including:
 - i. The immediate safety of the caller and others at the scene;
 - ii. The identity of other people involved or present, including witnesses and children;
 - iii. The suspect's relationship with the victim;
 - iv. Whether law enforcement has previously been called regarding the suspect, and the frequency of those prior calls;
 - v. Any known history of domestic or dating violence;
 - vi. The presence of firearms or other weapons.

All pertinent information shall be promptly relayed to responding officers while they are enroute to the call for service.

B. Initial Law Enforcement Response / On-Scene Investigation:

1. Upon arrival, officers shall first stabilize the scene and ensure the safety of all parties present. Officers shall make contact with all individuals present, including victims, suspects, and potential witnesses. As safety permits, and consistent with officer safety considerations, involved parties shall be separated and kept out of sight and earshot of one another.
2. Officers shall assess all individuals for visible injuries and inquire about potential internal or non-visible injuries. When injuries are identified, officers shall administer appropriate first aid and/or offer or summon medical services as needed.
3. Whenever possible, officers shall obtain sworn written statements from victims, witnesses (including minor children, when appropriate), and the suspect. If a victim or witness is unable to independently complete the statement, the officer may write the statement on their behalf, confirm its accuracy, and obtain their sworn signature. All statements shall be imaged into the Department's Records Management System (RMS) and submitted as evidence. If the officer is unable to image the document into RMS, a copy shall be forwarded to their Division's Community Service Officers (CSOs) for imaging.

4. Officers shall conduct comprehensive evidence collection, including but not limited to:
 - a. Electronic evidence (e.g. text messages, emails, voicemails, call logs, photographs, videos, social media messages / posts, etc.);
 - b. Physical evidence relevant to the incident (e.g. damaged property, weapons, torn clothing, etc.);
 - c. Evidence of prior abuse or threats, even if not directly related to the immediate incident.
5. All electronic evidence shall be imaged into the police report and/or Axon and submitted as evidence. If the officer is unable to image the document(s) into the police report, a copy shall be forwarded to their Division's Community Service Officers (CSOs) for imaging.
6. Officers shall photograph the victim, suspect, crime scene, and all visible injuries or damage regardless of severity. Axon Capture or body-worn recording equipment is the preferred method. For serious injuries (e.g., fractures, burns, stab wounds) or when privacy concerns exist, officers may request a crime scene technician.
7. Officers shall advise victims to photograph developing injuries (e.g., bruising, swelling) 48 - 72 hours after the incident. Before clearing the scene, officers shall send the victim an Axon Capture link with instructions for uploading follow-up photographs for investigative and evidentiary use.
8. Officers shall administer the standardized lethality assessment in all domestic or dating violence investigations involving intimate partners, regardless of arrest. If the assessment indicates the victim is at high-risk or if the victim declines or cannot complete it the officer shall:
 - a. Refer the victim to The Spring of Tampa Bay; and
 - b. Advise the victim of available services provided by that Center.
9. FSS §921.0024 provides enhanced penalties for domestic or dating violence offenses committed in the presence of a household member under sixteen (16) years of age. Accordingly, officers shall determine whether any children witnessed all or part of the incident and:
 - a. Identify the child's age;

- b. If under sixteen (16), determine whether the child meets the definition of a household member under FSS §741.28;
- c. Obtain a sworn statement from the child, when possible, using age-appropriate methods;
- d. Document any observable signs of trauma; and
- e. Fully document these details in the narrative section of the electronic Criminal Report Affidavit (CRA) and the corresponding police report for review and consideration by the State Attorney's Office.

If a child witnessed the incident, officers shall notify the Department of Children and Families (DCF) either by submitting a report at www.reportabuse.myflfamilies.com/s/ or by contacting the DCF law enforcement hotline at **(866) LE-ABUSE** (866-532-2873). The law enforcement hotline is restricted for official use only and shall not be provided to the public. Members of the public may report concerns through the DCF Abuse Hotline at **(800) 96-ABUSE** (800-962-2873).

- 10. Officers shall consult with the Communications Section to determine whether any related 911 recordings contain potential evidentiary value (e.g., statements made during or immediately after the incident that corroborate the offense, background sounds indicating distress). Officers shall document in the police report whether the audio appears to be of evidentiary value and whether follow-up by investigative personnel is recommended. When a recording is determined to have evidentiary value, the officer shall request that the Communications Section upload the 911 audio directly into Axon for preservation and access by investigators and the State Attorney's Office by emailing tpdaudio@tampagov.net.
- 11. During the course of the investigation, officers shall provide victims with all required documents outlining their legal rights, protections, and available resources. These materials shall include, at minimum, the Tampa Police Department's *Victims' Rights Card* or the State Attorney's Office's *Victims' Rights Brochure* and *Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, and Stalking Brochure*. All notifications shall be provided in accordance with Florida Statutes and documented in the officer's police report. (See SOP 302.3)
- 12. Officers shall attempt to determine whether any pending domestic or dating violence cases exist between the involved parties and whether the current incident may constitute a violation of pre-trial release

conditions. Any such findings shall be clearly documented in the Department's Records Management System (RMS) for follow-up by the Domestic Violence Unit (DVU) and prosecutorial review.

13. Officers shall make reasonable efforts to determine whether an incident involves a potential violation of pretrial release conditions, including an issued and served No Contact Order (NCO). Officers should not assume that the absence of an injunction for protection indicates that no court-imposed restrictions exist. When appropriate, officers should attempt to determine whether a pending case exists and whether a NCO is in effect.
 - a. When investigating a suspected No Contact Order (NCO) violation, officers should attempt to identify the suspect's most recent domestic or dating violence-related arrest and determine whether an open domestic or dating violence case exists in the State Attorney's Office (SAO) Case Management System (CMS). Officers should document the applicable SAO case number (e.g., 2026-CM-XXXXXX) in both the Criminal Report Affidavit (CRA) and the police report. Inclusion of the SAO case number in the CRA ensures the assigned prosecutor is notified at first appearance that the suspect may have been out on bond and potentially violated a condition of pretrial release.
14. Before effecting an arrest, officers shall verify the suspect's identity through photographic confirmation by the victim and/or witnesses. This verification shall be documented in both the Criminal Report Affidavit and the police report. Verbal identification alone is insufficient unless no photographs are available.

C. Lethality Assessment:

1. Pursuant to FSS §741.29, officers shall administer a lethality assessment during any investigation of a domestic or dating violence incident involving *intimate partners*, regardless of whether an arrest is made.
2. Officers shall use the standardized lethality screening tool adopted by the Florida Department of Law Enforcement (FDLE). All responses shall be documented in the police report using the Lethality Screening Tool Text Attachment within the Department's Records Management System (RMS). Officers shall ask each question in the same or substantially similar wording and in the prescribed order, and shall ask all of the questions unless the victim declines or is unable to provide sufficient information to complete the assessment. If the lethality assessment cannot be administered, the officer shall document the reason in the report and provide the victim with a referral to The Spring of Tampa Bay.

3. Florida Department of Law Enforcement's Lethality Screening Tool:

a. A "Yes" response to any of the following questions will require law enforcement to advise the victim they are in a potentially lethal situation:

1. Did they ever use a weapon against you or threaten you with a weapon?
2. Did they ever threaten to kill you or your children?
3. Do you believe they will try to kill you?
4. Have they ever choked you or attempted to choke you?

b. A "No" response to questions 1-4, but a "Yes" response to at least four of the following questions will require law enforcement to advise the victim they are in a potentially lethal situation.

5. Do they have a gun or could they easily obtain a gun?
6. Are they violently or constantly jealous, or do they control most of your daily activities?
7. Did you leave or separate from them after you were living together or married?
8. Are they unemployed?
9. To the best of your knowledge, have they ever attempted suicide?
10. Do you have a child who they believe is not their biological child?
11. Have they ever followed, spied on, or left threatening messages for you?
12. Is there anything else that worries you about your safety? If so, what worries you?

c. If the result of the victim's response to question 12 leads the officer to believe the victim is in a potentially lethal situation,

then the officer will be required to advise the victim of that result.

- d. If the victim is determined to be in a potentially lethal situation, or the officer otherwise believes the victim is in danger, the officer must:
 1. Advise the victim that the situation indicates an elevated risk of serious harm.
 2. Contact (or offer to contact) The Spring of Tampa Bay from the scene using their department issued cell phone.
 3. Document the assessment and any referrals made in the case summary section of the police report.

D. Post-Incident Follow-Up (Domestic Violence Unit):

1. The Domestic Violence Unit (DVU) shall review all local pick-ups associated with domestic or dating violence offenses and ensure they are converted to arrest warrants as soon as practicable.
2. The Domestic Violence Unit (DVU) shall review all direct file domestic or dating violence cases to assess the likelihood of repeat offenses. When appropriate, the DVU will coordinate with the State Attorney's Office (SAO) Intake Unit to request expedited case review, particularly in situations involving escalating behavior, prior history, or identified high-risk indicators.
3. The Domestic Violence Unit (DVU) shall ensure that wanted bulletins are created for all arrest warrants issued for domestic or dating violence incidents and uploaded to the appropriate bulletin distribution platform as soon as practicable.
4. The Domestic Violence Unit (DVU) shall conduct post-incident screening of all domestic or dating violence cases - regardless of whether an arrest was made - to identify high-risk or repeat offender cases requiring enhanced investigative attention. Screening criteria shall include, at minimum:
 - a. Offender History: Two (2) or more prior arrests for domestic or dating violence within the previous two years involving the same offender and victim.

- b. Victimization History: Two (2) or more instances of victimization for domestic or dating violence within the previous two years involving the same victim and offender.
5. The Domestic Violence Unit (DVU) shall engage directly with the State Attorney's Office (SAO) Domestic Violence Intake Unit to ensure prosecuting attorneys are aware that the case meets departmental high-risk criteria and warrants heightened consideration. Supporting documentation and risk indicators shall be clearly summarized for SAO review.
6. For all qualifying high-risk cases, Domestic Violence Unit (DVU) personnel and/or a member of the Victim Advocacy Unit (VAU) shall contact (or attempt to contact) the victim by telephone as soon as practicable. Follow-up shall include safety planning, explanation of available resources, and confirmation that the victim received required legal rights information at the time of the incident.
7. The Domestic Violence Unit (DVU) shall share qualifying high-risk case information with the Victim Advocacy Unit (VAU) to ensure timely and coordinated victim support. The VAU shall work with The Spring of Tampa Bay to facilitate access to counseling, relocation assistance, financial services, and other safety-related resources.

E. Supervisory Responsibility:

1. Supervisors shall understand and reinforce the Department's philosophy that domestic and dating violence investigations require thorough and comprehensive police response. Domestic violence incidents are known to escalate in frequency and severity over time; therefore, high-quality initial investigations are critical to victim safety, offender accountability, and long-term violence prevention. Supervisors play a key role in ensuring that each response reflects the seriousness and potentially escalating nature of these offenses.
2. Outside normal business hours, supervisors shall ensure the timely pursuit of arrest warrants in felony domestic or dating violence incidents involving serious bodily injury and/or the use or possession of a firearm. When available, supervisors shall utilize the adverse detectives on their District's District Latent Investigations Squad (DLIS) to promptly prepare, apply for, and obtain arrest warrants for involved suspects.
3. Supervisors shall review all domestic or dating violence reports for accuracy, completeness, and consistency. Supervisors shall ensure that investigations are compliant with this policy, that all required documentation is included, and that officers have conducted a victim-

centered and suspect-focused investigation. This review shall ensure that:

- a. Evidence is properly collected and preserved;
 - b. Lethality assessments are completed and documented;
 - c. Statements, photographs, and digital evidence are attached;
 - d. Narrative documentation accurately reflects the facts and investigative steps taken.
4. Supervisors shall ensure that officers make a reasonable and good-faith effort to locate the suspect when the offense qualifies for the issuance of a local pick-up or arrest warrant. Supervisors should verify that attempts to locate the suspect are documented in the police report and that officers follow proper procedures when probable cause exists, but the suspect is not on scene.
 5. Supervisors shall ensure that all domestic or dating violence incidents, regardless of enforcement action taken, are routed to the department's Domestic Violence Unit (DVU) via the **HDOMV** handle for post-incident review and follow-up. This routing requirement supports the early identification of high-risk cases, timely victim outreach, and enhanced investigative coordination.

F. The Arrest Decision:

1. Officers shall not ask the victim whether they wish to pursue charges or whether they want the suspect arrested. Arrest decisions in domestic and dating violence cases must be based solely on probable cause, statutory authority, and the officer's assessment of risk and safety - not on victim preference or willingness to participate.
 - a. Officers shall not provide or accept Complaint Withdrawal Affidavits (TPD 310) in domestic or dating violence cases.
2. Pursuant to FSS §901.15, officers shall effect an arrest in misdemeanor domestic or dating violence cases not committed in their presence when probable cause exists.
3. Pursuant to FSS §901.15, officers shall effect an arrest upon developing probable cause in felony cases, as well as in any case where a misdemeanor or felony is committed in the officer's presence.

4. When probable cause exists for both parties in a domestic or dating violence incident, officers may arrest both; however, officers shall make every reasonable effort to identify the predominant aggressor.
 - a. If the predominant aggressor alleges victimization, officers shall investigate whether the allegation reflects lawful self-defense or a distinct criminal act; if a separate act of aggression is confirmed, the officer shall complete an electronic Criminal Report Affidavit for direct file with the State Attorney's Office.
 - b. Officers shall document in the narrative portion of the police report the investigative steps used to determine the predominant aggressor, including injury patterns, witness statements, history of prior incidents, coercive-control dynamics, and any evidence of self-defense. Documentation must clearly explain the rationale for arresting one party, both parties, or for not arresting a secondary aggressor.
5. Corroborating eyewitnesses or visible injuries are not required to support an arrest in domestic or dating violence cases. However, officers must still establish probable cause based on the totality of circumstances, and shall thoroughly document all evidence.
6. When arrest criteria are met and the suspect can be located, officers shall effect the arrest - regardless of whether the offense is a felony or misdemeanor.
7. When investigating a suspected violation of a condition of pretrial release, including a served No Contact Order (NCO) in a case where the original arrest was for an act of domestic violence (FSS §741.28) or dating violence (FSS §784.046), officers are authorized to make a warrantless arrest when probable cause exists that the suspect willfully violated the condition of release. Officers shall ensure they have verified the existence and service of the NCO (and that it remains in effect) through available court record sources prior to arrest.
 - a. The appropriate charging language for a No Contact Order violation shall be FSS §741.29(7), Violation of Pretrial Release Condition.
8. If the allegation is a misdemeanor and the suspect is known but cannot be located after reasonable attempts, officers shall originate the police report, complete an electronic Criminal Report Affidavit for direct file, and refer the case to the Domestic Violence Unit (DVU) for follow-up. All attempts to locate and apprehend the suspect prior to referral shall be documented in the police report. The DVU shall review the facts of

the case and, when appropriate, refer the matter to the State Attorney's Office (SAO) using the direct file procedures outlined in SOP 402.

9. If the allegation is misdemeanor battery and the suspect has at least one prior conviction for battery, aggravated battery, or felony battery, officers shall recognize the incident as a felony under FSS §784.03 and follow felony arrest procedures. For purposes of FSS §784.03, a conviction includes any determination of guilt resulting from a plea or trial, regardless of whether adjudication was withheld or a plea of nolo contendere was entered.
10. Nothing in this section prohibits a supervisor from authorizing a local pick-up for a misdemeanor domestic or dating violence offense when the suspect has fled the scene and there is reasonable belief they may return and commit further violence. In cases involving suspects on probation or with significant criminal histories - particularly those with prior violent offenses - authorizing a local pick-up shall be the preferred practice.
11. If probable cause exists for a felony arrest but the suspect cannot be located, the officer shall complete an electronic Criminal Report Affidavit and place a local pick-up for the suspect's arrest. If the incident occurs during non-business (adverse) hours, the officer shall also consult with their Division's on-duty adverse detective to determine whether it is appropriate to immediately obtain a warrant for the suspect's arrest. Any decision not to place a local pick-up and/or not to pursue an arrest warrant in a felony domestic or dating violence offense requires Shift Commander approval, and the approving Shift Commander's name shall be documented in the narrative portion of the police report.

G. Reports / Documentation:

1. Officers shall complete a police report in the Department's Records Management System (RMS) for every domestic or dating violence incident in which there is an allegation that a criminal offense occurred. This reporting requirement applies regardless of investigative outcome or enforcement action taken. This requirement also applies to incidents reported by third parties, even when the involved parties are not immediately available or decline to participate in the investigation. Officers shall clearly and accurately document within the report that the incident involved domestic or dating violence.
 - a. In all cases that meet the definition of domestic violence, the "Family Violence" box shall be checked. *Note: Under the National Incident-Based Reporting System (NIBRS), dating*

violence is not classified as domestic violence. The “Family Violence” box is used exclusively to track domestic violence incidents for NIBRS reporting purposes and shall only be selected when the offense qualifies as domestic violence as defined in the definitions section of this SOP.

- b. The offense section of the police report shall list the alleged criminal charge.
 - c. For family violence and dating violence offenses, the appropriate “Domestic Violence Tracking” or “Dating Violence Tracking” offense code shall be added to the report, in addition to the applicable criminal offense code, to ensure accurate classification and tracking.
2. Officers shall not issue an Assault Victim Instructions Form (TPD 596) to victims of domestic or dating violence. Instead, the report shall be routed to the Domestic Violence Unit (DVU) for follow-up by a latent investigator.
 3. A Domestic Violence Text Attachment shall be completed for every domestic or dating violence incident, with a separate attachment prepared for each victim.
 4. Officers shall document in the narrative portion of the police report whether any child witnessed the offense and shall indicate that the Department of Children and Families (DCF) was notified when required under law.
 5. Officers and supervisors shall ensure the following information is thoroughly documented in the police report and applicable attachments:
 - a. Observations upon approach, including the initial demeanor, behavior, emotional state, and physical condition of the victim, suspect, and witnesses.
 - b. Actions taken to stabilize the scene, including separation of the involved parties and steps taken to ensure the safety of victims, children, witnesses, and officers.
 - c. Assessment of injuries, including visible and non-visible injuries, medical aid provided, and whether Emergency Medical Service (EMS) was requested or declined.

- d. Efforts to identify, locate, and interview witnesses, including direct and collateral witnesses, and summaries of interviews recorded on body-worn recording equipment.
- e. Spontaneous statements or excited utterances made by any involved party that may assist in establishing probable cause or supporting prosecution.
- f. Detailed descriptions of all observed injuries, including size, location, coloration, apparent age, and whether photographs were taken by Axon Capture, body-worn recording equipment, or a crime scene technician.
- g. All physical and electronic evidence collected, including damaged property, weapons, electronic communications, multimedia evidence, and evidence of prior threats or abuse, and whether the evidence was imaged into the Department's Records Management System (RMS) / Axon Capture or forwarded to a Division's Community Service Officer (CSO) for imaging.
- h. All sworn written statements obtained, including identification of any statement written by an officer on behalf of a victim or witness, and documentation of any reasons a statement could not be obtained.
- i. Information related to children present, including their location, statements, emotional/physical condition, whether they witnessed the incident, and whether the Department of Children and Families (DCF) was notified as required by law.
- j. Completion of the lethality assessment, including a summary of responses in the Lethality Screening Tool Text Attachment and any referrals made to Hillsborough County's certified domestic violence center, The Spring of Tampa Bay.
- k. Assessment of 911 recordings, including whether they exist, appear evidentiary, and whether the Communications Section was requested to upload the audio to Axon.
- l. Confirmation that the victim received all legally required notices, including the *Victims' Rights Brochure* and *Notice of Legal Rights and Remedies for Victims of Domestic Violence, Dating Violence, Repeat Violence, Sexual Violence, Stalking Brochure*.

- m. Documentation of the relationship between parties, including duration, nature of the relationship, recent separations, and any known or disclosed history of prior violence, coercive control, stalking, or threats.
- n. Existence of current or prior injunctions or protection orders, and any prior calls for service involving the same parties or location that are known or reasonably discoverable.
- o. Information regarding the suspect's criminal justice status, including probation, parole, or other supervisory conditions, if known or ascertainable.
- p. Presence, access, or availability of firearms or weapons in the household, regardless of involvement in the immediate incident, due to associated lethality risk.
- q. Threats, intimidation, coercive behaviors, or interference with help-seeking, including attempts by the suspect to prevent the victim from calling law enforcement.
- r. Existence of pending domestic or dating violence cases or pre-trial release conditions, and whether the current incident may constitute a violation of those conditions.
- s. Methods used to verify the suspect's identity, including photographic confirmation by victims or witnesses, and an explanation when verbal identification was the only option.
- t. Rationale supporting arrest decisions, including determinations of the predominant aggressor, or justification for dual arrests or non-arrest decisions.

H. Public Records Exemption Form (TPD 1011):

1. Florida Public Records Law (Chapter 119, Florida Statutes) allows for certain victim information to be exempt from disclosure for up to five years. Crime victims may request that identifying information in police reports be kept confidential when they are the victim of sexual battery, aggravated battery, aggravated child abuse, aggravated stalking, harassment, or domestic or dating violence. Victims must make this request in writing. The purpose of this exemption is to protect victims - particularly those who have relocated to avoid further harm - by preventing disclosure of their new address or other sensitive identifying information. Officers shall explain this option to any domestic or dating violence victim whose relocation address will appear in the police

report, and the form may also be used for any of the other qualifying offenses.

2. Officers shall have the victim complete the Public Records Exemption Form (TPD 1011) when requested or when appropriate under law. Officers shall document in their report that the victim completed the form. The original form shall be imaged into the police report by district personnel and then forwarded to the Records Section for retention.
 - a. Florida law has a public record exemption to making a lethality assessment form, that contains a domestic violence victim's information and responses to the lethality assessment confidential and exempt from public record requirements and authorizes lethality assessment forms to be released to domestic violence centers and state attorneys' offices, but requires such centers and offices to maintain the forms and information contained within such forms in a specified manner

I. Domestic or Dating Violence Involving Law Enforcement:

1. In cases where one (or more) parties involved in a reported domestic or dating violence incident is a sworn law enforcement officer, responding officers shall adhere to all procedures outlined in this policy. In addition, the following procedures shall be followed:
 - a. When Communications Section personnel receive a call that involves, or appears to involve, a sworn law enforcement officer, they shall ensure that a patrol supervisor is dispatched to the scene, regardless of the involved officer's employing agency. Communications Section personnel shall also advise responding officers that the call for service may involve a sworn law enforcement officer.
 - b. If responding officers were not initially aware that the call for service involved a sworn law enforcement officer, they shall immediately notify their immediate supervisor upon learning that any involved party (e.g., suspect or victim) is a sworn member of this department. The supervisor shall promptly respond to the scene and notify the affected officer's Division Commander and the Professional Standards Bureau (PSB) Commander to ensure that appropriate administrative notifications, reviews, and internal processes occur concurrently with the criminal investigation.
 - c. Officers investigating a domestic or dating violence allegation involving a sworn law enforcement officer employed by another

agency shall adhere to all procedures outlined in this policy and shall immediately notify their immediate supervisor. The supervisor shall respond to the scene and notify a supervisor within the involved officer's employing agency to ensure that appropriate administrative notifications and internal protocols are initiated, concurrent with the criminal investigation.

- d. All notifications (and attempted notifications) shall be clearly documented in the police report.

Supersedes SOP 314.2, dated 7/24