

Maricopa Association of Governments Protocol Evaluation Project Misdemeanor Domestic Violence Protocol Model Implementation Updated Survey Results

The Maricopa Association of Governments (MAG) Domestic Violence Protocol Evaluation Project was designed to enhance existing arrest and prosecution protocols for addressing domestic violence crimes. In 2011, the project resulted in development of the region's first misdemeanor domestic violence protocol model. With the help of the Arizona Association of Chiefs of Police (AACOP), a survey was distributed in December 2012 to gather information about implementation of the Protocol Model. The results were subsequently presented to the MAG Regional Domestic Violence Council and recommendations were made to re-distribute the survey in order to increase participation. After follow-up with agencies and a presentation about the importance of agency involvement to AACOP and the MAG Regional Council, survey participation increased and the updated findings reflect these results. The new findings provide insights into how the protocol model is being utilized and identifies opportunities to assist with further implementation.

Summary of Findings:

- The survey was distributed to 61 law enforcement agencies across the state. Thirty agencies provided responses.
- Sixty-three percent of participating agencies reported that implementation of the protocol model has resulted in their agency being better equipped to handle domestic violence cases; thirty percent were neutral and seven percent indicated that the protocol model was not helpful.
- Additional technical assistance, more staff, more training, and additional funding were reported as resources needed in order to further implement elements of the protocol model.

Maricopa County:

- Ninety percent (19 out of 21) of law enforcement agencies in Maricopa County responded to the survey.
- Responses received indicate the protocol model has a 95 percent implementation rate among these agencies.
- The biggest barrier to protocol implementation was reported as not having an adequate number of staff.

Other Counties:

- Twenty-eight percent (11 out of 40) of law enforcement agencies outside of Maricopa County responded to the survey.
- Responses received indicate the protocol model has a 90 percent implementation rate among these agencies.

The following charts illustrate the degree to which law enforcement agencies have implemented the protocol model in Maricopa County and in other counties across Arizona. Please note that each protocol has been abbreviated for use in the charts. Please refer to the Protocol Model for more detail. The subsequent charts provide an overview of the barriers agencies indicated as well as what additional resources might be helpful to further implementation. Additional details of participants' responses are also provided in the attached appendix. Please direct any questions to Renae Tenney, MAG, at rtenney@azmag.gov or (602) 452-5041.

Implementation of Protocol Model

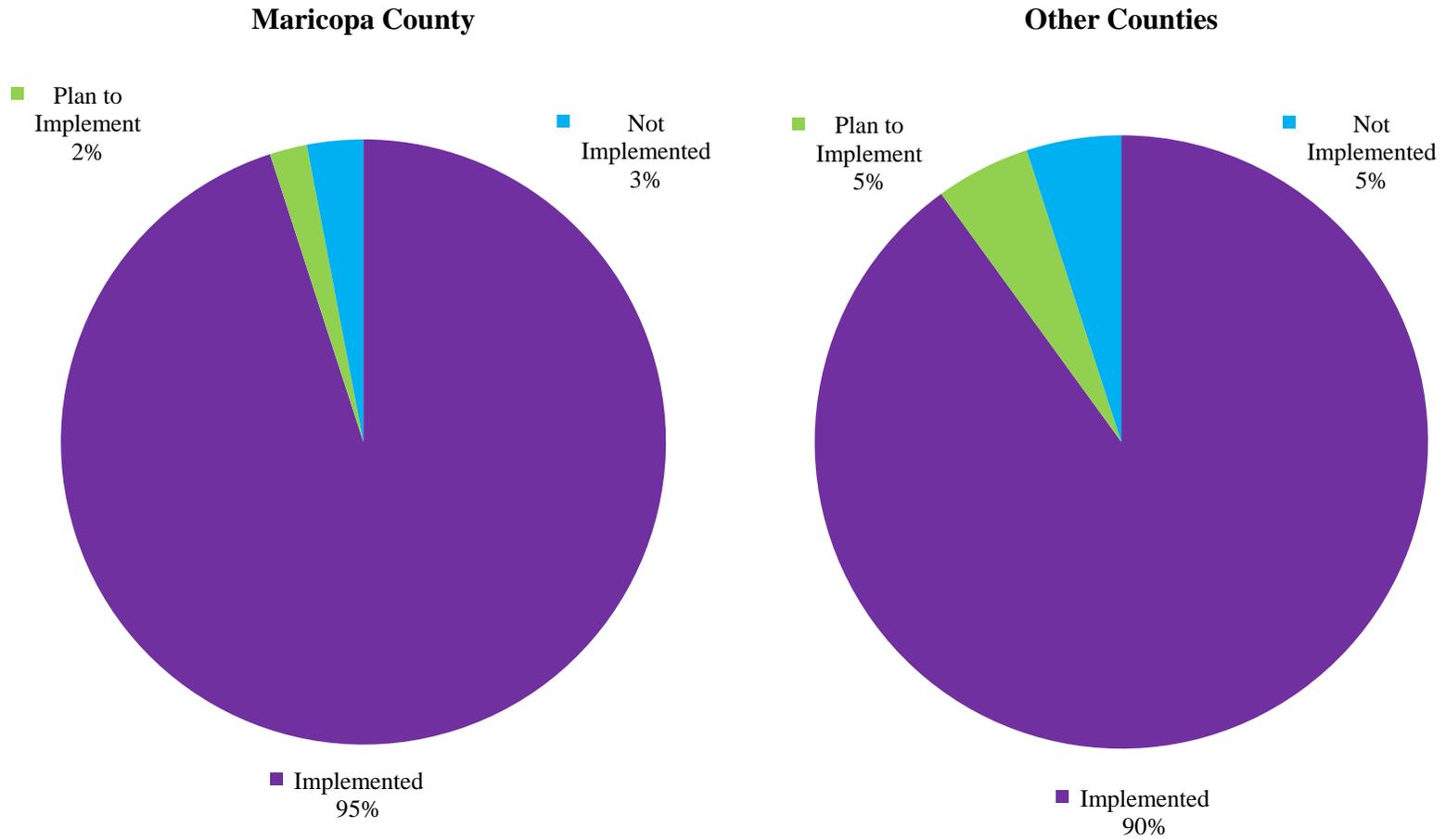
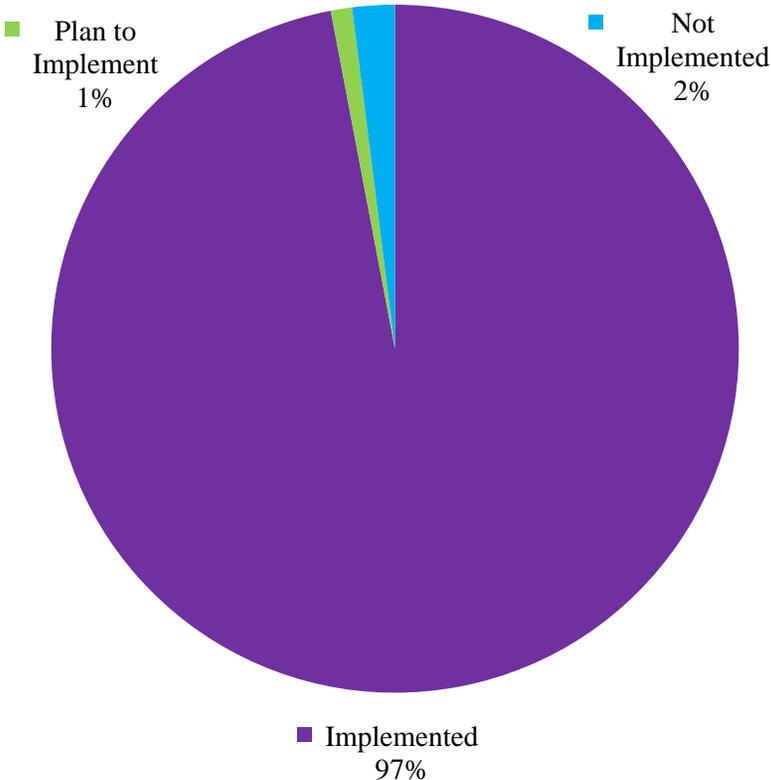


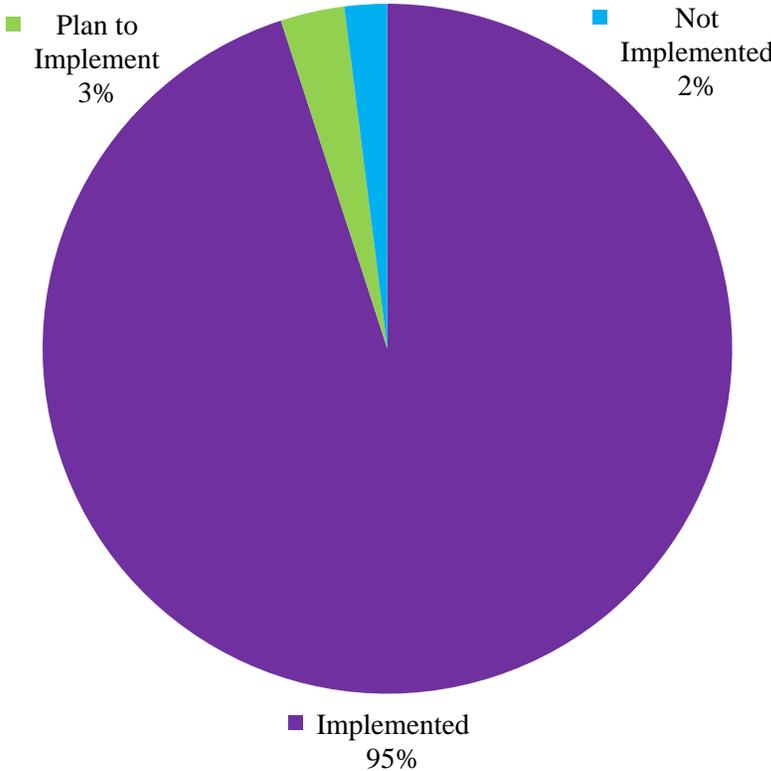
Figure 1

Implementation of Initial Response Protocols

Maricopa County



Other Counties



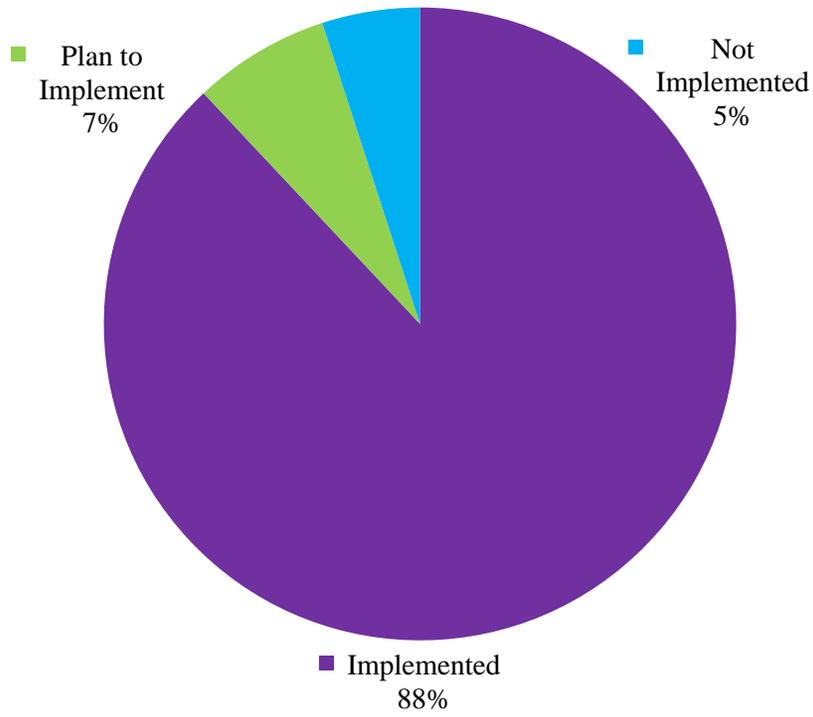
****Each number represents an agency.**

Protocols	Implemented		Not Implemented		Plan to Implement	
	Maricopa County	Other Counties	Maricopa County	Other Counties	Maricopa County	Other Counties
Section A - Initial Response						
A1: Operator determines if call for service is dispatched as domestic violence.	18	10	1	1		
A2: Two officers should respond to call (when possible).	19	11				
A3: Should be briefed by Communications Operator.	19	8		1		2
A4: The officer(s) should be alert for weapons when arriving on scene.	19	11				
A5: The officer(s) should ask victim about nature of dispute.	19	11				
A6: Should restrain suspect (if necessary) and remove weapons.	17	11	1			
A7: If suspect flees the scene, the officer(s) should locate, interview and arrest suspect	19	11				
A8: If entry is consented, the officer(s) should enter and conduct a search.	19	11				
A9: If entry is refused, persist in seeing and speaking with victim.	17	9	1	1	1	
A10: The officer(s) should assess injuries, administer first aid and notify Emergency Medical Services	19	11				
A11: The officer(s) should NOT become involved in the disposition of personal property.	19	11				
A12: Advise victim of his/her constitutional rights (verbally and in writing)	16	9	1		1	2

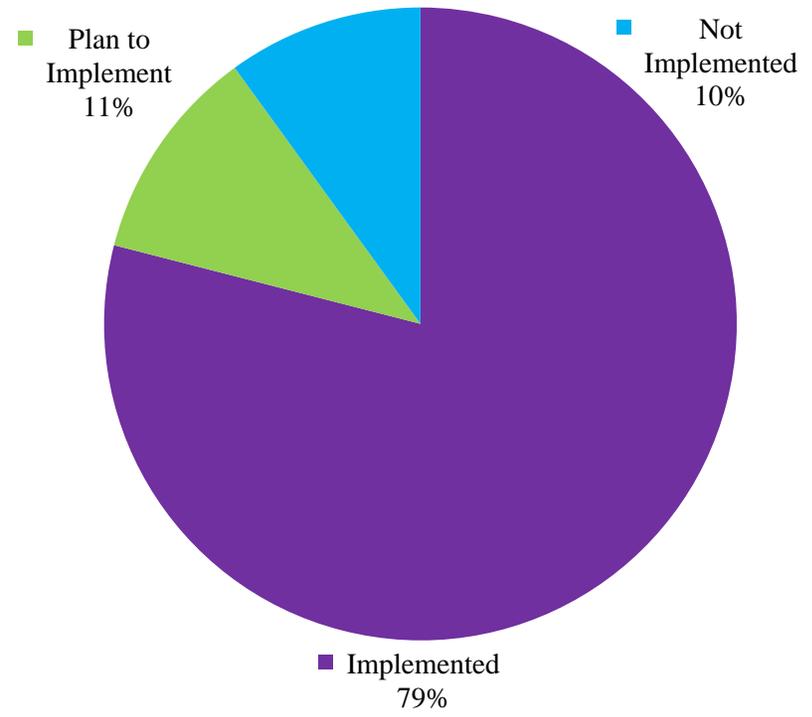
Figure 2: **Please refer to appendix on page 20 for reasons why protocols are not implemented.

Implementation of On-Scene Assistance to Victims Protocols

Maricopa County



Other Counties



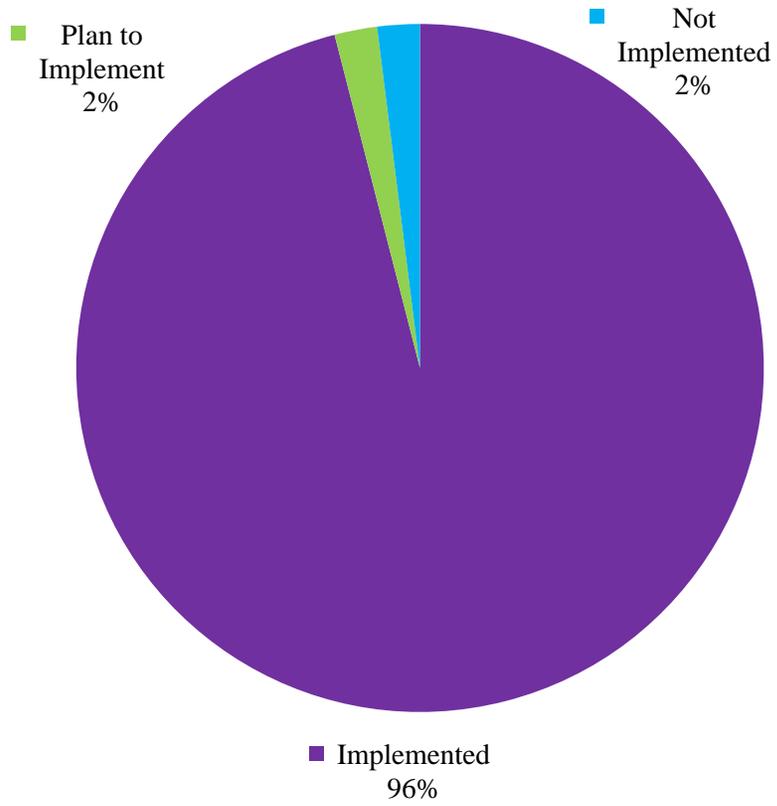
**Each number represents an agency.

Protocols	Implemented		Not Implemented		Plan to Implement	
	Maricopa County	Other Counties	Maricopa County	Other Counties	Maricopa County	Other Counties
Section B - On-Scene Assistance to Victims						
B13: Call Crisis Response or Victim Services Unit, if available.	13	6	2	3	1	
B14a: Conduct safety planning with victim.	15	5	1	3	2	3
B14b: Provide information and phone numbers for domestic violence assistance.	18	10			1	1
B14c: Inform the victim to document any contact or intimidation.	18	10			1	1
B14d: Contact victim advocate.	14	5	3	3	2	3
B14e: Provide Victim Rights Form and Compensation Fund information.	18	10			1	1
B14f: Inform the victim of suspect's status after an arrest is made.	18	9		1	1	1
B14g: Help arrange for transportation.	17	10			2	1
B14h: Contact the appropriate entities for obtaining protective orders.	17	11	2			

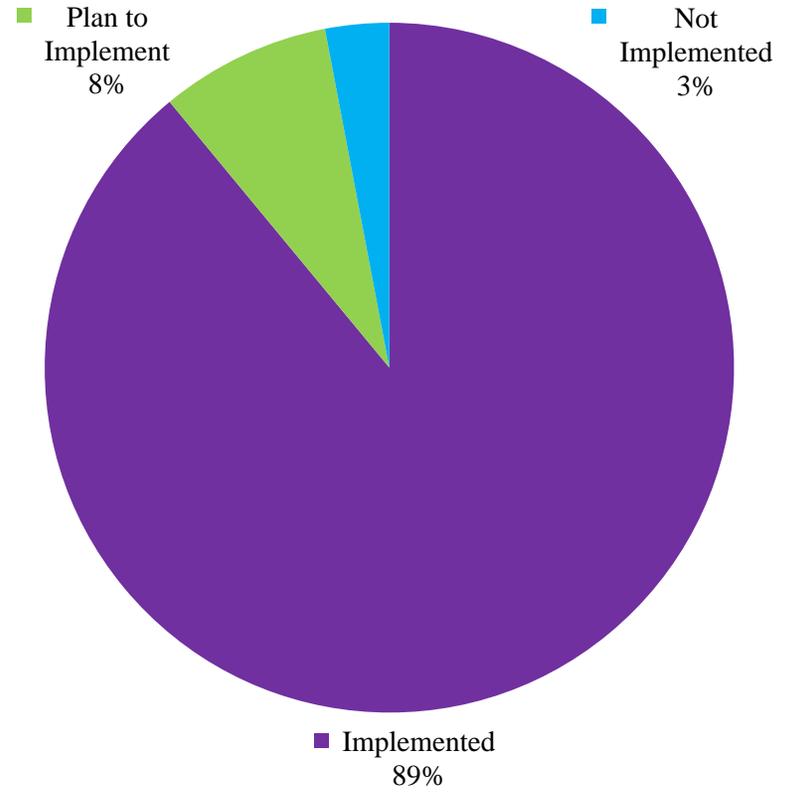
Figure 3: **Please refer to appendix on page 20 for reasons why protocols are not implemented.

Implementation of On-Scene Investigation Protocols

Maricopa County



Other Counties



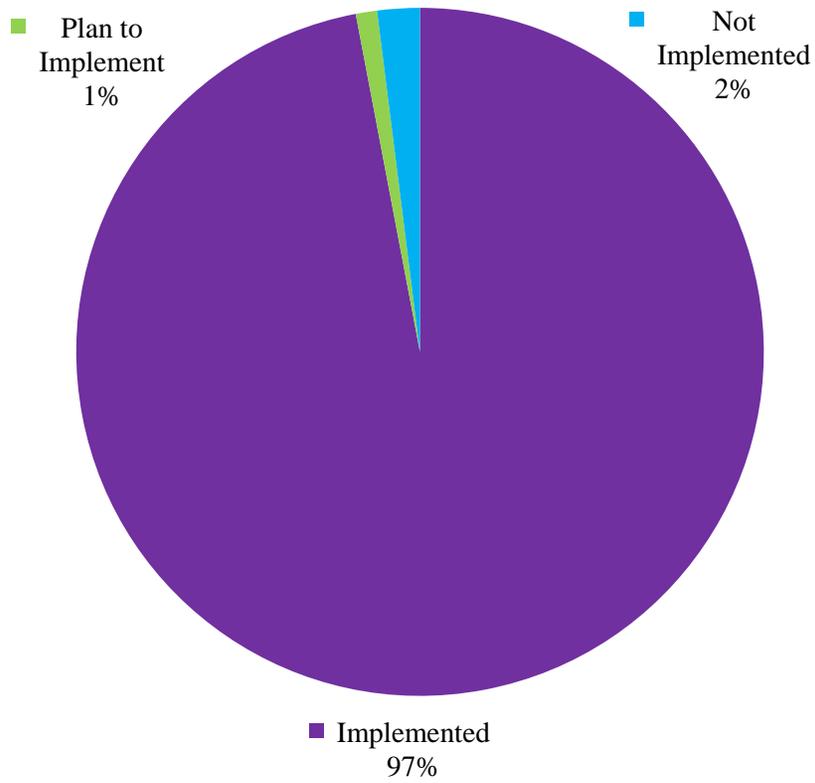
****Each number represents an agency.**

Protocols	Implemented		Not Implemented		Plan to Implement	
	Maricopa County	Other Counties	Maricopa County	Other Counties	Maricopa County	Other Counties
Section C - On-Scene Investigation						
C15a: Conduct complete interviews and obtain written statements.	18	10	1			1
C15b: Identify, separate, and talk with all occupants.	19	11				
C15c: Interview each person in an area out of hearing range from each other and bystanders.	19	11				
C15d: Take audio recorded statements of interviews.	19	7			2	2
C15e: Use supportive interviewing techniques to ask about history.	18	10		1		1
C15f: Talk with children separately from parents, if parents consent.	19	10				1
C15g: Be alert of signs of trauma and abuse.	19	11				
C15h: Do not tell the victim what action will be taken until all available information is collected.	18	11		1		
C16a: Collect and preserve the physical evidence reasonable necessary to support prosecution.	19	11				
C16b: Take photos of visible injuries and the crime scene.	19	11				
C16c: Request a copy of the telephone recording from supervisor.	18	8				3
C16d: Follow up with victim in person to access injuries.	11	7	4	3	2	2

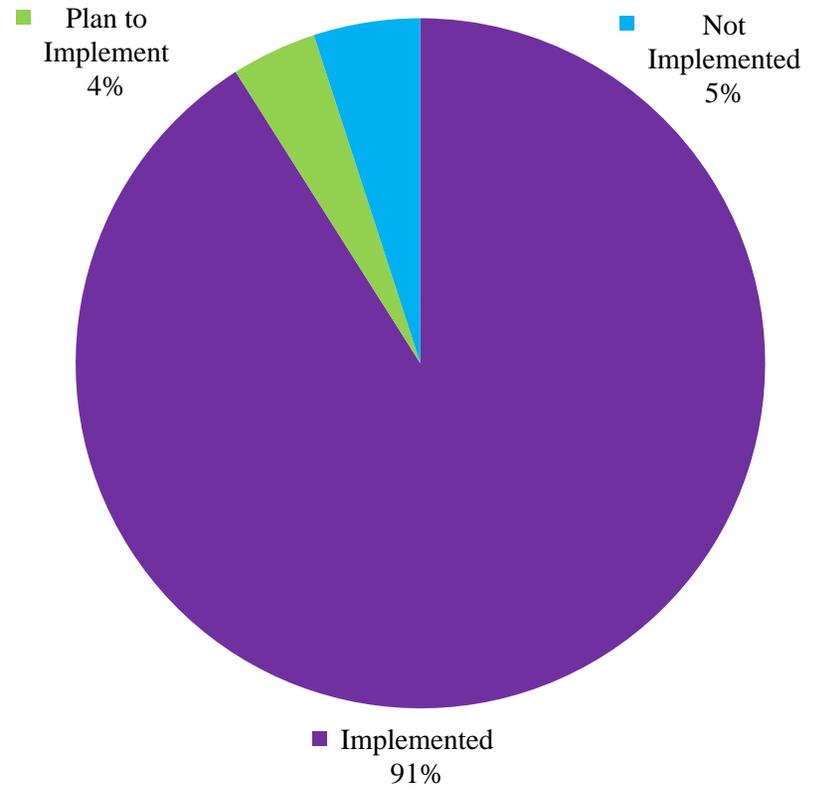
Figure 4: **Please refer to appendix on page 20 for reasons why protocols are not implemented.

Implementation of Arrest Decision Protocols

Maricopa County



Other Counties



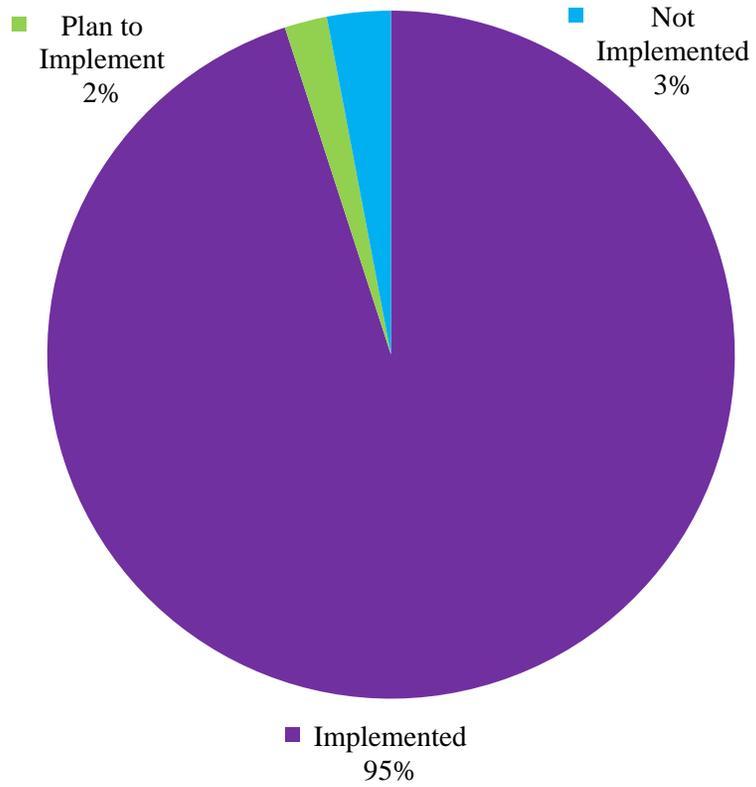
****Each number represents an agency.**

Protocols	Implemented		Not Implemented		Plan to Implement	
	Maricopa County	Other Counties	Maricopa County	Other Counties	Maricopa County	Other Counties
Section D – Arrest Decision						
D17: Make an arrest decision based on credible statements and evidence.	18	10	1			1
D18: If no evidence of a crime, officer should find call unfounded.	19	8		2		2
D19: Determine predominant aggressor by considering factors (a-i).	18	11	1			
D20: In order to arrest both parties, find probable cause to arrest.	18	10			1	
D21: Provide victim with written information for contacting victims’ assistance program, if available	19	10		1		
D22a: Take the accused into custody as soon as it is determined a warrantless arrest is appropriate.	19	11				
D22b: Temporarily seize any firearms in plain view or found pursuant to consenting to search.	19	11				
D22c: Arrest juveniles only when appropriate to the incident.	19	11				
D22d: Submit the suspect's fingerprints and photograph to AAFIS.	18	7	1	1		2

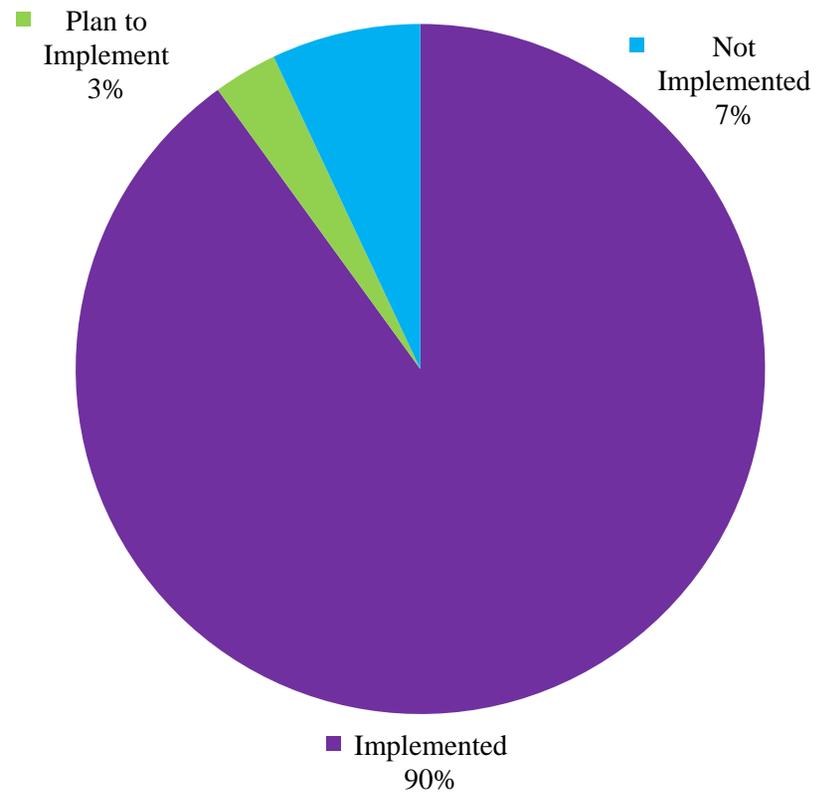
Figure 5: **Please refer to appendix on page 20 for reasons why protocols are not implemented.

Implementation of Complete Reports Protocols

Maricopa County



Other Counties



**Each number represents an agency.

Protocols	Implemented		Not Implemented		Plan to Implement	
	Maricopa County	Other Counties	Maricopa County	Other Counties	Maricopa County	Other Counties
Section E – Complete Reports						
E23a: Obtain and verify victim's address, home and cell phone.	19	9		1		1
E23b: Document any possible incriminating statements and any excited utterances.	19	11				
E23c: Document evidence of substance and/or chemical abuse.	19	11				
E23d: Identify any emergency medical personnel who responded.	16	5	2	4	1	2
E23e: Provide the officer's name and information for follow up.	18	9		1	1	1
E23f: Determine if victim has a protective order.	19	11				
E23g: Check protective order to determine if weapons be removed.	19	10				1
E23h: Obtain consent from the owner to remove weapons if a protective order exists.	18	8		3		
E23i: Ask and document any information about prior incident.	18	11			1	
E23j: Make record checks on both parties in the dispute.	18	11			1	
E23k: Fill out Injury Documentation Picture Reports of all injuries.	14	8	4	3	1	
E24. The officer(s) should submit all evidence of suspect attempting to intimidate or influence victim.	19	10				
E25: The officer(s) should clearly mark all written reports and documents as “domestic violence.”	19	11				

E26: The officer(s) should submit a report when probable cause exists, even if the victim recants	18	11				
E27: Locate and interview suspect if there is evidence a crime has occurred	18	11			1	
E28: Judge will be provided Form IV to review before making a release decision	18	11	1			

Figure 6: **Please refer to appendix on page 20 for reasons why protocols are not implemented.

Barriers to Implementation

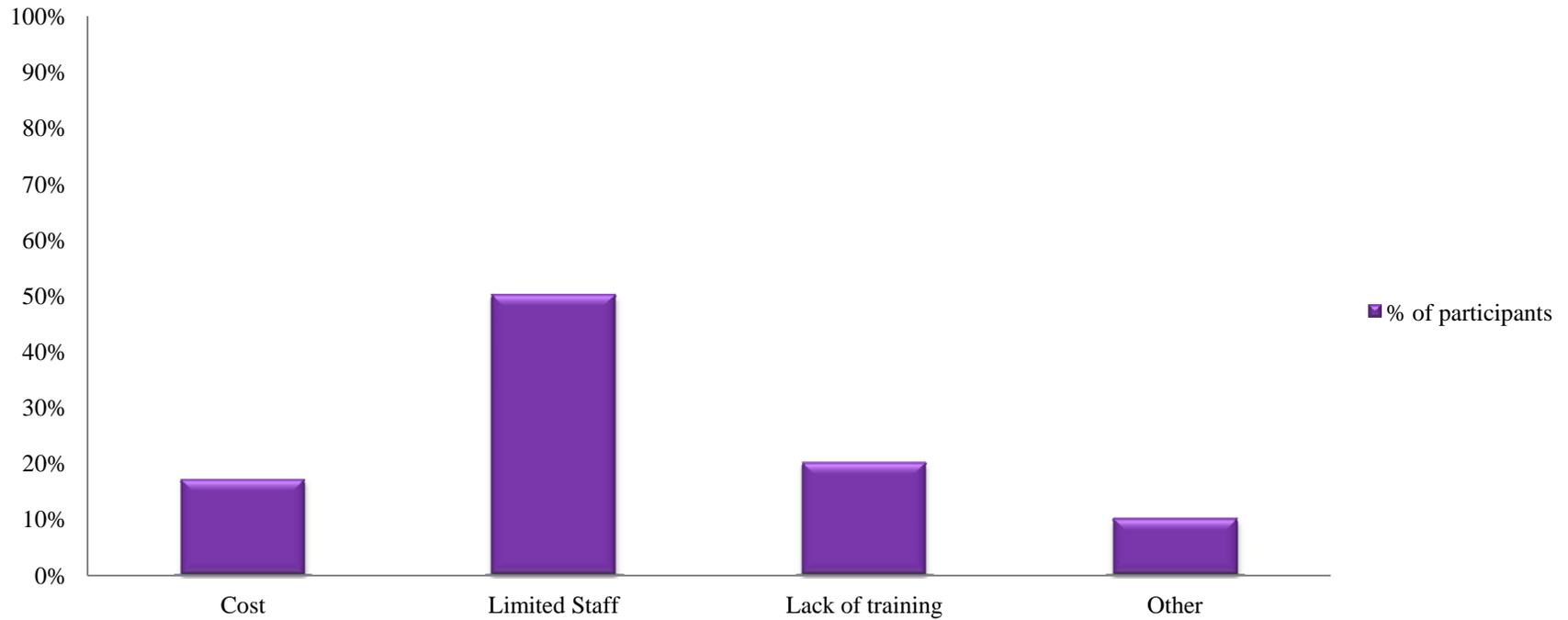


Figure 7

What barriers, if any, has your agency faced in implementing elements of the Protocol Model?

Participants' responses for "Other" category:

- Some reliance on other agencies.
- No protocols were implemented as a result of MAG recommendations; they were already in place for years.

Helpful Practices

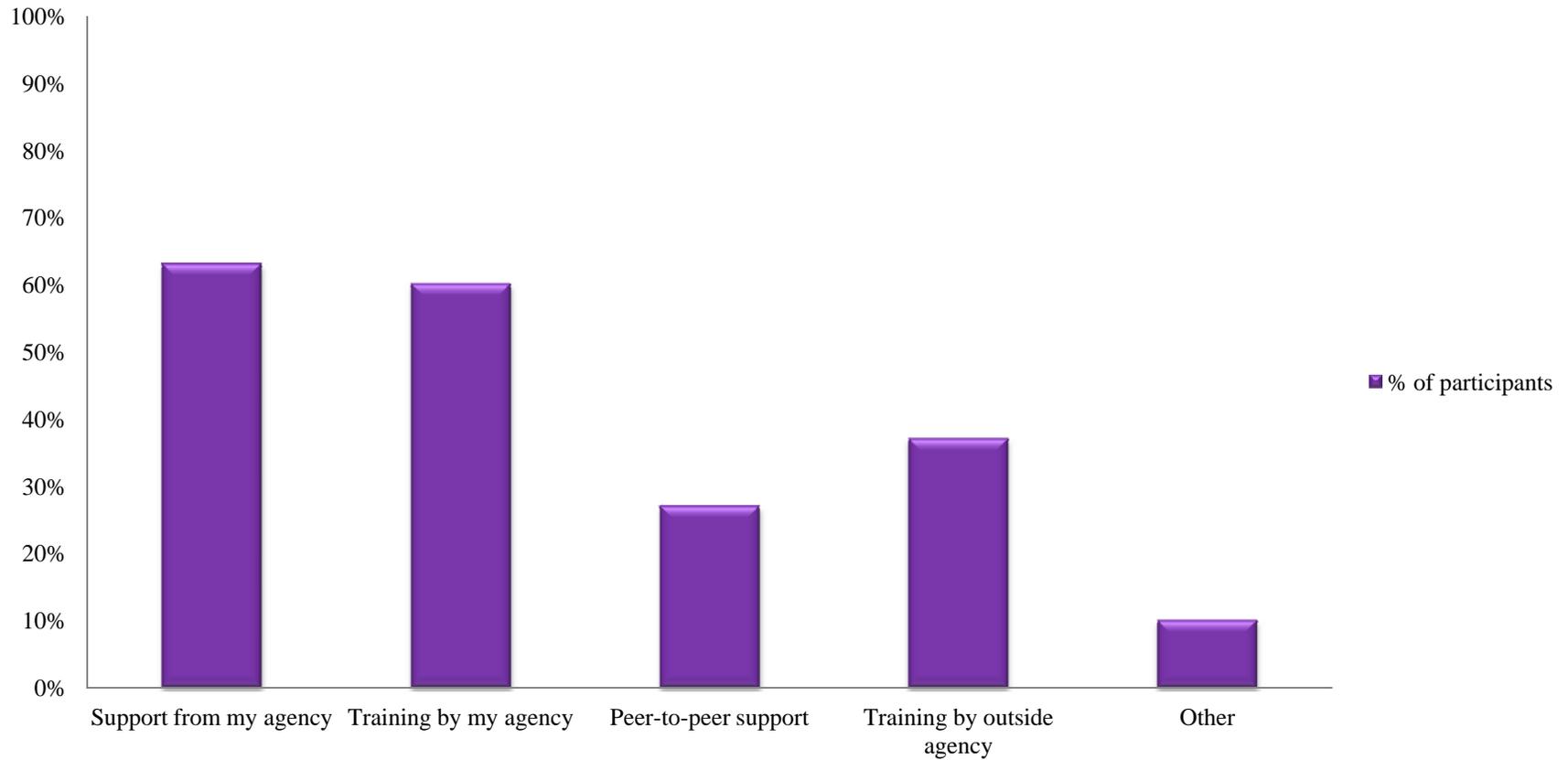


Figure 8

What has been helpful for your agency in implementing elements of the Protocol Model?

Participants' responses for "Other" category:

- N/A, almost all recommended protocols were already in place.

Agency Satisfaction

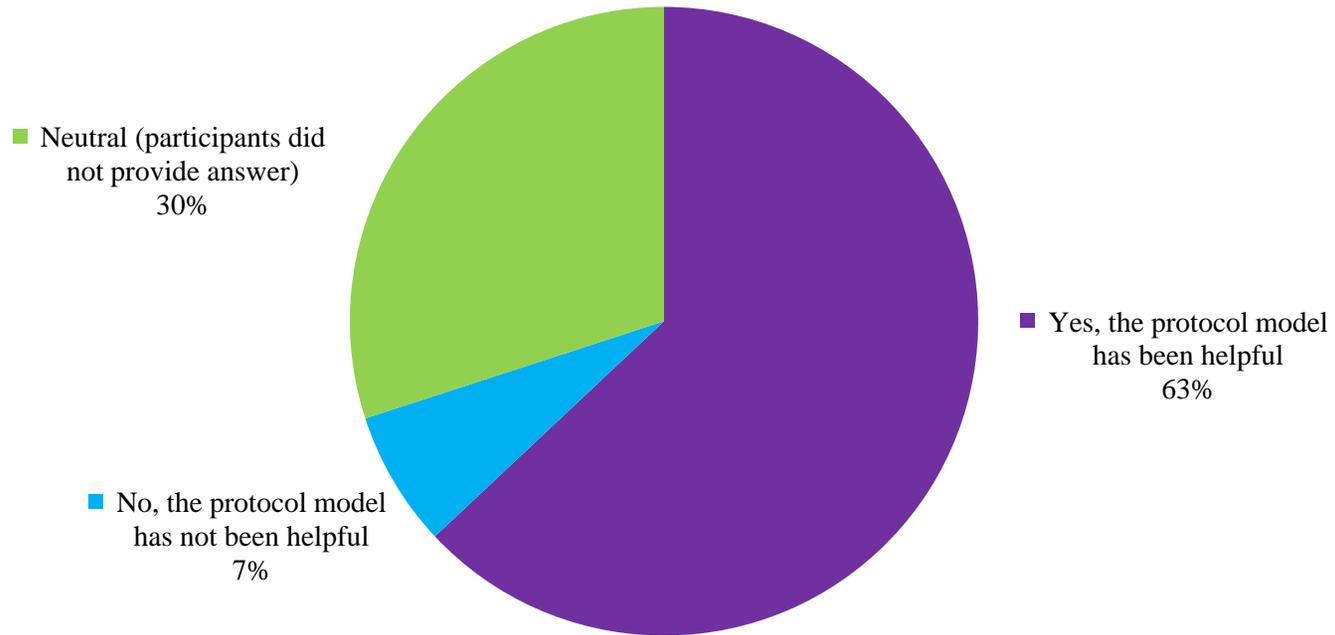


Figure 91

Do you feel your department is better able to handle domestic violence calls and/or cases?

Participants' responses:

**Refer to appendix on page 21 for participants' responses.

Additional Resources Needed

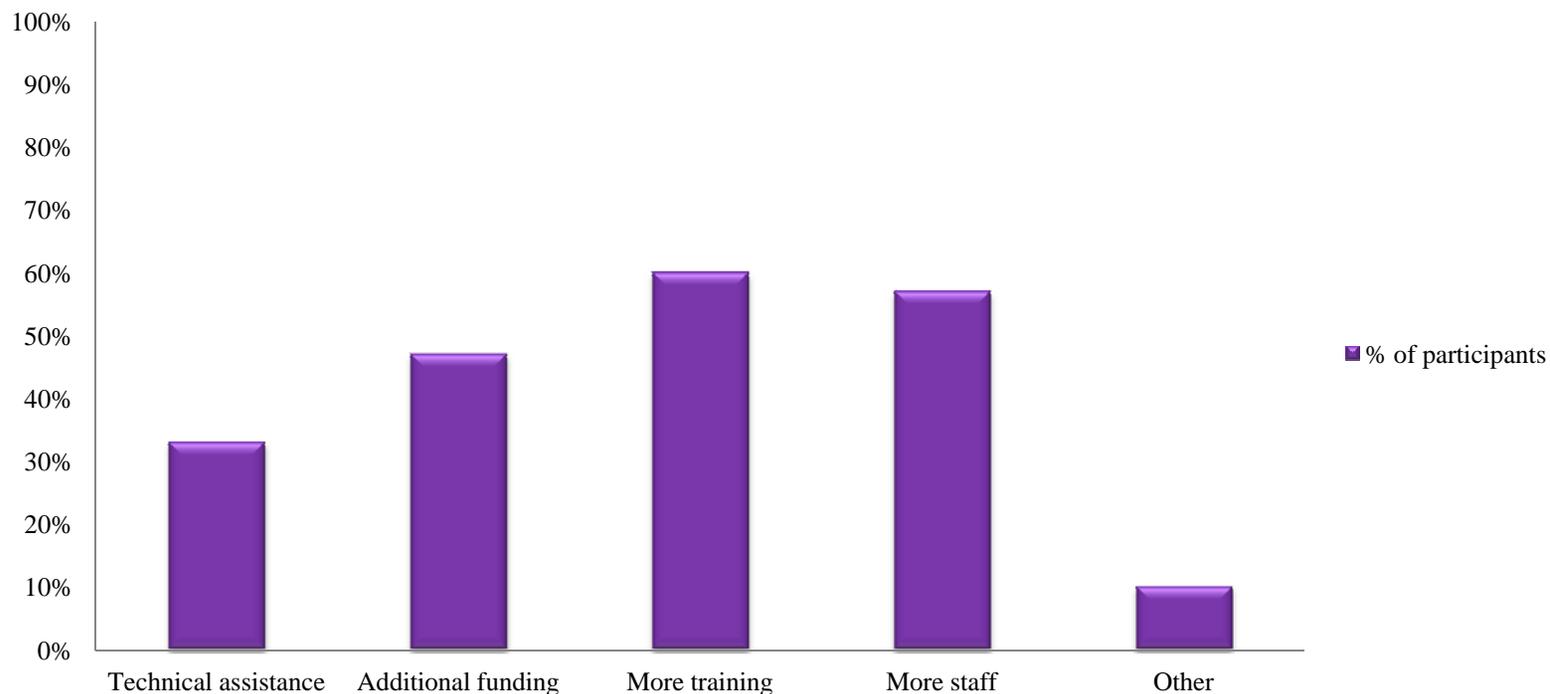


Figure 10

What resources or assistance might help implement elements of the Protocol Model?

Participants' responses for "Other" category:

- For those agencies not utilizing "best practice" regarding domestic violence response and investigation, organizational focus and change in policy/procedure.
- More victim services personnel.
- Lobbying Congress to require the United States Attorney's Office to prosecute non-Indian offenders.

Participating Counties

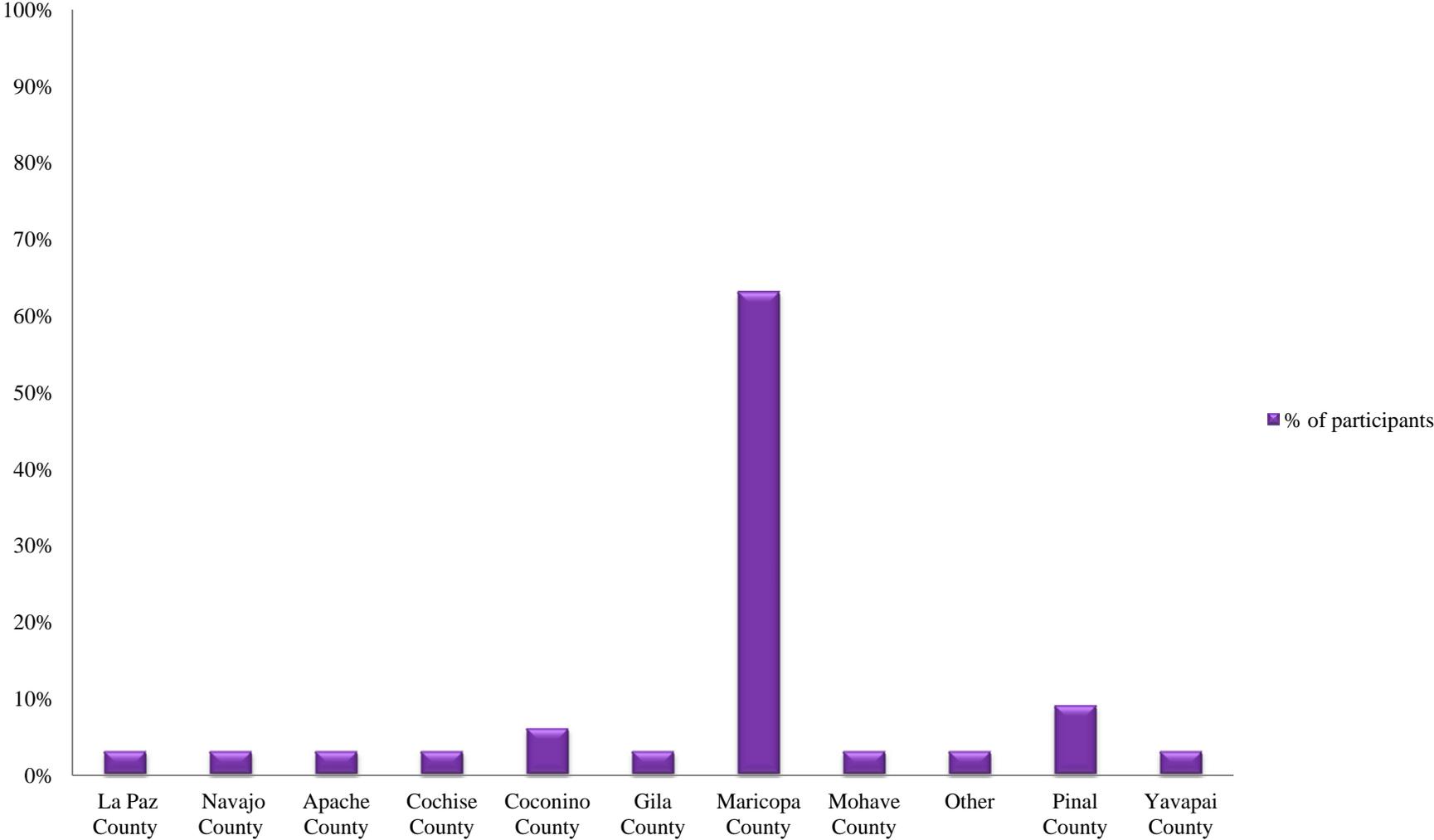


Figure 11

Appendix

Figure 2

Initial Response Protocols - reasons for not implementing (participants' responses):

- A9: Will use any and all efforts to ensure the welfare of all occupants. However, we will not force entry simply to determine the welfare of the occupants if we are refused entry.
- A9: Either not feasible or not reasonable.
- A12: We generally only read Miranda to suspects, audio or video record when practical, but do not issue written Miranda warnings.

Figure 3

On Scene Assistance to Victims Protocols - reasons for not implementing (participants' responses):

- B13 - In some cases, the resources simply do not exist, such as victim services units. Additionally, due to the size in population of this county, and the municipalities within it, all dispatch services are done through the sheriff's office. As such, some issues are beyond our immediate control.
- B13 - Lack of manpower and resources.
- B14d - Crisis response: This is a case-by-case basis. We only have one victim response service.
- B14d - Lack of victim advocates available in the county.
- B14d - Victim advocate position not available.
- B14d - We rely on volunteers to do the crisis intervention following a DV call for service. Currently working with a local non-profit to train and put into service a volunteer program.
- B14h - The officers will explain to the victims how to obtain an order of protection, but generally we do not make the calls for the victim.

Figure 4

On-Scene Investigation protocols - reasons for not implementing (participants' responses):

- C15d - Not every officer has a working tape recorder when responding to a domestic violence event, therefore we do not always record interviews.
- C16d -Further injury photo of victim: Patrol generally does not take follow up photos due to time restraints. If case is submitted to Criminal Investigations Bureau, a detective may take additional photos but is not done consistently.

Figure 5

Arrest Decision Protocols - reasons for not implementing (participants' responses):

- D18 - Some calls as described are cleared "unfounded" but if there is evidence of domestic tension with no laws broken the incident is documented in a department report and classified as "closed" not unfounded.
- D22d - This is generally completed by sheriff's office or jail personnel but police department records personnel are involved in the process.
- D22d - Many of the references to ARS Title 13 do not apply to Indian Country. Some of the documents described do not apply to our courts. Due to jurisdictional limitations, we cannot arrest or book non-native offenders who commit acts of domestic violence against Native victims.

Figure 6

Complete Report Protocols - reasons for not implementing (participants' responses):

- E23d - We do not collect the names and phone numbers of emergency medical personnel unless they are a direct witness.
- E23d - Some have been partially implemented, but as an example, we do not provide cell phone numbers for fire personnel. We document what personnel were on scene and their station.

Figure 9

Do you feel your department is better able to handle domestic violence calls and/or cases? Please explain.

Participants' responses:

- Yes, we have several subject matter experts who actively train and develop departmental policy in accordance with the MAG Protocol.

- Yes, more specific policies and guidelines have been implemented.
- Our department responds to domestic violence related calls for service with the purpose of insuring the safety of residents and, if domestic violence abuse is occurring, taking the necessary steps to break the cycle of violence and provide the victims with the information and opportunity to prevent further abuse.
- I feel our department has always done a good job in handling domestic violence cases. We provide monthly specialized training classes r.e. domestic violence and have two certified domestic violence instructors who provide the training.
- Yes, better trained and informed.
- Yes, the protocols have allowed for a more consistent response to domestic violence calls.
- We have improved policy direction. Trained on better practices to investigate domestic violence. More supervisor involvement during the investigation.
- Yes. Our police department has a three member Family Violence Unit housed within the Criminal Investigations Division. Our department generally appears to have a highly pro-active approach to domestic violence investigations.
- The protocol was very similar to what we have been doing, with some finer points inserted here and there.
- Yes. The department is always looking for better ways to serve victims in domestic violence cases and these protocols are a good tool to do so.
- Yes. The protocol provides guidance to procedures and policies related to responding to domestic violence calls for service. This guidance allows for consistency not only within the department, but among other responding agencies.
- It seems, with a roadmap such as this, it will assist our agency in working with other agencies knowing that everyone is on the same page and investigating these crimes in a similar manner.
- Absolutely. The protocols provide clear direction and our approach is much more consistent.
- Better able to handle domestic violence calls than two years ago, due to new policies, partnerships with domestic violence victim advocates, courts and victim services.
- Our department responds to a high volume of domestic violence calls. The protocols we have in place are helping us get more convictions, but we are limited in the sentencing due to the fact there is no domestic violence charge in the federal system.
- Support from community executive administration makes it possible.
- The response and investigation of domestic violence cases continues to evolve and get better.
- Though we haven't used this particular protocol model we implemented these elements years ago.
- This hasn't changed the way domestic violence cases have always been handled.
- Staffing is so low that officers work alone. If the single agency close to us has no officer to send to assist, call outs are made. If none of the three other officers are available, the call is handled alone. We are successful, but the restrictions of working in poorer counties place an unmeetable expectation on officers to consistently meet all facets.