

**Maricopa Association of Governments Domestic Violence Protocol Evaluation Project**  
**Improving Protocol Implementation**  
**Supporting Felony Protocols**

This document shows the proposed strategies for supporting felony protocol implementation. The felony protocols list is derived from the Maricopa County Attorney’s Office Domestic Violence Protocol Manual. Felony protocols needing support for enhancing implementation were identified based on feedback from community partners in law enforcement, prosecution, and victim advocacy agencies. Proposed strategies for providing support were developed in four categories: Further Assessment, Communication and Coordination, Training, and Resources. Further Assessment strategies identify areas where further assessment is needed to determine if additional support is needed. Communication and Coordination strategies include opportunities for information sharing and coordinating efforts with community partners. Training indicates areas where additional training was noted. The Resources category indicates areas identified by community partners as being hindered by limited resources. The purpose of this document is to show opportunities for enhancing implementation of felony domestic violence protocols.

<b>Felony Protocols</b>		<b>Strategies</b>			
		<b>Further Assessment</b>	<b>Communication and Coordination</b>	<b>Training</b>	<b>Resources</b>
<b>A.</b>	<b>Initial Response:</b>				
2.	Work with the caller to obtain all necessary information while providing reassurance.	Assess if additional training is needed on providing reassurance to victims.	N/A	N/A	N/A
4.	Do not discuss victim's desire to press charges, drop charges or prosecute.	N/A	Invite call takers and 911 dispatchers from Fire and Police Departments to participate in future affinity group meetings.	Encourage training for call takers and 911 dispatchers to emphasize not to discuss the victim’s desire to press charges, drop charges or prosecute.	N/A
<b>B.</b>	<b>On-Scene Assistance to Victims:</b>				
6.	After assessing a domestic violence scene for the level of danger, the patrol officer should consider whether or not to call out an on-scene crisis interventionist specialist. Officer should consider calling a specialist when any of the following situations arise:	N/A	Strengthen communication and coordination between law enforcement and victim advocates (i.e., keep law enforcement informed about victim’s progress, increase understanding of value to victim, prosecution is not always the right resolution).	Develop and train law enforcement on using a tool to determine when to call an on-scene specialist (i.e., El Mirage’s checklist).	Resource issue (i.e., staffing).

a.	Determine if there is serious physical injury to the victim.	Review the definition of serious physical injury for inclusion of suffocation, strangulation, and defensive wounds.	N/A	N/A	N/A
8.	If the scene is not safe or if the suspect is not arrested, the crisis intervention specialist should meet the victim at the neutral location.	Assess practices for meeting victims in a safe, neutral location.	N/A	N/A	N/A
9.	Document the presence of an on-scene crisis intervention specialist with complete name and telephone number in report.	Assess practices for including specialists' contact information in reports.	N/A	N/A	N/A
10.	If an on-scene crisis intervention specialist is not called to the scene, officer should provide information regarding social service assistance to victims.	Assess practices for distributing resource information (i.e., given even when unable to establish a crime was committed).			N/A
13.	Officer should advise the victim of the availability of Orders of Protection, both Emergency and Non-Emergency Orders.	Assess practices for advising victims about Emergency Orders of Protection.	N/A	N/A	N/A
<b>C.</b>	<b>On-Scene Investigation:</b>				
17.	If audio recorder is available and officer safety is not compromised, the officer should activate an audio recorder prior to arrival on scene.	N/A	N/A	N/A	Resource issue (i.e., costs for digital recorders, software).
18.	Officer shall not threaten, suggest, or otherwise indicate the possible arrest of all parties to discourage requests for intervention.	N/A	Communicate to AZ POST reports that law enforcement are threatening to arrest all parties (i.e., if I have to come out here again...).	N/A	N/A
24.	Tape record all interviews and impound the tapes as evidence. Tape and/or digital recording of interviews should be completed in all cases and only if tape and/or digital recording is not possible, victims and witnesses should complete written statements.	N/A	N/A	N/A	Resource issue.

25.	Statements made by children should be recorded regardless of the child's age and documented in the officer's report. As a reminder all witnesses, suspects, and victims should be separated prior to conducting an interview.	N/A	N/A	Coordinate training on protocols for interviewing child victims and child witnesses.	N/A
28.	Photograph all injuries using 35mm or digital camera.	N/A	Coordinate with community partners to identify opportunities to increase follow-up with victims.	N/A	Resource issue (i.e., providing digital cameras, staffing).
31.	When questioning the victim, officer should use supportive techniques.	N/A	Work with community partners to define supportive interviewing techniques and incorporate into existing training.	N/A	N/A
32.	A notation of the fact that the party or witness does not speak English should be included in the information section of the report.	N/A	Communicate to AZ POST about noting language barriers and accessing appropriate translation services.	N/A	N/A
33.	Document whether the victim received notification of victim's rights.	N/A	Communicate to AZ POST about obtaining alternative contact information for victims (i.e., email, phone numbers to friends and/or family).	N/A	N/A
35.	Family witnesses, including children, should be interviewed. Exercise care and limit the number of questions to children.	N/A	N/A	Coordinate training on protocols for interviewing child victims and child witnesses.	N/A
37.	Officer should indicate whether they have been to the location before and whether they know the suspect or victim.	N/A	Communicate to AZ POST about noting repeat households, suspects, and/or victims.	N/A	N/A
38.	If complaints are received by more than one party, officer should determine predominant aggressor.	N/A	N/A	Coordinate training on determining predominant aggressors.	N/A
41.	Orders of Protection should be enforced whether the plaintiff initiated the contact or not. The Plaintiff should not be charged with violating the Order of Protection.	Assess practices for enforcing Orders of Protection (i.e., when plaintiffs initiate contact).	N/A	N/A	N/A

42.	If the plaintiff and defendant are in a public place, the officer should read the language of the Order carefully to determine the intent of the Judicial Officer.	N/A	Communicate to judges the need for clarity of intent and direction given in Orders of Protection (i.e., more specifics would be helpful).	N/A	N/A
43.	If the plaintiff listed is unable to produce the affidavit of service for the Order of Protection, the existence of the order can be verified through the Maricopa County's Sherriff's Office.	Assess practices for verifying service of Orders of Protection.	N/A	N/A	N/A
<b>D. Arrest Decision:</b>					
50.	If spouses are residing together, either may give consent to search the residence. If no evidence of a crime was committed, impound firearm for safekeeping.	Review court rulings on searching residences (i.e., rulings that if one party denies consent, then no search may be conducted) and impounding firearms (i.e., if no crime is established).	N/A	N/A	N/A
c.	Document and audio record all statements of the suspect.	N/A	N/A	N/A	Resource issue.
e.	Determine if the suspect is currently on probation. If so, notify the adult probation officer of record.	N/A	Increase communication with adult probation department by inviting participation in affinity group meetings.	N/A	N/A
<b>E. Complete Reports:</b>					
52.	Officers must complete a report. Thorough documentation provides the basis for successful prosecution of the case.	N/A	Strengthen communication and coordination between law enforcement and prosecutors on the elements necessary for successful prosecution.	N/A	N/A
54.	Officers should include the following information in their report: Elements of the offense, injury, addresses, secondary contact information, school information of children, photographs, history, diagrams, 911 tapes, and written documentation (directly quote victim or witness and include language describing their emotional state).	N/A	Coordinate with AZ POST to emphasize the importance of obtaining alternative contact information for victims, and suggest providing redacted reports as examples of well-written reports.	N/A	N/A

