

RADAR: A Domestic Violence Intervention Guide

Respond to a domestic incident as a potential crime. Safety is your first priority, and it's the victim's first priority as well. Your role is to stabilize the situation, determine probable cause, gather evidence, and make an arrest if so required. It is not to make judgments about either party's character, or to attempt to mediate or resolve a conflict in the relationship.

Ask direct questions. Although some victims of domestic violence may be distrustful of police and may not volunteer information, they will often discuss it if asked simple, direct questions in a nonjudgmental way and in a confidential setting. *Whenever possible, interview victims and other witnesses out of the sight lines and hearing range of the suspect.* Remember that victims may be afraid and intimidated, not only by the abuser, but also by the presence of the police in their home. Obtain a detailed statement from the victim, using your own observations as a basis for questioning:

- "Someone called for our help, and I can see there's been some kind of disturbance here. What happened?"
- "I can see a bruise on your forehead, and your jaw is swollen. Who did this to you?"
- "Has anything like this ever happened before?" "When?" "Did you tell anyone about it, or call the police?"
- "Are you afraid?" "Of what?" "Has your partner threatened you in any way?" "Have your children been harmed or threatened?"
- "Did your partner use or threaten to use a weapon against you?"
- "Does he/she have a pistol permit?" "Access to other weapons?"

Make sure to get a history. Whenever possible, check departmental records, NYSPIN and the statewide registry for information on Orders of Protection and outstanding warrants. Information about past incidents and prior violations of orders of protection will assist in determining criminal intent/course of conduct; documented past abuse can be used as evidence. Always ask victims and/or witnesses about any past incidents of abuse.

Document your findings and decisions. Describe the scene, and any indications of a break-in or disturbance (broken windows, locks or door frames, overturned furniture, broken items). Describe observable injuries in detail - "a two-inch cut over the right eye." Record excited utterances, spontaneous admissions, and statements in the victim's/suspect's exact words -- use quotation marks. Interview other witnesses, including children who may have been present. Collect and preserve evidence, including weapons, bloody clothing, photographs of the scene and photographs of injuries.

Whether or not an arrest is made, your report should document the basis for your decisions and actions. It should clearly indicate how you concluded that you did or did not have probable cause to make an arrest.

Assess for safety. Ask if the victim wants to obtain an order of protection or have one modified, note any such request in your report, and if possible, notify the arraignment court. Has there been an increase in the frequency or severity of incidents? Have there been threats of homicide/suicide? Have there been threats or injuries to children or other family members? Does the abuser have a history of violating orders of protection? Find out if the victim is afraid to remain at the scene. Help identify a safe place and provide assistance in getting there.

Review legal options and make referrals. If a family offense is involved, explain concurrent jurisdiction and the victim's options. If a warrant must be obtained, explain the process and obtain the victim's signed statement. If the situation involves *only* a violation level offense which occurred outside your presence, or you do not have probable cause to effect an arrest but the victim clearly wants to take legal action, explain the process for effecting a civilian arrest and/or for going to court to file charges.

Offer information about hotlines and victim resources in the community. As appropriate, refer the case to investigators, Adult Protective Services and/or the firearms licensing officer. In cases where the children appear to have been directly abused or are in immediate danger, notify the child abuse mandated reporters' hotline. Before leaving the scene, give the victim a copy of your incident report and the Notice of Victims' Rights.