

Domestic - Investigative Strategies

A. Interviews - parties

1. Separate parties/interview
2. History of abuse
(reported and unreported)
3. Document elements of offense

All DV investigations should include screening for Child Abuse (physical or sexual).
All Child Abuse Investigations should include screening for DV.

(If suspect not present, ATL and complete PC affidavit and proceed as above)

B. Adult Family Members and Other Adult Witnesses

1. Statements seen/heard
2. History of abuse (reported and unreported)
3. If not on scene, canvass for witnesses

C. Interviewing Children

1. Separate from all parties and other children
2. Assess for child abuse (physical or sexual)
(if child abuse report as mandated reporter)
3. Interview about DV incident and DV history
4. Document demeanor/emotional state
5. Ask about safety of parties, siblings, etc.

D. Sexual Assault - Adults and Children

1. Contact SANE program if available in your jurisdiction

E. Physical Evidence

1. Injuries - victim/suspect
(Describe - Photograph - Get Medical Release)
2. Damage to property
(Describe - Photograph where significant)
3. Collect evidence including any object used to injure

F. Record Observations - Parties/Witnesses

1. Demeanor
2. Signs of substance abuse
3. Physical condition of people
and surroundings
4. Physical sizes

Resolving a DV case with a Mandatory Arrest or a decision not to arrest does NOT satisfy the requirement of Mandatory Reporting of Child Abuse.

Domestic - Mandatory Arrest

Pro-arrest policies are urged in dating relationships

1. Do you (the officer) have PC to believe the suspect's actions constitute a crime?

2. Is the relationship domestic?
 - a. Spouse
 - b. Former spouse
 - c. Adults residing together
 - d. Adults who formerly resided together
 - e. Adults with a child in common

3. Did the suspect's acts:
 - a. Intentionally inflict physical pain, injury or illness?
 - b. Intentionally impair victim's physical condition?
 - c. Constitute 1st, 2nd, or 3rd degree sexual assault?
 - d. Cause the victim to fear they are about to be physically harmed or assaulted?

4. Do you (the officer)
 - a. Reasonably believe there is a likelihood of continued abuse (bodily harm, sex assault, impairment or threat of harm or assault) against the victim? and/or
 - b. Have evidence of physical injury to the victim?

5. Was the crime reported within 28 days of occurrence?

Arrest is DISCRETIONARY when:

1. You have PC to believe the suspect committed a crime, *and*
 2. The relationship is not a "domestic relationship" and/or
 3. You do NOT have an injury or believe that future violence is likely, *and/or*
 4. The crime was reported more than 28 days after the occurrence.
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**ARREST MANDATORY IF TRO/INJUNCTION VIOLATED.
IF MANDATORY ARREST -
MUNICIPAL CITATIONS CANNOT BE ISSUED**