

CHAPTER 28 – DOMESTIC VIOLENCE

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CHAPTER 28 – DOMESTIC VIOLENCE

Section 28.00 – Definitions

A. Family or Household Member, is defined by Section 455.010 RSMo as follows:

1. Spouses.
2. Former Spouses.
3. Persons related by blood or marriage.
4. Persons presently residing together or have resided together in the past.
5. Persons having a child in common regardless of whether they have been married or have resided together at any time.
6. Any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim.

B. Domestic Abuse occurs where a family or household member commits or attempts to commit the following types of offenses against another as outlined in Section 455.010, RSMo:

1. Assault.
2. Battery.
3. Coercion.
4. Harassment.
5. Sexual Assault.
6. Unlawful Imprisonment.

Section 28.01 – On-Scene Investigations

When responding to a family violence call, the officers shall:

[REDACTED]

C. Assess the need for medical attention and call if indicated;

D. Interview all parties;

E. After each party has been interviewed, responding officers should confer to determine if an arrest should be made or whether other actions should be taken;

F. Collect and record evidence and, where appropriate, take photographs of injuries and property damage;

G. Complete appropriate crime or incident reports necessary to fully document the officer's response, whether or not a crime was committed or an arrest made;

H. Provide the victim with a copy of the incident report number and domestic abuse referral sheet;

I. If the offender has left and a crime has been committed, officers will:

[REDACTED]

3. Complete the appropriate reports.
4. Refer the matter to the Investigations Unit for Ex Parte Violations.

Section 28.02 – Domestic Violence Arrests

A. Officers will make an arrest when probable cause and legal authority exist to do so. Field release and issuance of a citation are not permitted in domestic violence cases when grounds for an arrest are present. Officers should emphasize that the criminal action is being initiated by the State, not the victim.

B. If an arrest is not made, the reason will be stated in the officer's report.

[REDACTED]

Section 28.03 – Victim Assistance

Victims of domestic violence often feel trapped in violent relationships because they are unaware of the resources available to help them. As such, officers are mandated to provide the following assistance to victims, batterers, and children:

- A. Advise parties about the criminal nature of family violence, the potential for escalation and help that is available;
- B. Secure medical treatment for victims;
- C. Ensure the safety of the children;
- D. Remain on scene until satisfied that there is no threat to the victim(s);
- E. Remain on the scene to preserve the peace as one person removes personal property;
- F. Provide the victim with referral information for legal and social assistance and support; and
- G. Provide the victim transportation to a safe haven or medical facility.