



Cover Memorandum

Domestic Violence, Stalking & Harassment JHPD Directive #420

Purpose of the Directive

The purpose of this Directive is to establish a protocol for the Johns Hopkins Police Department (JHPD) response to calls for police assistance during incidents of domestic violence (DV).

Summary of Directive Requirements

This Directive is aimed at identifying, preventing, and reducing instances of domestic violence (DV) through compassionate, victim-centered assistance and strong, offender-focused investigations followed by appropriate enforcement action. The Directive also implements requirements for the use of a DV lethality assessment at domestic violence related calls for service involving current or former intimate partners. The goal of the lethality assessment program is to prevent homicides, serious injury, and re-assault involving intimate partners by encouraging victims to utilize the support and shelter services of domestic violence prevention and intervention programs.

This Directive explains that the Baltimore Police Department (BPD) is responsible for investigating domestic violence crimes that are National Incident-Based Reporting System (NIBRS) Group A offenses and that JHPD will serve as primary on Group B offenses.

The Directive details the investigative steps that JHPD members will take in response to a call for service related to DV. The Directive provides guidance to members on how to determine the primary aggressor. The Directive also explains the specific requirements related to a DV arrest. The Directive also provides specific information on how members should respond to crimes of harassment and stalking, as well as guidelines for transporting victims.

The Directive requires that JHPD contact the Office of Institutional Equity's Title IX Coordinator for all instances of dating violence, domestic violence and stalking involving JH students, faculty, staff, and other Johns Hopkins (JH) community members.

The Directive requires that JHPD members write an incident report for all domestic related incidents and provides the information that must be included in reports.

The Directive outlines the procedures for using the DV Lethality Assessment at the scene of a DV incident involving intimate partners. The Directive requires members to use the screening tool when certain conditions exist and walks members through asking the victim the tool's questions and then instructs members on how to assess the responses to the lethality questions.

For instance, where the responses indicate high danger or if the member believes it is appropriate, the member will walk through the referral steps, which include informing the victim that House of Ruth will be contacted, having the victim speak to the counselor, or having the member in some instances speak to the counselor. When a referral is not triggered or the victim declines to speak with the counselor, the member must discuss the potential for danger, inform the victim to watch for the signs listed on the assessment, provide the victim with House of Ruth's phone number and JHPD's contact information. The member should remain on the scene until the likelihood of imminent violence is eliminated or the victim has a safety plan.

The Directive contains requirements for members to complete the lethality assessment screening tool as part of the initial investigation and field reporting process. The Directive also requires reporting to the Maryland Network Against Domestic Violence and House of Ruth regularly.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

a. Publicly available policies from municipal police departments that have undergone substantial reform efforts, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. National and local higher education institutions that are based in comparable environments and make policies publicly available, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

**DOMESTIC VIOLENCE,
STALKING &
HARASSMENT**

**OPERATIONAL
PROCEDURE #420**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

It is the policy of the Johns Hopkins Police Department (JHPD) to respond to all reports of domestic violence in a respectful, objective manner rooted in understanding, patience, and compassion. The JHPD shall accept, investigate, and report on all incidents of domestic violence which occur in its jurisdiction. JHPD officers are required to treat domestic violence incidents and crimes in the same professional manner as all other requests for police service and will provide immediate, effective assistance and protection for victims and witnesses. JHPD is committed to conducting investigations free from gender bias and other stereotypes. JHPD’s response to incidents of domestic violence reflects a trauma-informed, victim-centered, and offender-focused response meant to minimize further trauma to victims and appropriately respond to the crime, including via a comprehensive investigation when applicable. JHPD officers shall document all reports of domestic violence per the requirements in this Directive.

Whenever a JHPD officer responds to a report of any domestic related crime that involves a Group A offense (based on the National Incident Based Reporting System (NIBRS) reporting), the primary and follow-up criminal investigation will be the responsibility of the Baltimore

Police Department (BPD), per JHPD’s Memorandum of Understanding (MOU). In instances where the incident amounts to a Group B offense, JHPD will serve as the lead on the case. JHPD understands that the way in which a JHPD officer responds to a victim plays a significant role in the likelihood that the victim will reach out to other supportive resources, how the victim begins to heal and/or cope, and it impacts on the case’s success.

Who is Governed by this Policy

All personnel, including sworn, non-sworn and contractual or voluntary persons in service with the Johns Hopkins Police Department, are governed by this Directive.

Purpose

This Directive provides guidelines to JHPD officers aimed at preventing and reducing instances of domestic violence through strong, offender-focused investigations as well as compassionate, trauma-informed, and victim-centered assistance. This Directive demonstrates JHPD’s commitment to take appropriate enforcement action, to assist victims and to direct members regarding best practices for responding to and investigating domestic violence.

This Directive governs responses and investigations into calls to police for assistance with crimes of domestic violence. For instances of domestic violence, dating violence, or stalking involving Johns Hopkins students, faculty, staff, and other members of the Johns Hopkins community where JHPD responds for the criminal report and investigation, a JHPD officer will notify JHU’s Office of Institutional Equity (OIE). OIE is the administrative office responsible for the University’s (non-criminal) response to reported violations of the [Sexual Misconduct Policy and Procedures](#) (SMPP), which prohibits domestic violence, dating violence, sex-based stalking, non-sex-based stalking, sex-based harassment, and sexual harassment, as defined in that policy.¹ For the full definitions, see <https://oie.jhu.edu/policies-and-laws/sexual-misconduct-policy-and-procedures-smpp/>

Definitions

Domestic Incident:	Any occurrence, criminal or non-criminal, involving a family or household member or persons in a past or current dating relationship, as defined below.
Domestic Violence² :	An incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury, or assault, including but not limited to, stalking or a pattern of threatening or harassing behavior, between family or household members or persons in a past or current dating relationship. The gender and/or gender identity of the involved parties is not a factor in determining whether conduct constitutes domestic violence. A verbal

¹ The definitions in the SMPP differ from the definitions used in this policy. Reports that may not lead to a criminal investigation may still be considered policy violations under the SMPP.

² This definition of Domestic Violence is narrower than the definition used in the SMPP, which for example includes technological abuse and economic abuse. The SMPP also has a separate definition of Dating Violence. See Appendix G.

	argument does not constitute domestic violence unless there is present danger and the likelihood that physical violence will occur.
Family or household member; persons in past/current dating relationship:	Means any of the following persons, regardless of the age of such person: (a) spouses or former spouses; (b) parents or their children; (c) persons related by blood or marriage; (d) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and (e) persons in, or who have recently been in, a dating relationship.
Harassment³ :	For the purposes of this Directive, harassment is when a person follows another in or about a public place or maliciously engages in a course of conduct that alarms or seriously annoys the other: (1) with the intent to harass, alarm, or annoy the other; (2) after receiving a reasonable warning or request to stop by or on behalf of the other; and (3) without a legal purpose (MD Code, Criminal Law, § 3-803). This does not apply to a peaceable activity intended to express a political view or provide information to others. Harassment may also refer to the misuse of telephone facilities and equipment (MD Code, Criminal Law, https://policies.jhu.edu/d/yRCrswPs3-804), the misuse of electronic mail (MD Code, Criminal Law, § 3-805), (detailed in Appendix F) or the misuse of social media.
Intimate Partners:	Persons involved in an intimate relationship who: <ul style="list-style-type: none"> • Are married, separated, or divorced; • Live or have lived together; • Have children in common; or • Are dating, or have dated, even if they never have lived together.
Lethality Assessment Program (LAP):	A two-pronged intervention process that features a research-based lethality screening questionnaire and an accompanying referral that provides direction for law enforcement, medical personnel, clergy, social workers, and others to initiate appropriate action based upon the results of the screening process.
LAP Referral:	The process of initiating a LAP call to the regional domestic violence service provider and speaking to a LAP Victim Advocate from that agency.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Screened In:	Refers to situations when a victim’s responses initiate a “LAP referral.”

³ This definition of Harassment is distinct from the definitions of Sex-Based Harassment and Sexual Harassment in the SMPP. In addition, the conduct described in this definition of Harassment could fall under the SMPP definitions of Non-Sex-Based Stalking and/or Sex-Based Stalking, both of which do not require malicious intent. *See* Appendix G.

Stalking⁴ :	<p>A malicious course of conduct that includes approaching or pursuing another person with the intent (or where the likely outcome would be) to either: cause serious emotional distress OR to place the victim in reasonable fear that they or another person will suffer assault, false imprisonment, a sex offense or attempted sex offense, serious bodily injury, or death. Stalking often encompasses unwanted, repeated behaviors that are intended to surveil, monitor, threaten, and ultimately scare someone, such as:</p> <ul style="list-style-type: none"> • Communicating persistently via phone, text messages, or social media; • Sending unwelcome items or gifts; • Showing up repeatedly at someone’s home, school, workplace, or known scheduled activity; • Following someone in-person or via technology (like a GPS [Global Positioning System] device or an app); • Intentionally damaging someone’s property; and/or • Threatening someone or their family, friends, or pets.
Strangulation:	<p>Impeding the normal breathing or blood circulation of another person by applying pressure to the other person's throat or neck. See Appendix E, Strangulation Bulletin.</p>

Policy

The Johns Hopkins University Police Department (JHPD) takes reports of domestic violence seriously and responds to all reports of domestic violence in a respectful, objective manner rooted in understanding, patience and compassion. JHPD makes every effort to identify victims of domestic violence who are potentially in lethal situations in order to place those victims in immediate and direct contact with a domestic violence program counselor. JHPD uses a research-based tool, the Lethality Assessment Screen, to assess potential danger to victims of domestic violence.

Policy Core Principles

JHPD’s response to incidents of domestic violence reflects a trauma-informed, victim-centered, and offender-focused response meant to minimize further trauma to victims.

I. Trauma-Informed Response: JHPD provides a trauma-informed response to victims of domestic violence. For additional information on trauma-informed, victim-centered response, see Appendix C. All JHPD members must understand that:

- A. Domestic violence, particularly when between current or former intimate partners, is an ongoing pattern of coercive, controlling behavior that can include physical abuse, emotional or psychological abuse, sexual abuse and/or financial abuse. The

⁴ This definition of Stalking is narrower than the definitions used in the SMPP, which for example does not require malicious intent and does not specify they types of conduct a victim could reasonably fear. *See* Appendix G.

impacts of domestic violence are devastating to victims, and abusive partners make it very difficult for victims to escape the relationship.

- B. There is no typical reaction to domestic violence or trauma. Showing emotion or not does not indicate whether a report is legitimate, and either reaction is common.
- C. Victims may experience continuing trauma that may affect their physical, emotional, social, and economic state. It may be hard to keep in contact with the victim, elicit all of the case details, or clearly understand event timelines. Officers can minimize further trauma by being respectful, objective, understanding, patient, and compassionate.
- D. Victims may have trouble remembering details due to fragmented memory, **which** may affect their ability to explain events in a chronological order. This does not mean that the victim is lying or intentionally leaving out details.
- E. Officers who are exposed to victims' traumatic situations may experience vicarious trauma. Officers are encouraged to contact Officer Safety and Wellness for confidential support and services. See JHPD Directive # 301, Personnel Allocation & Management.

II. Victim-Centered Response: JHPD seeks to minimize victim re-traumatization throughout its interactions with the victim. Officers shall prioritize the safety, privacy, and well-being of the victim.

- A. Officers shall treat victims with respect, patience, sensitivity, compassion and without judgement, regardless of their sexual orientation, gender identity, socio-economic status, sexual behavior, substance use or abuse, behavioral health condition or crisis, English fluency, work in the sex trade, or any other characteristic.
- B. It is important for officers to understand and recognize that it is the offender, not the victim, who is responsible for the crime.
- C. Officers shall respond promptly to victim inquiries and/or assist victims with receiving updates on their case. With the permission of the victim, officers may also provide updates to the advocate.
- D. Officers shall not pressure victims to participate in the investigation. There could be many reasons why victims do not wish to participate.
- E. Officers shall provide victims with information about OIE and confidential supportive resources and make clear that victims can access these resources regardless of whether they participate in a police investigation.

- F. If, during the course of an investigation, the victim discloses participation in prostitution, drug use, or alcohol use (if underage), JHPD will not charge the victim with those crimes.
- G. Officers shall inform victims at the earliest opportunity that they have the right to request that the officer deactivate their body-worn camera (BWC). If a victim desires BWC deactivation, they should make the request on camera and then the officer shall deactivate their BWC. See JHPD Directive #433, Body-Worn Cameras.

Procedures

I. Jurisdiction

Consistent with JHPD's MOU with BPD, the BPD is responsible for investigating all domestic violence crimes that are categorized as NIBRS Group A offenses, which could encompass a myriad of domestic-related crimes such as, but not limited to, aggravated assault, simple assault, and domestic-related robberies, among others. JHPD officers, on the other hand, will serve as the primary investigators on NIBRS Group B offenses, which may include non-violent family offenses, among other minor crimes. Nevertheless, whether JHPD serves as the initial responder or the primary investigator for domestic-related cases, officers are required to follow the guidance as described below to ensure consistency in response, rigor in investigative steps, and compassion and respect for victims suffering domestic violence.

II. Responding Officer Requirements

- A. Officers will be responsible for conducting preliminary investigative steps for all domestic violence calls for which they are first responders, and shall contact BPD for cases that fall within its jurisdiction. If a case is retained by BPD, JHPD will be guided by the primary investigator's directions to complete any or all of the below investigative steps to assist with the investigation as the initial responder. There may also be instances where the primary investigator asks JHPD to provide additional supportive services to BPD, and thus comprehensive investigative steps are enumerated below for guidance. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 42.2.1, 42.2.2)
- B. The officer's initial response to the victim is critical. Follow the principles under **Trauma-Informed Response** and **Victim-Centered Response** above and in Appendix C to support, establish trust, and to maximize the chance of continued victim participation.

III. Investigative Steps (CALEA 42.2.1)

When responding to a domestic violence call, in addition to following general requirements of Directive #460, Criminal Investigations, the responding officers shall:

- A. Regard all domestic violence calls as “high priority.” At least two officers will be dispatched to domestic violence calls that are in-progress or that just occurred.
- B. Contact a JHPD supervisor, as soon as safe and practical, for assistance with preliminary investigative steps, additional backup, or guidance, and for help in determining whether the case facts establish a crime that falls within BPD’s jurisdiction.
- If within BPD’s jurisdiction, officers shall contact BPD, ensuring that necessary time-sensitive investigative steps are taken to render the scene and the victim and/or witnesses safe, and to preserve any potentially perishable evidence.
 - For any incident that appears to involve child abuse, officers shall contact BPD.
 - Cases of elder abuse are likely to fall under this Directive, where the offender and victim are related. Therefore, officers should be mindful of all requirements below as they may apply to a situation of elder abuse. All cases of suspected elder abuse and neglect shall be reported to Adult Protective Services at 443-423-6612 or 1-800-917-7383.
- C. Establish control of the scene and work to de-escalate the parties by:
- Separating the parties;
 - Rendering medical aid as necessary; and
 - Protecting the crime scene.
- D. Interview all parties separately and privately to elicit the elements of the crime and to determine the primary aggressor (see **Determining the Primary Aggressor** section below).
- Let the victim speak without interruption and go at their own pace, if possible. Write their exact words (quotes when possible) to describe the elements of the crime.
 - If children were witnesses and may have useful information to share (if age appropriate), have BPD conduct a preliminary interview per their protocol.
 - Obtain accurate victim and witness contact information (e.g., address, phone number(s), email, and friend or family’s phone number). Ask for their preferred method of contact, and whether text messages and/or voicemails can be left safely.
 - For instance, where the victim has experienced any strangulation or pressure applied to the throat to restrict their airway, upon agreement by the victim, the officer shall transport the victim to Mercy Hospital for an injury check and a forensic exam, which may include alternative light source testing.

- o Officers should consider accommodations for situations involving alcohol or drug impairment, developmental disabilities and other potential barriers that could impede service to victims.
- o NOTE: Officers should refer to JHPD Directive #415, Individuals with Behavioral Health Conditions, #434, Language Access Services, #107, Interactions with LGBTQ+ Individuals, and #435 Communicating with Hearing Impaired Persons, for applicable guidance.

E. Officers are permitted to remove firearms from scenes of domestic violence consistent with MD Code, Family Law, § 4-511. Furthermore, a person may be prohibited from possessing a firearm for other reasons which could include being a respondent in a protective order that prohibits possession of firearms, being a respondent in an Extreme Risk Protective Order (ERPO), having a prior conviction that prohibits them from possession of a firearm. Officers are reminded that JHU policy also prohibits individuals from possessing, wearing, carrying, transporting, or using any weapon on campus. See JHU Policy “Possession of Weapons on University Premises”.(HR037) Possession of Weapons on University (HR037) Possession of Weapons on University Premises for guidance. Thus, officers shall ask whether there are firearms or other dangerous weapons present. In addition, officers shall:

- Seize any firearms and ammunition in plain sight.
- Ask that firearms and ammunition not in plain sight be voluntarily surrendered.
- Ask for consent to search, if necessary.
- Officers are reminded that firearms owners do not have to be parties to domestic violence acts in order for officers to seize weapons and ammunition.
- If seizing a weapon, officers shall inform the owner about the process of retrieving the firearm(s), and that the weapon(s) will be held by BPD pending disposition of related cases or surrendered per MD Code, Family Law, § 4-506.
- In addition, when seizing a weapon, officers shall render the firearm(s) safe, transport them to the BPD property room and complete a Receipt for Seized Property.
- NOTE: Officers should check with the Maryland State Police Gun Center to assist in determining if a person is disqualified from transporting or possessing a firearm.

- F.** Upon determining the primary aggressor and the crime that occurred, if lawful and the offender is present, arrest the offender. See **Determining the Primary Aggressor** and **Domestic Violence Arrest guidance** below for additional guidance.
- Determine whether the offender is the subject of any court order of protection (including an extreme risk protective order (ERPO)) that include “no contact with the victim” or “no use or possession of dangerous weapon.” Violations of such orders may also require officers to arrest the offender. See MD Code, Public Safety, § 5-610 and MD Code, Family Law, §4-509.
- G.** If a suspect has fled the scene, broadcast their description. Officers shall follow normal canvassing and apprehension procedures while being mindful of the victim’s emotional and physical safety.
- H.** When taking a suspect into custody, take steps to preserve potential evidence.
- I.** Collect and record evidence. Officers shall request the assistance of the Investigations Unit, when appropriate, to take photographs of injuries and property damage or to conduct other investigative steps.
- J.** Provide victim support by doing the following:
- Ensuring domestic violence victims are presented and explained their rights as contained in **Crime Victim and Witnesses: Your Rights and Services** brochures consistent with MD Code, Family Law, § 4-503 and JHPD Directive #422, Victim and Witness Assistance; (CALEA 55.1.1, 55.2.2, 55.2.3)
 - Assisting victims with contacting local service providers, such as advocates, shelters, and other community resources; (CALEA 55.2.1.b)
 - Provide information about, and when desired by the victim, assistance with, obtaining a protective order; (CALEA 55.2.2)
 - Reviewing procedures with the victim that are intended to ensure their immediate safety and actively creating safety plans with the victim;
 - Accompanying and standing by for Assisting victims requesting assistance while removing their personal property (such as clothing and effects, regardless of who paid for them), or that of children under their care, from their home.
 - o Protect the victim from harm while items are being retrieved. If access is unable to be obtained, help the victim seek a court order to be able to obtain personal property.
 - Arranging transportation for victims to safe locations, in cases where the victims will be best served by this and have no reasonable means of transportation, where they can obtain assistance.

- Conducting a Lethality Assessment in conformance with Section IV of this Directive to inform victims of lethality threats and encourage victims to leave if officers believe there will be any threats to victims' safety once officers' leave.
 - Making reasonable efforts to ensure the proper care of children or vulnerable adults who are under the supervision of the offender or victim.
 - Advising victims that they may obtain free report copies from JHPD and how to do so.
- K.** Advise the person suspected of committing the offense of the following:
- That pursuit of victims could be violations of the stalking statute;
 - That domestic violence exists in the relationship and such conduct is criminal; and,
 - To seek help from local service providers before other incidents occur.
- L.** If the incident involves a JHPD officer or another law enforcement officer, notify a supervisor as soon as possible so they can inform BPD's Special Investigations Section Commander, JHPD Investigations Division, JHU's Public Safety Accountability Unit, OIE, and the Chief of Police.
- M.** Consult Johns Hopkins Public Safety (JHPS) regarding whether to issue a campus ban and/or "be on the lookout" (BOLO) alerts for the suspect.
- N.** Write an incident report for any and all domestic violence crimes and domestic incidents for which JHPD responds. See **Patrol Reporting for Domestic Violence Cases** below for additional guidance on reporting.
- O.** Ensure the Division of Parole and Probation is notified if suspects are under the jurisdiction of that agency.

IV. Determining the Primary Aggressor

If the officer has dual complaints with probable cause for each, the officer should conduct a Primary Aggressor Analysis and arrest only the primary aggressor, by considering the following circumstances:

- A.** Whether one person acted in defense of self or a third person. Persons may legitimately act in self-defense when:
- They actually believe they were in immediate and imminent danger of bodily harm;
 - The belief was reasonable; and,

- No more force was used than was reasonably necessary for defense in light of the threatened or actual harm.
 - o NOTE: Officers should consider that the extent of a person's injuries does not substantiate the other's claim of self-defense when injuries are severe enough to demonstrate intent to do great bodily harm and officers have probable cause to believe suspects committed the offenses.
- B. The relative degree of any injury;
- C. Any threats creating fear of physical injury;
- D. Whether any threats were carried out;
- E. Any history of domestic violence between such persons, if such history can reasonably be obtained by the JHPD officer;
- F. Being a current or past respondent of a protective order;
- G. Evidence from the persons involved in the domestic violence;
- H. The likelihood of future injury to each person; and,
- I. Evidence from witnesses of domestic violence.

V. **Domestic Violence Arrest Policy**

- A. If there is probable cause to believe that a person has committed a crime of domestic violence, the preferred response is for the JHPD officer to arrest the offender where it is legal to do so.
- B. If the officer has questions or concerns regarding whether there is sufficient probable cause or any other factors regarding the arrest, the officer should consult with their supervisor and/or a relevant supervisor at the State's Attorney's Office.
- C. Follow Section VI, Warrantless Arrest for Domestic Violence, below for guidance on, to determine when an officer may make a warrantless arrest for domestic violence.
 - Warrantless arrests are prohibited (per law) for 2nd degree assaults occurring outside of the presence of a police officer when the current or former intimate partners do not reside together.
- D. When probable cause exists, but an arrest cannot be made because the offender was not present when the crime was committed or because the law does not otherwise authorize warrantless arrest, officers shall:

- Actively assist victims in obtaining charging documents (including by providing transportation to victims to do so, when the victim requests or requires it), or
 - Apply for the charging document, in consultation with their supervisor. Base the charges on the victim's report and any corroborating evidence (e.g., observations at the scene, observations of injury to the victim, observations of property damage).
- E.** Officers are required to use all reasonable means to prevent further abuse, exploitation, or neglect, including the arrest of the offender when legal to do so. Officers should not base their decision to arrest on whether they believe the case will be prosecuted.
- F.** Officers are advised that dual arrests are **strongly** discouraged. If an officer has probable cause to believe that a mutual battery occurred, the officer shall consider whether one of the persons acted in self-defense when determining whether to arrest. Officers are advised that persons defending themselves from assaults should not be arrested.

VI. Warrantless Arrest For Domestic Violence

Under certain circumstances, Maryland law allows a police officer to make a warrantless arrest for misdemeanors related to domestic violence such as 2nd degree assault, stalking, and violation of a peace or protective order. See JHPD Directive #424 Arrests and Alternatives to Arrests, for additional guidance. In addition, a warrantless arrest related to a crime committed outside of an officers' presence can be made for these crimes under the following circumstances:

- A. 2nd Degree Assault:** Pursuant to MD Code, Criminal Procedure, § 2-204, an officer may make a warrantless arrest for misdemeanor (2nd degree) assault committed outside their presence where there is probable cause to believe that:
- The suspect battered their spouse or another person with whom the suspect resides;
 - There is evidence of physical injury; and,
 - Unless the suspect is arrested immediately, the suspect:
 - o May not be apprehended (in the future);
 - o May cause physical injury or property damage to another; OR
 - o May tamper with, dispose of, or destroy evidence.
 - NOTE: To make a warrantless arrest under these circumstances, a report to the police must have been made within 48 hours of the alleged incident.

- NOTE: Evidence of physical injury does not mean that an officer has to visibly observe signs of physical injury such as marks, abrasions or bruising. There only needs to be probable cause to believe that there has been a physical injury, which may include oral or written statements from the spouse or another person with whom the suspect resides that they were physically injured by the suspect.
 - NOTE: See Appendix B, Misdemeanor Assaults Response Chart.
- B. Stalking:** Pursuant to MD Code, Criminal Procedure, § 2-205, an officer may make a warrantless arrest for misdemeanor stalking committed outside their presence where ALL of the following conditions are met:
- The officer has probable cause to believe that the suspect has committed the crime of stalking;
 - There is some credible evidence supporting the probable cause beyond the victim’s statements; and,
 - There is reason to believe the alleged victim, or another person is in danger of imminent bodily harm or death.
- C.** Pursuant to MD Code, Criminal Procedure, § 2-204.1, Officers **shall** make an arrest for the violation of a Protective or Peace Order. See JHPD Directive #421, Court Orders for Protection, Appendix B, for additional guidance on arrests for violations of protective and peace orders.
- D.** In reports for violations of court orders, officers shall detail information establishing that the offender was served (including when they were served and the agency which completed the service), as well as the order provisions the offender has allegedly violated. If available, attach a copy of the order to the incident report.

VII. Evidentiary Duties (CALEA 42.2.1)

Officers shall adhere to the following evidentiary duties and responsibilities when investigating or responding to an incident of domestic violence, stalking or harassment:

- A.** Ensure recorded media of related phone calls and radio conversations are retained for potential use as evidence; (CALEA 42.2.1.d)
- B.** Ensure photographs are taken of crime scenes, any initial injuries of victims and witnesses, and any injuries one to three days post incident;
 - Where practicable, photos should be taken by an officer of the same gender identity. If no injuries are visible when officers are present, ask them to contact the investigator or Victim/Witness

Coordinator if injuries become visible at a later time. (CALEA 42.2.1.a, 55.2.1)

- C. Document “excited utterances” made in the presence of officers;
- D. Identify and seize weapons or objects used as weapons; (CALEA 42.2.1.c)
- E. Seize clothing that may be evidence; (CALEA 42.2.1.d)
- F. Interview all victims and witnesses, including children and neighbors, obtaining written statements when possible; (CALEA 42.2.1.c)
- G. Collect evidence, including notes, writings, correspondence, text messages, social media posts, other electronic communications, etc., made by victims, suspects, and children that may be relevant to the case. (CALEA 42.2.1.c)
- H. Respectfully request that an authorization for the release of medical records be signed by the victim, for access to records related to the incident (when applicable). (CALEA 42.2.1.c)

VIII. Crimes of Harassment and Stalking

- A. Incidents of domestic violence often culminate into acts of stalking against the victim. Additionally, stalking and/or harassing types of behavior can escalate into more serious, violent incidents. Research shows that when victims experience both physical abuse and stalking behaviors, the risk of homicide is increased. This department will take seriously all reports of these types of behavior and will aggressively investigate and prosecute when warranted.
- B. When investigating domestic violence related incidents, officers will document any reports of stalking and/or harassment in the incident report, listing as much specific information (i.e., dates, times, nature of activities, potential witnesses, etc.) as can be provided by the victim and/or witnesses.

IX. Initiating a Lethality Assessment

Officers shall make every effort to identify victims of domestic violence who are potentially in lethal situations and immediately connect those victims directly with a domestic violence program counselor. To assist, the JHPD uses a research-based tool, the Lethality Assessment Screen, to assess potential danger to victims of domestic violence. The screening process is completed at the scene of a domestic violence incident involving intimate partners when JHPD is the primary investigator, or when JHPD is asked to assist BPD in this regard.

- A. Officers will utilize the investigative procedures included with the “Lethality Screening Section” of the Maryland Domestic Violence Supplemental Form when investigating a domestic complaint involving current or former intimate partners, and one or more of the following conditions exist:
- There is reason to believe an assault or an act that constitutes domestic violence has occurred, whether there is a probable cause for an arrest.
 - There is a belief or sense on the part of the investigating officer that once the victim is no longer with a JHPD officer the potential for assault or danger is high.
 - Repeated calls for domestic complaints at the same location or involving the same parties.
 - The officer believes one should be conducted based on their experience, training, and the totality of the circumstances of the incident.
- B. **Lethality Screening Questions** are located on the Domestic Violence Lethality Screen for First Responders Report (MNADV 08/2005). The officer shall advise the victim they will be asked a series of questions to help determine the immediate potential for danger. In addition, the officer shall:
- Inform the victim that they are not required to respond to any or all of the questions, but that if they do choose to answer the questions, it can assist with identifying danger posed to the victim.
 - Ask the questions in the order they are listed on the form.
 - Ask all the questions in assessing the victim.
 - o **NOTE:** The more questions the victim responds to in the affirmative, the clearer and more immediate the potential for danger is to the victim.
- C. **Assessing the Responses to the Lethality Questions:** After the officer asks all the questions on the lethality screening, they will handle the information as follows:
- A single “**yes**” response by the victim to questions #1, 2 or 3 reflects a high danger situation and automatically triggers the protocol referral.
 - If the victim gives negative responses to questions #1-3, but positive responses to four or more of questions #4 through 11, this also reflects a high danger situation and triggers the protocol referral.
 - A “**No**” response to all the assessment questions, or “**yes**” responses to less than four of questions #4 through 11, may still trigger the referral if the JHPD officer believes it is appropriate.
 - After completing the assessment screen, the officer should ask the victim the following question; “What concerns do you have now, or may you

have after I leave?" The response to the question may aid in the JHPD officer's decision.

- A. Use of the domestic violence lethality screen takes into account the officer's experience and observations. Therefore, if the victim's responses do not trigger the referral, but the officer perceives that the victim's situation indicates high danger, the officer shall trigger the referral.
- B. **Referral:** If a high danger assessment is made or the officer believes it is appropriate, the officer will advise the victim that their situation has shown that they are at an increased level of danger, and that people in the victim's situation have been killed or seriously injured.
- The officer will inform the victim that the House of Ruth Maryland should be contacted at (410-889-7884) for the victim to speak with a counselor. The officer shall ask the victim if they would like the officer to contact JHU's Behavioral Health Crisis Support Team (BHCST) to be present while the victim contacts House of Ruth. (CALEA 55.2.3.a.b.)
 - If the victim initially declines to speak with the counselor, the officer shall:
 - o Tell the victim that the officer will contact the domestic violence hotline to receive guidance on how to proceed with the situation;
 - o Ask the victim to reconsider speaking with the hotline counselor;
 - o After the officer concludes the conversation with the counselor, ask the victim if they have decided that they would like to speak with the counselor in the moment; and,
 - o Always provide the victim with the JHU Resource Brochure and ask them if they would like to be immediately connected with a JHU resource (particularly BHCST (24/7) or the Gender-Based Violence Prevention Program, as available)
- F. If the victim agrees to speak with a counselor, the officer or the BHCST member will advise the counselor that they have made a high danger assessment, or that they believe the victim is in danger, and would like the counselor to speak with the victim.
- Officers will not provide the name of the victim to the counselor without the consent of the victim.
 - At the appropriate time during the conversation between the victim and the counselor, the counselor will ask the victim to speak with the officer about the situation.
 - The officer will then be guided by the discussion with the counselor for further assistance. Officers will provide reasonable assistance to the victim if the victim wants to leave the residence.

- C. Referral not Triggered:** If the victim continues to decline to speak with the counselor, the officer will proceed in the same way they would for when a referral is not triggered, including conveying information that the counselor has suggested and going over some safety tips (whether or not the victim plans to leave), discussing the option of leaving the location if possible, and:
- Remind the victim that domestic violence is dangerous and sometimes fatal;
 - Inform the victim to watch for the signs listed in the assessment because they may convey to the victim that they are at an increased level of danger;
 - Provide the victim with information for the House of Ruth Maryland and provide victims with the JHU Resource Brochure (Appendix B);
 - Provide the victim with JHPD's telephone number, the case number, the JHPD officer's contact information, in case the victim wants to talk further or needs help. For cases being handled by BPD, also provide the BPD investigator's contact information.
- D.** The officer should remain at the scene for a reasonable time until, in the judgment of the officer, the likelihood of further imminent violence has been eliminated or the officer has helped the victim with a safety plan in conjunction with an advocate after completing the LAP screen.
- E. Other Resources & Assistance:** In addition to the requirements for the formal lethality assessment program, officers shall be aware of and provide, as appropriate, information, support, and referrals to victims as detailed in this directive and JHPD Directive #421, Court Orders for Protection, and #422, Victim & Witness Assistance.
- At minimum, officers must provide the victim with the JHU Resources Brochure.
- F. Additional Reporting Requirements:** The completed "Domestic Violence Lethality Screen for First Responders" shall be uploaded to JHPD's Records Management System (RMS) and attached to the Incident Report. The Incident Report shall state that the lethality assessment was done in conformance with this Directive and shall state whether the victim was referred to a counselor and whether the victim spoke with a counselor per the assessment results. The officer shall also document whether the victim was transported, where they were transported, and who transported the victim.
- The Director, Special Services or their designee is responsible for submitting statistical reports to the House of Ruth Maryland.

- In addition, the Director, Special Services, or their designee will prepare and forward reports to the Maryland Network Against Domestic Violence by the 15th of:
 - o January
 - o April
 - o July
 - o October

- The reports to House of Ruth and MNADV shall contain the following information:
 - o How many lethality screens were attempted?
 - o How many victims were screened in high danger?
 - o How many victims were not screened in high danger?
 - o How many did not respond to the screening questions?
 - o How many screened spoke to a counselor?

X. Transportation of Victims

- A. It may be very important for a victim's safety and for the outcome of a case for officers to transport victims for filing criminal charges, seeking civil orders of protection, or obtaining medical care and/or forensic evidence collection.
- B. When requested or appropriate, officers shall provide victims with transportation to the hospital, District Court and/or Court Commissioner, and comply with JHPD Directive #209, Fleet Management and JHPD Directive #109, Interactions with LGBTQ+ Individuals.
- C. The designated medical facility for forensic evidence collection – including alternative light source testing – is Mercy Medical Center. Officers shall generally transport victims to Mercy Medical Center in all instances in which a forensic exam is warranted and when the victim has agreed and provided consent to be transported.
- D. Officers shall provide victims with assistance in obtaining civil orders of protection, in accordance with JHPD Directive #421, Court Orders for Protection, and transport victims to the Court Commissioner and/or District Court.
- E. If the victim requests to be accompanied by friends or family officers, that request should be honored.
 - NOTE: A relative or friend may transport the victim in a private vehicle, if the victim prefers. The victim should not drive unless that is their preference.

XII. JHU OIE Title IX/Sexual Misconduct Notifications

- A. JHU's Title IX Coordinator in OIE is responsible for ensuring that acts of sexual misconduct – which include acts of dating violence, domestic violence, and stalking – are handled consistent with Title IX of the Education Amendments of 1972, corresponding regulations, and other applicable laws. Title IX/Sexual Misconduct investigations are separate from criminal investigations and are conducted by OIE investigators.
- B. JHPD officers shall promptly report all potential instances of dating violence, domestic violence, stalking, and sex-based/ sexual harassment to the University's OIE Title IX Coordinator at (410) 516-8075 or titleixcoordinator@jhu.edu.
- C. JHPD Incident reports shall be forwarded to OIE for such cases. These reports must include the name of the complainant, respondent, and any witnesses and any other relevant facts, including the date, time, and location of the misconduct.
- D. Upon request, JHPD will provide the JHU's OIE Title IX Coordinator access to investigative notes and findings as necessary for any Title IX investigation, so long as disclosure does not compromise any criminal investigation. Likewise, upon approval by BPD, JHPD will facilitate access to such files maintained by BPD.
- E. The issuance of Timely Warnings and other campus notifications will be completed in conformance with JHPD Directive #222, Clery Act Compliance, Johns Hopkins University policy #GOV036, Campus Notifications, and JHU OIE Title IX/ Sexual Misconduct Notifications.

XIII. Reporting

- A. Officers shall complete an incident report for any and all domestic violence related incidents for which JHPD responds, regardless of whether or not arrests were made.
- B. For cases where BPD serves as the lead investigator, the JHPD officer shall add a supplemental report by selecting "Narrative Only" and document all relevant details, observations, evidence, and aggravating factors in the narrative.
- C. All JHPD reports, whether the primary incident report or a supplemental report, shall include documentation of all of the following information:
 - Condition of the crime scene and evidence observed;
 - Victim's condition, to include injuries, demeanor, and statements;
 - All interviews conducted and contents of the interviews. As accurately as possible, use victims,' witnesses' and/or suspects' own words in writing.

Language used by any of those individuals will not be sanitized for the report;

- All evidence collected, steps taken to collect evidence and any outstanding evidence to be collected;
 - Probable cause leading to arrests or filing of charges;
 - Use and location of weapons, as applicable;
 - Any remaining investigative steps identified;
 - The name and date of birth of each child are present at the time of the incident;
 - All JHPD, BPD, JHU (including OIE) and other external sources contacted for assistance or referral, including how such entities were contacted (e.g., by phone or email); and,
 - All victim assistance that was provided.
- D.** For all crimes of domestic violence, officers shall have the victim complete and sign the Victim Statement Form, and attach a legible image or images of the form to the Incident Report.
- E.** In addition, for all crimes of domestic violence, officers shall complete and submit the Domestic Violence Lethality Screen for First Responders Report, with the Incident Report, in accordance with this Directive.

XIV. Supervisory Requirements

- A.** Supervisors shall respond to the scene of all domestic related incidents and crimes and assist the responding officer in determining whether the case is under BPD's jurisdiction, thus requiring contacting BPD as soon as practicable.
- B.** If extenuating circumstances prevent the supervisor from responding and if no other supervisor is available, supervisors shall designate an Officer-In-Charge to hold the scene until a permanent-rank supervisor can respond.
- C.** Supervisors shall ensure that the preliminary investigation was properly conducted and that any crime scene(s), evidence, witness(es) and/or suspect(s) are protected or secured, as necessary.
- D.** Supervisors shall ensure officers conducted investigative steps consistent with the guidance provided by BPD, when applicable, and with requirements listed under "Responding Member Requirements" above.
- E.** Supervisors shall ensure that OIE has been notified per above JHU OIE Title IX/ Sexual Misconduct Notifications.

- F. Supervisors shall ensure that the victim has received the JHU Resources Brochure.
- G. Supervisors shall not allow responding officers to close out domestic-related calls for service without completing a report.
- H. If the incident involves a JHPD officer, supervisors shall ensure that notifications are made to BPD’s Special Investigations Section Commander, JHPD’s Investigations Division, Public Safety Accountability Unit (PSAU), OIE and the Chief of Police as soon as possible.

XV. Training

- A. The Public Safety Training Section shall ensure that entrance level training and IST will be conducted in accordance with current Maryland Police and Corrections Training Commissions (MPCTC) requirements.
- B. The Public Safety Training Section, in consultation with the Johns Hopkins OIE, ODI, and the BPD SIS Commander or designee, will develop the training curriculum. Such training for all officers will cover at a minimum, but not be limited to, the following topics on a rolling basis:
 - JHPD’s policies and procedures on domestic violence;
 - Dynamics of domestic violence;
 - Identifying the primary aggressor;
 - Responding to and investigating strangulation in the context of domestic violence;
 - Interviewing victims, witnesses, and suspects;
 - Report-writing; and,
 - Discovery.

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Policy should be reported to the Public Safety Accountability Unit or via the online form .

Related Resources

<p>University Policies and Documents</p> <p>Conduct & Responsibility #107, Interactions with LGBTQ+ Individuals Administrative Procedure #209, Fleet Management Operational Procedure #412, Custody Transport & Processing Operational Procedure #415, Individuals with Behavioral Health Conditions Operational Procedure #421, Court Orders for Protection Operational Procedure #422, Victim & Witness Assistance Operational Procedure #433, Body-Worn Camera Operational Procedure #465, Response to Crimes of Sexual Violence Operational Procedure #468, Collection & Preservation of Evidence JHU Sexual Misconduct Policy and Procedures (“SMPP”) https://oie.jhu.edu/confidential-resources/ https://oie.jhu.edu/non-confidential-resources/ https://wellbeing.jhu.edu/resources/mental/ (for students) JHU Policy “Possession of Weapons on University Premises”</p>
<p>External Documentation</p> <p>Maryland Department of Human Services Website: https://dhs.maryland.gov/office-of-adult-services/adult-protective-services/</p>
<p>Police Department Forms and Systems</p>

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

APPENDIX A, Continued

DEAR COMPLAINANT
The suspect listed on the other side of this report is now being charged with a domestic violence crime. You **MUST** contact the Special Victims Unit, State's Attorney's Office, within 48 hours, to discuss your input and needs as they relate to this case.
CALL 410-396-7444 OR COME TO THE EASTSIDE COURTHOUSE, ROOM 204, 8:30 AM TO 4:30 PM.
DOMESTIC VIOLENCE IS A CRIME!

The Family Crimes Unit's telephone number is 443 984-7030.

THE POLICE CAN HELP YOU

- Get to a safe place away from the violence.
- Get information on how the court can help protect you against the violence.
- Get medical care for injuries you or your children might have.
- Get necessary belongings from your home for you and your children.
- Get information on obtaining copies of police information about violence.
- File a complaint in criminal court, and tell you where your local Criminal, Civil and Family Courts are located.

THE COURTS CAN HELP YOU

- If the person who harmed or threatened you is a family member or someone you've had a child with, then you have the right to take your case to the Criminal Court, Civil or the Family Court.
- If you and the abuser aren't related, weren't ever married or don't have a child in common, then your case can be heard in the Criminal Court or Civil Court.
- The forms you need are available at 500 N. Calvert Street, and 501 E. Fayette Street.
- The courts can decide to provide a temporary order of protection for you, and your children.
- The Family Court may order temporary child support and temporary custody of your children.

Getting Help: Filing Criminal Charges Get a report number from the police. Go to 500 N. Calvert Street to see a Court Commissioner to get a warrant for the arrest of the abuser, or a summons to appear in court. If the Court Commissioner will not issue a warrant or summons, request that the State's Attorney's Office file criminal charges against the alleged abuser. You can call the State's Attorney's Domestic Special Victims Unit and they will explain the process and answer all of your questions.

To obtain a "Temporary" Protective and Peace Order Go to the Civil District Court at 501 E. Fayette Street, or the Circuit Court of Baltimore at 111 N. Calvert Street, Mon. - Fri., 8:30 am - 4:30 pm, file a petition and appear before the Judge.

To obtain a "24-7" Interim Protective and Peace Order After normal court hours, and on the weekends, you may go to a Court Commissioner at 500 N. Calvert Street to seek an Interim Protective and Peace Order. The Interim Protective and Peace Order will remain in effect until the hearing or until the end of the second court business day after issuance of the order, whichever occurs first. This Order can temporarily remove the respondent from the home and order the abuser to stop the abuse, refrain from contacting you, and give temporary custody of the children.

Interim Protective and Peace Order

An **Interim Protective and Peace Order** is available to persons who are the current or former spouse of the respondent; a cohabitant of the respondent; a person related by blood, marriage or adoption; or a parent, stepparent, child or stepchild of the respondent or the adult person eligible for relief; or an individual who has a child in common with the respondent. **The respondent is the person committing the abuse.**

Court Commissioner
500 N. Calvert St.
410 767-5774

Civil Court
501 E. Fayette St.
410 878-8900

Special Victims Unit
1400 E. North Ave.
410 396-7444

GET HELP NOW - GET SAFE - STAY SAFE
CALL 410 889-RUTH (7884)

SHELTER - COUNSELING

House of Ruth
410 889-7884

Marian House, Inc.
410 467-4121

Chase - Brexton
410 837-2050

Turnaround, Inc.
HOTLINE: 410 828-6390
City Office: 410 837-7000

APPENDIX B

Misdemeanor Assaults Response Chart

For an alleged misdemeanor assault that the officer did NOT witness, but there is probable cause:

		Are the suspect & victim spouses and/or two people who reside together?	
		Yes	No
Are the suspect & victim intimate partners?	Yes	Warrantless arrest is permitted under Maryland law*; BPD policy instructs officers to follow a preferred arrest policy whereby the offender is arrested in most circumstances. Officers are required to use all reasonable means to prevent further abuse, exploitation or neglect, and officers should not base their decision to arrest on whether they believe the case will be prosecuted.	Warrantless arrest is <u>not</u> permitted under Maryland law; BPD policy instructs officers to explain to the victim how to file charges with the Court Commissioner. Officers are strongly encouraged to provide transportation to victims, if they desire, to the Court Commissioner’s Office. Officers could also apply for a warrant themselves.
	No	Warrantless arrest is permitted under Maryland law*; BPD does not have a preferred arrest policy for such instances where the persons reside together but are not in an intimate relationship. The officer shall refer to JHPD Directive #424, <i>Arrest & Alternatives to Arrest</i> , to make an analysis as to whether an arrest would be necessary or advisable. Officers shall use reasonable means to prevent abuse, exploitation, and neglect, which may include arrest of the offender.	Warrantless arrest is <u>not</u> permitted under Maryland law; BPD policy instructs officers to assess the situation for the best remedy, which may include encouraging the victim to file charges with the Court Commissioner and providing the victim with transportation to the Commissioner’s Office.

EXAMPLES:

- 2nd Degree Assault occurring between boyfriend and girlfriend who do not live together: If occurred outside of officer presence, officers SHALL NOT arrest. Officer shall either advise the victim to file charges with the Court Commissioner (and provide transportation, if requested), or officer shall apply for a statement of charges with the Court or Court Commissioner, based on the victim’s statement and corroborating evidence.
- 2nd Degree Assault occurring between roommates: If occurred outside officer presence, and if other legally required conditions apply, the officer *may* arrest the offender, basing analysis on Policy 1106 and need to prevent abuse, exploitation, and neglect.
- 2nd Degree Assault occurring between two people with a child in common who do not live together: If occurred outside of officer presence, and if other legally required conditions apply, the officer should follow BPD’s *preferred* arrest policy to arrest the offender (as the two are defined as having an intimate relationship).

**As long as these other conditions apply: evidence of physical injury and unless arrested immediately the suspect either may not be apprehended, may cause physical injury or property damage to another, or may tamper with, disposed of, or destroy evidence.*

Baltimore Police Training Bulletin

On October 1, 2020,
intentional “strangulation”
was added to the crime of [1st Degree Assault](#)

That means that first degree assault can now be committed by:

- Intentional strangulation
- **OR** through the use of a firearm
- **OR** any assault committed with the intent to cause serious physical injury (whether or not serious physical injury actually occurred).

Strangulation is defined as “impeding the normal breathing or blood circulation of another person by applying pressure to the other person's throat or neck.” Be aware that although a victim may use the word “choked,” it may fit the above legal definition of “strangulation.”

Strangulation is most frequently seen in domestic-related incidents. Strangulation should be taken very seriously and investigated thoroughly. [Victims of non-fatal domestic violence strangulation are seven times more likely to become homicide victims.](#) Officers should be aware of the information presented in this bulletin when responding to calls for service when a domestic assault has taken place.

It's important for a police officer to know what to look for AND what to ask when interviewing a possible victim of an assault. A police officer should be aware that a victim may advise they were strangled, but there may be no visual signs of injury to the victim's body (see attachments for further information).

Per Policy 711, Family Crimes Unit of the Special Investigation Section MUST be notified on incidents involving any domestic violence victim strangulation with loss of consciousness, urination, defecation, or petechial hemorrhage (i.e., red, or purple spots on the skin).

Police Officers who contact Family Crimes Unit must still document all preliminary investigative efforts within the Crime Incident Report, Form 008, and complete other necessary reporting.

Note: During off-duty hours, Police Officers shall contact the Communications Section for the on-call Family Crimes Unit detective.

Patrol will handle all other strangulation cases unless the case is a homicide or other circumstances exist with the case.

APPENDIX F

These symptoms may not appear for hours or even days after the assault. It may also be difficult to see changes on the skin of some victims. Thus, if a victim reports that they were strangled to any degree, the member shall transport the victim to Mercy Hospital (per #4.11. above).

SIGNS AND SYMPTOMS OF STRANGULATION

NEUROLOGICAL

- Loss of memory
- Loss of consciousness
- Behavioral changes
- Loss of sensation
- Extremity weakness
- Difficulty speaking
- Fainting
- Urination
- Defecation
- Vomiting
- Dizziness
- Headaches

SCALP

- Petechiae
- Bald spots (from hair being pulled)
- Bump to the head (from blunt force trauma or falling to the ground)

EYES & EYELIDS

- Petechiae to eyeball
- Petechiae to eyelid
- Bloody red eyeball(s)
- Vision changes
- Droopy eyelid

EARS

- Ringing in ears
- Petechiae on earlobe(s)
- Bruising behind the ear
- Bleeding in the ear

FACE

- Petechiae (tiny red spots-slightly red or florid)
- Scratch marks
- Facial drooping
- Swelling

MOUTH

- Bruising
- Swollen tongue
- Swollen lips
- Cuts/abrasions
- Internal Petechiae

CHEST

- Chest pain
- Redness
- Scratch marks
- Bruising
- Abrasions

NECK

- Redness
- Scratch marks
- Finger nail impressions
- Bruising (thumb or fingers)
- Swelling
- Ligature Marks

VOICE & THROAT CHANGES

- Raspy or hoarse voice
- Unable to speak
- Trouble swallowing
- Painful to swallow
- Clearing the throat
- Coughing
- Nausea
- Drooling
- Sore throat
- Stridor

BREATHING CHANGES

- Difficulty breathing
- Respiratory distress
- Unable to breathe

Source: *Strangulation in Intimate Partner Violence*, Chapter 16, *Intimate Partner Violence*. Oxford University Press, Inc. 2009.



Graphics by Yesenia Aceves

APPENDIX G

EXAMPLES OF STRANGULATION SYMPTOMS:

- Loss of breath, or difficulty breathing
- Memory loss
- Dizziness, nausea, or headache
- Voice changes
- Complete loss of voice
- Difficulty swallowing
- Headache
- Difficulty breathing
- Raspy breathing
- Pain or tenderness on touch or movement
- Mental status changes (restlessness, combativeness, psychosis, amnesia)
- Involuntary urination or defecation
- Coughing or vomiting
- Vision changes
- Loss of consciousness - may be very brief, even seconds, and victim may lose and regain consciousness multiple times
- Hearing loss or hearing changes
- Urination or defecation
- Problems with balance or coordination

SIGNS

- Redness of the neck – may be fleeting (temporary; short-lived)
- Scratch marks – present on victim or suspect
- Bruises – may not immediately appear
- Fingertip bruises – can be circular, oval, and often are faint
- Swelling of the neck – may be caused by any one or combination of the following: internal bleeding, or an injury of any of the underlying neck structures.
- Tiny red spots (petechiae) – ruptured capillaries. Found anywhere above the area of constriction (jugular restriction).
- Blood-red eyes – due to capillary rupture in the white portion of the eyes. May suggest a vigorous struggle or intermittent pressure.

STAGES OF STRANGULATION

1. **Disbelief**: Victim cannot believe they are being strangled. Very short in duration.
2. **Primal**: Victim fights with whatever means to stop the strangling. *Ask the victim what they did after the attack started. This may explain injuries.*
3. **Resignation**: Victim gives up, feeling they can do nothing, and goes limp. *Ask the victim what they were thinking about. What did they think was going to happen?*

INDICATORS OF LOSS OF CONSCIOUSNESS

- Loss of memory
- Standing, then waking up on the floor
- Unexplained bump on the head
- Bowel or bladder incontinence
- A witness to the loss of consciousness
- Headache

APPENDIX H

MEDICAL CARE

- [Mercy's Forensic Nursing Program](#) uses an Alternative Light Source to reveal strangulation injuries that are not otherwise visible. Injuries may be present up to 30 days after the assault.
- This resource is not only beneficial for evidence collection purposes, but also to ensure that the victim receives appropriate and comprehensive medical care.

VICTIMS WHO DECLINE MEDICAL CARE

- Discuss the warning signs
- Advise victim to log symptoms
- Encourage victim to seek medical attention if symptoms persist
- Next 24-48 hours could be critical

STRANGULATION INVESTIGATION QUESTIONS

- Ask the victim to describe how they were strangled. Was it one-handed? Two-handed? With a forearm? With an object? And so on, as necessary.
- What did the suspect say before, during, and after they strangled the victim?
- Was the victim shaken simultaneously while being strangled?
- Was the victim thrown or held against the wall, floor, or ground? Can they describe how, and the results? Can they describe the surface area?
- How long did the suspect strangle the victim?
- How many times was the victim strangled? Describe each incident, and each method.
- How much pressure was used? Describe on a scale of 1-10. Was the pressure continuous?
- What was the victim thinking when they were being strangled?
- What caused the suspect to stop?
- Any difficulty breathing during the assault, or any breathing changes now?
- Describe any voice changes.
- Any complaints of pain to the throat?
- Any coughing, or trouble swallowing?
- How did the victim feel during the assault? (examples: dizzy, nauseous, loss of consciousness)
- Did the victim experience any visual changes during the strangling?
- Did the victim vomit, urinate, or defecate as the result of being strangled?
- Was the suspect wearing any rings or other jewelry? Look for marks left by these objects.
- Did the victim do anything to try and stop the assault? Will the suspect have injuries?
- Look for injuries behind the ears, all around the neck, under the chin and jaw, eyelids, shoulders, and chest area.
- Ask the victim to look in a mirror and point out injury sites including petechiae.
- Are there prior incidents of strangulation?
- Any visible injury? Photograph injuries and the entire area. If there are no visible injuries, photograph the lack of visible injury, and any areas where the victim feels pain.

APPENDIX J

Definitions from JHU's Sexual Misconduct Policy and Procedures

Excerpt from JHU's Sexual Misconduct Policy and Procedures (SMPP)

Section III

Definitions

Anonymous Reports: Reports of sexual misconduct filed with the University, including the Title IX Coordinator or the University's Office of Institutional Equity ("OIE"), may be filed anonymously, meaning that the reporter files the report without identifying themselves. Anonymous reporters are encouraged to speak with the Title IX Coordinator or an OIE investigator so as to understand the potential limitations for an investigation being conducted based on an anonymous report. See Section IV of this Policy for anonymous reporting options.

Complainant: The term "complainant" refers to an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment or Other Sexual Misconduct, whether reported by the alleged victim or a third party.

Confidential Resources: A "Confidential Resource" is a formal University designation given to certain University employees and departments that are exempt from any Responsible Employee obligations under this Policy. Confidential Resources are not required to report sexual misconduct to the University. Confidential Resources include mental health providers and staff, healthcare providers and staff, pastoral counselors and staff, and any other persons who have a legal obligation to protect confidentiality when acting in a professional capacity unless there is an imminent threat to health or safety, or other basis for disclosure pursuant to law. Confidential Resources designated by the University include the Sexual Assault Helpline, the Associate Director of Student Well-being, Gender Violence Prevention, Education and Response Coordinators, providers and staff at the Johns Hopkins Counseling Center, the Johns Hopkins Student Assistance Program, the Faculty and Staff Assistance Program, University Mental Health Services, student health centers operated by the University, as well as chaplains and staff at the Bunting Meyerhoff Interfaith and Community Center. Confidential Resources serve in that role at all times regardless of setting or specific activity. For a list of both JHU and off-campus Confidential Resources, see [Appendix B](#). Confidential Resources are not [Responsible Employees](#) (defined below). All resources not specifically designated as Confidential Resources are considered non-confidential. If you have any question about whether you are a Confidential Resource or whether someone you would like to speak to is a Confidential Resource, please contact the [Title IX Coordinator](#) or [Office of Institutional Equity](#) for clarification.

Consent: Sexual activity of any kind requires "consent," which consists of the following:

- Consent means clear and voluntary agreement between participants to engage in the specific act.
- Consent requires a clear "yes," verbal or otherwise; it cannot be inferred from the absence of a "no."
- Consent cannot be obtained from someone who is unconscious, asleep, physically helpless, or incapacitated (including, but not limited to, mentally incapacitated). A person is incapacitated when they are unable to make a rational decision because the person lacks the ability to understand their decision. A person who is incapacitated is unable to consent to sexual activity. A person can become incapacitated as a result of physical or mental disability, involuntary physical constraint, being asleep or unconscious, or consumption of alcohol or other drugs. A person can consume alcohol and/or drugs without becoming incapacitated. A person who engages in sexual activity with someone that person knows or reasonably should know is incapacitated does not have consent and will be found responsible for a Policy violation.
- Consent cannot be obtained by pressure, threats, coercion or force of any kind, whether mental or physical. Consent means actually agreeing to the specific sexual activity, rather than merely submitting as a result of pressure, threats, coercion or force of any kind, whether mental or physical.
- Consent cannot be obtained from an individual who is under the legal age of consent.
- Consent must be ongoing throughout a sexual encounter and can be revoked at any time.
- Consent to some sexual acts does not necessarily imply consent to others.
- Past consent does not mean ongoing or future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

Dating Violence:¹ The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but excludes acts covered under domestic violence.

Discrimination: The term “discrimination” means treating a member of the community unfavorably because that person is a member of a protected class. The University prohibits discrimination on the basis of: race, color, national origin, immigration status, ethnicity, age, disability, religion, sex, gender, pregnancy, military status, veteran status, marital status, sexual orientation, gender identity or expression, genetic information, or other legally protected characteristics. For further information, see the [University Statement on Equal Opportunity](#) and [Discrimination and Harassment Policy and Procedures](#).

Domestic Violence:² The term “domestic violence” means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim; is cohabitating or has cohabitated with the victim as a spouse or intimate partner, shares a child in common with the victim; or commits acts against a youth or adult who is protected from those acts under the family or domestic violence laws of the jurisdiction receiving grant monies.

Economic Abuse: The term ‘economic abuse’, in the context of domestic violence, dating violence, and abuse in later life, means behavior that is coercive, deceptive, or unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to (A) restrict a person’s access to money, assets, credit, or financial information; (B) unfairly use a person’s personal economic resources, including money, assets, and credit, for one’s own advantage; or (C) exert undue influence over a person’s financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

Formal Complaint: The term “Formal Complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a respondent and requesting that the university investigate the allegation of Title IX Sexual Harassment. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, electronic mail, or online form, as provided below. A “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the university) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the Formal Complaint.

Gender Expression: The external appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

Gender Identity: One’s innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same as or different from their sex assigned at birth.

Interim Supportive Measures: The term “interim supportive measures” means non-disciplinary, non punitive individualized services offered as appropriate and reasonably available, and without fee or charge to the complainant, respondent or other individuals involved in a matter, before or after the filing of any type of Title IX Sexual Harassment or Other Sexual Misconduct report or complaint. Such measures are designed to restore or

¹ Dating violence is covered by the Policy whether or not it involves sexual conduct.

² Domestic violence is covered by the Policy whether or not it involves sexual conduct.

preserve equal access to a university program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter Title IX Sexual Harassment or Other Sexual Misconduct. For examples of interim supportive measures, see Section VII below. To discuss or request interim supportive measures, please contact the [Title IX Coordinator](#) or Deputy Title IX Coordinator.

Non-Title IX Sex-Based Harassment: The term "non-Title IX sex-based harassment," whether between people of different sexes, or the same sex, includes, but is not limited to, conduct that does not meet the definition of Title IX Sexual Harassment but otherwise constitutes unwelcome and offensive conduct based on sex (including gender, sexual orientation and gender identity/expression) when:

1. Submission to such conduct is made either explicitly or implicitly a term of the individual's employment or participation in an education program or activity;
2. Submission to or rejection of such conduct is used as a basis for employment or academic decisions or advancement; *or*
3. Such conduct unreasonably creates a work or academic environment that a reasonable person would perceive to be abusive or hostile.

The alleged conduct need not be severe or pervasive. When assessing whether the alleged conduct unreasonably creates an abusive or hostile work or academic environment from the perspective of a reasonable person, the university considers the totality of the circumstances. This includes consideration of whether the unwelcome and offensive conduct unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services or opportunities from the university's education or employment programs and/or activities. Although the conduct need not be severe or pervasive to constitute an unreasonably hostile or abusive environment, the heightened seriousness of alleged severe or pervasive conduct will be considered during OIE's process.

Non-Title IX Sex-Based Harassment does not include unwelcome conduct of a sexual nature, which is considered non-Title IX Sexual Harassment.

Non-Title IX Sexual Harassment: The term "non-Title IX sexual harassment," whether between people of different sexes or the same sex, includes, but is not limited to, conduct that does not meet the definition of Title IX Sexual Harassment but otherwise constitutes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, electronic or physical conduct of a sexual nature when:

- The respondent is a non-employee and submission to such conduct is implicitly or explicitly a term or condition of an individual's participation in an educational program or activity³;
- The respondent is a non-employee and submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions, evaluation or advancement⁴; or
- Such conduct unreasonably creates a work or academic environment that a reasonable person would perceive to be abusive or hostile.

The alleged conduct need not be severe or pervasive. When assessing whether the alleged conduct unreasonably creates an abusive or hostile work or academic environment from the perspective of a reasonable person, the university considers the totality of the circumstances. This includes consideration of whether the unwelcome and offensive conduct unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services or opportunities from the university's education or employment programs and/or activities. Although the conduct need not be severe or pervasive to constitute an unreasonably hostile or abusive environment, the heightened seriousness of alleged severe or pervasive conduct will be considered during OIE's process.

Examples of conduct that may, depending on the facts and circumstances, constitute non-Title IX sexual harassment include, but are not limited to: making comments about someone's appearance in a sexually suggestive way; staring at

³ Where it is alleged that an *employee* engaged in such conduct, but the circumstances do not otherwise meet the criteria for utilizing the Procedures for Title IX Sexual Harassment as set forth in Section IX, such alleged conduct will be considered potential Non-Title IX Sexual Harassment and will be evaluated as needed under the Procedures for Other Sexual Misconduct.

⁴ Where it is alleged that an *employee* engaged in such conduct, but the circumstances do not otherwise meet the criteria for utilizing the Procedures for Title IX Sexual Harassment as set forth in Section IX, such alleged conduct will be considered potential Non-Title IX Sexual Harassment and will be evaluated as needed under the Procedures for Other Sexual Misconduct.

Relationship Violence: The term “relationship violence” means dating violence and domestic violence.

Retaliation: The term “retaliation” means intimidating, threatening, coercing, harassing, taking adverse employment or educational action against, otherwise discriminating against an individual in any way and/or interfering with any right or privilege secured by Title IX or its implementing regulations, including through online communications and activities such as social media, because the individual made a report or complaint under this Policy or these Procedures, participated in any way in the investigation or resolution of such a report or complaint, opposed conduct that they reasonably believed to be prohibited under this Policy, these Procedures, or applicable law regarding discrimination or harassment, or exercised any right or responsibility under this Policy or these Procedures. Retaliation includes conduct that is reasonably likely to deter an individual from making a complaint or report under this Policy or from participating in the investigation or resolution of a complaint or report, or from opposing conduct that they reasonably believe to be prohibited under this Policy, these Procedures, or applicable law regarding discrimination or harassment.

Sexual Assault: The term “sexual assault” includes the following actual or attempted acts:

- **Rape (except Statutory Rape):** The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Sexual Assault With An Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. This includes digital penetration.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Sexual Misconduct: The term “sexual misconduct” refers to both “Title IX Sexual Harassment” and “Other Sexual Misconduct”.

Technological Abuse: The term “technological abuse” means an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

Title IX Sexual Harassment: The term “Title IX Sexual Harassment” means conduct on the basis of sex⁶ that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (*quid pro quo*);
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity; and/or
- Sexual Assault, Dating Violence, Domestic Violence, or Sex-Based Stalking.

Even when alleged conduct falls under this definition of “Title IX Sexual Harassment,” additional criteria must be met to trigger the application of the Procedures for Title IX Sexual Harassment. To determine which procedures apply, OIE will perform further assessment, as described in Section VIII.

⁶ This includes conduct based on sexual orientation and gender identity or expression.

Sex-Based Stalking: The term “sex-based stalking” means, on the basis of sex, engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others, or suffer substantial emotional distress. Acts which solely create an annoyance or inconvenience are generally insufficient to meet this standard. For purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with another person, or interferes with that person’s property.

Although sex-based stalking does not require evidence that the Respondent intended to cause fear or emotional distress, there must be evidence that the Respondent intentionally engaged in a course of conduct directed at the Complainant, as set forth above. Inadvertent, involuntary, or accidental conduct will not meet this standard. Likewise, incidental or routine contact and/or communications issued during the regular course of University business concerning legitimate academic or employment matters do not constitute sex-based stalking. Protected conduct – such as making a good faith complaint/report under this policy or participating in an OIE investigation – also will not be considered part of a course of conduct in evaluating alleged Non-Sex-Based Stalking.

APPENDIX K



Domestic Violence Lethality Screen For First Responders



Officer:

Date:

Case:

Victim:

Offender:

Check here if victim did not answer any of the questions.

▶ A "Yes" response to any of Questions #1-3 automatically triggers the protocol referral.

- | | | | |
|---|------------------------------|-----------------------------|-----------------------------------|
| 1. Has he/she ever used a weapon against you or threatened you with a weapon? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 2. Has he/she threatened to kill you or your children? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 3. Do you think he/she might try to kill you? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |

▶ Negative responses to Questions #1-3, but positive responses to at least four of Questions #4-11, trigger the protocol referral.

- | | | | |
|--|------------------------------|-----------------------------|-----------------------------------|
| 4. Does he/she have a gun or can he/she get one easily? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 5. Has he/she ever tried to choke you? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 6. Is he/she violently or constantly jealous or does he/she control most of your daily activities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 7. Have you left him/her or separated after living together or being married? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 8. Is he/she unemployed? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 9. Has he/she ever tried to kill himself/herself? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 10. Do you have a child that he/she knows is not his/hers? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |
| 11. Does he/she follow or spy on you or leave threatening messages? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Ans. |

▶ An officer may trigger the protocol referral, if not already triggered above, as a result of the victim's response to the below question, or whenever the officer believes the victim is in a potentially lethal situation.

Is there anything else that worries you about your safety? (If "yes") What worries you?

- Check one:**
- Victim screened in according to the protocol
 - Victim screened in based on the belief of officer
 - Victim did not screen in

If victim screened in: After advising her/him of a high danger assessment, did the victim speak with the hotline counselor?
 Yes No

***Note:** The questions above and the criteria for determining the level of risk a person faces is based on the best available research on factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence risk for lethal violence that are not captured by this screen. Although most victims who screen "positive" or "high danger" would not be expected to be killed, these victims face much higher risk than that of other victims of intimate partner violence.*

MNADV 08/2005