



ROCKFORD POLICE DEPARTMENT

GENERAL ORDER

NUMBER: 3.25

TITLE: DOMESTIC DISPUTES, DOMESTIC VIOLENCE, AND DOMESTIC RELATED PROBLEMS INVOLVING DEPARTMENT PERSONNEL

SERIES: 3 - PER

SERIES TITLE: PERSONNEL

TOPICS / REFERENCE: ILLINOIS DOMESTIC VIOLENCE ACT OF 1986

APPENDICES: NONE

ORIGINAL EFFECTIVE / ISSUE DATE: APRIL 4, 2013

DATE OF LAST REVISION: OCTOBER 3, 2017

THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RESCINDED

POLICY:

It is the policy of the Rockford Police Department to investigate incidents of domestic disputes and domestic violence. The Department shall act quickly to protect the victim, arrest the perpetrator, and conduct parallel administrative and criminal investigations.

PURPOSE:

Domestic Violence is a problem throughout the nation, impacting people of all walks of life. The purpose of this policy is to establish responsibilities, procedures, and guidance for handling matters of domestic violence and domestic disputes, including those involving Department personnel. This policy includes all Department personnel, whether sworn, civilian or volunteer, of any rank in the Department.

These guidelines are not meant to be all-inclusive, since each incident must be dealt with on an individual basis, but are intended as broad guidelines to assist the employees and supervisors involved.

This Order is comprised of the following numbered section:

- I. DEFINITIONS**
- II. PROCEDURES**

APPENDICES: NONE

I. DEFINITIONS:

- A. Domestic Dispute:** For the purpose of this policy, refers to any argument, quarrel, shouting or confrontation between or among domestic partners and/or other family members that does not include an act of violence (threatened or actual).

- B. Domestic Violence:** Refers to any act of violence (threatened or actual) including but not limited to:
 - 1. Bodily injury or threat of imminent bodily injury; or Sexual assault; or Unlawful physical restraint; or Property crime directed at the victim; or Violation of a court order of protection, or similar injunction; or Death perpetrated by a police officer (on or off duty) or any police department employee upon his or her family or household member.
- C. Family or household members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012 ([750 ILCS 60/103](#)).

II. PROCEDURES:

- A.** The Department will adhere to a zero tolerance policy towards police officer domestic violence and violation of the policy will not be tolerated. The department will provide training to officers on domestic violence and the zero tolerance policy.
- B. Department Responsibilities:**
 - 1. The department shall either in response to observed warning signs or at the request of an officer, family members, or household members provide non-punitive avenues of assistance to an officer, family member, or household member before an act of domestic violence occurs; and
 - 2. The department shall identify a procedure for making confidential referrals to confidential counseling services either internally or in collaboration with existing community services that have specific expertise in domestic violence.
- C. Supervisor Intervention Responsibilities:**
 - 1. Supervisors shall refer to General Order 3.06 Personnel Early Intervention System for guidance to attempt to identify, evaluate, assist, intervene, refer, and/or report any detrimental performance behaviors and/or stress related behaviors.
- D. Police Officer Responsibilities:**
 - 1. Officers are encouraged and entitled to seek confidential assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner. Assistance can be obtained by contacting a supervisor and/or seeking aid from the Employee Assistance Program (EAP);

2. Department personnel who are made aware of other department members who are dealing with potential domestic related problems have the responsibility to inform his/her immediate supervisor;
3. All officers shall be aware of possible witness or victim intimidation/coercion. Whenever an officer suspects this is occurring, they shall prepare a written report and immediately deliver it to the investigator in charge of the case through the proper chain of command;
4. Department personnel who engage in threatening, harassing, stalking, surveillance or other such behavior designed to interfere with cases against fellow officers or intimidate witnesses will be subject to investigation, disciplinary action, and possible criminal charges;
5. Officers who fail to cooperate with the investigation of a police officer domestic dispute or domestic violence case will be subject to investigation and possible discipline;
6. Any member of this agency who is arrested for domestic violence charges by another agency will notify the on duty Officer In Charge (OIC) as soon as possible. The on duty OIC receiving such notifications will in turn immediately notify the Chief of Police, Deputy Chief or Assistant Deputy Chief;
7. An officer who is the subject of a criminal investigation, protective or restraining order related to domestic related problem, regardless of jurisdiction, is required to report to his/her supervisor and provide notice of the court date(s), time(s), appearance(s), and proceeding in a timely manner; and
8. An accused officer who is the subject of any civil protective order, regardless of jurisdiction, shall notify his/her supervisor in a timely manner and provide a copy of the order to his/her supervisor.

E. On-Scene supervisor Response:

1. A supervisor shall report to the scene of all Department personnel domestic dispute or domestic violence situations that occur in the City of Rockford regardless of the involved officer's jurisdiction;
2. The on-scene supervisor shall assume command, ensure that the crime scene is secure, and that all evidence is collected, including color photographs, if applicable;
3. In cases where probable cause exists, the on-scene supervisor shall ensure an arrest is made;
4. If the offender has left the scene, the supervisor shall ensure a search is conducted and an arrest warrant is obtained if probable cause exists;
5. Whenever a Department personnel domestic related call does not result in an arrest, the on-scene supervisor shall submit a written report explaining any and all reasons why an arrest was not made or a warrant was not sought;

6. The on-scene supervisor shall ensure the victim is informed of the following:
 - a. The availability of an advocate;
 - b. Confidential transportation to a safe house, shelter, or any other location that ensures victim safety;
 - c. Procedures for obtaining restraining and/or protective orders and victim rights;
 - d. The standard of probable cause for arrest;
 - e. Judicial process, victim rights, and compensation following an arrest;
 - f. Written information on community resources and local domestic violence victim advocacy organization; and
 - g. The Chief of Police, or designee, shall coordinate relieving the officer of duty:
 - i. Whenever a Department officer is arrested, the on-scene supervisor shall relieve the officer of his/her service weapon. In the absence of a command officer, one will be contacted immediately, beginning with the OIC. The Chief of Police shall be notified immediately of the arrest. Where allowable under federal, state, or local ordinances, all other firearms owned or at the disposal of the accused officer shall be removed to further ensure victim safety.
7. In matters that could be considered parental discipline involving a minor under the age of 18, the supervisor will immediately contact the OIC who will advise the Commander of the Investigations Bureau.

F. Additional Critical Considerations:

1. When responding to domestic dispute or domestic violence complaints involving police officers from other jurisdictions, all responding officers, investigators, and supervisors shall follow the same procedures in **Section II., D – E**;
2. In the event that the reported incident involves the Chief of Police, the on-scene supervisor shall immediately notify the Deputy Chief. The Deputy Chief will notify the Mayor;
3. In the event the reported incident involves any officer from another jurisdiction, the supervisor shall notify the OIC, who will make arrangements for notifying the appropriate authorities at the officer's agency;
4. In responding to domestic dispute or domestic violence situations where the victim is a police officer, or both parties involved are police officers, standard domestic related problem response and investigation procedures should be followed; and

5. Arrests warrants charging police officers with domestic violence shall be served by no less than two officers with at least one being of senior rank to the officer being served.

G. Investigation:

1. If a supervisor determines further investigation is needed, an arrest may be made at a later time and date if necessary. The incident report shall articulate reason(s) for further investigation.

ALL GENERAL ORDERS REMAIN IN EFFECT UNTIL REVISED OR RESCINDED.

ANY MEMBER OF THE DEPARTMENT MAY, BY VIRTUE OF EXPERTISE OR POSITION OF FUNCTION, BE DESIGNATED TO AUTHOR OR PROVIDE SOURCE MATERIAL FOR A WRITTEN DIRECTIVE. THE OVERALL AUTHORITY TO ISSUE, MODIFY OR APPROVE WRITTEN DIRECTIVES IS DESIGNATED TO THE CHIEF OF POLICE.

ALL GENERAL ORDERS ARE SCHEDULED TO BE REVIEWED ANNUALLY BY THE GENERAL ORDER REVIEW COMMITTEE AND WHEN NECESSARY, REVISED OR CANCELED IN ACCORDANCE WITH THE PROCEDURES FOR REVIEWING WRITTEN DIRECTIVES ESTABLISHED IN GENERAL ORDER 1.10 – WRITTEN DIRECTIVES.

ALL NEW AND REVISED GENERAL ORDERS SHALL BE APPROVED BY THE CHIEF OF POLICE BEFORE ISSUE/REISSUE.

ANY EMPLOYEE WITH SUGGESTIONS FOR REVISIONS AND/OR IMPROVEMENTS TO THIS ORDER ARE ENCOURAGED TO SUBMIT THEIR IDEAS TO THEIR RESPECTIVE DISTRICT COMMANDER OR BUREAU CHIEF.

BY ORDER OF

DATE: 10/03/2017

Daniel G. O'Shea

Chief of Police