

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject DOMESTIC VIOLENCE	Policy Number EA-8
		Effective Date 01-12-23
Related Information Arizona Revised Statutes CP-2, <i>Code of Conduct</i> EH-1, <i>Address Confidentiality Program</i> GC-1, <i>Leaves and Absences</i> GE-3, <i>Property Management and Evidence Control</i> GF-5, <i>Incident Report Guidelines</i> GH-5, <i>Early Identification System</i> GI-5, <i>Voiance Language Services</i> GJ-14, <i>Victim's Bill of Rights</i> GJ-20, <i>Service of Protective Orders</i> GJ-35, <i>Body-Worn Cameras</i>	Supersedes <p style="text-align: center;">EA-8 (05-03-18)</p>	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures to be followed when investigating an incident of domestic violence or a violation of a court order in connection with enforcement actions related to domestic violence.

POLICY

It is the policy of the Office to respond to calls for service involving domestic violence, and thoroughly investigate and document such incidents. The deputy shall attempt to determine the predominant aggressor at the scene and make an arrest when probable cause has been established.

DEFINITIONS

Address Confidentiality Program (ACP): A program established by the Arizona Secretary of State to protect the confidentiality of the actual address of a relocated victim of domestic violence, a sexual offense, or stalking.

Arizona Protective Order Initiation Notification Tool (AZPOINT): A web-based, automated system used by judicial officials and law enforcement agencies to process, manage, and track protective orders.

Domestic Violence: The commission of a defined offense or criminal act, as specified in ARS 13-3601, if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage, or of persons residing or having resided in the same household;
2. The victim and the defendant have a child in common, or the victim or the defendant is pregnant by the other party;
3. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother, or sister, or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law, or sister-in-law;

4. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant, or to a person who resides or who has resided in the same household as the defendant; or
5. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
 - a. The type of relationship;
 - b. The length of the relationship;
 - c. The frequency of the interaction between the victim and the defendant; and/or
 - d. If the relationship has terminated, the length of time since the termination.

Emergency Order of Protection (EOP): An Emergency Order of Protection, governed by ARS 13-3624, may be requested by a peace officer on an emergency or *ex parte* basis when a person's life or health is in imminent danger. It is limited to parties with relationships specified in ARS 13-3601(A), the domestic violence statute.

Full Faith and Credit: A valid protection order related to domestic or family violence issued by a court in another state, a court of a United States territory, or a tribal court. Such orders shall be accorded full faith and credit and shall be enforced as if it were issued in this state for as long as the order is effective in the issuing jurisdiction.

Injunction Against Harassment (IAH): An Injunction Against Harassment, governed by ARS 12-1809, may be granted to prevent a person from committing acts of harassment against another. There is no relationship requirement.

Injunction Against Workplace Harassment (IAWH): An Injunction Against Workplace Harassment, governed by ARS 12-1810, authorizes an employer or authorized agent to seek a court order preventing a person from being on the employer's premises and from committing acts of harassment against the employer, the workplace, employees, or any other person who is on the employer's property or at the place of business or who is performing official work duties.

Order for Lifetime No-Contact Injunction: Effective September 24, 2022, ARS 13-719 permits a victim to request and the court to issue a non-expiring injunction for serious and dangerous felony offenses noted by the statute at the time of the defendant's sentencing. Victims may also petition the court for a lifetime injunction against a defendant sentenced for such offenses prior to the effective date of the law. The Order for Lifetime No-Contact Injunction is comprised of the following:

1. Petition For a Lifetime No-Contact Injunction: Indicates what the plaintiff is requesting.
2. Order For Lifetime No-Contact Injunction: Indicates what has been ordered by the court.
3. Declaration Of Service for Order for Lifetime No-Contact Injunction: Indicates when the service of the order was conducted.
4. Victim Information Sheet for Petition for a Lifetime No-Contact Injunction: This form is a confidential form completed by the Petitioner/Plaintiff to aid law enforcement in the service of the Order for Lifetime No-Contact Injunction. The form also contains confidential contact

information so that the Petitioner/Plaintiff can be contacted; as well as other relevant information to aid in the service. This form shall not be given, shared with, or viewed in any way by the person being served.

Order of Protection (OOP): Per Rule 4 of the Arizona Rules of Protective Order Procedure, an Order of Protection, governed by ARS 13-3602, may be granted to prevent a person from engaging in acts of domestic violence. It is limited to parties with relationships specified in ARS 13-3601(A), the domestic violence statute. It is a court order issued to restrain a person from committing harmful acts including those in the domestic violence statute. A protective order includes any order issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to another person, including preliminary, temporary, and final orders. The Order of Protection (OOP) is comprised of the following:

1. Petition for Order of Protection: Indicates what the plaintiff is requesting.
2. Order of Protection: Indicates what has been ordered by the court.
3. Defendant’s Guide Sheet and a Brady Warning Document: These forms may also be included in the Order of Protection document package. If the forms are included, they are required to be served as part of the Order of Protection.
4. Declaration of Service: Indicates when the service of the order was conducted.
5. Service of Process Form: This form may be included as part of the Order of Protection (OOP) document package. This form is a confidential form completed by the Petitioner/Plaintiff to aid law enforcement in the service of the Order of Protection. The form also contains confidential contact information so the Petitioner/Plaintiff can be contacted; as well as other relevant information to aid in the service. The Service of Process Form shall not be given, shared with, or viewed in any way by the person being served.

Preliminary Injunction: A temporary court order often issued upon the filing of a divorce case which prohibits both spouses from certain activities commonly related to community property and child custody.

Stalking: Intentionally or knowingly engaging in a course of conduct directed toward another person if that conduct causes the victim to suffer emotional distress or reasonably fear either the victim’s property will be damaged or destroyed or any of the following will be injured or killed: victim, victim’s family member, pet or livestock, a person the victim previously had a romantic relationship with or who resides or has resided in the victim’s household within six months before the last conduct occurred.

PROCEDURES

1. **Investigation and Documentation:** Domestic violence incidents may be prosecuted with or without victim participation. Prosecution on behalf of the State of Arizona can occur if the victim later declines or is unable to cooperate with the prosecution of the suspect. The following guidelines help ensure successful prosecutions, with or without the victim’s cooperation:
 - A. Determine the location and condition of both the victim and the suspect. Determine who else is present in the residence that was also present during the incident, particularly children. These persons, as well as the person who called 9-1-1, and all contact information need to be identified and included in the *Incident Report (IR)* and the *Domestic Violence Supplement*, located in TraCS. Contact information shall also be included in the report and supplement of all persons present.

1. The suspect's and victim's information shall be entered as completely as possible, as specified in Office Policy GF-5, *Incident Report Guidelines*; and
 2. If a victim produces an Address Confidentiality Program (ACP) participation card, follow the guidelines set forth in Office Policy EH-1, *Address Confidentiality Program*.
- B. Deputies at the scene of a suspected domestic violence situation shall complete a records check on all parties of the dispute; including a check of the Arizona Protective Order Initiation Notification Tool (AZPOINT) database to determine if a court has issued a protective order that may not have been served at the time of the incident.
1. Any unserved protective orders shall be served, as specified in Office Policy GJ-20, *Service of Protective Orders*.
 2. Orders of Protection which grant exclusive use of a residence should be enforced at the time of service. The serving deputy should require the defendant to leave the protected location as indicated on the order. Exceptions to the requirement for removal shall be approved by a supervisor.
 3. The transfer of protective orders within AZPOINT may not occur without the approval of Judicial Enforcement Division (JED) supervisory personnel.
- C. Photograph any injuries, damage to property, or a scene in disarray indicating a struggle. Collect any physical evidence and include a detailed description of weapons involved, if any. All evidence shall be impounded, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- D. If the victim receives medical treatment at a medical facility, the deputy shall request the victim sign a *Medical Release Authorization Form*. The deputy shall advise the victim the authorization to release information regarding the care and treatment received, is voluntary and may be declined. The *Medical Release Authorization Form* shall be attached to the IR to allow the investigator to obtain the records, including nurses' notes and social workers' notes.
- E. When cases involve the following circumstances, the Investigations Bureau shall be notified through the Communications Division to evaluate whether detectives shall respond. The detective, in turn, may wish to contact a deputy county attorney from the Maricopa County Attorney's Office (MCAO) Family Violence Bureau:
1. A serious physical injury resulting in loss of a major bodily function, such as loss of a limb or eyesight, paralysis, or other significant injury;
 2. A shooting, stabbing, or other incident requiring hospitalization beyond the emergency room;
 3. A complex crime scene requiring a search warrant;
 4. When an Office employee is one of the parties involved;
 5. When strangulation is involved; and
 6. When sexual assault is involved.

- F. Although many domestic violence situations appear to be “mutual combat,” one party has often acted in self-defense. Deputies shall attempt to determine which party was the predominant aggressor and consider their findings when determining the actions to be taken. Self-defense shall not be prosecuted, as specified in ARS 13-3601. The primary aggressor may be determined by considering the following:
 - 1. Prior history of incidents or arrests at the address;
 - 2. Existing Protective Orders against either party;
 - 3. Which party has sustained the most severe injuries;
 - 4. Whether either party has destroyed property;
 - 5. Whether either party is visibly frightened or expressing fear of retaliation; and
 - 6. An examination of injuries sustained to determine which party may have acted in self-defense in an attempt to get away.
 - 7. In order to arrest both parties, the deputy shall have probable cause to believe both parties have independently committed an act of domestic violence. Self-defense is not deemed to be an act of domestic violence.

- G. At the time of prosecution, the victim may be difficult to locate. Addresses and phone numbers of close friends or nearby family members shall be obtained, if possible, particularly if the victim is known to be relocating as a result of the incident.

2. **Investigative Interviews of Domestic Violence:** Separately interview the victim(s), suspect(s), and witnesses, including children, neighbors, and the reporting party. When deputies conduct interviews at the scene, they shall be recorded, as specified in Office Policy GJ-35, *Body-Worn Cameras*.

- A. If required, an interpreter shall be provided, as specified in Office Policy GI-5, *Voiance Language Services*. By the time the case goes to court, the parties may have reconciled. It is common under those circumstances for the victim to refuse to cooperate in court or even to recant previous statements.
 - 1. When a child is involved in a domestic violence incident and is 11 years old and younger, a deputy shall only conduct a basic interview.
 - 2. If a more in-depth forensic child interview is required, the deputy shall notify the on-duty supervisor. The supervisor shall be responsible for contacting the Special Victims Unit (SVU) through the Communications Division.

- B. The victim shall be interviewed out of the hearing of the suspect. When arrest is appropriate, deputies shall take total responsibility for the decision to arrest rather than blaming and further endangering the victim.
 - 1. Document the victim’s demeanor to include, but not limited to, crying, verbal or physical evidence, heightened emotional state, or any other excited utterances.
 - 2. Investigate to determine if there are any other persons the victim discussed the offense with, even by phone or text messaging. Conduct interviews of additional witnesses as applicable.

3. **Protective Orders:** When a deputy responds to a call for service in which a court order exists, they shall take the necessary actions appropriate for the type of court order in existence. The following are protective orders which upon issuance of a judicial officer can be served and processed by Office employees:
- A. Order of Protection (OOP): A victim of domestic violence, as specified in ARS 13-3601, may apply for an OOP through AZPOINT and attend a hearing through the courts.
 - 1. An OOP is effective on the defendant upon service of a copy of the OOP and expires two years after service on the defendant, unless otherwise specified in the order.
 - 2. A modified order is effective upon service and expires two years after service of the initial Order and Petition, unless otherwise specified in the order.
 - 3. An unserved OOP expires one year from the date of issuance.
 - B. Emergency Order of Protection (EOP): An EOP may be requested by a peace officer on an emergency or ex parte basis when a person's life or health is in imminent danger. It is limited to parties with relationships specified in ARS 13-3601(A). An EOP expires seven calendar days after issuance, unless otherwise continued by the court, as specified in ARS 13-3624.
 - C. Injunction Against Harassment (IAH): A person may apply for an IAH through AZPOINT when a relationship does **not** exist between all parties involved and does not meet the criteria for domestic violence.
 - D. Injunction Against Workplace Harassment (IAWH): An employer may apply for an IAWH on behalf of the business and/or their employees through AZPOINT and attend a hearing through the courts.
 - E. Order for Lifetime No-Contact Injunction: An Order for Lifetime No-Contact Injunction **does not** populate within AZPOINT. Victims will have possession of these orders and request that law enforcement serve the defendants.
 - 1. Sworn or detention personnel receiving an Order Lifetime No-Contact Injunction to serve, shall only serve after contacting a Judicial Enforcement Division (JED) sworn supervisor and receiving instructions on accurate completion of the Declaration of Service and routing to JED for filing with the issuing Court.
 - 2. An expeditious entry into the National Crime Information Center (NCIC) by the Arizona Department of Public Safety may only occur upon the Office's timely filing of the order with the Clerk of the Court.
 - 3. An unserved Order for Lifetime No-Contact Injunction does not expire.
 - 4. Law enforcement shall not charge a fee for serving an Order for Lifetime No-Contact Injunction.
 - F. Preliminary Injunction: Suspected violations of a preliminary injunction shall require the deputy to advise the complainant to contact the court where the injunction was issued for potential action for contempt of court.

4. **Out of State OOP:** If an OOP was issued in another state, deputies are obligated under federal law to allow full faith and credit to the protective order. In spite of different terminology or duration, deputies shall consider the order valid if it names the correct parties and has not expired. The safety of the victim is of primary consideration.
 - A. The law requires the person against whom the protective order was issued be given notice and the opportunity to be heard. This requirement shall not prohibit the enforcement of the protective order.
 - B. The protective order is not required to be registered in Arizona. Enforcement is required even if:
 1. The victim would not be eligible for an OOP;
 2. The protective order provides greater relief than the person would have received here; and/or
 3. The protective order cannot be immediately verified.
 - C. While enforcing an out-of-state OOP in good faith, immunity may be granted from civil liability under federal and state laws.

5. **Obtaining an Emergency Order of Protection (EOP):** If an EOP is needed, the deputy shall contact a judicial officer to issue an EOP, as specified in this Office Policy and Office Policy GJ-20, *Service of Protective Orders*. The EOP form is located on the Office's shared drive in the Official MCSO Forms folder.
 - A. The deputy shall advise the judicial officer of the circumstances surrounding the request for the EOP. A judicial officer may issue an order in writing or orally if a deputy has reasonable grounds to believe that a person is in immediate and present danger of domestic violence. This determination is based on a recent incident of actual domestic violence, or at the victim's request upon finding that the victim's life or health is in imminent danger.
 - B. After the judicial officer has issued the EOP form, the form shall be completed by the deputy. The deputy shall contact the Operation Information Center (OIC) to obtain an EOP number. The following actions are then taken:
 1. The original EOP form, which includes a section titled Certificate of Service, shall be completed upon service.
 - a. If the deputy is unable to locate and serve the defendant, service arrangements shall be made with each on-coming district shift supervisor.
 - b. Service attempts will continue until exhausted or the EOP has expired.
 2. A copy of the EOP shall be given to the plaintiff.
 3. A copy of the EOP shall be served to the defendant.
 4. The deputy shall advise OIC whether the EOP has or has not been served. All served EOPs shall be entered into NCIC by OIC. The NCIC number shall be printed on the face of the EOP and documented within the IR.

5. A copy of the EOP shall be scanned and attached to the IR initiated by the deputy in TraCS.
 6. Once served to the defendant, the deputy shall send the original EOP to the Clerk of the Superior Court.
 - C. The deputy shall ensure the plaintiff is aware an EOP expires seven calendar days after issuance, unless otherwise continued by the court, as specified in ARS 13-3624.
 - D. If the defendant is being booked into custody at the Intake, Transfer and Release (ITR) facility or housed at any other Office jail facility, service of the EOP shall be completed, as specified in Office Policy GJ-20, *Service of Protective Orders*.
6. **Arrests for Crime of Domestic Violence:** When a deputy, with or without a warrant, has probable cause to believe domestic violence has been committed and probable cause to believe the person to be arrested has committed the offense, whether the offense was committed within or without the presence of the deputy, the following procedures shall be followed:
- A. It shall be the responsibility of the deputy responding to a domestic violence situation to ensure any victims of domestic violence receive and complete a *Victims' Rights Request/Waiver and Information Booklet* Form, as specified in Office Policy GJ-14, *Victims' Bill of Rights*.
 - B. A deputy may arrest a person if the deputy has probable cause to believe domestic violence has been committed, whether the offense is a felony or a misdemeanor.
 1. If the decision is made to arrest the person, Arizona law prohibits a citation in lieu of detention for a domestic violence offense.
 - a. A criminal citation shall be completed and used as a complaint in the booking process in misdemeanor cases where an arrest has been made.
 - b. An MCAO Submittal Form (long-form submittal) shall be completed and used as a complaint in the booking process in felony cases.
 2. If the decision is made not to arrest the person, an IR shall be completed, and a MCAO Submittal Form (long-form misdemeanor or felony submittal) may be used to submit cases to the MCAO.
 - C. A deputy shall arrest a person who is at least 15 years of age, if the deputy has probable cause to believe domestic violence has been committed in cases involving the infliction of physical injury or involving the discharge, use, or threatening exhibition of a deadly weapon or dangerous instrument, unless the deputy has reasonable grounds to believe the circumstances at the time are such the victim will be protected from further injury.
 1. Any deadly weapon or dangerous instrument used to inflict physical injury shall be seized and impounded as evidence; and
 2. If the deputy determines the victim's life or health is in imminent danger and the courts are not available for business, the deputy shall request an EOP, as specified in this Office Policy.

- D. If a deputy determines an arrest may not be in the best interest of the person or Office, such as a pregnant woman in labor or the person's detention may be hazardous to their welfare, a supervisor shall be contacted prior to the end of the call. The supervisor shall make the determination for arrest and may refer to ARS 13-3601.B, prior to making a decision whether or not to arrest. The contact with the supervisor and justification for the decision to arrest or not to arrest per ARS 13-3601.B shall be documented in the IR.
 - E. Any party to a domestic violence violation may make a citizen's arrest which satisfies statute. However, no one, including the victim, shall ever be encouraged to do so by Office personnel.
 - F. Every reported incident which has the potential to be stalking shall be documented in an IR. The victim shall also be encouraged to keep a personal log of all stalking-related incidents. The reports of multiple incidents can demonstrate similarity, repetition, and persistence, and may assist the MCAO to develop a "course of conduct" to demonstrate stalking.
 - G. All written documents involving domestic violence shall state the offense involves domestic violence and shall be designated by the letters "DV" by entering this clarifier into the appropriate computer system to designate this is a domestic violence offense, as specified in ARS 13-3601. This also applies to the Property and Evidence Report if a firearm is seized.
 - H. It is mandatory for any person arrested for a domestic violence violation to provide their fingerprints. If a subject refuses to provide their fingerprints, an Intake supervisor at the Intake Transfer and Release (ITR) facility shall petition the court to order the arrested person to provide their fingerprints.
7. **Violations of a Court Order:** When a deputy, with or without a warrant, has probable cause to believe a violation of a court order, as specified in ARS 13-2810, has been committed and probable cause to believe the person to be arrested has committed the offense, whether the offense was committed within or without the presence of the deputy, the following procedures may be followed:
- A. Orders of Protection: The deputy may arrest a person if the deputy has probable cause to believe the person has violated an OPP by disobeying or resisting an order, as specified in ARS 13-3602. Violations of an OOP shall require the deputy to complete records checks on all parties of the dispute; including a check of the AZPOINT database to determine if a court has issued an OOP that may not have been served at the time of the incident.
 - 1. If probable cause exists and the deputy believes a valid OOP has been violated, an arrest may be made, even if the offense did not occur in the deputy's presence or the victim does not wish to prosecute. A separate offense for a violation of the OOP may be charged, as specified in ARS 13-2810, where no domestic violence offense has occurred.
 - a. When a misdemeanor arrest is made, a criminal citation shall be completed and used as a complaint in the booking process.
 - b. A MCAO Submittal Form (long-form submittal) shall be completed and used as a complaint in the booking process in felony cases.
 - c. The deputy shall complete an *Incident Report* (IR) documenting any enforcement action taken.
 - d. Whether or not an arrest is made, copies of the OOP and the Declaration of Service should be attached to the IR in TraCS in all cases to be prosecuted.

AZPOINT contains copies of these documents. In addition, “DV” shall be noted at the beginning of the IR narrative.

2. The law requires the person against whom the protective order was issued be given notice and the opportunity to be heard. This requirement shall not prohibit the enforcement of the protective order.
- B. **Injunctions Against Harassment:** The deputy may arrest a person if the deputy has probable cause to believe the person has violated an injunction against harassment by disobeying or resisting an injunction as, specified in ARS 12-1809.
- C. **Injunctions Against Workplace Harassment:** The deputy may arrest a person if the deputy has probable cause to believe the person has violated an injunction against workplace harassment by disobeying or resisting an injunction, as specified in ARS 12-1810.
- D. **Violations of a Preliminary Injunction:** The deputy may arrest a person if the deputy has probable cause to believe the person has violated a preliminary injunction by disobeying or resisting an injunction, as specified in ARS 25-315. However, the following shall apply:
 1. Deputies **shall not arrest a suspect solely** for violating a Preliminary Injunction.
 2. Deputies **may arrest** for any criminal acts committed in conjunction with the Preliminary Injunction violation.
 3. Violations of a Preliminary Injunction shall require the deputy to advise the complainant to contact the court where the injunction was issued for potential action for contempt of court.
8. **Storage and Safekeeping of Firearms:** The Office is responsible for the storage and safekeeping of firearms received into its possession as a result of either of the following:
 - A. In responding to investigate domestic violence or the violation of a court order arising from domestic violence, the deputy may question the persons who are present to determine if a firearm is present on the premises. Upon learning, or observing a firearm is present, the deputy may temporarily seize the firearm if it is in plain view or found pursuant to a consent to search, and the deputy believes the firearm would expose the victim or another person in the household to a risk of serious bodily injury or death.
 1. A firearm owned or possessed by the victim shall not be seized unless there is probable cause to believe both parties, independently, have committed an act of domestic violence.
 2. If a firearm is seized, the deputy shall give the owner or possessor of the firearm a *Confiscated Firearms Receipt* for each seized firearm. The receipt shall indicate the identification or serial number, or other identifying characteristic of each seized firearm. In addition, a *Property Receipt* shall be generated in TraCS and provided to the owner.
 3. Any firearm seized as a result of domestic violence incident shall be transferred to the Property Management Division at the earliest opportunity. All firearms that are retained because of a domestic violence incident shall be entered into the Property and Evidence/QueTel System using the “DV SAFEKEEPING” option where it shall be held and processed, as specified in Office Policy GE-3, *Property Management and Evidence Control*.

4. If there is reasonable cause to believe returning a firearm to the owner or possessor may endanger the victim, the person who reported the incident, or another person in the household, the deputy shall notify the MCAO, Family Violence Division as soon as possible. In misdemeanor cases in contract cities, the town prosecutor shall be notified. The IR shall be forwarded to the prosecutor, including a copy of the completed *Property Receipt*. If the prosecutor decides to proceed with retention of the firearm, notification shall be sent to the Property Management Division and to the submitting deputy. If an OOP is issued against the owner/possessor, the release of the firearm is prohibited unless otherwise ordered by the court, as specified in ARS 13-3602.
 5. The firearm shall be held at least 72 hours from the date of seizure to allow the MCAO to review the case and decide whether to file a Notice of Intent to Retain Firearm. After 72 hours, if neither the court, through an OOP, nor the MCAO, through the filing of a Notice of Intent to Retain Firearm, has barred return of the firearm, the owner is eligible to request its return. Return of firearms shall be processed by the Property Management Division, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- B. The appropriate municipal, justice, or superior court, while issuing an OOP or an EOP, may prohibit the defendant from possessing or purchasing a firearm for the duration of the order. The defendant shall then be ordered to transfer all firearms in their possession to Office custody. The firearms, if not turned in directly to the Property Management Division, shall be transferred there at the earliest opportunity, where they shall be held for “DV SAFEKEEPING”, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
9. **Prohibition of Possession or Purchase of a Firearm:** Any individual convicted of misdemeanor or felony domestic violence or assault, if the victim is a spouse, partner, parent, or child, may no longer possess or purchase a firearm, as specified in ARS 13-3101.
- A. There are no exceptions for deputies or detention officers. Any weapon-carrying member of the Office convicted of a qualifying offense shall no longer be able to legally possess or purchase a firearm.
 - B. This prohibition is retroactive. Individuals with prior convictions of a qualifying offense shall not be exempt.
10. **Responsibilities to Victims of Domestic Violence:** Deputies hold a responsibility to ensure the victims of domestic violence situations are given access to resources which can provide aid. Information regarding these resources can be obtained from the MCAO Domestic Violence Protocol. If the victim is a military veteran, additional resources may be available.
- A. *Victims’ Bill of Rights:* Deputies shall provide the victims with other information regarding their rights, as specified in Office Policy GJ-14, *Victims’ Bill of Rights*.
 - B. *Intimate Partner Risk Assessment* form: Deputies shall inform victims of the *Intimate Partner Risk Assessment* form, to include the following:
 1. The assessment form is entirely voluntary, and the victims may decline to answer any or all of the questions; and
 2. Any provided assessment answers are considered by a judicial officer when the suspect’s eligibility for release from custody is determined at their initial appearance hearing, as specified in ARS 13-3967.

11. **Employees who are Party to a Domestic Violence Occurrence:** Employees and their dependents are covered under the County’s free Employee Assistance Program 24-hour assistance line to cover a variety of issues, including but not limited to counseling. Information on this program and others can be found on the Maricopa County intranet site, <https://www.maricopa.gov/5210/Other-Benefits> or by calling the Maricopa County Benefits department. Employees may use sick leave for absences due to domestic violence, as specified in Office Policy GC-1, *Leaves and Absences*.

12. **Employee Reported Activity for a Domestic Violence Occurrence:** Employees who become involved in any situation being investigated by another law enforcement agency, whether as a witness, victim, or suspect, or in anticipation of becoming a suspect, such as those involving domestic violence; or upon the issuance of a court order, such as an OOP or an injunction against harassment, in which the employee has been named, shall notify their supervisor, as specified in Office Policy CP-2, *Code of Conduct*.
 - A. Office Policy GH-5, *Early Identification System* further requires an involved employee to complete an Employee Reported Activity Blue Team entry notifying their supervisor of their involvement in the event.

 - B. The involved employee’s supervisor shall complete the appropriate entry into the Early Identification System (EIS) in relation to the Employee Reported Activity. The Blue team entry shall be routed through the chain of command to the division commander. The division commander shall then forward the entry to the Early Identification Unit (EIU). EIU personnel shall forward the information provided in the Employee Reported Activity to: sso@mcs.maricopa.gov, for review of any necessary AZPOINT restrictions by the Office on-site AZPOINT Administrator and Office Systems Security Officer (SSO).