

DEPARTMENT GENERAL ORDER

#06-006

TO: ALL POLICE DEPARTMENT PERSONNEL, TO BE ANNOUNCED AT ROLL CALL AND A COPY POSTED ON THE BULLETIN BOARD FOR A PERIOD OF THIRTY (30) DAYS.

RE: Changes, additions and revisions to the Department's Field Manual, Chapter 13, "Domestic Violence," subsection 13-2.5, "Initiating a Lethality Assessment."

DATE: October 1, 2014

Effective: **Immediately**

RELATIONSHIP TO DEPARTMENT VALUES:

Supports our values of **FAIRNESS, ACCOUNTABILITY, INTEGRITY, AND RESPECT** by updating policies and procedures essential to our mission.

IMPLEMENTATION:

Insert in the Field Manual, Chapter 13, between pages 13-4 and 13-5 until permanent replacement is made. **Repeals General Order 06-003.**

PURPOSE:

To establish protocol and implement the use of the Lethality Assessment Program—Maryland Model (LAP) at domestic violence calls for service.

POLICY:

It is the policy of the Port Charles Police Department to use the Lethality Screen at the scene of a domestic violence incident to identify victims of domestic violence in potentially lethal situations, and follow the established criteria to place those victims in immediate and direct contact with a domestic violence service program hotline advocate. Officers administering the Lethality Screen shall ask the victim the Lethality Screen and, when a victim is assessed as being in High-Danger, call Heartly House and ask the victim to speak with a hotline advocate.

DEFINITIONS:

A. Domestic Violence/Abuse.

Domestic violence is a pattern of coercive behavior characterized by the domination and control of one person over another, usually an intimate partner, through physical, psychological, emotional, verbal, sexual, and/or economic abuse. Domestic violence is often called "domestic abuse" because it does not necessarily involve physical violence, and some of the tactics may not even be considered a crime.

B. Abuser.

A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an intimate partner, with the goal of establishing and maintaining power and control over the victim.

C. Victim.

The person against whom an abuser directs coercive and/or violent acts.

D. Intimate relationship.

An "intimate relationship" is one in which heterosexual or homosexual partners have, or have had, a sexual or emotionally intimate relationship.

E. Intimate Partners.

Intimate partners are persons who are, or have been involved, in an intimate relationship who:

1. Are married, separated, or divorced;
2. Live or have lived together;
3. Are current or former same-sex partners;
4. Have children in common; or
5. Date, or have dated, but do not live, or never have lived, together.

F. Intimate Partner Violence.

Domestic violence between intimate partners.

G. Lethality Screen.

The evidence-based field instrument used by trained practitioners to assess a person who is a victim of intimate partner violence for her/his risk of being killed by an intimate partner.

H. High Danger.

A term used for a victim who has been assessed through use of the LAP and the Lethality Screen as being at the greatest risk of being killed. The victim is said to be at "High Danger."

INITIATING A LETHALITY ASSESSMENT

A. General

1. In addition to the procedures outlined in the general order, the responding officer shall complete the Lethality Screen when he/she responds to a domestic violence complaint involving intimate partners and one or more of the following conditions exist:
 - a. There is reason to believe an assault or an act that constitutes domestic violence has occurred, whether or not there is an arrest.
 - b. There is a belief or sense on the part of the responding officer that once the victim is no longer in the care or presence of the responding officer the potential for assault or danger is high.
 - c. Repeated calls for domestic violence complaints at the same location or involving the same parties.
 - d. The responding officer believes one should be administered based on his/her experience and training and instinct.
- b. Responding officers shall engage interpreter services in the manner described in the agency's general order entitled "Language Access Services for Limited English Proficient (LEP) Persons" and Section F of this order.

B. Lethality Screen Questions

1. To initiate the Lethality Screen and corresponded LAP response protocol, the responding officer should:
 - a. Advise the victim in a positive, supportive tone that she/he will be asked a series of questions to help the officer determine the immediate potential for danger to the victim.
 - b. Administer the Lethality Screen outside the presence, hearing and awareness of the abusive partner; family and/or other household members, particularly those who may be contributing to a dynamic of coercive control and abuse, or perpetuating some of the abuse directly; and any other parties who may also be in the residence.
 - c. Ask the questions in the order they are listed on the form and in the manner they are written.
 - d. Ask all the questions in assessing the victim. The more questions the victim responds to positively, the clearer and more immediate the potential for danger is to the victim.

C. Assessing the Responses to the Lethality Questions

1. After the responding officer asks the questions on the Lethality Screen, he/she shall handle the information as follows:
 - a. A single "yes" response by the victim to questions # 1, 2 or 3 reflects a High-Danger situation and automatically triggers the hotline call. Officers shall still ask the remaining questions, as they will help the officer gather a more comprehensive understanding of the victim's

situation before calling the hotline. Doing so will also allow the victim to assimilate lethality predictors that indicate that she/he is at risk of being killed by her/his intimate partner.

- b. If the victim gives "no" responses to questions #1-3, but "yes" responses to four or more of questions #4 thru 11, this reflects a High-Danger situation and triggers the hotline call.
- c. "No" responses to all of the assessment questions, or "yes" responses to less than four of questions #4 thru 11, may still trigger the hotline call if the responding officer believes it is appropriate. The officer should ask the victim the following question: "Is there anything else that worries you about your safety? If yes, what worries you?" The response to the question may aid the officer in his/her assessment.
- d. Similar to the subsection above, the officer may also assess a victim as High-Danger if the officer believes it is appropriate when:
 - i. The victim declines to answer all the questions on the Lethality Screen, or
 - ii. The victim does not answer one or several of the questions so that the victim does not respond "yes" to enough questions to be assessed at High Danger according to the protocol.
 - iii. If the victim's responses do not reflect High-Danger, but the officer's "read" of the situation indicates High-Danger, the officer should make the hotline call.

D. Assessing the Responses to the Lethality Questions – non-High Danger

1. If the victim is not assessed as High-Danger after the Lethality Screen is completed, the officer shall:
 - a. Advise the victim that "domestic violence is dangerous and sometimes fatal."
 - b. Inform the victim to watch for the signs listed in the assessment because they may convey to the victim that she/he is at an increased level of danger.
 - c. Refer the victim to Heartly House. The officer should volunteer to call the hotline for the victim if the victim would like to speak with the hotline. If the victim agrees, the officer does not need to remain on the scene during the victim-advocate conversation.
 - d. Provide the victim with the case number, the officer's contact information or the number of another agency contact if the officer would not be available, in case the victim wants to talk further or needs help.

E. High-Danger Victims and the Hotline Call

1. If a High-Danger assessment is made the hotline call shall be implemented as follows:
 - a. Advise the victim that her/his situation has indicated to the officer that the victim is at an increased level of danger, and that people in the

victim's situation have been killed or seriously injured. Convey this information in an understanding manner.

- b. Advise the victim that you would like to call Heartly House and invite the victim to speak with a hotline advocate. In communicating with the victim, be encouraging and supportive.
 - 1) If the victim initially declines to speak with the hotline advocate, the officer shall:
 - b. Tell the victim that the officer will still contact the domestic violence hotline to receive guidance on how to proceed with the situation;
 - c. Tell the victim that she/he may decline to speak with the hotline, but that the officer would like the victim to reconsider speaking with the hotline advocate; and
 - d. While the officer is still on the phone with the hotline advocate, the officer asks the victim if she/he has reconsidered and would now like to speak with the hotline advocate.
 - 2) If the victim continues to decline to speak with the hotline advocate, the officer should do the same thing he/she would do for a victim who was not assessed as High-Danger, including conveying information that the hotline advocate has suggested about safety planning and requesting a safe phone number for an advocate to follow up with the victim.
 - 3) If the victim agrees to speak with a hotline advocate, the officer shall call the hotline number, introduce him/herself, and advise the hotline advocate that he/she has made a High Danger assessment. The officer shall provide responses to a brief set of questions prompted by the hotline advocate.
 - c. During the conversation between the hotline advocate and the victim, the officer shall stay on the scene and allow the victim privacy while she/ha speaks with the hotline.
 - d. At the appropriate time during the conversation between the victim and the hotline advocate, the hotline advocate will ask to speak with the officer to conclude the call.
 - e. The officer shall be guided by the discussion with the hotline advocate for further assistance. Officers shall provide reasonable assistance to the victim if help is requested, such as transporting the victim to a space place.

F. Working with Parties with Limited English Proficiency (LEP)

1. General Principles

- Working with parties with limited English proficiency is not only about understanding the parties and being understood by them. The best practice is for the party with limited English proficiency to have as similar of an experience as possible as an English speaker.
- Officers and advocates should have employed their agency's language access plan prior to administering the Lethality Screen or performing any part of the protocol.

- If available, an officer and an advocate who speak the victim's primary language should respond and perform the LAP.
- The speaker function on the phone should be used, as described in this protocol when available, to provide seamless communication.
- When speaker function is unavailable, the phone should be passed back and forth to the victim after each question during information gathering, each aspect and question of both, the Lethality Screen and the protocol.
- Non-bilingual parties should pause appropriately to allow for interpretation.
- The LAP proceeds according to the protocol, revised only to take into account the requirements of language interpretation.
- When the victim does not want to speak with the advocate, the officer will use the safety planning guide.. The additional safety planning information that the advocate provides should be brief and specific to that victim.
- This LEP instructions assumes that phones have three-way communication capability.

B. [Specific Protocol to follow]

G. Filing of the Lethality Screen

1. Officers who have completed Lethality Screens shall submit them to a supervisor by the end of the officer's shift and shall transmit a copy to the Heartly House agency representative.
2. The supervisor who receives the Lethality Screen shall file the original with the police report. The supervisor shall forward a copy of the Lethality Screen to the agency LAP representative.
3. The agency LAP shall:
 - a. Maintain a file of all Lethality Screens,
 - b. Prepare a report as provided in Section I below, and
 - c. Submit the report to the LAP team coordinator by January 15th and July 15th each year for the previous six-month periods.

H. LAP Agency Representative

The LAP agency representative shall:

1. Facilitate training;
2. Maintain and report data;
3. Serve as a liaison, communicate, and meet with participating LAP agency representatives and agencies; and
4. Generally oversee and monitor progress of the LAP.

I. Training

1. LAP training shall be provided by LAP-trained staff to all new entry-level officers who have not received it in the training academy before the conclusion of their field-training period.

2. In-service LAP training shall be provided to officers at least every two years.

J. Records Reporting

1. The agency shall prepare and forward reports to the LAP team coordinator by the 15th of:
 - a. January
 - b. July
2. The reports shall contain the following information:
 - a. How many Lethality Screens were attempted?
 - b. How many victims were assessed as being at High-Danger?
 - c. How many victims were not assessed as being at High-Danger?
 - d. How many victims did not respond to all of the screening questions?
 - e. How many victims assessed as being at high-Danger spoke to a hotline advocate?

Port Charles Police Department
Chief of Police

The MNADV wishes to thank and credit the Easton Police Department, Easton, Maryland, for providing the directive on which this sample is modeled.

The Maryland Network Against Domestic Violence would like to acknowledge the contributions of the Asian Pacific Islander Institute on Gender-Based Violence, Casa de Esperanza: National Latin@ Network for Healthy Families and Communities, and the Institute on Domestic Violence in the African American Community in the enhancement of LAP training materials and laying the groundwork for moving the LAP model toward being more culturally responsive.

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