

	<b>FREDERICKSBURG POLICE DEPARTMENT DIRECTIVES</b>	
	<b>OPERATIONS</b>	
<b>501.00</b>	<b>APPROVED:</b> <i>David W. Nye, Chief of Police</i>	<b>Initiated:</b> 10/01/2007
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## INVESTIGATIONS

**501.00 – Criminal Investigation Procedures and Accountability** – A primary officer or detective will be assigned, along with other personnel where needed, to each criminal investigation undertaken by this department.

**501.01 – Preliminary Investigations** – Uniformed patrol officers generally initiate preliminary investigations. Responsibilities include: [42.1.4]

- Providing aid to the injured.
- Securing the crime scene. [42.2.1, c]
- Observing and recording all events, conditions, and remarks. [42.2.1, a]
- Determining if an offense has been committed and, if so, the nature of the offense.
- Determining the identity of the suspect(s) and making arrests. **An attempt to locate the suspect if they have fled the scene shall be completed and documented in the original report. (If a detective is being called out check with them before interviewing the suspect)**
- Provide information (e.g. description, method and direction of flight) to Communications regarding wanted persons.
- Locating, identifying, and interviewing all witnesses. [42.2.1, b]
- Arranging for the collection of evidence and crime scene processing. [42.2.1, c]
- **Interviewing** victims, witnesses, and, if legally possible, suspects. [42.2.1, d]
- Making appropriate NCIC/VCIN entries.
- Recording all pertinent information and completing all necessary report forms.
- Briefing the detectives who may conduct follow-up investigations.

**501.02 – When the officer is the victim or involved witness** - If an officer is the victim or involved witness of a criminal investigation they shall not be assigned the task of writing the original report. A supervisor will assign that duty to another officer not directly involved in the incident. Some examples are:

- Officer was the victim of a serious assault (Minor injuries resulting in handcuffing, simple A&B, or similar type incidents would not apply)
- Officer witnessed/involved in a use of deadly force (*ref. 651.10*)
- Officer was the victim of another type of crime (A subject tried to run the officer over with a vehicle, officer was robbed at an ATM, etc...)

**501.03 – Follow-up Investigations** – Where required, the primary detective assigned to a criminal investigation will conduct a follow-up investigation based on the nature of the incident and/or the results of the preliminary investigation. The responsibilities of the detective during the follow-up investigation may include any or all of the following:

- Reviewing all reports from the preliminary investigation. [42.2.2, a]
- Determining the precise circumstances of the offense.
- Interviewing complainants and witnesses; interrogating suspects. [42.2.2, b]
- Locating missing persons.
- Locating stolen property and returning same to the owner.
- Distributing information to proper persons or agencies.
- Reviewing all relevant property in custody of the Property Clerk to determine if it should be kept, released, or destroyed.
- Reviewing department records for investigative leads. [42.2.2, a]
- Seeking additional information from other agencies, officers, or informants. [42.2.2, c]
- Planning, organizing, and conducting searches, and collecting physical evidence. [42.2.2, d]
- Arranging for the analysis and evaluation of evidence. [42.2.2, a]
- Identifying and apprehending suspects. [42.2.2, e]
- Checking suspects' criminal histories. [42.2.2, g]
- Determining if the perpetrator has committed other crimes or offenses. [42.2.2, f]
- Recording all pertinent information and completing necessary report forms.
- Working closely with the Commonwealth's Attorney to prepare cases for court presentation. [42.2.2, h]

Follow-up investigations will be assigned by the CIC as appropriate for class 1 misdemeanors, felonies, warrant cases (e.g. fugitives, parole/probation violations, detention orders), and non-criminal cases such as accidental death (e.g. overdose, industrial accident), mental detention orders, missing adults and children, and suicides. [42.1.4]

**501.04 – Criminal Investigations Checklists** – Officers and detectives are provided with checklists to complete over the course of criminal investigations. [42.2.3]

**501.05 – Interviews and Interview Room Procedures** – Interview rooms, the polygraph room, Breathalyzer, and interview rooms require specific safety procedures. The Department requires that all sworn personnel comply with the following procedures governing the use of these rooms:

- Police Department personnel shall ensure that the Constitutional rights of all subjects being interviewed are protected at all times during an interview.
- Firearms will be secured in an approved firearms lock-box before entering the room. [42.2.10, a]
- Specific security concerns are to be addressed by the following procedures:
  - Subjects will be monitored either in person or by video while in the area at all times.
  - Subjects should be searched for weapons before admittance into the room.
  - Items, which may be used as a weapon, will be kept away from subjects.
  - Subjects will not be permitted access to other areas of the department without an escort. [42.2.10, b]
- No more than two (2) officers/detectives are permitted to be in the room with a subject unless safety concerns require additional personnel. [42.2.10, c]
- If assistance is required, officers/detectives may summon help by activating the emergency button in the room, calling Communications by radio, or using a phone to call for assistance. [42.2.10, d]
- No items are to be kept in interview rooms other than permanent equipment or records designated for that area. [42.2.10, e]
- Subjects may be granted access to designated restrooms, water, or permitted to take comfort breaks as necessary. The officer/detective interviewing the subject is responsible to control security concerns as listed above during these breaks. [42.2.10, f]

**501.06 – Polygraph Examinations** – The police department utilizes the polygraph for the purpose of detecting deception on the part of a suspect during the course of a criminal investigation. Information governing the use of the polygraph by this department is maintained in the Polygraph Operational Guide. [42.2.6]

**501.07 – Confidential Informants** – The police department utilizes approved confidential informants who provide information concerning drug, vice, organized crime, or intelligence operations, or informants who have previously been involved in criminal enterprise. For information regarding confidential informant files, methods employed to protect the identity of informants, payments to informants, and precautions to be taken when engaging the service of an informant, refer to the attached copy of the Vice Narcotics Operational Guide. [42.2.7]

**501.08 – Cold Case Files** – Cold case files are investigated using the following procedures:

- Cold Case investigations shall be defined as those investigations of serious crimes against persons that are unsolved and have been forwarded to the Detective Division for storage.
- Cases as described above shall periodically be reviewed by the CIC. Cold case investigations follow a comprehensive methodology, which focuses on the passage of

time, changes in personal relationships and technological improvements as criteria to apply to previously unsolved cold case crimes.

- Case file investigative actions or activities shall be recorded in the CIC file and the RMS case management section. [42.2.9]

**501.09 – Identity Theft** – Identity crimes are listed in the Code of Virginia §18.2-186.3, §18.2-152.5:1, and §18.2-204.1. Procedures for investigating identity crimes are:

- All sworn police personnel are authorized to take crime reports on identity theft. Recording all relevant information and data in such reports is essential to further the investigation. [42.2.8,a]
- The Field Incident Report will be used to document identity crimes. [42.2.8,b]
- Officers taking reports of identity theft should take those steps reasonably possible to help victims resolve their problem. This includes providing victims with suggestions on contacting appropriate authorities, such as credit card companies or banks. [42.2.8,c]
- Contact other involved or potentially involved law enforcement agencies for collaboration and avoidance of duplication. These agencies include but are not limited to the U.S. Secret Service, the Federal Bureau of Investigation, and the U.S. Postal Inspection Service as appropriate whether or not the victim has filed a crime report with them. Also, any state and/or local law enforcement agency with which the victim has filed a crime report or where there is an indication that the identity theft took place. [42.2.8,d]
- Where reasonable and appropriate, community crime prevention and awareness presentations, or similar speaking or information dissemination efforts shall provide the public with information on the nature and prevention of identity theft. [42.2.8,e]

## DEATH CASES

**501.10 - Death Cases** - It is the policy of this department to investigate death cases as described in this directive. Incidents resulting in life threatening injuries shall also be managed as described in this directive. A death case includes obvious death and may also include incidents where:

- CPR is in progress
- The incident is reported as a possible DOA
- The incident is reported as cardiac or respiratory arrest
- Injuries to a person are potentially fatal

In these circumstances, Communications will notify the Watch Commander who will be responsible to decide if the incident should be managed as a death case.

**501.11 - Responsibilities** - The officer assigned to a death case is responsible for conducting a thorough preliminary investigation and documenting the results of that investigation. Officers will resolve any doubt concerning the life or death of a person by summoning appropriate medical assistance.

After arriving on the scene, the officer shall:

- Examine the scene for obvious signs of criminal activity
- Request Emergency Medical Service response as necessary
- Notify the Watch Commander or Section Commander

A patrol supervisor will respond to the scene of all death cases. The supervisor will coordinate the preliminary investigation and assist in coordinating any follow-up investigation by requesting a Detective, as necessary.

In all suspected homicides and other cases involving death under unknown circumstances, the Watch Commander will request that a Detective respond to handle the investigation. In all cases involving homicides or suspicious deaths, regardless of the hour, the Detective Division Commander or designee will ensure notification of the Commonwealth's Attorney. Unless suspicious circumstances exist, it is not necessary to call a Detective for the following cases:

- Do Not Resuscitate (DNR) orders
- Hospice attended care
- Terminal cancer care by family

Detectives will respond to death scenes when assigned and should assist in the preliminary investigation if necessary. The assigned detective will complete the follow-up investigation once the preliminary investigation is complete.

**501.12 - Procedures** - Officers shall thoroughly document all information using the "Death Investigation Checklist" (located in the Forms folder on the department server).

Cases will be handled as a Medical Examiner's case until the assigned officer/Detective can make contact with the subjects treating physician during the follow-up investigation or the circumstances mandate the case remain as a Medical Examiner's case.

Medical examiner's cases are defined in the Code of Virginia § 32.1-283 and include the death of any person:

- From trauma, injury, violence, poisoning, accident, suicide, homicide.
- That dies suddenly when in apparent good health.
- That dies when unattended by a physician.
- That dies while in jail, prison, other correctional institution.
- That dies while in police custody.
- That dies while a patient or resident of a state mental health or mental retardation facility.
- That dies suddenly as an apparent result of fire, or in any suspicious, unusual or unnatural manner.
- From Sudden Infant Death Syndrome (SIDS) - The sudden death of any infant less than eighteen months of age, whose death is suspected to be attributable to SIDS.

All suicides or suspicious deaths are to be treated as potential homicides until proven otherwise. A death/homicide investigation does not provide permission to search and seize without restriction. A supervisor should be consulted if the right to enter, search or seize comes into question. The investigating Detective is responsible for notifying the Medical Examiner (ref. Police Directive 501.14).

**501.13 - Reports** - The preliminary investigating officer is responsible to complete the preliminary incident/investigation report. Additionally, the officer should begin documentation on the "Death Investigation Checklist". The officer shall turn the checklist over to the responding Detective for completion.

The title of the preliminary report should be Sudden Death. The Detective Division will handle the final classification, i.e. suicide, homicide or accidental death, at the conclusion of the investigation.

**501.14 - Medical Examiner's Cases** - The scene will be secured and not be disturbed any more than is absolutely necessary until a Detective arrives. In deaths under suspicious circumstances, the scene will be maintained until the responding Detective has had an opportunity to examine it. [42.2.2, c]

In medical examiner's cases, the body may not be removed without the Medical Examiner's (or designee's) authorization and until crime scene processing by the Detective has been completed.

The investigating Detective shall notify the Medical Examiner by calling the Office of the Chief Medical Examiner (OCME) at **804-786-3174**. Note: This is a 24 hour phone number that will be answered by a Medicolegal Death Investigator who will determine whether or not scene response from an OCME investigator is needed.

All persons at the scene should be identified and interviewed for information relating to the death. [42.2.2, b]

**501.15 - Death Of A Foreign National** - In all death cases involving a foreign national, a patrol supervisor will notify the consulate or embassy of the deceased's country as soon as possible. This will permit the foreign government to make an official record of the death for its own legal purposes. For example, such notice will help ensure that passports and other legal documentation issued by that country are canceled and not reissued to fraudulent claimants. In addition, it may help ensure that the foreign national's family and legal heirs, if any, in the foreign country are aware of the death and that the death is known for estate purposes in the foreign national's country.

**501.16 - Assistance to Survivors** - Providing basic support and crisis assistance to survivors is the responsibility of both responding officers and Detectives.

Officers should be aware that confusion on the part of survivors is a common response. This may include such matters as to contacting a funeral home for removal and disposition of the body, locating personal effects, and meeting identification requirements/procedures.

Officers should assess the physical and emotional well being of survivors before departing. Officers should be reasonably assured that survivors can take care of themselves and those for whom they may be responsible. Officers should not leave a lone survivor unattended until all reasonable efforts have been made to obtain first-hand support from the survivor's family, friends, co-workers, neighbors, family, clergy, crisis counselors, or other community social service agency.

Officers or Detectives assigned to make a death notification shall:

- Make the notification in person if practical.
- Notify the next of kin promptly and in a considerate manner.
- If unable to contact the appropriate person, note their actions in the report or supplement. [55.2.6]

**501.17 - Deaths and/or Serious Injuries from Industrial and Other Accidents** – Any workplace injury-related death or life threatening injury, inhalation of any toxic substance or apparently natural death while engaged in physical labor will be treated as an industrial fatality.

In all deaths and life threatening injuries resulting from industrial accidents, the assigned patrol supervisor will coordinate the preliminary investigation with the Fire Department and ensure that a Detective and the appropriate Code Enforcement personnel have been notified. Upon the arrival of the Detective, the crime scene responsibility will shift from a patrol function to an investigative one.

During normal work hours the Department of Labor and Industry (Occupational Safety and Health Administration – OSHA) is to be notified of any workplace fatality or life threatening injury that occurs in the City. (Note: This does not include an apparently natural death of an office worker who was not engaged in physical labor and/or use of equipment that may have led to the death, or a death in the workplace resulting from criminal activity). After normal hours and on weekends and holidays, notification should be made to the Virginia State Police who may decide to have a Fatality Investigation Team respond. The ComSec Officer making this notification should be prepared to provide the date, time, and exact location of the industrial accident, as well as the name and phone number of the person reporting the incident. Officers shall isolate and preserve the scene for the Fatality Investigation Team Investigator.

**501.18 – Handling calls for police service outside of the city limits-** A police officer **shall** be dispatched to calls for service coming from either of the hospitals located in Stafford or Spotsylvania if the crime(s) occurred in Fredericksburg.

The Watch Commander **shall** be contacted for all other calls for service from outside the city for an incident that occurred in Fredericksburg. The Watch Commander will consider the seriousness of the call and the distance outside the city in deciding the following:

1. Whether an officer should be dispatched outside the city.
2. The report taken over the phone.
3. The complainant required to return to the city to file a report.

## **FELONIOUS SEXUAL ASSAULT**

**501.19 - Patrol Officer Responsibilities** - Make contact with the victim and summon emergency medical assistance if needed. If the victim is taken to the hospital then the primary officer should follow in his/her cruiser. If the crime scene needs to be secured then a second officer shall respond to preserve the crime scene.

The primary officer should obtain basic information from the victim to include:

- Location
- Time
- Date
- Elements of the offense
- Suspect information

Once these pieces of information are obtained then further questions about the offense should be avoided. **The Patrol Officer is not to conduct any extensive interview of the victim or suspect unless authorized by the responding detective, Captain of the Detective Division or their designee.**

If the victim is taken to a medical facility then the officer shall remain with the victim until relieved by the responding detective.

**Supervisor Responsibilities** - Respond to the scene and determine the offense. If the crime is classified as a felonious sexual assault then notify the Detective Division Supervisor during normal working hours. If after hours then have the Watch Commander contact the On-Call Detective to respond.

## **DOMESTIC VIOLENCE**

**501.20 – Domestic Violence** – At the scene of a domestic violence incident, an officer should take appropriate action to restore and maintain peace, provide for the safety of those present, and initiate reasonable measures to prevent a recurrence of the incident. Such steps may involve mediation, referral, or arrest.

Unless there are special circumstances that would dictate a course of action other than an arrest, an officer shall arrest and take into custody the person whom the officer has probable

cause to believe, based on the totality of the circumstances, was the predominant physical aggressor. This agency strongly discourages dual arrests of both offender and victim.

In order to minimize potential retaliation against the victim by the suspected abuser, the responding officer will attempt to obtain the warrant according to Department procedures. The victim's reluctance to prosecute should not be a factor in the officer's decision to obtain a warrant. All offenses in which the victim meets the definition of family or household member as outlined in the following Directive Section are under the jurisdiction of the Juvenile and Domestic Relations District Court.

An officer investigating any complaint of family abuse, including but not limited to assault and battery against a family or household member may, upon request, transport or arrange for the transportation of an abused person to a hospital, safe shelter, or magistrate.

**501.21 – Domestic Violence Definitions** – The following definitions apply to the Domestic Violence Directive Sections:

- Domestic Incident (violent or non-violent) - Any confrontation in which the parties involved meet the criteria for "family or household member" as described in Code of Va. § 16.1-228.
- Family or Household Member – Described in the Code of Virginia § 18.2-57.2.
- Family Abuse - Any act involving violence, force or threat, including any forceful detention, which results in physical injury or places one in reasonable apprehension of serious bodily injury and which is committed by a person against such person's family or household member.
- Conditions of Release and Recognizance - A legal document issued by a magistrate advising the offender of specific conditions prior to being released.
- Show Cause Summons - A legal document issued by a magistrate when conditions of release and recognizance have been violated.
- Emergency Protective Order – Described in the Code of Virginia § 16.1-253.4 (includes information that no fee is charged to the victim for filing or serving any petition).
- Preliminary Protective Order – Described in the Code of Virginia § 16.1-253.1.
- Protective Order – Described in the Code of Va. § 16.1-279.1.
- Respondent - Refers to defendant on protective orders in cases of domestic violence or family abuse.
- Petitioner - Refers to complainant on protective orders.
- Predominant Aggressor - The party that poses the most serious threat. The predominant aggressor is not necessarily the first to commit the assault.

**501.22 – Code Requirements** – Code of Virginia § 19.2-81.3 authorizes arrests without a warrant in cases of assault and battery against a family or household member and for violations of protective orders. (also see §16.1-253.2).

An officer having probable cause to believe that an assault has occurred, involving family or household members, shall arrest and take into custody the person that officer has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor

unless there are special circumstances, which would dictate a course of action other than an arrest.

Regardless of whether an arrest is made, the responding officer shall file a written report of any incident in which there is probable cause to believe family abuse has occurred, including, where required, a statement in writing that there are special circumstances which would dictate a course of action other than an arrest.

Regardless of whether an arrest is made, if an officer has probable cause to believe that a danger of acts of family abuse exists, that officer shall seek an emergency protective order under § 16.1-253.4. (Code of Virginia § 19.2-81.3.D)

**501.23 – Response** – A domestic disturbance or a domestic violence call will be received, processed, and dispatched in the same manner as any call for police assistance. Communications will determine the appropriate level of response and dispatch officers in accordance with applicable procedures. An officer arriving at the scene of a domestic disturbance or domestic violence call should use proper officer safety techniques, separate the parties, and take appropriate action.

**501.24 – Conduct Thorough Investigation** – Officers shall:

- Ensure the victim's safety and privacy is maintained as much as possible.
- Interview the parties as fully as circumstances allow.
- Interview the victim in an area apart from the suspect, witnesses, and bystanders.
- Use supportive interview techniques and acquire information about any previous domestic incidents, their frequency and severity.
- Not tell the victim what decision has been made concerning arrest until all available information has been collected.

**501.25 – Evidence Preservation** – If a criminal violation has occurred, the officer(s) shall:

- Collect and preserve all physical evidence reasonably necessary to support prosecution.
- Take photographs of any obvious injuries sustained by a victim of domestic violence.
- Have the suspect identify a general photo of the victim if possible, and state the relationship between the suspect and the victim.
- Make every effort to identify the predominant aggressor. Factors to consider in determining the predominant aggressor include:
  - History of calls for service at the home and domestic violence between the parties.
  - Dispatch/CAD/RMS databases.
  - Officer, disputant, and witness information.
  - Current or previous orders of protection filed against either party.
  - Height/weight of parties.
  - Proportional nature of injuries inflicted on each person.
  - Injuries - offensive and defensive.

- Evidence that one party acted in self-defense.
- Potential for future injury.

**501.26 – Emergency Protective Order** – If an officer has reasonable grounds to believe that an assault and battery or other family abuse has been committed and that there is probable danger of a further such offense against the victim, the officer shall seek an Emergency Protective Order in accordance with § 16.1-253.4 of the Code of Virginia. Note: Officers are prohibited from seeking mutual protective orders between the offender and victim.

It is important that Emergency Protective Orders be entered into VCIN as soon after issuance as possible because they are only valid for a short period of time and also because persons subject to protective orders are prohibited from purchasing or transporting firearms (Code of Va. §18.2-308.1:4). In order to ensure the most expeditious entry of Emergency Protective Orders into VCIN, Communications will assume responsibility for initiating the VCIN entry of magistrate-issued Emergency Protective Orders. The responsibility is applicable to Emergency Protective Orders issued for stalking as well as family abuse.

If an Emergency Protective Order is served after its initial entry into VCIN, Communications must be notified of the date and time of service. All un served Emergency Protective Orders are to be returned to Communications who will return expired Emergency Protective Orders to the clerk of the appropriate court.

A copy of the Emergency Protective Order issued shall be served upon the respondent as soon as possible. One copy of the order shall be given to the allegedly abused person.

When appropriate, officers shall arrest domestic violence offenders who violate the terms of a valid protective order and take the offender before the magistrate.

**501.27 – Arrest** – All adults arrested for assault and battery offenses not committed in the officer's presence must be brought before the magistrate. Provisions in the Code of Virginia do not provide for release on a summons in these cases. The arresting officer will be carried as the complainant on the warrant.

- ***Juveniles arrested for Domestic Assault & Battery will be managed as described in the Juvenile Operations Directive Section. (363.00)***

**501.28 – Reports** – Any incident in which family abuse is apparent or suspected shall be documented by a police incident report.

Incident reports involving domestic violence will be forwarded to the Domestic Violence Unit. Copies of incident reports will be made for dissemination to the Victim/Witness Program in the Office of the Commonwealth's Attorney. As the Code of Virginia stipulates, summaries of these reports are to be made available to victims of family abuse, upon request through the Records Management Unit.

**501.29 – Phone Recordings** - Officers who are investigating an incident of domestic violence shall review the 911 recordings and/or administrative phone recordings pertaining to the case in any situation where the officer cannot determine the predominate aggressor or the reporting officer has doubt about the identity of the predominant aggressor because of conflicting information or evidence. If the officer reviews the phone recordings, this will be annotated in the narrative of the report.

The domestic violence detective or his/her designee appointed by the Detective Division Commander will review all phone recordings involving a domestic violence call within 72 hours of the initial report. This includes calls where the recordings have already been reviewed by the reporting officer.

**501.30 – Domestic Violence Assistance** – Victims and witnesses involved in domestic violence crimes shall be afforded all of the services provided to victim/witnesses. These services are in addition to any other services provided specifically for these victim/witnesses. Officers responding to a domestic violence incident where actual violence has occurred shall:

- Call the Rappahannock Council on Domestic Violence hotline (RCDV) either on a land line at the scene, or using the officer's cell phone. If the victim does not want to talk to RCDV the victim may advise the RCDV of their decision.
- Provide the victim with a Domestic Violence Victim Assistance card and/or pamphlet that describes assistance available for victims of domestic violence.

**501.31 – Temporary Shelter** – Temporary shelter for a battered spouse may be available and arranged through contact initiated by Communications. The immediate assistance of this service should be sought whenever circumstances warrant, and referrals should be made in other cases when appropriate.

The Code of Virginia § 19.2-81.3(C) requires that an officer provide the allegedly abused person, both orally and in writing, information regarding the legal and community resources available to the allegedly abused person. This will be accomplished by providing the "Victim and Witness Resources" brochure to the victim. The brochure contains information regarding the rights of crime victims, as well as providing phone numbers for City agencies and other services, including: [55.2.3, a]

- Victim/Witness Assistance Program (Commonwealth's Attorney's Office)
- Commonwealth's Attorney Office
- Police Department
- Rappahannock Council Against Sexual Assault
- Rappahannock Council on Domestic Violence
- **Virginia VINE service**
- Criminal Injuries Compensation Fund

**501.32 – Suspect Weapons** – In domestic violence cases where the suspect owns, possesses, or has access to a firearm, the investigating patrol officer shall make a reasonable effort to secure that weapon. Permission for the police to temporarily retain the weapon for

safekeeping shall be sought from the suspect or other person having legal access to, or control over, the weapon. This may include the victim in some instances.

If permission for temporary police safekeeping of a firearm is not granted, the investigating patrol officer shall seek guidance from the officer's supervisor, or shall inquire at the Office of the Commonwealth Attorney to determine whether seizure of the firearm can be accomplished through a court order or other procedural means.

In addition, the investigating patrol officer shall notify the Domestic Violence Unit in any domestic violence case where:

- Any weapon was successfully seized or recovered; or
- The suspect has continued access to a firearm; or
- The suspect is known to possess a firearm permit from any state.

**501.33 – Domestic Violence Involving Law Enforcement Officers** – Offenders who are law enforcement officers shall be treated the same as non-law enforcement offenders. All applicable law applies and the incident will be managed the same as any domestic violence incident in regard to investigation, arrest, and reporting. In cases where a domestic violence suspect is an active law enforcement officer, the Watch Commander shall ensure the following actions are taken:

#### Fredericksburg Police Department Officer

- An officer that is arrested for domestic violence will forfeit his/her weapon, badges, and Department ID for safekeeping (unless the weapon requires being placed in evidence)
- The Chief of Police will be notified of the incident
- The incident report will be "locked"

#### **Outside Agency Officer**

- Any weapon carried by the suspect at the time of his or her arrest shall be seized in accordance with normal evidence collection procedures. If seized, the suspect's agency should be contacted regarding the suspect's service weapon. A supervisor or Internal Affairs official from the suspect's agency may be given the suspect's weapon for safekeeping if it is not necessary as evidence
- The Chief of Police will be notified of the incident
- The incident report will be "locked"

**501.34 – Disposition of Property** – An officer shall not become involved in the disposition of property belonging to any party involved in a domestic dispute. However, it may be necessary for an officer to stand by while a party to a domestic dispute collects sufficient clothing or personal items to permit them to seek temporary shelter. The officer will remain neutral, and will be primarily concerned with maintaining the peace and safety of those present.