

Domestic Violence Reference Card

On Scene:

- Use caution approaching scene and check *all* parties for injuries.
- First words: What does suspect say happened? What does victim say? (Put each party's response in quotes) Document any excited utterances and spontaneous statements.
- Separate the parties and interview out of hearing range of each other if possible.
- Determine relationship of victim to suspect per Florida Statute.
- Take pictures of scene, victim, children, and suspect.
- Collect evidence and inventory property (broken phone, torn clothing, bloody items, damaged walls, knocked over furniture, etc.)
- Obtain statements from all parties including witnesses and children (recorded statements preferred).
- Describe physical/emotional state of each party (crying, shaking, flushed face, etc.)
- What did you observe related to the accounts of events/injuries?
- Describe injuries (type, size, location, color).
- Obtain name, address and phone number of someone who will know how to reach victim at all times i.e. mother, best friend, relative, etc.
- Children present or reside in the house? Contact Florida Abuse Hotline if warranted.
- Who called 911? Obtain statement and 911 recording.
- Is there an Injunction for Protection? Is the suspect on probation?
- Medical attention required? Release signed? Even if only observed: Obtain the medical information and statements about the extent of injuries from medical personnel.
- Is the suspect not on scene? Ascertain whereabouts and assess dangerousness. Obtain an expedited warrant if you cannot locate.
- Obtain and note previous history of domestic violence.
- Do not discuss whether victim should prosecute.
- Provide legal rights and remedies brochure.

On Scene Arrests:

- Arrest is the preferred response when probable cause exists.
- Determine primary aggressor; dual arrests are discouraged.
- Inform defendant that the State of Florida is pressing charges, not the victim.
- Must obtain a written statement for 10/20/Life cases (crime involving firearm).
- Inform victim of services available at the local Certified Domestic Violence Center.
- Connect victim with domestic violence advocate from scene if victim is willing.

Risk Assessment:

- Has perpetrator ever used a weapon against you or threatened you with a weapon?
- Has the perpetrator threatened to kill you or your children?
- Do you think that the perpetrator is capable of killing you?
- If the answer is "YES" there may be heightened danger. Connect victim with Certified DV Center.

Violation of a Condition of Pre-trial Release - No Contact Order:

- The No Contact Order must stem from a domestic violence arrest.
- The No Contact Order must still be valid. This can be verified through clerk's office. If out of the County, check with the appropriate jurisdiction. Requires a sworn statement of an eyewitness of violation.

Violations of Domestic Violence Injunctions for Protection:

- Obtain entire order of Injunction for Protection, including proof of service confirming it is a no contact injunction. Confirm it has not expired and has not been dismissed by the Court.
- Determine if there are any exceptions in the Injunction that allow for contact – i.e. child exchange or telephone contact regarding child care issues.
- Document all physical evidence including text messages and emails.
- Record phone voicemail messages. Take into evidence using proper evidence collection techniques. If phone records are needed, request subpoenas prior to arresting the suspect/defendant.
- Only the suspect/defendant can be arrested for a violation of an Injunction for Protection or a No Contact Order even if the victim invited the suspect/defendant to her house.

Reports:

- List any indicators or threats to the victim's safety.
- It is important to include any information that may be relevant to the assessment of bond or any conditions of release such as children present, drugs & alcohol involved, and/or mental health history.
- Include any weapons, firearms or ammunition found in the home and document their location.
- Include that the victim received the DV Legal Rights and Remedies brochure pursuant to Florida Statutes.

Definitions:

- FS §741.28(2) DOMESTIC VIOLENCE: any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
- FS §741.28(3) FAMILY OR HOUSEHOLD MEMBER: spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Applicable Statutes:

FS §784:	Battery
FS §810:	Burglary
FS §784 & §825	Elder Crimes
FS §787:	False Imprisonment
FS §365:	Harassing Telephone Calls
FS §790:	Improper Exhibition of a Dangerous Weapon or Firearm
FS §787:	Kidnapping
FS §914:	Obstruct 911 Call
FS §784:	Stalking
FS §741.29(6):	Violation of a Condition of Pretrial Release/No Contact Order – Domestic Violence
FS §741:	Violation of Injunction – Domestic Violence. Violations may include:

- Refusing to surrender firearms or ammunition if ordered to do so by the court.
- Refusing to vacate the dwelling that the parties share.
- Going to or being within 500 feet of the petitioner's residence, school, place of employment, or a specified place frequented regularly by the petitioner and any named family or household member.
- Committing an act of domestic violence against the petitioner.
- Committing any other violation of the Injunction through an intentional unlawful threat, word, or act to do violence to the petitioner.
- Telephoning, contacting, or otherwise communicating with the petitioner directly or indirectly, unless the Injunction specifically allows indirect contact through a third party.
- Knowingly and intentionally coming within 100 feet of the petitioner's motor vehicle, whether or not that vehicle is occupied.
- Defacing or destroying the petitioner's personal property, including the petitioner's motor vehicle.
- Possession of firearm or ammunition while under a permanent domestic violence injunction.

Florida Domestic Violence Hotline 1-800-500-1119

TDD: 1-800-621-4204

Florida Relay 711



FCADV
Florida Coalition Against Domestic Violence

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