
	SPRINGFIELD POLICE DEPARTMENT POLICY MANUAL	POLICY #1.3.10
EFFECTIVE DATE 10/30/23	 Andrew Shearer, Chief of Police	ACCREDITATION REFERENCE 2.2.1

Employee Involved Domestic Violence

1.3.10.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for handling matters of domestic violence and abuse involving law enforcement employees. This policy applies to incidents involving any law enforcement employee regardless of his/her employing agency or jurisdiction.

1.3.10.2 POLICY

The Springfield Police Department has a zero-tolerance policy for domestic violence whether committed by a community member or an employee. Where incidents of domestic violence occur, the Department will act quickly to protect the victim, arrest the perpetrator and conduct appropriate criminal and/or administrative investigations.

1.3.10.3 DEFINITIONS

Domestic Violence, Abuse and Family Members: are as defined in the Domestic Violence & Protection Orders Policy in this manual.

Employee: means any person employed on a full-time or part-time basis by the Springfield Police Department. It also includes any unpaid volunteer with enforcement authority, such as a reserve officer.

Law Enforcement Agency: means any federal, state, county, or local criminal justice agency employing persons having peace officer powers granted under authority of the Oregon Revised Statutes.

Restraining Order: Any court order restricting or prohibiting a person's contact with another person or persons, and/or restricting where and when a person may be at a location or time. Such an order may also result in restricting possession of firearms and ammunition. This includes, but is not limited to, restraining orders and protective orders.

1.3.10.4 STATUTORY REQUIREMENTS

Pursuant to the Federal Domestic Violence Gun Control Act (18 USC §921(a) and 18 USC § 922(d)), any person who has been convicted of a misdemeanor domestic violence offense is prohibited from possessing any firearm or ammunition. Additionally, any person convicted of a felony is prohibited from possessing a firearm (ORS 166.270).

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Oregon and Federal law may also prohibit firearm possession by any individual who is the subject of a domestic violence restraining order depending on the conditions of the order (this federal restriction does not apply to temporary restraining orders) (18 USC § 922(d)(8)) and ORS 107.718).

1.3.10.5 REPORTING

Employees who are arrested for, or convicted of, any crime involving domestic violence, or who become the subject of a criminal investigation, or criminal or civil protective or restraining order related to domestic violence, regardless of jurisdiction, shall report that fact to their supervisor at the earliest opportunity and provide notice of any scheduled court dates, times, appearances and proceedings.

1.3.10.6 INCIDENT RESPONSE

All department personnel shall accept, document in writing, and preserve all calls, reports, telephone and radio tapes, including those made anonymously, involving possible employee domestic violence as “on-the-record” information. The information shall be forwarded to the Professional Standards Division and the employee’s supervisor for appropriate investigative action.

Upon arrival at the scene of a domestic violence incident involving any department employee as the suspect or victim, the handling officer shall immediately notify Dispatch and request a supervisor be sent to the scene. If there is a question about whether an incident falls under this policy a supervisor shall be requested.

1.3.10.7 ON-SCENE SUPERVISOR RESPONSE

An on-duty supervisor shall respond to the scene of all domestic violence incidents that occur within this jurisdiction where a Springfield Police Department employee, or any other law enforcement agency employee, is identified as a suspect or victim, regardless of the involved individual's agency jurisdiction. All the provisions of the department Domestic Violence policy shall be followed.

- a) The supervisor will ensure that a thorough investigation is conducted, and all appropriate reports are forwarded to the District Attorney's Office.
- b) The Chief of Police will be notified as soon as practical when an employee is accused of criminal conduct. In the event of criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.
- c) Whenever a law enforcement employee domestic violence 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.
- d) The supervisor will notify the Operations Division Commander.

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When feasible, an on-duty supervisor from this department will respond to the location of any domestic violence incident involving an employee of the Springfield Police Department which occurs in another jurisdiction to assist the responding agency and to take custody of any department weapon(s) or other department equipment removed from the employee's possession, if necessary.

If it is not practical to respond to the location in another jurisdiction, the on-duty supervisor will contact a supervisor from the involved agency to offer assistance, gather information, and coordinate the taking into custody of any department weapon(s) or other department equipment removed from the employee's possession, if necessary.

- a) The supervisor will request that a thorough investigation is conducted, and all appropriate reports are forwarded to the District Attorney's Office and to the Springfield Police Department's Chief of Police.
- b) Whenever a law enforcement employee domestic violence call does not result in an arrest, the on-duty supervisor shall request the responsible agency write a report explaining any and all reasons why an arrest was not made.
- c) The supervisor will notify the Operations Division Commander.

1.3.10.8 ARREST OF A LAW ENFORCEMENT OFFICER

- a) Whenever a sworn employee of the Springfield Police Department is arrested, the supervisor shall relieve the accused of any department issued duty weapon(s).
- b) The investigating officer or supervisor shall also request permission to take any other firearms on scene for safekeeping.
- c) The transporting officer shall ensure that corrections/jail personnel are notified of the person's employee status to ensure the safety of the employee while he/she is in custody.
- d) The supervisor will notify the Operations Division Commander.
- e) Employees who are arrested shall be placed on administrative leave pending the disposition of criminal and administrative investigations.

1.3.10.9 FIREARMS RESTRICTIONS

Any officer who is arrested, becomes a defendant, or is the respondent of a restraining or protective order that restricts or prevents the officer from possessing firearms, will not be allowed to possess firearms on or off-duty as directed by the order. Officers will immediately ensure that all firearms are removed from their residences, department lockers and all other locations where they would have actual or constructive possession of such items.

Officers who are prohibited from possessing firearms may be placed on administrative leave or assigned to a position involving no contact with the public or access to firearms.

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1.3.10.10 EMPLOYEE RESPONSIBILITY

- a) Employees are encouraged to seek confidential assistance from department or city resources (e.g., Employee Assistance Program), or other qualified individuals or entities, to prevent a problem from escalating to the level of criminal conduct against a family or household member.
- b) Employees with definitive knowledge of abuse and/or violence involving fellow employees must report such information in a timely manner to their supervisor.
- c) If an employee becomes aware of possible witness or victim intimidation/coercion, he/ she shall prepare a written report and immediately deliver it to the investigator handling the case through the proper chain of command.
- d) Employees may not engage in threatening, harassing, stalking, surveillance or other such behavior designed to interfere with cases against fellow employees or intimidate witnesses.
- e) An employee who becomes aware of another employee having difficulties which might lead to domestic violence should encourage him/her to get assistance.

1.3.10.11 DEPARTMENT RESPONSIBILITIES

- a) Supervisors should be aware of on or off-duty behaviors that may be warning signs of domestic violence which may include, but are not limited to:
 - 1. Stalking and inappropriate surveillance activities.
 - 2. Unusually high incidences of physical altercations, injuries, or verbal disputes.
 - 3. Alcohol and/or drug abuse.
 - 4. Increase in controlling behaviors.
 - 5. Citizen or fellow employee complaints of aggression.
 - 6. Inappropriate aggression toward animals.
- b) The Department, either in response to observed warning signs or at the request of an employee and/or their family or household member, should provide non-punitive avenues of assistance to department members, their partners, and other family members as long as there is no probable cause to believe a crime has been committed.
- c) Confidential referrals to counseling services in collaboration with existing community services that have specific expertise in domestic violence will be made available to employees.
- d) Employees who disclose to any member of the department that they have personally engaged in domestic violence are not entitled to confidentiality within the department. The report of such

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criminal conduct will be treated as an admission of a crime and shall be investigated both criminally and administratively.

- e) Ongoing criminal investigation: Employees who are subject to a criminal investigation will have their duty status administered by the Professional Standards Office, for the period of investigation and psychological threat assessment, in accordance with Department policies, employee rights, and contractual requirements.
- f) Any Department employee convicted of a domestic violence crime or found to have committed an act of domestic violence through an internal investigation may be subject to referrals, change in assignment and/or discipline up to and including termination.

1.3.10.12 TRAINING

The Department will provide training to employees regarding domestic violence and this policy.