

Aroostook County, Maine

Best Practice Assessment

Police Response to Domestic Violence

Aroostook County Sheriff's Office
Maine State Police Troop F
Presque Isle Police Department
Coordinated by Hope and Justice Project

Acknowledgements

The Aroostook County Best Practice Assessment would not have been possible without the leadership and participation of many people. The team and its supporting agencies contributed many hours to meet, learn, analyze reports and make recommendations.

Thanks to the members of the Aroostook County Team:

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National Partners

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Best-Practice Assessment

Findings and Recommendations for Aroostook County's Police Response to Domestic Violence

Aroostook County Sheriff's Office
Maine State Police Troop F
Presque Isle Police Department

Coordinated by the Hope and Justice Project
2012

Aroostook County's Best Practice Assessment 2012

In October 2011, Hope and Justice Project (HJP) received funding from the Department of Justice Office on Violence Against Women Rural Grant Program to conduct Best Practice Assessments in Aroostook County. A Best Practice Assessment (BPA) is a review of the response to domestic violence related cases. The review uses checklists of core practices and other tools developed by Praxis International from the accumulated experiences of many Safety and Accountability Audits conducted by communities around the country over the past 15 years. The core practices focus on ways to structure the 911/dispatch, law enforcement, and prosecution responses so that they: maximize safety for victims, hold offenders accountable, and set an expectation of agency and practitioner accountability to one another as well as to victims and offenders.

In May of 2012, the BPA Coordinator Courtney Chasse from Hope and Justice Project facilitated a meeting at the Caribou District Court for practitioners in Aroostook County who would be part of the BPA process. The participants were: District Attorney Todd Collins, Sheriff James Madore, Detective Adam Stoutamyer (State Police Troop F), Domestic Violence Detective Ross McQuade (Sheriff's Department), Presque Isle Police Chief Matthew Irwin, David Cyr (Probation Officer), Billie-Jo Caron (Maine Pretrial Services), Kim Ouellette (Victim Witness Advocate), Charles Moody (Coordinator for Northern New England Community Resource Batterers Intervention Program), Francine Garland Stark (Hope and Justice Project Director), Beth Pinette (Supervisor at the Caribou Department of Health and Human Services Child Services Department). The BPA Coordinator explained the BPA process, why it is useful, and conducted a mapping exercise to explore the many variables and individuals involved in processing a single case from the 911 call to prosecution. The Presque Isle Police Chief, Aroostook County Sheriff, and Maine State Police Troop F Detective committed to participation in the assessments.

Police Reports

The District Attorney chose six police reports from each of the three departments being assessed. All reports were closed cases, and were from a variety of officers in each department. The BPA Coordinator received the Presque Isle Police Department (PIPD) reports directly from PIPD. The District Attorney's office (DA) provided the State Police reports. The Aroostook County Sheriff's Office (ACSO) provided their reports directly, along with some provided by the DA's Office. All the reports included all the material that the DA's office received.

Team Members

The Best Practice Assessment team consisted of nine individuals appointed by their agencies:

- Hope and Justice Project: Courtney Chasse BPA Coordinator, Francine Garland Stark, Director, and Karan Wotton, Criminal Justice System Advocate;
- Presque Isle Police Department: Deputy Chief Laurie Kelly and Sergeant Mark Barnes;
- Aroostook County Sheriff's Office: Domestic Violence Detective, Ross McQuade;
- State Police Troop F: Trooper Corey Hafford;
- Deputy District Attorney Carrie Linthicum; and
- The Aroostook Band of Micmac's Family Violence Program Coordinator, Julia Walton.

The Best Practice Assessment Process

The team met three times. The first meeting included training on how to conduct the assessment and reviewed the mapping exercise. At the second meeting, the team split into three groups and each of which reviewed the cases from a single department, using the BPA worksheets and methodology. At the end of the day, the groups shared their findings with the larger group. The group's initial finding was that the three departments' responses to domestic violence cases were quite similar.

In the final meeting, the team split into two groups to review the department policies and procedures and developed a comprehensive list of findings. As a large group, the team reviewed the findings from both the police report reviews and the policies and procedures and agreed on all recommendations related to those findings. (One team member was unable to attend the final meeting, but provided their input to the BPA Coordinator directly.) Articles from the "Blueprint for Safety" provided helpful reference, along with the expertise in the group, in developing the recommendations.

Summary of Recommendations

The Best Practice Assessment of Maine State Police Troop F, the Aroostook County Sheriff's Office, and Presque Isle Police Department, found many good examples of practices that help reinforce victim safety, hold offenders accountable and promote interagency accountability. The BPA also identified areas where changes in practice would help meet these goals. This is a brief overview of the BPA Team's recommendations.

Domestic Violence Response Packet: Develop a packet of the forms that responding officers must complete when responding to a domestic violence call. The packet should include the following:

1. Report Checklist
2. Risk Assessment Form
3. Domestic Violence Supplement
4. Witness Statement Forms
5. Bail Sheet
6. Victim Notification Form
7. Officer contact information card
8. Card with domestic violence agency contact information

Report Checklist: The Report Checklist should be used by officers when responding to a domestic violence call, and by the supervisor who reviews reports, before they are submitted to the District Attorney's Office. The Team recommends that these items(not inclusive) be included on the checklist: time of incident, time of dispatch, time of arrival, immediate witness statements, witness's emotional state/demeanor upon arrival, witness contact number of someone who can always reach witness, alcohol/drug consumption or impairment of both parties, and suspect's county and state for the last ten years.

Questioning- Officers should be asking follow-up questions after they have received witness statements, and filled out Domestic Violence Supplement Form.

Risk Assessment Form: The Team recommends that the following (not inclusive) be included in the Risk Assessment Form: stalking indicators, strangulation indicators, history of abuse, and presence or use of weapons. It is also recommended that the procedure include notifying victims if risk assessment shows an increase in potential harm to the victim.

A Risk Assessment Team should be created to develop the Risk Assessment Form, procedures for conducting a risk assessment, and training for officers on conducting risk assessments. The Risk Assessment Team is to ensure that whatever it creates will assist departments in meeting the state law and judicial requirements regarding risk assessment. A Risk Assessment Team is being developed through a STOP Grant received by the Hope and Justice Project and in collaboration with all the partner agencies involved with the BPA. This team should incorporate the recommendations from the Best Practice Assessment Report.

Domestic Violence Supplement: The Domestic Violence Supplement (DVS) was created to guide officers when responding to a domestic violence call, and to assist with potential prosecution. It is important that all officers use the DVS to the fullest and use the DVS as a tool to ask questions to enhance the investigation. The Team recommends these additions and changes to the Domestic Violence Supplement:

- a) adding stalking and strangulation indicators;
- b) adding an open ended question on the history of abuse;
- c) adding a question regarding suspect threatening to harm the victim if they talk to police or seek help;
- d) adding notation beside the diagram for information on pain experienced from injuries; and
- e) updating domestic violence agency information to Hope and Justice Project, Aroostook Band of Micmac Family Violence Program, and Maliseet Domestic Violence & Sexual Assault Program.

Bail Sheet: All bail sheets should be included in the final report given to the District Attorney's Office.

Victim Notification: The Team recommends that a monitoring system be put in place to ensure victim notification is conducted. Through team discussions and policy and procedure review it became clear that there are many gaps in this process. Victim notification is important for victim safety and required by statute.

48-hour follow-up: Conducting follow-up interview with the victim is part of all the departments' policies and procedures and instruction that all contacts with victims be documented. If an officer is unable to conduct the follow-up before the report is submitted to the DA's office, the officer conducting the follow-up interview should document that the interview took place and any additional information and submit it to the DA's office to be added to the original report. When conducting a follow-up officers should:

- a) take follow-up pictures of injuries;
- b) ensure all physical evidence was gathered or pictures of damage were taken;
- c) inform victim(s) of prosecutor's charging decision;

- d) inform victims of suspect's bail status and any current bail conditions;
- e) question victims on possible bail violations, being sure to include any threats made by suspect to discourage victim's cooperation with the investigation;
- f) encourage victims to report any new incidents or threats; provide victims with officer contact information;
- g) remind victims of services available to assist them (Hope and Justice Project, Aroostook Band of Micmac, and Maliseet Domestic Violence & Sexual Assault Program)
- h) discuss the option of obtaining a Protection from Abuse Order, including the importance of consulting with an advocate prior to filing;
- i) talk with victims about the importance of keeping a record of the suspect's behavior.

Report Template- It was noted that the State Police already use a template when completing a domestic violence report. In order for all templates to be uniform for the prosecutors, the Team recommends that the State Police Report Template be used by all departments after it is reviewed and amended with the following items:

- a) complete description of the scene;
- b) list of all attachments to report, including
 - a. complaint card
 - b. 911 recording
 - c. account of evidence collected
 - d. transportation report
 - e. 48-hour follow-up report
 - f. photographs
 - g. statements from all responders
 - h. NCIC and all state histories
- c) list of items that are available but missing from the report; and
- d) a list of all responders.

Law Enforcement Training: The Team recommends training on these topics:

- a) stalking - indicators, how to assist a stalking victim and possible lethality;
- b) strangulation - indicators and seriousness;
- c) report writing for all responders, including EMT's, border patrol and booking;
- d) investigation - dealing with injuries and evidence collection;
- e) conducting a risk assessment and risk assessment procedures;
- f) children at the scene - a training memo on guidelines regarding dealing with children at the scene. A good reference is, "Training Memo: Response to Children in Domestic Violence-Related Calls", The Blueprint for Safety, Supplement. (attached)

Monitoring/Supervisory Review: Ongoing supervisory review and monitoring of complete reports before they are submitted to the District Attorney's Office. Supervisors review should use the same Report Checklist to ensure all evidence is being collected.

Findings and Recommendations

Police Report/ Investigation

The Team found that all three departments' responses to domestic violence calls are quite similar. Therefore, these findings and recommendations apply to all the departments reviewed unless otherwise noted.

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Background and account of the officer's actions

☐ Time of officers' arrival and time of the incident-

The time the officer received the call from dispatch was on the reports, but officer's time of arrival was missing. The time of the incident and the time the officer arrived are needed for prosecution to determine if the immediate statements made by the victim to the responding officer may be considered to be "under the stress or excitement of the event." If so, these may be non-testimonial statements and that may allow the prosecutor at trial to ask the officer to testify to any excited utterances or spontaneous statements the victim made.

Recommendation: The Team acknowledges the tremendous amount of information that a responding officer must obtain when responding to a domestic violence call. Therefore the Team recommends the development of a Report Checklist for officers to bring into the scene for a point of reference. Time of incident, time of dispatch, and time of arrival should be included in the Report Checklist. The Team recommends that a Domestic Violence Response Packet be created to include all forms that responding officers need to fill out when responding to a domestic call, including the Report Checklist.

☐ Relevant 911 information, including specific details about any violence or threats communicated in the 911 call-

Reports were missing relevant 911 information. 911 information is important in cases where witnesses change their stories from the time of the original call to the court date.

Recommendation: Reports should include complaint card & 911 recording. A reminder of this attachment should be included on the Report Template. (recommended below)

☐ Immediate statements of either party and any witnesses at the scene-

Reports were unclear if the information being written in the report was an immediate statement or a statement directed from a question. Noting statements as immediate, allows the prosecutor to distinguish between excited utterances and testimony.

Recommendation: Note immediate statements made by witnesses in the recommended Report Checklist.

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☐ **Complete description of the scene-**

Descriptions of injuries to those involved were clear. Descriptions of the scene were missing. A complete description of the scene lays out a picture for the judge and/or jury. It allows them to visualize what happened and gives corroboration to a story.

Recommendation: The creation of a uniform Report Template for all departments to use when completing a domestic violence report for the District Attorney's Office. The template should be on all department computers. The template will not only assist officers in writing reports, it will help to keep reports uniform for prosecutors to easily read and pull out information necessary for accurate charging and prosecution. The Team noted that the State Police already have a template they use in report writing. The Team suggests that the recommended additions be added to the State Police template and that the amended template be used by all departments. Officers' observations when approaching a scene should be well documented in all reports; therefore a complete description of the scene should be added to the template.

☐ **Attention to indicators of stalking-**

Indications of stalking were not present in reports unless the victim offered this information. Stalking indicators are important because it shows a pattern of behavior, and indications of possible lethality. An assessment of elements of stalking is important information for bail commissioners to have when setting bail conditions and holding abusers accountable.

Recommendation: Stalking indicators should be part of any risk assessment. Questions relevant to stalking should be added to the Domestic Violence Supplement Form. Training should be offered to officers about stalking indicators, how to assist a stalking victim, and risk of lethality.

☐ **Attending to indicators of strangulation-**

Indicators of strangulation were not present in reports unless the victim offered this information. Indicators of strangulation gives more information to the report, helps make accurate charging decisions, and helps with conviction. Looking for indicators of strangulation can lead to potentially life saving information, especially for victims who are too afraid to speak about the strangulation or do not understand the lethality risks of strangulation.

Recommendation: Strangulation indicators should be part of any risk assessment for safety. Questions relevant to strangulation indicators should be added to the Domestic Violence Supplement Form. Training should be offered to officers about strangulation indicators and seriousness.

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- ☐ **Summary of actions taken by responding officers (e.g., arrest, non-arrest, attempts to locate, transport, referrals, victim notification, seizing firearms, rationale for self-defense or predominant aggressor determination)-**

Summary of the actions taken by the primary officers were well documented. Summaries by other responding officers were missing in the majority of reports. Reports from all responders are important in helping prosecution get testimony on record from all responders in a full hearing. It also allows the prosecution to know all officers who responded to the call.

48-hour follow-ups were not well documented in the reports. It was unclear if they are or are not happening, if they are happening and not being documented because there was nothing further to document, or just not being documented. Follow-ups are important to victim safety, ensuring bail conditions are being followed and reporting back on any changes in injuries.

Recommendation: Reports from all responders should be attached to the primary responder's report. If a responding officer only took pictures, it is important to note what was photographed, and if there was any pain or comments made while taking pictures. All responders including EMT's and Border Patrol should write reports. Training on report writing would benefit all responders.

48-hour follow-ups should be mentioned in all reports. If officers are unable to do the follow-up because of time constraints and needing to get reports in before the 48 hours, officers should make note in the report that a 48-hour follow-up will be conducted. Officers should then send the follow-up report to the DA's office.

State Police Only- All reports included a 48-hour follow-up.

- ☐ **Account of evidence collected (e.g., pictures, statements, weapons, other)-**

Officer's account of evidence was mostly well documented. It was unclear whether or not some evidence was collected or photographed. Documentation of all evidence collected allows prosecution to know about all the evidence available to use in a trial, which may assist in convictions.

Recommendation: Officers should always indicate whether or not they collected evidence mentioned in the report. If evidence is not collected because of location or size of evidence, a picture of the evidence with a complete description should be submitted with the report. Account of evidence collected should be added to the template officers fill out as a reminder to acknowledge what was obtained.

- ☐ **If an arrest was not made, the reason why-**

All reports obtained and read involved arrest.

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Information specific to each witness and party involved

- ☐ His/her account of events and responses to follow-up questions-

Reports were inconsistent and unclear on whether or not follow-up questions were asked or if reports were written solely on initial verbal statements of witnesses. Follow-up questions assist in building probable cause and when needing to make a predominant aggressor decision.

Recommendation: Written statements should be followed-up with questions by officers.

- ☐ Officer observation related to the person's account of events-

Officer's observations relating to a person's account of events were well documented.

- ☐ Relationship to witnesses or other parties involved-

Officers did a thorough job noting the relationship of all witnesses to the parties involved.

- ☐ Identification, address, and means of locating the person for follow-up, including:
- Home address and phone numbers
 - Cell phone number(s)
 - Place of employment, work address, and phone number

Some reports were clear on a person's address, but lacked notation of another means to contact that person. Victims and offenders often had the same address. So in a case where the victim had to leave for safety reasons, there was no means of getting in touch with the victim. Contact information is important to notify witnesses of court dates and to issue subpoenas.

Recommendation: Adding a question on the recommended Report Checklist for officers to ask witnesses for a contact number of someone who can always reach them.

Children

- ☐ **Children at the scene:** Details regarding their presence, involvement, and welfare

- ☐ Considerations in interviewing children
- Child's physical, emotional or psychological ability to give statement
 - Child's age and ability to understand questions and formulate responses
 - Non-offending parent/guardian's preferences as to whether and how to talk to the children

Reports seem to note whether or not children were present in the home, but did not go into detail about anything else. Only two reports noted any officer contact with the children. Officer

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contact is important because children could be witnesses. Reports with details about children could also assist the non-offending parent when a mandatory report is made to Department of Health and Human Services.

Recommendations: Creating a training memo to educate officers on the guidelines around dealing with children at the scene. A good reference is, "Training Memo: Response to Children in Domestic Violence-Related Calls", The Blueprint for Safety, Supplement. (Attachment A)

Information specific to each party involved

☐ Injuries or impairment, (including pain, strangulation effects, breathing, mobility)-

Injuries sustained were noted but never clearly defined. Reports did not discuss effects of injuries, whether there was pain associated with injuries, or whether there was pain from an assault in the absence of visible injuries. Noting pain is important because it shows bodily injury.

Recommendation: Training on investigation. Notation of pain should be added to the Domestic Violence Supplement, near the diagram.

☐ Description of medical help offered or used, the name of medical facility that was used and a medical release obtained-

Medical help offered was consistently noted either in the report or in the Domestic Violence Supplement. (DVS)

☐ Emotional state/demeanor-

Noting a person's emotional state/ demeanor was not complete. A person's appearance was checked off on the DVS, when the supplement was available. But the supplement is unclear on whether that was the person's appearance at the time of arrival, or when completing the DVS. Noting the victim's emotional state at the time of arrival could assist the prosecution in establishing whether the victim is "under the stress or excitement of the event". Describing the victim's demeanor as they spoke to the officer (ex: The victim was shaking all over while I was questioning them) allows the judge and/or jury to visualize what it was like for this person at the time of the incident.

Recommendation: Officers should note in the report a witness's emotional state or demeanor upon arrival. Since officers will not know who is the victim or perpetrator upon arrival, officer's should note each person's emotional state on the recommended Report Checklist by documenting witness 1, witness 2, etc. and adding a description of that witness. Officers should then note the witnesses' names as they obtain them.

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☐ Acts of intimidation or aggression

The police reports described acts of intimidation or aggression. Adding this notation in reports allows for more evidence to be shown, shows a possible pattern of the behavior, could create a separate charge, and helps in determining predominant aggressor.

☐ Presence or use of weapons

Knowing about the presence of weapons is vital to officer safety when responding to a domestic violence call as well as information about the type of assistance an officer may need in responding. Information about weapons is also important for setting proper bail conditions. Team members noted that in their experience, dispatch usually asks if there are any weapons present in the home. However, the police reports reviewed did not note information from dispatch regarding weapons. Reports only mentioned weapons if a weapon was involved in the presenting incident. Therefore, the presence of weapons in all cases was unclear.

Recommendation: Presence or use of weapons should be determined by responding officers and noted in reports. Presence or use of weapons should be included in the Risk Assessment Form.

☐ Alcohol or drug consumption and impairment

Prosecution needs to have knowledge about possible alcohol or drug consumption and impairment at the time of the incident. This knowledge allows them to be prepared when a defense attorney tries to use impairment as a defense in their case. Bail Commissioners need to know if alcohol or drugs are involved in order to set proper bail conditions. Alcohol and/or drug consumption were mentioned when impairment was evident. Officers did not note if they regularly asked about alcohol or drugs, and did not note that there was no impairment.

Recommendation: A question on alcohol and drug consumption should be part of the Report Checklist.

Information from the victim, including history of violence and contact information

- ☐ Interview arrangements include:
- Inquiry into victim's welfare and safety
 - Referral information regarding advocacy support, restraining orders, and other community supports.

Officers seemed concerned and noted victim's welfare and safety. The majority of reports reviewed did not include information regarding referrals to advocacy support, protection orders, and other community supports. A few reports noted this information in the 48 hour follow-up or on the Domestic Violence Supplement. But for the majority of the reports, there was no

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notation of a 48-hour follow-up being conducted, and/or no DVS attached to the report.

Recommendation: It is important that the Domestic Violence Supplement Form be used to its full extent. DVS needs updated information on local advocacy project.

State Police only- All reports contained a 48-hour follow-up and a DVS.

☐ Explanation for any interview arranged but not conducted

An explanation for any interview arranged but not conducted did not apply for any reports reviewed.

☐ Interview conducted and includes:

- A) Account of events surrounding the incident
- B) Attention to whether suspect has ever warned victim about talking to police or seeking help
- C) Specifies of any threats or warnings from suspect
- D) Initial and continuing treatment of injuries
- E) Witness statement

A) Accounts of events surrounding the incident were well documented. On a few occasions witness statements made mention of things being broken, but these broken items were never mentioned in the police report.

Recommendation: Interview witnesses with follow-up questions after they have provided statements. Take pictures of broken items for physical evidence.

B) No notations were made of officers asking whether suspect has ever warned victim against talking to police or seeking help. This information would assist in determining predominant aggressor and if other charges should be included.

Recommendation: Additional question added to DVS, "Has suspect ever warned victim against talking to police or seeking help".

C) Threats or warnings from suspect were noted in reports if the victim provided the information. Threats were often checked off on the DVS form, but no comments or follow-up questions on the meaning of the threats were included in the reports. This information would assist in determining predominant aggressor and possible additional charges.

Recommendation: Interview victims with follow-up questions after the DVS form has been completed and add this information to the report.

D) Medical attention was offered and declined in the majority of cases. When medical attention

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was sought, officers attached the medical information to the reports.

E) Witness statements were all attached to reports.

Sheriff Office Only- On a few occasions when officers caught a perpetrator in the act of violating certain conditions, no statements or questions were asked to the victims about their safety, or if there was other criminal activity happening that the officers did not witness.

- ☐ Name and phone numbers of someone who can always reach the victim
 - o Record victim contact information in a manner and location that keeps it confidential.
 - o Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order.

No names and phone numbers of someone who can always reach the victim were in any report. Often the victims and offenders had the same address. So in cases where victims might have had to leave for safety reasons, there was no means of getting in touch with them. Contact information is important to notify witnesses of court dates and to issue subpoenas.

Recommendation: Adding a question on the recommended Report Checklist for officers, to ask witness for a contact number of someone who can always reach them.

Risk and Danger Assessment

- ☐ Did the officer ask the victim questions such as the following (or otherwise address risk)?
 1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?
 2. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?
 3. Describe the time you were the most frightened or injured by him/her.
- ☐ Threats to the victim for seeking help, particularly regarding help sought from the police or courts.
- ☐ If it appears there is a history of violence, follow-up questions asked in victim interview:
 - o Does he/she own a gun?
 - o Have you left after living together?
 - o Does he/she ever try to choke you?
 - o Has he/she ever used a weapon against you or threatened you with a weapon?
 - o Has he/she threatened to kill you or himself/herself?
 - o Has he/she avoided arrest for domestic violence?
 - o Does he/she use drugs? If so, what kind and with what effect?
 - o Has he/she ever forced you to have sex when you didn't want to?
 - o Does he/she control many of your daily activities (e.g., friendships, whether or when your family can visit, travel)?

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- ☐ Is he/she jealous of you?
- ☐ Does he/she follow or spy on you or leave threatening notes or messages?
- ☐ Do you have a child that is not his/hers?
- ☐ Has he/she beaten you when you were pregnant?
- ☐ Has he/she ever threatened or tried to commit suicide?
- ☐ Is he/she working?
- ☐ Is he/she an alcoholic or problem drinker?

- ☐ Investigation obtains details regarding:
- ☐ Severity and frequency of abuse
 - ☐ Victim's level of fear
 - ☐ Isolation
 - ☐ History of violence, whether or not it resulted in law enforcement contact

In 2012, the State of Maine incorporated into statute the responsibility of Police Departments to conduct Risk Assessments in domestic violence cases, to be implemented not later than January 1, 2015. Risk assessments were not conducted in any of the reports reviewed. Some of the reports contained information pertinent to risk assessment, but only when the victim volunteered this information.

Recommendation: Development of a High Risk Assessment Team. This team is to develop a Risk Assessment Form and procedure. After the form and procedure have been developed, training should be offered to all officers on the Risk Assessment Form and procedure.

Additional information related to the suspect:

- ☐ Gone-on-Arrival: details about where the suspect might have gone and where he/she lives or stays when not at the address of the incident

When a suspect was Gone-on Arrival, all officers did a good job obtaining the necessary information and found the suspect within a reasonable amount of time.

- ☐ Suspect's county and state of residence during the past ten years

Suspect's county and state of residence during the past ten years was not asked. This information is important to have when doing criminal history checks and for charging purposes. It also is helpful when setting bail conditions.

Recommendation: Add suspect's county and state of residence during the past ten years to the recommended Report Checklist. Officers run checks through NCIC. If there is a history in another state, officers should send for the criminal history in that state and attach all histories to the final report and make notation on the template.

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- ☐ Any statements given by the suspect before in custody

All statements were taken before any suspect was in custody.

- ☐ Whether Miranda is given and or a request for an attorney was made, and when this occurred

All statements were taken before any suspect was in custody; therefore Miranda was not required and not mentioned in the reports.

- ☐ Whether a custodial interview of the suspect was conducted

No custodial interviews of the suspects were conducted.

- ☐ Any spontaneous statements given by the suspect after the arrest

There was no mention of statements given by the suspects after the arrest. Therefore it is unknown whether suspects gave any pertinent information to the officers while transporting them to booking and/or holding. Spontaneous statements made by suspects can be used in court as long as the officer did not question the suspect.

Recommendation: Transporting officers should always file a report if a suspect made a statement or comments during transport.

Records check and documentation of past abuse

- ☐ Comprehensive criminal history check conducted
- National
 - State
 - Local
 - Juvenile

A comprehensive criminal history check was always noted in the reports. It is unclear if out-of-state history checks were conducted, due to the lack of information on suspects' states of residency in the past 10 years. Comprehensive criminal history checks are helpful to bail commissioners when setting appropriate bail conditions.

Recommendation: Add comprehensive criminal history check to the recommended template and attach all history to report.

- ☐ History of abuse documented
- Past police reports on the offender
 - Past and current court orders: civil orders for protection (domestic abuse and/or harassment); criminal no-contact orders

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- Police reports from other jurisdictions (in-state & elsewhere) in cases of stalking or increased risk of harm

Documentation on the history of abuse was missing in the reports.

Recommendation: Additional questions on history of abuse amended to the Domestic Violence Supplement and/or Risk Assessment Form. The questions should be open-ended and not a check-box.

Evidence Collection

- ☐ Photographs of injuries, scene

Photographs were taken if there were visible injuries, but if no injuries were visible, no photographs were taken. Photographs of the scene were missing in the majority of reports. Photographs of a victim's visible injury or damage to property assist prosecutors in getting convictions. Photographs can also assist victim's requests for restitution for medical care. Photographs of both the victim's and the suspect's injuries will help a prosecutor corroborate the victim's or suspects versions of the event. Photographs make the incident more real to a judge or jury.

Recommendation: Training on evidence collection. 48-hour follow-up pictures of injuries should also be collected, especially when an assault occurred and there were no visible signs when the officer first responded. There should be ongoing supervisory review and monitoring of reports before they are submitted to the District Attorney's Office. Supervisors' review should use the same Report Checklist to ensure all evidence is collected.

- ☐ Physical evidence

Some important physical evidence was missing in reports. Physical evidence will help a prosecutor corroborate the victim's or suspects versions of the event. Physical evidence makes the incident more real to a judge or jury.

Recommendation: Training on evidence collection. When physical evidence is too big or not moveable, pictures should be taken of the evidence with a clear description. There should be ongoing supervisory review and monitoring of reports before they are submitted to the District Attorney's Office. Supervisors' review should use the same Report Checklist to ensure all evidence is collected.

- ☐ Any weapons used in incident (and highlight related threats to kill)

Weapons that were used in incidents all were collected.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

- ☐ Recordings/printouts of relevant 911 communications, voice mail, e-mail, text messages, and similar evidence

It is unclear if relevant 911 communications, voice mail, e-mail, text messages and similar evidence were always collected. When threats were made and mentioned to the officers via social networking, copies of these contacts were attached to the reports.

Recommendation: If officers are unable to obtain this information or do not obtain in initial report, as long as the District Attorney's Office is made aware of the relevant information, they can obtain it at a later date.

- ☐ Documents necessary to prove the element of a crime or an enhancement, such a copies of bail records, protection orders, repeat offender status, etc.

It was noted that it is usually easier for the District Attorney's Office to obtain this information.

Link with Bail Commissioner

- ☐ Investigation makes key information immediately available to a bail commissioner in order to set proper bail conditions:
 - o Information on the current offense
 - o Criminal history check and history of abuse
 - o Responses to victim interview and risk questions
 - o Interviews with witnesses

Not all reports had the bail sheets attached.

Recommendation: All bail sheets should be added to reports.

- ☐ Victim notified if bailed, and what bail conditions are

Only a few reports noted if the victim was notified, if the suspect was released on bail, and what bail conditions were in place. Notifying victims when suspects are released is vital to victim safety. Victims should also be made aware of bail conditions especially if there is a no contact provision. This helps victims understand what behavior can be reported as violations.

Recommendation: A monitoring system put in place to ensure victim notification is being conducted. Bail notification and conditions should be included in the 48-hour follow-up if the suspect has in fact been released on bail.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

Suspect Gone-on-Arrival

- ☐ Assign investigation priority according to one or more of these factors:
 - Victim injury or impairment
 - Possible witness tampering
 - Strangulation
 - Stalking
 - Increased risk of harm
 - High level of victim fear
- ☐ Conduct complete investigation, including victim interview and domestic violence risk assessment
- ☐ Notify victim of attempt to interview suspect
- ☐ Conduct in-person interview of suspect out of custody, if possible

Investigations were of equal quality regardless of whether the suspect was Gone-On-Arrival.

- ☐ Notify victim if investigator assesses increased risk of harm

There was no mention in any of the reports if the officer said anything to the victim about increase risk in harm. It is not clear if an officer had any concerns or if an officer just did not write it in their report.

Recommendation: After Risk Assessment Team is developed, notifying victim of possible increase in harm should be part of the risk assessment procedure.

- ☐ Check probation status; if so, forward incident report and contact with probation officer

There was no mention if any suspects were currently on probation.

- ☐ If the charge is a felony, issue a pickup and hold

Not applicable to any reports.

- ☐ Interview in-custody suspect in jail

All suspects were interviewed before charged, therefore further interviews were unnecessary.

- ☐ If the investigator is not the arresting officer, check for any spontaneous statements made by suspect during transport or booking

In all cases but one, the arresting officer was the officer doing transport.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

☐ Notify victim of prosecutor's charging decision

None of the reports indicated whether victims were notified of the charges filed against the suspects. This notification is important, because it helps victims to stay part of the process, and lets them know that the suspects are not getting away with their behavior. Often, abusers minimize the charges against them when talking to their victims and make it seem like they did nothing wrong. This makes victims feel as though there is no purpose in calling for help the next time.

Recommendation: 48-hour follow-ups should include notifying victims of charges filed against the suspects.

☐ Ensure that the victim has information regarding advocacy and civil protection orders

The majority of reports did not include this information in the report narrative but did include it in the Domestic Violence Supplement Form.

Recommendation: Domestic Violence Supplement Form needs to be updated with proper name of Hope and Justice Project.

☐ Encourage the victim to call police again if new incidents occur

Encouraging victims to call police again if new incidents occurred was well documented when the reports included 48-hour follow-up information. When there was no mention of the follow-up, there was no mention of this encouragement.

Recommendation: All officers report on 48-hour follow-up and the type of contact done at that time. Provide victims with information about where to call if new incidents occur.

Victim engagement and collaboration-

☐ Protect victim from suspect retaliation: do not disclose what victim has told investigators

In the majority of reports officers disclosed what victims had told them as the reason for charging the suspect.

Recommendation: Officers should tell suspects that based on the investigation, the officer has probable cause to arrest them, and that these charges are being brought against them by the State of Maine. This sends messages of accountability to abusers, and helps decrease unintended consequences for victims. The Team notes that due to the State of Maine's rules of evidence, the suspect will receive a copy of all reports and statements, including the victim's statement.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

- ☐ If circumstances allow, do not tell the suspect that investigators have spoken to the victim

In about half of the reports, both parties were present when officers responded to the domestic violence call and were aware that the other party was being interviewed. In the other half of the reports, officers told suspect they had spoken with victims, therefore the officers were there to interview them.

Recommendation: In circumstances where both parties are not present when officers respond, officers should tell the suspect that a complaint has been made and they are there to conduct an investigation.

- ☐ Treat each contact with the victim as an opportunity to build a continuing relationship

In the majority of reports, only one contact was mentioned with victims. All reports seemed neutral in language; therefore reports did not raise any concerns regarding officer contact with victims. Reports that included 48-hour follow-ups showed the most promise of building a continuing relationship with victims.

Recommendation: 48-hour follow-ups to be conducted and noted in reports or added to reports that have already been submitted to the prosecutor's office.

- ☐ Patience with victims who may be hostile or less than appreciative of investigators' efforts

Hostile victims were not mentioned in any of the reports.

- ☐ Provide investigator name and contact information

It was unclear if officers reminded victims of their names or gave contact information at the conclusion of the investigation. The 48-hour follow-ups mentioned officer providing this information to the victims at that time. Providing name and contact information sends a clear message to victims that officers are there to help them.

Recommendation: The recommended Domestic Violence Response Packet should include a card with officer information.

- ☐ Encourage victim to report suspect contact, abusive behavior, violations

Encouraging victims to report suspect contact, violations was only mentioned in 48-hour follow-ups.

Recommendation: Officers need to encourage victims to report suspect contact, abusive behavior and violations at every contact with victim.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

- ☐ Request victim report any threats by suspect for cooperating with the investigation

Reports did not mention if officers requested victims to report any threats made against them for cooperating with the investigation. This is an important question to ask victims, because it could open a line of investigation regarding whether suspects are tampering with witnesses, leading to additional charges as well as indicating safety concerns for the victim.

Recommendation: All officers conducting the 48-hour follow-up should ask victims if there have been any threats by suspect for cooperating with the investigation.

- ☐ Inform victim of importance of keeping a record of mail, voice mail, e-mail, text mail, etc. by suspect or others acting on suspect's behalf.

Reports made no mention of officers informing victims of the importance of maintaining records.

Recommendation: All officers discuss the importance of keeping records when conducting the 48-hour follow-up.

- ☐ Assist victim with problem-solving around personal safety

Only one report made mention of assisting victim with obtaining shelter. It is unclear if other officers assisted victims with problem-solving around personal safety.

Recommendation: All officers inform victims about protection orders and encourage them to call the local domestic violence advocacy program for help with safety planning.

- ☐ Ask open-ended questions which are more likely to produce information than narrow questions.

Reports were inconsistent and unclear on whether follow-up questions were asked or if reports were written solely on initial verbal statements of witnesses. Follow-up questions assist in building probable cause and when needing to make a predominant aggressor decision.

Recommendation: Written statements should be followed-up with verbal questions by officers.

- ☐ Ask for details and record all credible reports of violence, stalking, coercion, intimidation and related acts of abuse

Officers only reported on the current incident. The Domestic Violence Supplement had boxes checked off about other episodes of abuse but did not provide any details related to the box checked off.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

Recommendation: Interviewing victims with follow-up questions after the DVS form has been completed and adding this information to the report.

- ☐ Inform the victim of community services that support and enhance safety

When Domestic Violence Supplement Forms were present, it was clear that support services were offered.

Recommendation: Include an informational card from the local domestic violence agency with the Domestic Violence Response Packet for officers to give to victims before they leave the scene.

- ☐ If the victim and/or witnesses do not speak English, contact appropriate interpreter services.

No reports made mention of witness's language.

- ☐ Do not use neighbors or family members as interpreters.

This was not applicable.

- ☐ Provide messages of help, reassurance and protection

It was only clear that officers did this when a 48-hour follow-up was noted in the report.

Recommendation: As previously recommended, conducting 48-hour follow-ups helps to send the message of protection. Giving victims officer and domestic violence agency information sends messages of help, and keeping the victim aware of bail conditions and charges gives them reassurance that something is being done.

Additional information related to the case

- ☐ Existence of language, communication or cognition barriers

Reports made no mention of any language, communication, or cognitive barriers.

- ☐ Presence or involvement of elderly people

None of the reports involved any elderly people.

Aroostook County Sheriff's Office, Maine State Police Department Troop F, Presque Isle Police Department

<input type="checkbox"/> Presence or involvement of people with disabilities

None of the reports made mention if a witness was disabled.

Best-Practice Assessment

Police Patrol/ Investigation Workbook

Police Report/ Investigation Worksheet

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
1. Background and account of the officer's actions	
<ul style="list-style-type: none"> <input type="checkbox"/> Time of officers' arrival and time of the incident <input type="checkbox"/> Relevant 911 information, including specific details about any violence or threats communicated in the 911 call <input type="checkbox"/> Immediate statements of either party and any witnesses at the scene <input type="checkbox"/> A complete description of the scene <input type="checkbox"/> Attention to indicators of stalking <input type="checkbox"/> Attending to indicators of strangulation <input type="checkbox"/> Summary of actions taken by responding officers (e.g., arrest, non-arrest, attempts to locate, transport, referrals, victim notification, seizing firearms, rationale for self-defense or predominant aggressor determination) <input type="checkbox"/> Account of evidence collected (e.g., pictures, statements, weapons, other) <input type="checkbox"/> If an arrest was not made, the reason why 	
2. Information specific to each witness <u>and</u> party involved	
<ul style="list-style-type: none"> <input type="checkbox"/> His/her account of events and responses to follow-up questions <input type="checkbox"/> Officer observation related to the person's account of events <input type="checkbox"/> Relationship to witnesses or other parties involved <input type="checkbox"/> Identification, address, and means of locating the person for follow-up, including: <ul style="list-style-type: none"> <input type="checkbox"/> Home address and phone numbers <input type="checkbox"/> Cell phone number(s) <input type="checkbox"/> Place of employment, work address, and phone number 	
Children at the scene	
<ul style="list-style-type: none"> <input type="checkbox"/> Children at the scene: Details regarding their presence, involvement, and welfare <input type="checkbox"/> Considerations in interviewing children <ul style="list-style-type: none"> <input type="checkbox"/> Child's physical, emotional or psychological ability to give statement 	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
<ul style="list-style-type: none"> ○ Child's age and ability to understand questions and formulate responses ○ Non-offending parent/guardian's preferences as to whether and how to talk to the children 	
3. Information specific to each party involved	
<ul style="list-style-type: none"> <input type="checkbox"/> Injuries or impairment, (including pain, strangulation effects, breathing, mobility) <input type="checkbox"/> Description of medical help offered or used, the name of medical facility that was used and a medical release obtained <input type="checkbox"/> Emotional state/demeanor <input type="checkbox"/> Acts of intimidation or aggression <input type="checkbox"/> Presence or use of weapons <input type="checkbox"/> Alcohol or drug consumption and impairment 	
4. Information from the victim, including history of violence and contact information:	
<ul style="list-style-type: none"> <input type="checkbox"/> Interview arrangements include: <ul style="list-style-type: none"> ○ Inquiry into victim's welfare and safety ○ Referral information regarding advocacy support, restraining orders, and other community supports. <input type="checkbox"/> Explanation for any interview arranged but not conducted <input type="checkbox"/> Interview conducted and includes: <ul style="list-style-type: none"> ○ Account of events surrounding the incident ○ Attention to whether suspect has ever warned victim about talking to police or seeking help ○ Specifies of any threats or warnings from suspect ○ Initial and continuing treatment of injuries ○ Witness statement <input type="checkbox"/> Name and phone numbers of someone who can always reach the victim <ul style="list-style-type: none"> ○ Record victim contact information in a manner and location that keeps it confidential. ○ Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order. 	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
<i>Risk and Danger Assessment</i>	
<div data-bbox="203 388 933 1837"> <input type="checkbox"/> Did the officer ask the victim questions such as the following (or otherwise address risk)? <ol style="list-style-type: none"> 1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not? 2. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better? 3. Describe the time you were the most frightened or injured by him/her. <input type="checkbox"/> Threats to the victim for seeking help, particularly regarding help sought from the police or courts <input type="checkbox"/> If it appears there is a history of violence, follow-up questions asked in victim interview: <ul style="list-style-type: none"> o Does he/she own a gun? o Have you left after living together? o Does he/she ever try to choke you? o Has he/she ever used a weapon against you or threatened you with a weapon? o Has he/she threatened to kill you or himself/herself? o Has he/she avoided arrest for domestic violence? o Does he/she use drugs? If so, what kind and with what effect? o Has he/she ever forced you to have sex when you didn't want to? o Does he/she control many of your daily activities (e.g., friendships, whether or when your family can visit, travel)? o Is he/she jealous of you? o Does he/she follow or spy on you or leave threatening notes or messages? o Do you have a child that is not his/hers? o Has he/she beaten you when you were pregnant? o Has he/she ever threatened or tried to commit suicide? o Is he/she working? o Is he/she an alcoholic or problem drinker? </div>	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
<input type="checkbox"/> Investigation obtains details regarding: <ul style="list-style-type: none"> ○ Severity and frequency of abuse ○ Victim's level of fear ○ Isolation ○ History of violence, whether or not it resulted in law enforcement contact 	
5. Additional information related to the suspect:	
<input type="checkbox"/> Gone-on-Arrival: details about where the suspect might have gone and where he/she lives or stays when not at the address of the incident <input type="checkbox"/> Suspect's county and state of residence during the past <u>ten</u> years <input type="checkbox"/> Any statements given by the suspect before in custody <input type="checkbox"/> Whether Miranda is given and or a request for an attorney was made, and when this occurred <input type="checkbox"/> Whether a custodial interview of the suspect was conducted <input type="checkbox"/> Any spontaneous statements given by the suspect after the arrest	
6. Records check and documentation of past abuse	
<input type="checkbox"/> Comprehensive criminal history check conducted <ul style="list-style-type: none"> ○ National ○ State ○ Local ○ Juvenile <input type="checkbox"/> History of abuse documented <ul style="list-style-type: none"> ○ Past police reports on the offender ○ Past and current court orders: civil orders for protection (domestic abuse and/or harassment); criminal no-contact orders ○ Police reports from other jurisdictions (in-state & elsewhere) in cases of stalking or increased risk of harm 	
7. Evidence collection	
<input type="checkbox"/> Photographs of injuries, scene <input type="checkbox"/> Physical evidence <input type="checkbox"/> Any weapons used in incident (and highlight related threats to kill)	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
<input type="checkbox"/> Recordings/printouts of relevant 911 communications, voice mail, e-mail, text messages, and similar evidence <input type="checkbox"/> Documents necessary to prove the element of a crime or an enhancement, such as copies of bail records, protection orders, repeat offender status, etc.	
8. Link with bail commissioner	
<input type="checkbox"/> Investigation makes key information immediately available to a bail commissioner in order to set proper bail conditions: <ul style="list-style-type: none"> ○ Information on the current offense ○ Criminal history check and history of abuse ○ Responses to victim interview and risk questions ○ Interviews with witnesses <input type="checkbox"/> Victim notified if bailed, and what bail conditions are	
9. Suspect gone-on-arrival (GOA)	
<input type="checkbox"/> Assign investigation priority according to one or more of these factors: <ul style="list-style-type: none"> ○ Victim injury or impairment ○ Possible witness tampering ○ Strangulation ○ Stalking ○ Increased risk of harm ○ High level of victim fear <input type="checkbox"/> Conduct complete investigation, including victim interview and domestic violence risk assessment <input type="checkbox"/> Notify victim of attempt to interview suspect <input type="checkbox"/> Conduct in-person interview of suspect out of custody, if possible <input type="checkbox"/> Notify victim if investigator assesses increased risk of harm <input type="checkbox"/> Check probation status; if so, forward incident report and contact with probation officer <input type="checkbox"/> If the charge is a felony, issue a pickup and hold <input type="checkbox"/> Interview in-custody suspect in jail <input type="checkbox"/> If the investigator is not the arresting officer, check for any spontaneous statements made by suspect during transport or booking	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
<input type="checkbox"/> Notify victim of prosecutor's charging decision <input type="checkbox"/> Ensure that the victim has information regarding advocacy and civil protection orders <input type="checkbox"/> Encourage the victim to call police again if new incidents occur	
10. Victim engagement and collaboration	
<input type="checkbox"/> Protect victim from suspect retaliation: do not disclose what victim has told investigators <input type="checkbox"/> If circumstances allow, do not tell the suspect that investigators have spoken to the victim <input type="checkbox"/> Treat each contact with the victim as an opportunity to build a continuing relationship <input type="checkbox"/> Patience with victims who may be hostile or less than appreciative of investigators' efforts <input type="checkbox"/> Provide investigator name and contact information <input type="checkbox"/> Encourage victim to report suspect contact, abusive behavior, violations <input type="checkbox"/> Request victim report any threats by suspect for cooperating with the investigation <input type="checkbox"/> Inform victim of importance of keeping a record of mail, voice mail, e-mail, text mail, etc. by suspect or others acting on suspect's behalf. <input type="checkbox"/> Assist victim with problem-solving around personal safety <input type="checkbox"/> Ask open-ended questions which are more likely to produce information than narrow questions. <input type="checkbox"/> Ask for details and record all credible reports of violence, stalking, coercion, intimidation and related acts of abuse <input type="checkbox"/> Inform the victim of community services that support and enhance safety <input type="checkbox"/> If the victim and/or witnesses do not speak English, contact appropriate interpreter services. <input type="checkbox"/> Do not use neighbors or family members as interpreters. <input type="checkbox"/> Provide messages of help, reassurance and protection	
10. Additional information related to the case:	
<input type="checkbox"/> Existence of language, communication or cognition barriers <input type="checkbox"/> Presence or involvement of elderly people <input type="checkbox"/> Presence or involvement of people with disabilities	

Police Patrol/ Investigation Report Case #	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the patrol response; note specific examples.	
Patrol/ Investigation Response – List gaps in best practices	

Add pages if needed

48 Hour Follow-Up Reports Worksheet

Best Practices in Police 48 Hour Follow-Up Reports Response to Domestic Violence Case #	Notes NA = Not applicable in this case NA = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the investigation response; note specific examples.	
1. Witness identification and interviews	
<input type="checkbox"/> If not included in the patrol incident report, identify and obtain contact information for witnesses. <input type="checkbox"/> If initial interviews incomplete or missing important information, conduct follow-up interviews and obtain statements from all witnesses, including: <ul style="list-style-type: none"> ○ 911 caller ○ Adult witnesses at scene ○ Children at scene ○ Medical responders 	
2. Risk Assessment	
<input type="checkbox"/> Victim's interview includes a review of the victim's response to the three risk questions included in the original report. 4. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not? 5. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better? 6. Describe the time you were the most frightened or injured by him/her. <input type="checkbox"/> Investigation follows up on any indications or suspicions of: <ul style="list-style-type: none"> ○ Strangulation ○ Stalking ○ Witness tampering or intimidation ○ Sexual coercion or aggression ○ Threats to victim for seeking help 	
3. Medical reports	
<input type="checkbox"/> Investigation gathers all medical reports following signed release obtained by patrol <input type="checkbox"/> Investigation follows up to obtain release and records if patrol does obtain a signed release	

Best Practices in Police 48 Hour Follow-Up Reports	Notes
Response to Domestic Violence	NA = Not applicable in this case
Case #	NA = Not possible in this case (explain)
Instructions: Check all practices evident in the report and the investigation response; note specific examples.	
4. Evidence collection	
<input type="checkbox"/> Follow-up photographs of injuries <input type="checkbox"/> Physical evidence not collected by patrol <input type="checkbox"/> Any weapons used in incident (and highlight related threats to kill) not collected in investigation <input type="checkbox"/> Recordings/communications, voice mail, e-mail, text messages, and similar evidence for possible bail violations <input type="checkbox"/> Evidence and information missing from the patrol report is noted and addressed	
5. Suspect gone-on-arrival (GOA)	
<input type="checkbox"/> Interview in-custody suspect in jail <input type="checkbox"/> If the original officer is not the arresting officer, check for any spontaneous statements made by suspect during transport or booking <input type="checkbox"/> Notify victim of prosecutor's charging decision <input type="checkbox"/> Ensure that the victim has information regarding advocacy, civil protection orders, and bail conditions <input type="checkbox"/> Encourage the victim to call police again if new incidents occur	
48 Hour Follow-Up Response – List gaps in best practice	

Continue on reverse ➞

Training Memo: Response to Children in Domestic Violence-Related Calls

Children are often at the scene of calls involving domestic assault and related crimes. The law enforcement response has an impact on everyone present, including children. Safety for children and adult victims is paramount. To respond effectively and safely in ways that protect and reassure children, patrol officers and investigators should:

- Assess whether children have been physically harmed.
- Minimize the impact on children who are or were present at the scene.
- Recognize children's physical and emotional dependence on their parents.
- Support the non-offending parent's efforts to keep children safe.

Determining whether children are present

Officers should determine and document:

1. Whether there are any children present or who were present during the incident
2. Children's names and ages
3. Demeanor and spontaneous statements
4. Relationship to the adult parties
5. Whether the children have been physically harmed

To help determine the presence of children, officers should:

- ☐ Be alert for physical evidence that may indicate the presence of children (toys, clothing, etc.).
- ☐ Inquire of the parties at the scene about the whereabouts of children, whether they were present, and whether they were or intentionally or unintentionally injured.
- ☐ Decide whether to make visual contact with children at the scene who are not visible to officers, considering:
 - Whether there is reason to believe that children are injured or at risk of harm
 - Severity of the incident
 - Whether there are enough officers at the scene to make contact safely
- ☐ Decide whether it is appropriate to make visual contact, considering:
 - Whether to ask the victim/parent/guardian to accompany the officer
 - Whether there is a compelling reason to wake children who appear to be sleeping

Safety checks

- ✓ Determine whether the child is in need of medical treatment and arrange treatment if necessary, in partnership with the victim/parent/guardian.
- ✓ Follow mandated reporting protocols as appropriate.

- ✓ Convey to the non-offending parent information about the report and the typical process related to a child welfare/child protective services referral.
- ✓ If the children are in immediate danger, follow protocols for removal of children.

Interviewing children

Generally, an officer at the scene or an investigator should talk with each child outside the presence of the parent or guardian to minimize the influence over the child's statements. However, there may be occasions when the presence of the parent will minimize the impact on the child. Consider the child's age, developmental level and emotional state when making this determination.

- ☐ Document spontaneous statements made by children as quotes.
- ☐ Include the circumstances under which the statement was made and note the child's demeanor (e.g., excited, crying, visibly upset, shaking, withdrawn)
- ☐ Decide whether to interview each child in accordance with the protocol, considering:
 - Child's physical, emotional, or psychological ability to give a statement
 - Child's age and ability to understand questions and formulate responses
 - Non-offending parent/guardian's preferences as to whether and how to talk with the child

Tips for interviewing children

- Consider the child's age and developmental level.
- Select a location that is comfortable for the child.
- Sit at the child's level.
- Start by asking simple questions to make the child comfortable.
- Explain why you are there and what action you intend to take.
- Get the child's version of events.
- Avoid indicating the response you are looking for, or the child may simply give it to you.
- Be aware of any indication that the child is afraid of one or both parents or other adults at the scene.
- Be aware of a child's inclination to feel responsible or guilty about what has happened. Reassure the child that what happened is not his or her fault.
- Do not pry information from the child. Be aware that children who are also victims of abuse may have been warned not to talk to outsiders and to distrust all adults.

Subduing or arresting someone in the presence of children

Generally, the officer should avoid arresting or subduing an aggressive party in the presence of children. If this cannot be avoided, the officer should talk with the children about their actions and explain that the children are not responsible for what has happened, the officer is responsible for the decision, and the arrested person will be all right.

Recognizing children's need for continuity of care

In general, the best way of providing safety and security for a child is to assist the non-offending parent to make the child safe.

- ☐ Speak reassuringly and calmly to the parent.
- ☐ Talk with the parent about what she or he thinks is needed to keep them safe. Offer referrals to community resources.
- ☐ If the parent is too seriously injured or emotionally distraught to provide care for children, help the parent identify and find a relative or close friend whom the children know and trust.
- ☐ Prior to leaving the scene, explain the outcome of the call to children who are old enough to communicate verbally, using age-appropriate language. Ask the child if he or she has any questions about the incident or police response.

Best-Practice Assessment

Findings and Recommendations for Police Response- Policy & Procedure Analysis

Aroostook County Sheriff's Office
Maine State Police Troop F
Presque Isle Police Department

Coordinated by the Hope and Justice Project
2012

Police Response – Policy & Procedure Analysis
Aroostook County Sheriff's Office, Maine State Police Department,
Presque Isle Police Department
2012

In reviewing the policies and procedures for the Maine State Police (MSP), Aroostook County Sheriff's Office (ACSO) and Presque Isle Police Department (PIPD) it was clear that all three policies and procedures are quite similar, with the MSP policy and procedure being somewhat more extensive. Therefore this report will include all three departments in the findings and recommendations, unless otherwise stated.

A. Principles	
Does the policy ensure a response that:	How does this happen?
<ul style="list-style-type: none"> Adheres to an interagency approach and collective intervention goals? 	<p>ACSO/MSP- Policies make reference to combining the use of appropriate community services with enforcement of the law in their policy statements.</p> <p>PIPD- Makes reference to mandate in statute.</p> <p>ALL- Work closely with public safety answering points (PSAP's)/emergency communication specialist (ECS) to plan a response, bail commissioners, and District Attorney's Office. Offers an agreement between the department and the local advocacy project.</p>
Recommendation: None	
<ul style="list-style-type: none"> Builds attention to the context and severity of abuse? 	<p>ALL- Policies either mention the cycle of domestic violence and reducing the frequency and seriousness of such incidents, or the escalation of abuse.</p>
Recommendation: None	
<ul style="list-style-type: none"> Recognizes that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders? 	<p>ALL- Policies either mention helping to break the cycle of domestic violence or escalation and increasing levels of violence with each new offense.</p> <p>ALL- Procedure requires officers to conduct and note post domestic violence incident follow-ups.</p>
Recommendation: None	
<ul style="list-style-type: none"> Seeks sure and swift consequences for continued abuse? 	<p>MSP/PIPD- Clearly stated within policy statement.</p> <p>ALL- Stated in enforcement and service of protection orders, complaint response, and pro-arrest policies.</p>
Recommendation: None	

<ul style="list-style-type: none"> ○ Messages of help and accountability? 	<p>MSP/ACSO- Policy says, "protect victims of domestic violence and provide them with support"</p> <p>ALL- On scene assistance and post domestic violence incident follow-up, send messages of help. On scene assistance and pro-arrest policies send messages of accountability.</p>
<p>Recommendation: None</p>	
<ul style="list-style-type: none"> ○ Reduces unintended consequences and the disparity of impact on victims and offenders? 	<p>ALL- Procedure to assist victims and offenders the ability to safely retrieve personal property.</p>
<p>Recommendation: Procedure should include informing victim and suspect that the state is pressing charges (not the victim) against the suspect. This information would reduce the unintended consequence of abusers blaming victims for their arrest and assist with changing victims' and offenders' beliefs that victims have the authority to dismiss charges.</p>	

B. Procedures	
Does this policy ensure a response that:	How does this happen?
<ul style="list-style-type: none"> ○ Reference applicable laws, definitions, and authority? 	<p>ALL- Procedures reference officers having knowledge about applicable laws with respect to the issue of domestic violence and the authority to arrest the offender.</p> <p>MSP- Definitions section mentions specific domestic violence crimes and their applicable statutes. Has a detailed list of definitions including the statute's definition with applicable title and section. Includes a procedure for documenting strangulation</p> <p>ACSO- Definitions section only lists a few definitions, but definitions are specific to the statute's definition.</p> <p>PIPD- Definition section has different list of terms then MSP/ACSO. Only a couple of the terms have definitions that are the statute's definition.</p>
<p>Recommendation: ACSO/PIPD- Should have a more comprehensive list of terms relating to domestic violence crimes. This list should include (but not be limited to) risk assessment and strangulation. A procedure needs to be developed to document strangulation.</p> <p>ALL- A screening tool needs to be developed for strangulation.</p>	

<ul style="list-style-type: none"> ○ Provides criteria & procedures for sorting cases into appropriate levels of response according to context & severity of abuse (i.e., different levels of response for different levels of dangerousness & risk)? 	<p>ALL- Policy and procedures did not mention any criteria or procedure for sorting cases.</p>
<p>Recommendation: Development of an integrated risk assessment would assist in sorting cases into the appropriate level of response needed.</p>	
<ul style="list-style-type: none"> ○ Guides practitioners in documenting actions and information about the case in ways that decrease the reliance on memory and improve the thoroughness of case information? 	<p>MSP- Procedure mentions officers' actions and responsibilities for documenting the information related to the case, but does not decrease the reliance on officer memory. Has good check-list of enclosures within a report.</p> <p>ACSO/PIPD- Makes a brief reference to report writing, but does not decrease the reliance on officer memory.</p>
<p>Recommendation: The development of a Domestic Violence Response Packet, along with a Report Checklist and Template. Procedure should make reference to officers using these tools when completing a report.</p>	
<ul style="list-style-type: none"> ○ Accounts for how victims use violence in response to battering by an abuser? 	<p>ALL- Definition section includes predominant aggressor definition.</p> <p>Domestic Violence Supplement Form has the question, "Violent Action (victim states what victim did)"</p>
<p>Recommendation: None</p>	
<ul style="list-style-type: none"> ○ Recognizes and guards against increasing victim vulnerability to consequences and retaliation if they participate in confronting and holding offenders accountable? 	<p>ALL- Procedures require all officers to conduct a post domestic violence follow-up within 48 hours of the original response. During this follow-up, officers are required to check on the safety and well-being of the victims, make sure all current orders are being followed and educate victims about services and protection orders.</p>
<p>Recommendation: None</p>	
<ul style="list-style-type: none"> ○ Recognizes an offender's likelihood of battering in future relationships? 	<p>ALL- On scene assistance has officers tell victims about the potential for escalation. There is no mention about offender's likelihood of battering in future relationships.</p>
<p>Recommendation: None</p>	

Best-Practice Assessment of Aroostook Counties, Maine State Police Troop F, Sheriff's Office and Presque Isle Police
Department's Response to Domestic Violence, coordinated by the Hope and Justice Project

○ Provides mechanisms for documenting the pattern and history of abuse when and wherever possible?	ALL- Procedure states officers obtain complaint history from PSAP/ECS about the location and whether or not there are any current protection orders or bail conditions. Procedure also requires officers to provide relevant criminal history to bail commissioner.
Recommendation: A process for officers to obtain defendant's previous history is required by statute. The development of an integrated risk assessment (which includes screening for stalking) would assist officers in obtaining the pattern and history of abuse. Officers asking follow-up questions to the Domestic Violence Supplement would also assist in obtaining history.	
○ Reinforces a swift, timely response focused on victim safety?	MSP- Policy says MSP is to affirmatively and expeditiously respond to domestic violence incidents. ALL- Procedure states service and response to a violation of a protection order is to be done in a timely and expeditiously manner.
Recommendation: None	
○ Recognizes the ways in which abusers used children to control adult victims of abuse?	ALL- Procedure does not mention ways in which abusers use children to control abuse, but does mention interviewing children at the scene separately.
Recommendation: A procedure on dealing with children at a domestic violence scene needs to be developed.	
○ Understands that protection of the adult victim parent is critical to the welfare of children?	ALL- Procedure does not mention that protecting the adult victim parent is important to children's safety. Procedures do mention officers making referrals to the local domestic violence agency.
Recommendation: Departments already have policies and procedures implemented to have officers make referrals to local domestic violence agencies, but no monitoring system to ensure referrals are being made. In order to ensure proper referrals are being done, the monitoring supervisors should review cases for referrals. Keeping the adult victim safe is important to the well-being of the children living in that home. Therefore, it is important to ensure proper and timely referrals are being made to the local domestic violence agency. Domestic violence agencies can offer vital safety planning for victims and their children.	
○ Provides effective mechanisms to ensure victim notification, access to advocacy and victim services, and safety planning?	MSP- Procedure mentions providing contact information to jail, so jail has a means to contact the victim if the arrestee is released from jail. Procedure also says an officer shall make a reasonable attempt to notify DV victim of the suspect's release. ACSO/PIPD- Procedure for notifying victim of defendant's

	<p>release is different than the statute on "Notification of Defendant's Release on Bail". ACSO/PIPD procedure says jail shall notify the arresting department of the defendant's release from jail; then the arresting department shall make a reasonable attempt to notify victim. The statute says jail will notify victim, but if they are unsuccessful they will notify the arresting law enforcement agency. If the defendant is released on bail prior to arriving at the jail, then the arresting department is responsible for victim notification.</p> <p>ALL- Procedure clearly mentions officers informing victims of advocacy services, information on protection orders and assisting victims with obtaining shelter and belongings.</p>
<p>Recommendation: MSP needs clarification of the written procedure to eliminate confusion regarding who is responsible for conducting victim notifications.</p> <p>ACSO/PIPD- Should make adjustments in procedure for notifying victim of defendant's release to ensure the departments and the jail are all conducting notifications as required.</p> <p>ALL- A monitoring system needs to be put in place to ensure victim notification is being conducted. Through team discussions and policy and procedure review it became clear that there are many gaps in this process. Victim notifications are important to victim safety.</p>	

C. Monitoring	
Does the policy ensure a response that:	How does this happen?
<ul style="list-style-type: none"> ○ Links practitioners to those who intervene at the next points of interventions? 	<p>MSP- Procedure links officers to supervisors, bail commissioners, District Attorney's Office, jail, and domestic violence advocacy groups.</p> <p>ACSO/PIPD- Procedure links officers to bail commissioners, and domestic violence advocacy groups. Only mentions turning in follow-up reports to District Attorney's Office.</p>
<p>Recommendation: Add a procedure stating all reports are to be submitted to the District Attorney's Office.</p>	
<ul style="list-style-type: none"> ○ Specifies how and within what time frame case information is shared, and with whom? 	<p>MSP- Procedure describes time-frame with supervisors.</p> <p>ACSO/PIPD- Procedure does not discuss submitting case information to the District Attorney's Office and has no time frame for completing a report. The only time the procedure mentions turning in case information to District Attorney's Office is in regard to the follow-up report.</p> <p>ALL- Procedure discusses part of the response is providing Bail Commissioners with the proper information.</p>

Recommendation: Procedure should clearly state that all reports (including reports from other officers) are to be submitted to the District Attorney within 5 days. Procedures should include filling out risk indicators on bail form with the victim prior to the bail sheet being completed. It is recommended that the bail sheet be attached to the Domestic Violence Response Packet for officers to have at the scene of the incident.	
<ul style="list-style-type: none"> Includes mechanisms for tracking practitioner compliance with policy and for recording exceptions to the policy? 	<p>MSP- There is a procedure stating the responsibility of the Shift Supervisors and Troop Commanders to review case reports for approval, and to ensure officers are following policies and procedures.</p> <p>ALL- Procedure for tracking compliance only if there is a serious injury or homicide.</p>
Recommendation: PIPD/ACSO- A procedure to have Sergeants/Commanders/Chiefs to review all domestic violence reports and ensure that reports contain all necessary information and attachments, and all policies and procedures are followed.	
<ul style="list-style-type: none"> Includes steps to ensure compliance and address non-compliance? 	<p>MSP- Shift supervisors and troop commanders are set up to ensure compliance.</p> <p>ACSO/PIPD- Procedure makes no mention of steps taken to ensure compliance.</p>
Recommendation: PIPD/ACSO- A procedure to have Sergeants/Commanders/Chiefs to review all domestic violence reports and ensure that reports contain all necessary information and attachments, and all policies and procedures were followed.	
<ul style="list-style-type: none"> Provides continuing education and training for practitioners on an on-going basis? 	<p>ALL- There was no mention in any policies and procedures about continuing education and training.</p>
Recommendation: Procedures should make note of state mandated trainings and training hours officers need to have on an ongoing basis. Supervisors should reinforce training.	
<ul style="list-style-type: none"> Establishes a process of record sharing and external monitoring? 	<p>ALL- Procedures allow record sharing with local domestic violence advocacy programs, but do not discuss external monitoring.</p>
Recommendation: A system of external monitoring needs to be developed in order to ensure department compliance.	

Other Findings & Recommendations

According to policy and procedure, two officers are to be dispatched to a domestic violence call. In rural Aroostook County it is not uncommon for two officers from the same department to not be available. Two officers from the same department may not even be in the vicinity of the scene, leading to a multi-agency response to the domestic violence call. None of the policies and procedures dealt with multi-agency response and had no system in place to monitor these responses.

A few of the police reports mentioned a multi-agency response but did not include reports from officers from all responding departments.

Recommendation: A multi-agency monitoring procedure needs to be created to fill the gap that may occur when multiple agencies respond to a domestic violence call to ensure a timely and complete report is provided to the District Attorney's Office.

Maine State Police

The Maine State Police policy and procedure clearly states how to handle a domestic violence incident when the suspect is a known law enforcement officer or an officer of the MSP, but lacks policy and procedure when a Maine State Police Officer is subject to a temporary or permanent protection order.

Recommendation: Develop and implement a procedure for addressing circumstances in which Maine State Police Officers are subject to temporary or permanent protection from abuse or harassment orders.

Presque Isle Police Department

The Presque Isle Police Department policy and procedures does not have a procedure in place for dealing with known law enforcement officers, or fellow PIPD officers who are perpetuating domestic violence. The policy mentions if a sworn employee is served with a permanent protection order, but does not mention temporary orders.

Recommendation: Develop and implement a procedure regarding how PIPD officers are to handle a domestic violence call when the offender is a sworn officer and a procedure for circumstances in which sworn employees are subject to temporary protection orders.

Aroostook County Sheriff's Office

The AC Sheriff's Office policy and procedures does not have a procedure in place for dealing with known law enforcement officers or fellow Sheriff's who are perpetuating domestic violence or if a Sheriff is subject to a temporary and/or permanent protection order.

Recommendation: Develop and implement a procedure regarding how AC Sheriff's are to handle a domestic violence call when the offender is a sworn officer or a fellow Sheriff and a procedure dealing with Sheriff Officers who are subject to a temporary and/ or permanent protection order.

Best-Practice Assessment

Policy and Procedure Analysis Workbook

Police Response – Policy & Procedure Analysis

A. Principles	
Does the policy ensure a response that:	How does this happen?
Adheres to an interagency approach and collective intervention goals?	
Builds attention to the context and severity of abuse?	
Recognizes that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders?	
Seeks sure and swift consequences for continued abuse?	
Messaging of help and accountability?	
Reduces unintended consequences and the disparity of impact on victims and offenders?	

B. Procedures	
Does this policy ensure a response that:	How does this happen?
Reference applicable laws, definitions, and authority?	
Provides criteria & procedures for sorting cases into appropriate levels of response according to context & severity of abuse (i.e., different levels of response for different levels of dangerousness & risk)?	
Guides practitioners in documenting actions and information about the case in ways that decrease the reliance on memory and improve the thoroughness of case information?	

Accounts for how victims use violence in response to battering by an abuser?	
Recognizes and guards against increasing victim vulnerability to consequences and retaliation if they participate in confronting and holding offenders accountable?	
Recognizes an offender's likelihood of battering in future relationships?	
Provides mechanisms for documenting the pattern and history of abuse when and wherever possible?	
Reinforces a swift, timely response focused on victim safety?	
Recognizes the ways in which abusers used children to control adult victims of abuse?	
Understands that protection of the adult victim parent is critical to the welfare of children?	
Provides effective mechanisms to ensure victim notification, access to advocacy and victim services, and safety planning?	

C. Monitoring	
Does the policy ensure a response that:	How does this happen?
Links practitioners to those who intervene at the next points of interventions?	
Specifies how and within what time frame case information is shared, and with whom?	

Includes mechanisms for tracking practitioner compliance with policy and for recording exceptions to the policy?	
Includes steps to ensure compliance and address non-compliance?	
Provides continuing education and training for practitioners on an on-going basis?	
Establishes a process of record sharing and external monitoring?	

References

- **Hope and Justice Project** – Hope and Justice Project is a nonprofit community based domestic violence advocacy program. The Project is located in Aroostook County, Maine. Established in 1979, Hope and Justice Project offers assistance through its 24-hour hotline, safety planning, court advocacy, emergency shelter, transitional housing, and support groups as well as other services based on people's needs. www.hopeandjusticeproject.org
- **Aroostook Band of Micmac Family Violence Program** – The Aroostook Band of Micmacs is a federally recognized tribe located in Presque Isle, ME that provides a wide variety of services for its members. The Aroostook Band of Micmac's Family Violence Program provides advocacy, safety planning, prevention education, case management, support groups, shelter services and certain other services based on eligibility. Family violence services have been available through the tribe since the mid-1990s, and in 2012 the tribe was awarded funding to provide emergency shelter services to women and children.
- **Aroostook County Sheriff's Office** – The Sheriff's Office enhances public safety in Aroostook's rural areas not primarily served by other police agencies, providing aid and assistance to the public as well as to other agencies. The Patrol Division investigates all reports of criminal activity reported to the Sheriff's Office, as well as routine traffic incidents. The Sheriff's Department also handles all civil process as well as other court mandates.
- **Bail Commissioner** – Appointed by the Chief Judge of the District Court, Bail Commissioners set pre-conviction bail for defendants in criminal proceedings in accordance with the law. Bail commissioners have the powers of notaries public to administer oaths or affirmations in carrying out their duties.
- **Blueprint for Safety** – The Blueprint for Safety, originally developed and implemented in Saint Paul, MN, is a prototype that can be used by any community hoping to link its criminal justice agencies together in a coherent, philosophically sound domestic violence intervention model. The Blueprint for Safety can be downloaded for free at www.praxisinternational.org.
- **District Attorney's Office** – The District Attorney's Office is responsible for prosecuting crimes in Aroostook County, Prosecutorial District Number 8. The Office includes the District Attorney, who is elected every four years, the Deputy District Attorney, and three Assistant District Attorneys.
- **Maine State Police Troop F** – The Maine State Police was established in 1925 in order to enforce the laws of Maine in rural areas. Troop F is responsible for Aroostook County and the extreme northern sections of Somerset, Piscataquis and Penobscot counties. In addition, the Troop patrols Interstate 95 from Sherman to the Canadian border in Houlton. Troop F consists of a Lieutenant, three Sergeants, eighteen Troopers and a secretary.
- **Maliseet Domestic Violence & Sexual Assault Program** – The mission of the Maliseet Domestic Violence and Sexual Assault Program is: "to effect change within our

Tribal community where equality, respect and nonviolence become cornerstones of all relationships. The Maliseet Domestic Violence and Sexual Assault Program is dedicated to ending violence against Native women by assisting victims in regaining personal safety and control of their life, ensuring accountability of perpetrators of violence within the Tribal and non-tribal Law enforcements and judicial systems, and promoting peaceful relations in our Tribal families and Community."

- **Praxis International** – Praxis International, Inc. is a nonprofit research and training organization that works toward the elimination of violence in the lives of women and children. Praxis works with local, statewide, and national reform initiatives to bridge the gap between what people need and what institutions provide. Since 1996, Praxis has worked with advocacy organizations, intervention agencies, and inter-agency collaborations to create a clear and cooperative agenda for social change in their communities. www.praxisinternational.org
- **Presque Isle Police Department-** The Presque Isle Police Department serves the City of Presque Isle, a community of approximately 10,500 citizens and an area of about 68.8 square miles. The Department is comprised of nineteen sworn officers and seven civilians.