


# PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

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|  | <b>SUBJECT:</b>                                     | <b>POLICY NUMBER</b><br>281         |
|   | <b>VIOLATION OF PROTECTION ORDER</b>                | <b>ISSUE DATE</b><br>02/19/2008     |
|   | <b>CHAPTER: PATROL</b>                              | <b>EFFECTIVE DATE</b><br>02/19/2008 |
|   | <b>ISSUED By:</b><br>Chief of Police John E. Howell | <b>TOTAL PAGES</b><br>2             |

## I. PURPOSE

The purpose of this policy is to provide officers with information and guidance on how to process and enforce court protection orders.

## II. POLICY

Research reveals that nearly one third of all female homicide victims in the United States are killed by a husband or boyfriend. Another third of all emergency hospital visits by women are due to injuries sustained in domestic violence. Children are direct or indirect victims of abuse in more than half of such domestic violence cases.

Without intervention, the pattern of abusive behavior typically escalates in both frequency and intensity. One important means of intervention is issuing court protection orders that limit or prohibit contact between individuals in abusive domestic situations. Therefore, it is the policy of this agency to fully enforce these orders and, to that end, to maintain a system that will provide up-to-date information on these orders to officers responding to domestic disturbances.

## III. DEFINITIONS

**ORDER OF PROTECTION:** An emergency, interim or permanent injunction issued by a criminal, civil, or domestic relations court that prohibits certain actions-typically those related to physical contact, harassment, intimidation, or interference with personal liberty-that grants custody of minor children or that requires that certain actions be taken by the respondent.

#### **IV. PROCEDURES**

##### **A. A PERSON COMMITS THE OFFENSE OF “VIOLATION OF AN ORDER OF PROTECTION “ IF:**

1. A chancery court has issued an order of protection, temporary order of protection, or any modification of such order against him pursuant to the Domestic Abuse Act of 1991, Arkansas Code Annotated 9-15-101 et seq.; and
2. He has received actual notice or notice pursuant to Rule 4, Arkansas Rules of Civil Procedure of an order of protection, temporary order of protection, or any modification thereof against him pursuant to the Domestic Abuse Act of 1991, Arkansas Code Annotated 9-15-101 et seq.; and
3. He knowingly violates a condition of an order of protection issued pursuant to the Domestic Abuse Act of 1991, Arkansas Code Annotated 9-15-101 et seq.

##### **B. ENFORCEMENT OF A VIOLATION OF PROTECTION ORDER**

1. The preferred course of action for law enforcement officers of this agency is to arrest and take into custody without a warrant, pursuant to Arkansas Code Annotated 5-53-134, any person who the law enforcement officer has probable cause to believe is subject to an order of protection issued pursuant to the laws of this state and who the officer has probable cause to believe has violated the terms of the order, even if the violation did not take place in the presence of the law enforcement officer.
2. Any law enforcement officer of this agency acting in good faith and exercising due care in making an arrest for domestic abuse shall have immunity from civil liability.