

FORT FAIRFIELD POLICE DEPARTMENT

Standard Operating Procedure

309 – DOMESTIC VIOLENCE RESPONSE

Effective Date	July 28, 2026
Legacy SOPs Replaced	SOP 41A – Domestic Violence; and SOP 41A-1 – Protection from Abuse Orders
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Policy Classification	Operational
Authority	Chief of Police
Version	1.0

I. PURPOSE

The purpose of this policy is to establish comprehensive procedures governing law enforcement response to domestic violence incidents. This policy ensures consistent, victim-centered practices, lawful enforcement, offender accountability, and compliance with Maine statutes. This policy provides guidance for all phases of response, including dispatch, on-scene actions, investigation, arrest, reporting, victim assistance, and follow-up.

II. POLICY

Domestic abuse is a serious crime and shall be treated with the same priority as any other violent offense. Officers shall conduct thorough, victim-centered investigations, identify the predominant aggressor based on the totality of the circumstances, enforce the law consistently, and utilize available community resources to protect victims and prevent future abuse.

This policy shall be applied equally to all people. Officers shall not base enforcement decisions on a victim's willingness to cooperate and shall make all enforcement decisions based upon whether they have developed probable cause.

Domestic violence investigations shall be conducted using evidence-based prosecution principles whenever practical. Officers shall seek to identify, preserve, and document all available evidence, recognizing that successful prosecution may not depend solely upon victim testimony.

Officers shall recognize that domestic violence often involves patterns of coercive control and escalating behavior. Investigations shall focus on identifying the predominant aggressor, preserving evidence, reducing future risk, and enhancing victim

safety through evidence-based investigative practices.

III. DEFINITIONS

Abuse – Physical injury, offensive physical contact, fear of imminent bodily injury, threats of bodily injury, coercion, unlawful restraint, stalking, sexual assault, criminal threatening, or other conduct constituting domestic violence under Maine law.

Domestic Violence – Abuse committed by one family or household member against another family or household member as defined by Maine statute.

Domestic Violence Advocate – A trained professional who provides confidential support, safety planning, victim assistance, and referrals to individuals affected by domestic violence.

Evidence-Based Prosecution – An investigative approach emphasizing the collection and preservation of physical evidence, digital evidence, witness statements, recordings, photographs, medical documentation, excited utterances, and other independent evidence to support prosecution regardless of victim participation.

Family or Household Members – Individuals as defined under Maine law, including spouses, former spouses, domestic partners, persons presently or formerly living together, persons who have a child in common, and other persons meeting the statutory definition.

Firearm Prohibition – Any federal, state, or court-imposed restriction prohibiting an individual from possessing, purchasing, receiving, transporting, or controlling firearms or dangerous weapons.

Lethality Indicators – Factors recognized through research and professional practice as increasing the likelihood of serious injury or death in domestic violence cases. Such indicators may include strangulation, threats to kill, threats of suicide, stalking behavior, escalating violence, obsessive jealousy, access to firearms, violation of protection orders, and prior domestic violence incidents.

Predominant Aggressor – The individual who poses the greatest ongoing threat of harm based upon the totality of the circumstances, including comparative injuries, prior history, threats, coercive control, fear, witness statements, and whether a party acted in lawful self-defense.

Predominant Aggressor Analysis – A structured assessment of available facts and circumstances used to identify the predominant aggressor and avoid inappropriate dual arrests.

Protection from Abuse Order (PFA) – A court order issued pursuant to Maine law providing protection from domestic violence and imposing restrictions or requirements upon the defendant.

Risk Assessment – A validated, evidence-based assessment tool used to evaluate the likelihood of future domestic violence, serious injury, or lethal violence and to assist in victim safety planning and judicial decision-making.

Strangulation – Intentional restriction of breathing or blood circulation by applying pressure to the neck, throat, or chest, or by obstructing the nose or mouth. Strangulation is recognized as a significant indicator of future lethal violence and may result in serious injury or death even when visible injuries are absent.

IV. LEGAL AUTHORITY

Officers shall comply with all applicable Maine statutes governing domestic violence enforcement, to include mandatory arrest provisions and enforcement of protection orders. Title 15 governs law enforcement authority, including warrantless arrest provisions and domestic violence enforcement requirements. Title 17-A establishes criminal offenses, including assault, domestic violence assault, and related crimes. Title 19-A, Chapter 103 establishes Maine's Protection from Abuse Act and governs the issuance, service, enforcement, and administration of Protection from Abuse Orders.

V. OPERATIONS

A. Communications / Dispatch Responsibilities

Domestic violence calls shall be treated as high priority. Dispatch shall obtain and relay critical safety information, including the presence of weapons, suspect status and location, children and others present, intoxication, medical needs, prior incidents, known lethality indicators when available, and protection order status.

Dispatch shall document spontaneous utterances and ensure that responding officers receive all relevant information promptly. Dispatch shall not cancel a response based solely on a follow-up request and shall notify a supervisor immediately when law enforcement personnel are involved.

B. Initial Officer Response

Officers shall approach cautiously, assess potential threats, and position themselves to maximize officer and victim safety. Officers shall separate involved parties upon contact, identify potential victims and suspects, and maintain control of the scene.

Officer, victim and public safety shall remain primary considerations throughout the response.

C. On-Scene Investigation

Officers shall conduct a thorough and impartial investigation. Officers shall interview all parties and witnesses separately, including children when appropriate, and shall document injuries, photograph the scene, and collect all available physical and digital evidence.

Officers should document evidence of coercive control, including isolation, intimidation, financial control, threats, monitoring, or other behavior demonstrating an ongoing pattern of abuse.

Officers shall conduct a predominant aggressor analysis based on the totality of the circumstances, including prior history, severity of injuries, threats, coercive control, and claims of self-defense.

Officers should consider obtaining search warrants for digital evidence, electronic communications, surveillance recordings, or other evidence when voluntary consent or other lawful authority is unavailable.

Officers shall request EMS response in all suspected strangulation cases due to the elevated risk of serious injury or delayed death.

D. Strangulation Investigations

Officers shall recognize strangulation as a significant risk factor for future serious injury or homicide and shall investigate all allegations of strangulation thoroughly. Officers shall request emergency medical evaluation whenever strangulation is alleged, suspected, or indicated by physical evidence, witness statements, or victim disclosure.

Officers shall document:

- Statements describing difficulty breathing, swallowing, or speaking
- Loss of consciousness
- Changes in vision or hearing
- Involuntary urination or defecation
- Neck pain or tenderness
- Voice changes
- Visible injuries
- Delayed symptoms reported by the victim

Officers shall photograph all observable injuries and shall document the absence of visible injury when appropriate.

Because serious injury may occur without obvious physical signs, officers shall not rely solely upon visible injury when evaluating probable cause or determining the seriousness of the incident.

Officers should recognize that delayed symptoms may develop hours or days after the assault and should encourage immediate medical evaluation even when the victim initially declines treatment.

E. Arrest Decisions

Officers shall make arrest decisions based on probable cause and predominant aggressor analysis consistent with Maine law. Mandatory arrest provisions shall be followed for violations of protection orders and qualifying offenses.

Officers shall not base arrest decisions solely on a victim's willingness to cooperate. When an arrest is not made, officers shall clearly document the reasons supporting that decision.

Officers shall avoid dual arrests unless independent probable cause exists establishing that each individual committed a criminal offense and neither acted primarily in lawful self-defense.

F. Risk Assessment

Officers shall complete a validated domestic violence risk assessment when required and shall document the factual basis supporting the scoring. Officers shall complete the assessment as soon as practical after the scene has been stabilized and shall ensure responses accurately reflect information reasonably known at the time.

Officers shall ensure that assessment results are provided to the bail commissioner and prosecutorial authorities. Officers shall recognize that factors such as strangulation, threats of homicide or suicide, stalking behavior, and access to firearms significantly increase future risk.

G. Firearms and Dangerous Weapons

Officers shall recognize that access to firearms significantly increases the risk of serious injury and death in domestic violence incidents.

When authorized by law or court order, officers shall seize firearms and dangerous weapons and shall document the legal basis for the seizure.

Officers shall verify the existence of any firearm restrictions associated with protection orders, bail conditions, probation conditions, or other lawful prohibitions whenever practical.

All seized firearms and dangerous weapons shall be handled, stored, transferred, and returned in accordance with agency evidence procedures and applicable law.

Officers shall thoroughly document all actions taken regarding firearms and dangerous weapons.

H. Reporting Requirements

Officers shall complete thorough and timely reports. Reports should include, as applicable, case identifiers, dispatch and arrival times, scene observations, demeanor of involved parties, statements and excited utterances, evidence collected, photographs, relationship information, predominant aggressor rationale, arrest decisions, lethality indicators observed, evidence of coercive control, body-worn camera activation when applicable, risk assessment results, medical response, protection order status, and victim referrals.

Reports shall be sufficiently detailed to support prosecution, judicial review, and administrative oversight.

I. Victim Assistance and Notification

Officers shall take reasonable steps to prevent further violence and shall assist victims by facilitating medical care, arranging safe lodging when necessary, providing written notice of rights, and offering referrals to advocacy services.

Officers shall ensure required victim notifications are completed, including notification upon offender release when applicable.

Officers should provide victims with information regarding emergency shelter, advocacy services, protective order procedures, crime victim compensation, and other locally available resources.

I. Children Present During Domestic Violence Incidents

Officers shall document the presence of children during domestic violence incidents and shall consider the impact of exposure to domestic violence when evaluating victim safety and investigative needs.

When appropriate, officers shall interview children separately and in an appropriate manner for their age.

Officers shall comply with all mandatory reporting obligations and shall notify appropriate child protective authorities when required by law.

Officers should recognize that children exposed to domestic violence may be victims of trauma even when they are not the direct targets of abuse.

J. Follow-Up Investigation

Follow-up contact with victims shall occur within forty-eight (48) hours unless a reasonable exception is documented.

Follow-up efforts shall include, when appropriate:

- Assessment of ongoing safety concerns
 - Review of protection order compliance
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- Collection of additional statements
- Collection of digital or physical evidence
- Review of medical records
- Coordination with domestic violence advocates
- Verification of offender release status
- Reassessment of lethality indicators and risk factors

All follow-up actions shall be documented within the investigative file.

Supervisors should periodically review follow-up investigations involving high-risk offenders, repeated domestic violence incidents, or significant lethality indicators.

K. Protection Orders

Officers shall enforce all protection orders in accordance with Maine law.

Officers shall verify the existence and status of protection orders whenever practical and shall take enforcement action consistent with statutory requirements.

Mandatory arrest provisions shall be followed when probable cause exists to believe a qualifying violation has occurred.

Officers shall prioritize the service of protection orders and shall document all enforcement actions, attempted service, and related investigative activities.

Officers shall recognize and enforce qualifying out-of-state, tribal, military, and federal protection orders in accordance with full faith and credit requirements.

Officers shall recognize that only the defendant is subject to the restrictions imposed by a protection order and that a plaintiff cannot waive enforcement through consent or invitation.

L. Incidents Involving Law Enforcement Employees

Domestic violence incidents involving law enforcement employees shall be investigated thoroughly, impartially, and in the same manner as any other domestic violence investigation.

Supervisors shall be notified immediately upon learning that a law enforcement employee may be involved as a victim, suspect, or witness.

Whenever practical, an outside law enforcement agency should be requested to investigate incidents involving employees of this agency when doing so will promote public confidence and investigative impartiality.

The agency shall ensure that investigative decisions are based solely upon the facts, evidence, and applicable law and are not influenced by the employee's position, rank, agency affiliation, or professional relationships.

Victims shall receive the same protection, services, referrals, notifications, and investigative attention provided in all other domestic violence cases.

Criminal investigations and administrative reviews may proceed independently when authorized by law and agency policy.

M. Serious Injury, Fatality and Near-Fatality Review

The agency shall conduct an administrative review following a domestic violence incident resulting in serious bodily injury, death, or other extraordinary circumstances when prior law enforcement involvement may provide opportunities for organizational learning or risk reduction.

The purpose of the review shall be to identify training needs, policy considerations, communication issues, resource gaps, and opportunities to improve future domestic violence responses.

The review shall not be conducted for the purpose of assigning blame but rather to improve agency effectiveness and victim safety.

When required by law, reports and supporting materials shall be submitted to the Domestic Abuse Homicide Review Panel, the Office of the Attorney General, or other authorized entities.

N. Serious Injury or Death Review

The agency shall conduct a formal review when a domestic violence victim is seriously injured or killed following prior agency involvement or during an active protection order.

Required reports shall be submitted to the Domestic Violence Homicide Review Panel through the Office of the Attorney General when applicable.

APPENDIX A

BOT, MLEAP & STATUTORY CROSSWALK

Purpose, Policy and Legal Authority

Authority

25 M.R.S. § 2803-B(1)(A) – Domestic Violence Response

25 M.R.S. § 2803-B(1)(F) – Victim Assistance

Title 15 M.R.S. – Domestic Violence Enforcement

Title 17-A M.R.S. – Domestic Violence Criminal Offenses

Title 19-A M.R.S. – Protection from Abuse Orders

Addressed in: Sections I, II, IV

Definitions

Authority

25 M.R.S. § 4002 – Definitions

BOT 3-2 – Required Definitions

Addressed in: Section III

Communications, Dispatch and Initial Response

Authority

BOT 3-3 – Initial Response

MLEAP 4.10 – Employee Safety and Loss Prevention

Addressed in: Sections V.A, V.B

Domestic Violence Investigation

Authority

BOT 3-4 – Investigation Responsibilities

MLEAP 7.02 – Criminal Investigations

Addressed in: Sections V.C, V.D

Predominant Aggressor Analysis and Arrest Decisions

Authority

25 M.R.S. § 2803-B(1)(A) – Domestic Violence Response

Title 15 M.R.S. – Warrantless Arrest Authority

BOT 3-5 – Predominant Aggressor / Arrest Decisions

Addressed in: Sections III, V.C, V.E

Risk Assessment and Lethality Evaluation

Authority

BOT 3-6 – Risk Assessment

Addressed in: Sections III, V.F

Firearms and Dangerous Weapons

Authority

Title 15 M.R.S. – Domestic Violence Enforcement

Title 19-A M.R.S. – Protection from Abuse Orders

BOT 3-7 – Firearms Restrictions

Addressed in: Section V.G

Reporting and Documentation

Authority

BOT 3-8 – Reporting Requirements

MLEAP 5.4.1 – Reporting and Documentation

Addressed in: Section V.H

Victim Assistance and Safety Planning

Authority

25 M.R.S. § 2803-B(1)(F) – Victim Assistance

BOT 3-9 – Victim Assistance

Addressed in: Sections V.I, V.J

Follow-Up Investigation

Authority

BOT 3-10 – Follow-Up Investigation

Addressed in: Section V.K

Protection Orders

Authority

Title 19-A M.R.S. – Protection from Abuse Orders

Full Faith and Credit Requirements

BOT 3-11 – Protection Orders

Addressed in: Section V.L

Incidents Involving Law Enforcement Employees

Authority

BOT 3-12 – Incidents Involving Law Enforcement Employees

MLEAP 5.5.1 – Supervisory Responsibilities

Addressed in: Section V.M

Serious Injury, Fatality and Near-Fatality Review

Authority

Domestic Abuse Homicide Review Panel Requirements

Office of the Attorney General Reporting Requirements

BOT 3-13 – Administrative Review

Addressed in: Section V.N

Training and Supervisory Responsibilities

Authority

25 M.R.S. § 2803-B – Agency Training Requirements

BOT 3-14 – Agency Responsibilities

MLEAP 2.04 – Agency Training Program

MLEAP 5.5.1 – Supervisory Responsibilities

Addressed in: Agency Training Program, Supervisory Directives, and related administrative policies.

APPENDIX B

ODARA RISK ASSESSMENT TOOL

RISK ASSESSMENT (ODARA) SCORESHEET

ODARA assesses the likelihood that an abusive partner who has already committed an assault on a current or former domestic or dating partner will do so again if the index (current) incident involves either: [1] Any act of violence that involved physical contact with the victim; or [2] A credible threat of death with a weapon in hand made in the presence of the victim.

___ 1. Prior domestic incident of assault in a police or criminal record

- Must involve an assault¹ carried out by the offender and reported to police on a prior occasion to the index incident
- Include any prior assaults on a current or previous partner or child of the current or previous partner (conviction not required)
- Exclude prior occurrences involving strangers, friends, parents, siblings, pets, other family members, or on police

___ 2. Prior non-domestic incident of assault in police or criminal record

- Exclude assaults* involving a current or previous partner or a child of theirs

¹ Assault= physical contact, or the use or attempted use of a weapon to contact the victim's body, or threat of harm made with weapon in hand.

___ 3. Prior custodial sentence of 30 days or more (to adult or juvenile facility)

- Include only sentences of 30 days or more (but only part of the sentence has to have been served)
- Exclude time spent in custody waiting to go to court, unless the time is included as part of the sentence ("time served")

___ 4. Failure on prior conditional release (bail, probation, PFA, no-contact order)

- Include any known violation at time of index incident or prior to it, whether or not the offender was arrested or charged

___ 5. Threat to harm or kill at the index assault

- Threat must be commonly recognized as a threat to harm a person (not pets or property) physically
- Only include threats made at time of the index incident, whether or not the threat was carried out
- Exclude threats of self harm or threats of emotional or financial harm, legal action or custody dispute

___ 6. Confinement of the victim at the index assault

- Include any attempted or actual act to physically prevent the victim from leaving the scene, whether successful or not
- Exclude restraint in the course of index incident, e.g., holding victim down in order to assault her/him, or threats of future harm

___ 7. Victim concern about future assaults (expressed in first report of index assault to police)

- Include any statement made by the victim that she/he is afraid, concerned, worried or certain of possible future assault on her/him or their child/ren by the person being assessed
- Exclude inferences based on protective action taken by the victim, or safety fears during the index incident

___ 8. More than one child

- Include living biological, adopted, adult and minor children of the person being assessed, or the victim, and children they have

together, regardless of where they live

- Exclude children of a former partner who are not biologically related to or adopted by offender or victim

___ 9. Victim's biological child from a previous partner

- Include only the victim's living biological children regardless of age or where they live

___ 10. Prior violent incident against a non-domestic partner

- Include assaults* with or without police involvement or knowledge. [NOTE: Score 1 if item #2 scores 1]
- Exclude act of violence involving current or previous partners and/or any children of theirs

___ 11. Two or more indicators of substance abuse (Score "1" if the offender has previously been charged with an alcohol or drug related offence OR if at least two of list below are true):

- A Offender consumed alcohol immediately before or during the index incident;
- B Offender used drugs immediately before or during the index incident;
- C Offender abused drugs and/or alcohol in the days or weeks prior to the index incident
- D Offender noticeably increased abuse of drugs/alcohol in the days or weeks prior to the index incident
- E Offender has been more angry or violent when using alcohol or drugs prior to the index incident
- F Offender consumed alcohol before or during a criminal offense predating index incident
- G Offender's alcohol use prior to the index incident but since age 18 resulted in some problems or interference in his/her life
- H Offender's drug use prior to the index incident but since age 18 resulted in some problems or interference in his/her life

___ 12. Assault on the index victim when she was pregnant

- Include current and previous assaults*, irrespective of offender's knowledge of pregnancy

___ 13. Barriers to victim support - Score "1" if at least one of the following is true at the time of index incident;

- A There are children aged 18 or younger living in the victim's home for whom the victim provides care
- B The victim has no telephone (e.g., cell phone or landline)
- C The victim has no transportation (e.g., no access to car, no public transport in vicinity, no money for taxi)

D The victim is geographically isolated (e.g., living rurally, no one living close by)

E The victim consumed alcohol or drugs just before or during the index occurrence, or has a history of alcohol or drug abuse

Total Raw Score: _____

Total Final Score: _____

- **See adjustment calculator below:**

Adjusted Scores for Assessments with Missing Information

Number of Missing Items

↓ Raw Score	1	2	3	4	5
0	0	0	0	0	0
1	1	1	1	1	2
2	2	2	3	3	3
3	3	4	4	4	5
4	4	5	5	6	7+
5	5	6	7+	7+	7+
6	7+	7+	7+	7+	7+

Statistical Interpretation Table

ODARA score	Percent recidivism	Percent in this range	Percent scoring lower	Percent scoring higher
0	7	9	0	91

1	17	17	9	74
2	22	21	26	53
3	34	20	47	33
4	39	13	67	20
5-6	53	14	80	6
7-13	74	6	94	0

Sample Reporting Language: The ODARA score for Mr. X was based on information ascertained at the index incident on (Date) and a criminal history record check. Mr. X scores ___ on the ODARA. As indicated in the Statistical Interpretation Table, fewer than ___ percent of the men in the ODARA research obtained higher scores than Mr. X. When followed up for approximately five years, approximately ___ committed a new domestic violence incident recorded by police.