DEPARTMENT OF CORRECTIONS

Policy Number:	**107.070**
Title:	**Domestic Abuse Arrests**
Effective Date:	**1/7/20**

PURPOSE: To provide arrest procedures for domestic abuse situations within the scope of the fugitive apprehension unit members' (FAUMs') authority.

APPLICABILITY: Peace Officer Standards and Training (POST) licensed FAUMs

DEFINITIONS:

Domestic abuse – physical harm, bodily injury or assault, or the infliction of fear or imminent physical harm, bodily injury or assault against a family or household member by a family or household member. Terroristic threats within the meaning of Minn. Stat. § 609.713, subd. 1 or criminal sexual conduct within the meaning of Minn. Stat. §§ 609.342, 609.343, 609.344 and 609.345.

Family or household members – spouses, former spouses, parents, children, persons related by blood, persons who are residing together or have resided together; persons who have a child in common regardless of ever being married or residing together at any time; a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they resided together at any time; and persons involved in a significant romantic or sexual relationship.

Minor – person under the age of 18.

PROCEDURES:

A. When confronted with a domestic abuse situation, FAUMs must take the action necessary to effectively defuse a domestic abuse situation in their presence. FAUMs must refer the matter to the local law enforcement agency so that it may be handled in accordance with that agency's policies and procedures. FAUMs should remain at the scene of a domestic abuse situation until the likelihood of further imminent violence has been eliminated or a local law enforcement officer is present and able to address the situation.

B. FAUMs must first secure the scene for officer safety during a domestic assault. Once the scene has been secured, the FAUM provides necessary first aid and then takes steps to preserve evidence for the local law enforcement agency or gathers evidence if appropriate.

C. The FAUM must stay with the victim until local law enforcement arrives.

D. The FAUM completes a fugitive apprehension unit augmented criminal investigation support system (ACISS) report documenting the FAUM's knowledge of the maltreatment and makes this report accessible to the law enforcement agency with jurisdiction.

E. The FAUMs must notify the deputy director – fugitive unit that the report has been completed in ACISS.

F. The director of OSI files a monthly report with the Minnesota Department of Public Safety (DPS) – Bureau of Criminal Apprehension (BCA), and retains a copy of the report.

INTERNAL CONTROLS:

A. FAUMs' reports are recorded and retained in ACISS.

B. Monthly reports to the BCA are retained by the director of OSI.

ACA STANDARDS: None

REFERENCES: Minn. Stat. Chap. 518B; and Minn. Stat. §§ 609.713; 609.342; 609.343, 609.344, 609.345; and 629.342

REPLACES: Policy 107.070, "Domestic Abuse Arrests," 5/1/18.
All memos or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENT: None

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Facility Services