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Chief of Police

ALBANY, NEW YORK
POLICE DEPARTMENT
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DOMESTIC INCIDENTS INVOLVING DEPARTMENT PERSONNEL
GENERAL ORDER NO: 2.4.20

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PURPOSE: The purpose of this policy is to establish procedures for responding to domestic incidents involving sworn or non-sworn employees of this department.

POLICY: It is the policy of the Albany Police Department that officers shall respond to domestic incidents involving sworn or non-sworn employees of this department as they would with any other domestic; with the addition of a supervisor responding to the scene.

I. DOMESTICS INCIDENTS INVOLVING DEPARTMENT PERSONNEL

A. Procedures:

1. When personnel are directed to respond to, or notified of a domestic incident, or an incident that is later deemed to be a domestic incident, that involves an employee of this department, the following procedures shall be followed:
 - a. Obtain medical assistance, if requested, or the need is apparent;
 - b. Separate the people in conflict;
 - c. Ensure that a patrol supervisor is responding;
 - d. Secure the scene and preserve any evidence;
 - e. Ascertain all the facts;
 - f. Prepare a New York State Domestic Violence Incident Report (DIR/DCJS 3221) in all cases; and
 - g. Make an arrest, if probable cause exists.
2. The Communications Center shall automatically direct a supervisor to respond to the scene of all domestic incidents where it is known that a sworn or non-sworn employee of this department is involved.
3. Desk personnel who are notified of a domestic incident involving an employee of this department shall immediately notify a patrol supervisor.
 - a. The patrol supervisor shall ensure that the procedures outlined in this policy are followed.

- B.** When the victim is an employee of the Albany Police Department, the responding supervisor shall be responsible for the following:
1. Ensure that appropriate action is taken, and apprise the victim of the availability of services, to include crisis intervention, domestic violence services, peer support, psychological services and other referral services; such as to a professional agency or person who can assist the employee in identifying options and safety planning, and to offer follow-up support and monitoring, per current directives. Victims will not be mandated to seek service.
 2. Prepare an [Intra-Departmental Correspondence](#) (IDC), which details the incident and includes domestic violence referrals/counseling offered to the victim. The IDC and New York State Domestic Incident Report (DIR) shall be placed in a sealed envelope and forwarded as follows:
 - a. The original IDC and a copy of the DIR shall be forwarded to Chief of Police; and
 - b. A copy of the IDC and a copy of the DIR shall be forwarded to the Office of Professional Standards.
- C.** If an employee of this department is alleged to have committed a criminal offense, the responding supervisor shall be responsible for the following:
1. Investigate the alleged offense, as per current directives outlined in [GO 2.4.00 - Office of Professional Standards: Duties and Responsibilities](#) and [GO 2.4.05 Office of Professional Standards: Complaint Procedures](#).
 2. Notify the Operations lieutenant. The Operations lieutenant shall notify the Commanding Officer of the Office of Professional Standards.
 3. Remove all department issued (duty) weapons, if applicable.
 4. Remove all weapons on C Forms owned by an accused employee for safekeeping, if applicable.
 5. Complete an IDC detailing the incident and include any domestic violence referrals offered to the victim. The IDC and NYS Domestic Incident Report (DIR) shall be placed in sealed envelopes and forwarded as follows:
 - a. The original IDC and a copy of the DIR shall be forwarded to Chief of Police;
 - b. A copy of the IDC and a copy of the DIR shall be forwarded to the Office of Professional Standards; and
 - c. A copy of the IDC and a copy of the DIR shall be forwarded to the Commanding Officer of the Detective Division.
- D.** If the alleged offender is employed by another law enforcement agency, the Operations lieutenant shall notify that agency's highest ranking on-duty supervisor and make a record of such notification(s).
1. Reasonable accommodations shall be made for that agency to adhere to their rules and regulations governing an employee being arrested.
 2. The Operations lieutenant shall notify the Commanding Officer of the Office of Professional Standards.

E. If an employee of this department is arrested:

1. The Operations lieutenant shall notify the Commanding Officer of the Office of Professional Standards.
2. The supervisor shall complete an IDC detailing the incident and include any domestic violence referrals offered to the victim. The IDC and NYS Domestic Incident Report (DIR) shall be placed in sealed envelopes and forwarded as follows:
 - a. The original IDC and a copy of the DIR shall be forwarded to Chief of Police; and
 - b. A copy of the IDC and a copy of the DIR shall be forwarded to the Office of Professional Standards.
3. In situations where the complainant/victim is present at the station, the patrol supervisor shall ensure that only persons who are investigating the incident have access to the complainant/victim.
4. Except as previously described, no other copies or files relating to the investigation shall be maintained.

II. DUTIES OF THE OFFICE OF PROFESSIONAL STANDARDS

A. Procedure:

1. Commence an immediate investigation and ensure that appropriate action is taken.
2. Take possession of an employee's duty weapon(s), if applicable.
3. If the offender is not present and further investigation is required, request assistance as needed.
4. Establish a recommendation as to the employee's duty status (e.g., suspended, restricted duty, etc.) the determination shall be based upon, but not limited to the following:
 - a. A danger assessment of the accused employee which considers the act(s) alleged and estimates the potential for further violence; and
 - b. The employee's past history of domestic incidents.
5. Ensure that a safety planning is made available to the victim.
6. Act as a principal point of contact to keep the victim apprised of all developments.
7. Report all findings to the Chief of Police or his/her designee.
8. Establish/maintain a liaison with the District Attorney's office, as appropriate.

III. ROLE OF THE CHIEF OF POLICE

A. Procedures:

1. Render a determination as to the employee's status. This may include suspension, sanction, administrative actions, or referrals for the accused

- employee.
2. Determine if the accused employee will be issued an administrative order of protection governing their actions.
 3. Ensure all officers who responded to a domestic incident involving an employee are debriefed in a timely manner. This debriefing shall include a review of the department's confidentiality guidelines.

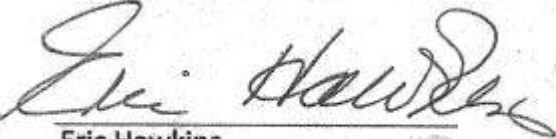
IV. ADDITIONAL INFORMATION

A. Policy:

1. Whenever notification of a domestic incident involving a sworn or non-sworn employee of the department residing outside the City of Albany is received, the Operations lieutenant shall be responsible for conducting a preliminary administrative investigation and for notifying the Office of Professional Standards.
2. The Office of Professional Standards shall contact and maintain a liaison with the investigating/arresting agency. The Office of Professional Standards shall be responsible for any administrative investigation associated with the incident. Any criminal allegations will be investigated by the reporting agency.
3. In the event that the domestic incident involves the Chief of Police, the Commanding Officer of the Office of Professional Standards will notify the Mayor of the City of Albany and will establish a liaison with the District Attorney's Office, as appropriate.
4. In cases where any employee of the department is a petitioner or complainant on an Order of Protection, for safety reasons, the employee shall notify their Commanding Officer. However, if there was any police contact the Chief of Police shall be notified in writing of such.
5. In all circumstances, when an employee of the department becomes aware that he or she is the respondent/defendant on an Order of Protection, no matter where issued, the employee shall immediately notify his/her commanding officer/supervisory head. The commanding officer/supervisor shall notify the Office of Professional Standards through their chain of command.
6. Any employee of the department who is present at an unusual police occurrence (including family disputes and other incidents of domestic violence) in which the employee is either a participant or a witness is required to remain at the scene. In situations where remaining at the scene is not feasible, department employees shall notify the on-duty supervisor.
7. Department employees are encouraged to take personal responsibility in seeking confidential referrals and assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner.
8. Counseling and other services are available for employees of the department and their families, and they may contact any of the units listed below to obtain necessary services and referrals for counseling, shelter, and other assistance:

- a. Children & Family Services Unit - (518) 447-8780.

- b.** Employee Assistance Program (EAP), as per current directives.
- 9.** A person subject to an order of protection is not allowed to possess a personal firearm or personal ammunition. This restriction does not apply to law enforcement duty weapons. However, the Office of Professional Standards shall establish the conditions for any sworn employee to possess and utilize their duty weapon for the performance of their official duties when the employee is the subject of an order of protection.
 - a.** Federal law prohibits anyone convicted of a misdemeanor domestic violence crime from possessing any firearm, including in the performance of their official duties.



Eric Hawkins
Chief of Police