



KANSAS CITY MISSOURI POLICE DEPARTMENT

DATE OF ISSUE

EFFECTIVE DATE

NO.

PROCEDURAL INSTRUCTION

11-06-2019

11-06-2019

19-09

SUBJECT

Orders of Protection

AMENDS

REFERENCE

RESCINDS
PI 14-04**I. INTRODUCTION**

This written directive will provide procedures to department members when serving orders of protection. Procedures are also outlined for order of protection violations and child custody provisions within the orders of protection.

II. PROCEDURES**A. General Information**

1. Copies of the Order of Protection are furnished to the appropriate county law enforcement agency and petitioner by the issuing court. The Order of Protection will include renewal and expiration dates.
2. When an officer determines there is probable cause to believe that an Order of Protection has been violated and the suspect is still at the scene, the officer will effect an arrest.
3. **The Domestic Violence Section will be notified, from the scene, on any incident involving an Order of Protection.**

B. Service of an Order of Protection

1. When an officer determines that an Order of Protection has not been served to a respondent, the officer will verify validity of the order. If the Order of Protection was obtained from:
 - *a. The Circuit Court of Jackson County, Missouri at Kansas City, the officer will contact the Domestic Violence Section, to verify existence. Department members **will not** use Criminal Justice Information System (CJIS) to verify if service of the order of protection has been made, because this information is not entered into the system.
 - b. Any other court, the officer will contact the issuing county law enforcement agency to verify validity.

2. The officer will endorse each "Return for Service" Copy with a signature, serial number, date, location and time notice was given. The officer will retain the "Return for Service" copy on Orders of Protection that are issued by the Circuit Court of Jackson County, Missouri at Kansas City.
 - a. When serving an Ex-Parte Order of Protection, the petition must be included.
 - b. The respondent will be provided with a copy of the Ex-Parte Order and the petition.
3. When the respondent refuses to accept the service the officer will read the order to the respondent and place their copy near the respondent's person, such as at their feet on the ground.
4. The serving officer will fax a copy of the order to the Warrant Desk prior to the end of their shift. The original will be placed in an Interdepartment envelope and mailed to the Warrant Desk prior to the end of their shift.
- *5. When possible, the officer will contact the issuing county by phone or fax and notify them of the existence of service. The officer will document this notification in the appropriate report. The officer will advise the petitioner to return the "Return for Service" copy to the issuing county. The officer will also advise the petitioner that they must also contact the issuing agency and notify them of the existence of service.
6. Complete the appropriate report. The officer will include the issuing **court's name and court order number** in the narrative of the report. If any offense has occurred the officer will complete a report and include the service of the Order of Protection in the narrative.
7. When no other offense has occurred and the officer is unable to verify that an order exists, but the victim claims an order has been obtained, a report will be completed and routed to the Domestic Violence Section for further investigation.

C. Order of Protection Violations

1. Contact the county law enforcement agency where the petitioner resided at the time of issuance. Verify the existence of the Order of Protection and if service has been rendered.
2. If service has been rendered, complete a report. The agency contacted and the person verifying the order should be included in the narrative of the report.
3. If probable cause exists to believe that a violation of an Order of Protection has occurred, arrest the respondent.

D. Child Custody Provision Within Orders of Protection

1. When service has been rendered, the officer will adhere to the orders set forth by the judge within the Order of Protection. For further information refer to Legal Bulletin entitled, "Child Custody Disputes."
2. If the existence of an Order of Protection cannot be verified, the officer will contact the Domestic Violence Section for further information.
3. If service is verified and probable cause exists to believe that a violation of an Order of Protection has occurred, the officer will contact the Domestic Violence Section.

E. Ex Parte Orders Obtained After Regular Court Hours

1. When officers come in contact with a victim that is in need of an Ex Parte Order after regular court hours, or on the weekend, the officer will contact the Domestic Violence Section. The Domestic Violence Section will refer the officer to the proper location for the victim to obtain the Ex Parte Order.
2. If the victim wishes to seek shelter and space is available, the officer will transport the victim to the shelter.
3. If the victim does not wish to seek shelter but does want to obtain an Ex Parte Order, the officer should transport the victim to the shelter to complete the necessary paperwork and upon completion transport the victim back home.

- a. If it appears the completion of the paperwork will take an excessive amount of time, the officer will advise the victim to contact the desk sergeant when they are completed.
- b. The desk sergeant will then contact the dispatcher to have an officer respond to provide transportation for the victim.

Richard C. Smith
Chief of Police

Adopted by the Board of Police Commissioners this 22nd day of October, 2019.

Nathan Garratt
Board President

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