

	KANSAS CITY MISSOURI POLICE DEPARTMENT	DATE OF ISSUE	EFFECTIVE DATE	NO.
	PROCEDURAL INSTRUCTION	3/26/14	3/26/14	14-04
SUBJECT			AMENDS	
Orders of Protection				
REFERENCE		RESCINDS		
LB 97-11		PI 08-6		

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 existence of the order by contacting the county law enforcement agency where the petitioner resided at the time of issuance. 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 REJIS to verify if service of the order of protection has been made.
 - b. Any other court, the officer will contact the issuing county law enforcement agency to verify existence.
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 all Orders of Protection that are issued by the Circuit Court of Jackson County, Missouri at Kansas City. When an Order of Protection is obtained

from any other court, the petitioner will be responsible for returning the "Return for Service" copy. The officer will advise the petitioner to contact the issuing agency and notify them of the existence of service.

- 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 person, such as at their feet on the ground.
 4. The serving officer will FAX a copy of the original to the Warrant Desk prior to the end of their shift. The original will be placed in a Interdepartment envelope and mailed to the Warrant Desk prior to the end of their shift.
 5. 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.
 6. 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.
 - 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.

Darryl Forté
Chief of Police

Adopted by the Board of Police Commissioners this ___ day of 2014.

Alvin Brooks
Board President

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