

# Domestic Abuse

## 310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic abuse through vigorous enforcement and to address domestic abuse as a serious crime against society. The policy specifically addresses the commitment of the North Liberty Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic abuse.

### 310.1.1 DEFINITIONS

Definitions related to this policy include:

**Court order** - All forms of orders related to domestic abuse, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

**Domestic Abuse** - Assault, as defined by Iowa Code § 708.1, when committed under any of the following circumstances between (Iowa Code § 236.2):

- (a) Family or household members residing together at the time of the assault.
- (b) Separated spouses or persons divorced from each other and not residing together at the time of the assault.
- (c) Persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- (d) Persons who have been family or household members residing together within the past year but not residing together at the time of the assault.
- (e) Persons who are in an intimate relationship or who have been in such relationship and have had contact within the past year of the assault.

**Family or household member** - Spouses, persons cohabitating together, parents or other persons related by blood or marriage. The phrase does not include a minor child under the age of 18 (Iowa Code § 236.2).

## 310.2 POLICY

The North Liberty Police Department's response to incidents of domestic abuse and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic abuse is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

## 310.3 OFFICER SAFETY

The investigation of domestic abuse cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

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### **310.4 INVESTIGATIONS**

The following guidelines should be followed by officers when investigating domestic abuse cases:

- (a) Calls of reported, threatened, imminent or ongoing domestic abuse and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence. When interviewing the victim, officers shall ask whether any court orders exist (Iowa Code § 236.11). [See attachment: Voluntary Statement.pdf](#)
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable. [See attachment: Patient Waiver.pdf](#)
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. [See attachment: Record of Transfer of Custody of Firearm.pdf](#)
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers shall take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that shall not be used as sole justification for declining to take enforcement action include (Iowa Code § 236.12):
  - (a) Relationship status of suspect and victim.
  - (b) Whether the suspect lives on the premises with the victim.

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- (c) Claims by the suspect that the victim provoked or perpetuated the abuse/
- (d) The potential financial or child custody consequences of arrest
- (e) The physical or emotional state of either party.
- (f) Use of drugs or alcohol by either party.
- (g) Denial that the abuse occurred where evidence indicates otherwise.
- (h) A request by the victim not to arrest the suspect.
- (i) Location of the incident (public/private).
- (j) Speculation that the complainant may not follow through with the prosecution.
- (k) The actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. of the victim or suspect.
- (l) The consent of the victim to any subsequent prosecution.
- (m) The absence of visible injuries or impairment.

#### 310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody and provide Iowa VINE Service Information.
- (b) Complete the risk assesment sheet (ODARA) and provide the score and any prior history of domestic abuse on the criminal complaint.
- (c) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail. In Johnson County, the victim's information is not included anywhere on the criminal complaint, since the document is a public record.
- (d) Advise the victim about the court order and will be in effect when the suspect is released from jail.
- (e) Complete the Incident Report and Arrest Report.

[See attachment: Victim Information Sheet.pdf](#)      [See attachment: Domestic Assault AND strangulation packet 5-18-12.pdf](#)

[See attachment: DOMESTIC ABUSE RIGHTS.pdf](#)      [See attachment: Domestic Follow Up.pdf](#)

#### 310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
  - 1. Voluntary separation of the parties.

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2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in the internal details of the Calls For Service.

### **310.5 VICTIM ASSISTANCE**

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department domestic abuse information handout, Pink Card, even if the incident may not rise to the level of a crime (Iowa Code § 236.12; Iowa Code § 915.50). [See attachment: DOMESTIC ABUSE RIGHTS.pdf](#)
- (b) Victims shall also be alerted to the Johnson County Domestic Violence Intervention Project ( DVIP) for any available victim advocates, shelters and community resources. (Iowa Code § 236.12; Iowa Code § 915.50).
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall stand by for a reasonable amount of time (Iowa Code § 236.12; Iowa Code § 915.50).
- (d) If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable (Iowa Code § 236.12; Iowa Code § 915.50).
- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order.

### **310.6 DISPATCH ASSISTANCE**

All calls of domestic abuse, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order (Iowa Code § 236.11).

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### **310.7 FOREIGN COURT ORDERS**

Various types of orders may be issued in domestic abuse cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state (Iowa Code § 236.19). An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

### **310.8 VERIFICATION OF COURT ORDERS**

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in the internal comments of the Calls for Service their efforts to verify the validity of an order, and findings, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

If an order is verified/confirmed, clearly states an officer will arrest the defendant, and there is probable cause to believe contact is made with the the protected party or address, an arrest will be mandatory. An ICR and arrest report will be completed and the victim information sheet will be updated and resubmitted.

### **310.9 STANDARDS FOR ARRESTS**

- (a) Officers are required to arrest under Iowa law the primary physical aggressor when they have probable cause to believe that the person has committed domestic abuse involving (Iowa Code § 236.12):
  - 1. Bodily injury
  - 2. The intent to inflict serious bodily injury
  - 3. The use or display of a dangerous weapon
  - 4. Suffocation or strangulation

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- (a) This does not include persons in a romantic relationship who have not lived together in the last year.
- (b) In determining who is the primary physical aggressor, officers should consider (Iowa Code § 236.12):
  - 1. The need to protect victims of domestic abuse.
  - 2. The relative degree of injury or fear inflicted on the parties involved.
  - 3. Any history of domestic abuse between the parties.
- (c) In all other cases, officers who have probable cause to believe that any other domestic abuse has occurred should make an arrest, regardless of whether any injury resulted to the victim. Any decision not to make an arrest must be made by a supervisor (Iowa Code § 236.12). Supervisor will contact the county attorney on call if there needs to be additional clarification, if an arrest should be made, but other factors are involved.
- (d) Officers having probable cause to believe that a person has violated any of the following types of court orders shall make an arrest (Iowa Code § 236.11):
  - 1. Order or approved consent agreement entered under Iowa Code, Chapter 236
  - 2. Temporary or permanent protection order
  - 3. Order to vacate the homestead issued under Iowa Code, Chapter 598
  - 4. Order establishing conditions of release
  - 5. Protective or sentencing order in a criminal prosecution arising from a domestic abuse assault
  - 6. Violation of a protective order issued under Iowa Code, Chapter 232, if the person to be arrested is an adult

#### 310.9.1 ADDITIONAL CONSIDERATIONS FOR ARREST

If the offender has left the scene and a crime has been committed, officers will:

- (a) Conduct a search of the immediate area.
- (b) Obtain information from victims and witnesses as to whereabouts of the offender and attempt contact with the offender. If outside of North Liberty's jurisdiction, contact the jurisdiction where the offender is located and request assistance.
- (c) The criminal complaint will be completed and advise of nearby law enforcement agencies of the criminal complaint regarding a domestic abuse.
  - 1. Generally on weekends or overnights hours, a judge is not available to sign arrest warrants. If the domestic criminal complaint is timely and an offender is located, an officer make make an arrest of the defendant, for that reporting agency based on the criminal complaint. NLPD should receive a faxed copy of the complaint.
  - 2. If the offender is not located in a timely manner, obtain an arrest warrant in a timely manner.

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- (d) Follow up with the victim and encourage them to call 911 if the offender returns, contacts them or finds their whereabouts.
- (e) Complete the ICR and Arrest Report.

#### **310.10 REPORTS AND RECORDS**

The Administrative Assistant shall ensure:

- (a) That information related to domestic abuse incidents is forwarded to the Department of Public Safety (DPS) in the manner prescribed by DPS (Iowa Code § 236.9).
- (b) A copy of short form notifications is forwarded to the appropriate district court clerk (Iowa Code § 664A.4A).

Officers will ensure that appropriate documentation is provided in an Incident Report for all arrests. Officers will complete documentations in the internal comments of the Calls for Service details of their findings and actions taken during any reported domestic that did not result in a mandatory arrest.

#### **310.11 SERVICE OF COURT ORDERS**

Officers shall serve domestic abuse court orders presented by a plaintiff and shall not charge a fee for the service (Iowa Code § 236.3). Service may also be made by short-form notice pursuant to Iowa Code § 664A.4A on the form prescribed by the state court administrator.

[See attachment: Short form NO contract service.pdf](#)

#### **310.12 TRAINING**

Training on domestic abuse and review of this policy will be conducted annually and as directed by the Lieutenant and include training offered or approved by the Iowa Law Enforcement Academy (ILEA) (Iowa Code § 80B.11).

## **Attachments**



## **Domestic Assault AND strangulation packet 5-18-12.pdf**

# North Liberty Police Department

## DOMESTIC ABUSE ASSAULT IMPEDING AIRWAY/CIRCULATION SUPPLEMENTAL REPORT

*Domestic Abuse Assault Impeding Airway/Circulation Causing Bodily Injury – Iowa Code 708.2A(5)*  
*Domestic Abuse Assault Impeding Airway/Circulation Without Injury – Iowa Code 708.2A(2)(D)*

Name of Victim	Name of Suspect	Officers at Scene	Case #, Date, Time

### VICTIM INTERVIEW

- 1) Did you have trouble breathing during the assault?      Yes      No
- 2) Can you describe in detail why you had trouble breathing? \_\_\_\_\_
- 3) Did the suspect place their hands on your neck, mouth, or nose?      Neck      Mouth      Nose      None  
                                                                                                                          One hand      Two Hands      Forearm
- 4) How did the suspect apply the pressure that impeded your airway/circulation?      Knee      Foot      Other  
                                                                                                                          Ligature (phone cord, belt, rope, etc.)
- 5) How would you describe the force used? \_\_\_\_\_
- 6) How painful was the pressure or grip?      Low      Medium      High
- 7) How long (estimate) was pressure applied? \_\_\_\_\_
- 8) Were you straddled, shaken, or held against a surface?      Yes      No  
                                          If yes, please explain: \_\_\_\_\_
- 9) Is the suspect right handed or left handed?      Right      Left      Unsure
- 10) Was the suspect wearing any jewelry at the time of the assault?      Yes      No  
                                          If yes, please explain: \_\_\_\_\_
- 11) Were you wearing any jewelry at the time of the assault?      Yes      No  
                                          If you are not wearing that jewelry now, why not? \_\_\_\_\_
- 12) What did the suspect say while assaulting you? \_\_\_\_\_
- 13) What did the suspect's face look like during the assault? \_\_\_\_\_
- 14) What did you think was going to happen? \_\_\_\_\_
- 15) How or why did the suspect stop assaulting you? \_\_\_\_\_
- 16) Did you do anything to try and stop the assault?      Yes      No  
                                          If yes, please explain: \_\_\_\_\_
- 17) How would you describe the suspect's attitude/demeanor during the assault? \_\_\_\_\_
- 18) Does the suspect have access to weapons (guns, knives, etc)?      Yes      No  
                                          If yes, please explain: \_\_\_\_\_
- 19) Does the suspect hunt?      Yes      No
- 20) Do you think the suspect would ever seriously injure/kill you or your children?      Yes      No  
                                          If yes, please explain: \_\_\_\_\_
- 21) Victim's account of PREVIOUS VIOLENT ACTS committed by the suspect (dates, locations, witnesses, etc.):

22) Please check symptoms reported by victim.

<b>BREATHING CHANGES</b>	<b>VOICE CHANGES</b>	<b>SWALLOWING CHANGES</b>
Difficulty breathing Hyperventilation Shortness of breath Unable to breathe	Raspy voice Hoarse voice Coughing Difficulty speaking Unable to speak	Trouble swallowing Painful to swallow Neck pain Nausea Vomiting
<b>BEHAVIORAL CHANGES</b>	<b>FACE</b>	<b>EYES &amp; EYELIDS</b>
Agitation Amnesia PTSD Hallucinations Combateness	Red or flushed Scratch marks Other injury	Bloody eyeball(s) Red eyeball Other injury
<b>NOSE</b>	<b>EARS</b>	<b>MOUTH</b>
Bloody nose Broken nose Other injury	Bleeding ear canal Other injury	Bruising Swollen tongue Swollen lips Cut/abrasions Other injury
<b>UNDER CHIN</b>	<b>CHEST</b>	<b>SHOULDERS</b>
Redness Scratch marks Bruise(s) Abrasions Other injury	Redness Scratch marks Bruise(s) Abrasions Other injury	Redness Scratch marks Bruise(s) Abrasions Other injury
<b>NECK</b>	<b>HEAD</b>	<b>OTHER</b>
Redness Scratch marks Bruise(s) Abrasions Ligature mark Neck Pain Other injury	Hair pulled Bump Skull fracture Concussion Other injury	Dizzy Headaches Fainted Urination Defecation

23) Did the suspect change clothes?    Yes    No

24) Does the victim have any petechiae (*small red or purple spots on the body*)?    Yes    No  
       If yes, where?                      Neck        Nose        Mouth        Ears        Chest        Other

25) Did the victim change clothes?    Yes    No

      If yes, please explain: \_\_\_\_\_

### OFFICER'S SUPPLEMENTAL REPORT

Were any children present during the assault?    Yes    No

Name                                      Age        DOB                      Condition (Emotional/Physical)

Location of children during assault:

Statements MADE BY CHILD(REN) to officer: \_\_\_\_\_

Were children removed from the scene?    Yes    No

      If yes, by who? \_\_\_\_\_

Yes      No

Relationship to victim/suspect

Yes      No

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Yes      No

Yes      No

Yes      No

If yes, by who?

Yes      No

If yes, by who?

Yes      No

Yes      No

Yes      No

Yes      No

Yes      No

If yes, by who?

Yes      No

If yes, where?

## PHOTOGRAPHS/VIDEO

Yes      No

In-car video?	Yes	No
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Yes      No

If yes, car #:

Yes      No

## PROPERTY

Type of weapon used:

Yes      No

Other evidence seized:

OFFICER'S OBSERVATIONS OF SCENE: (describe all conditions observed, property damage, bloodstains, etc.)

## **DOMESTIC ABUSE RIGHTS.pdf**

# DOMESTIC ABUSE RIGHTS

*You have the right to ask the court for the following help on a temporary basis:*

1. Keeping your attacker away from you, your home, and your place of work.
2. The right to stay at your home without interference from your attacker.
3. Getting custody of children and obtaining support for yourself and your minor children if your attacker is legally required to provide such support.
4. Professional counseling for you, the children who are members of the household, and the defendant.
5. You have the right to file criminal charges for threats, assaults, or other related crimes.
6. You have the right to seek restitution against your attacker for harm to yourself or your property.
7. If you are in need of medical treatment, you have the right to request that the officer present assist you in obtaining transportation to the nearest hospital or otherwise assist you.
8. If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and other affected parties can leave or until safety is otherwise ensured.
9. You have the right to seek help from the court to seek a protective order with or without the assistance of legal representation. You have the right to seek help from the courts without the payment of court cost if you do not have sufficient funds to pay the cost.

NORTH LIBERTY POLICE – EMERGENCY ..... 911  
JOHNSON COUNTY SHERIFF – EMERGENCY ..... 911  
NORTH LIBERTY POLICE – NON-EMERGENCY ..... 626-5724  
JOHNSON COUNTY SHERIFF –NON-EMERGENCY ..... 356-6020  
DOMESTIC ABUSE INTERVENTION ..... 351-1043

**I have been advised of the above listed Domestic Abuse Rights by a member of the North Liberty Police Department and do understand them.**

SIGNED \_\_\_\_\_

OFFICER \_\_\_\_\_



## **Domestic Follow Up.pdf**



## Domestic abuse follow-up interview

Case # \_\_\_\_\_

Date/time of interview: \_\_\_\_\_

Incident date: \_\_\_\_\_

Victim name: \_\_\_\_\_

Offender name: \_\_\_\_\_

Officer name: \_\_\_\_\_

Officers will make reasonable attempts to conduct a follow-up meeting with every domestic violence victim within 72 hours. During this meeting, officers will address the following topics:

Do you have any safety concerns? ☐ Yes ☐ No If yes, document resolution.

Do you have any questions about the resources listed on the pink card or the resource list received on the incident date? ☐ Yes ☐ No If yes, document explanation.

Do you have any injuries that have appeared or become more visible since the date of the incident? ☐ Yes ☐ No If yes, photograph injuries.

Has the offender had his or her one-time visit to collect belongings? ☐ Yes ☐ No  
If yes, verify JECC has record of the visit.

Has the offender or anyone acting on the offender's behalf contacted you? ☐ Yes ☐ No  
If yes, determine if charges are applicable for a no-contact order violation.

Do you have any questions about the no-contact order? ☐ Yes ☐ No If yes, document explanation.

Do you have any other questions or concerns? ☐ Yes ☐ No If yes, document explanation or resolution.



## **Victim Information Sheet.pdf**

**Victim Information Form**

**Agency Case Number:**

**Victim**

**Offender**

Name:

Name:

Address:

Address:

City:

City:

State and Zip:

State and Zip:

Phone:

Phone:

Work Address and Phone:

Work and Phone Address:

Alternate Address and Phone:

Alternate Address and Phone:

SSN/DL/DOB:

SSN/DL/DOB:

H \_\_\_\_\_ W \_\_\_\_\_

H \_\_\_\_\_ W \_\_\_\_\_

Tattoos/Scars:

Tattoos/Scars:

Incident Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Time: \_\_\_\_\_ Hrs

Incident Address:

## **Voluntary Statement.pdf**



This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

SIGNATURE

## **Patient Waiver.pdf**



## North Liberty Police Department

5 E Cherry St • PO Box 77 • North Liberty, Iowa • 52317 • (319) 626-5724 / Fax: 5743

Case # \_\_\_\_\_

### PATIENT'S WAIVER

TO ANY DOCTOR, HOSPITAL, OR OTHER HEALTH CARE PROVIDER:

This is your full and sufficient authority to give to the North Liberty Police Department and/or the Johnson County Attorney's Office, from time to time, as requested, any information, opinion or assistance about medical, substance abuse and psychological evaluations, reports or records or x-rays of the patient named below or any other information or documents that you may have in your custody or under your control with reference to the patient named below.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Patient's name: \_\_\_\_\_

Patient's DOB: \_\_\_\_\_

\_\_\_\_\_  
Signature of Patient

\_\_\_\_\_  
Signature of Parent/Legal Guardian

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

## **Record of Transfer of Custody of Firearm.pdf**



# North Liberty Police Department

## Record of Transfer of Custody of Firearm

### DESCRIPTION OF FIREARM(S)

Agency Case # \_\_\_\_\_

1. Make \_\_\_\_\_ Model \_\_\_\_\_ Caliber \_\_\_\_\_

Serial # \_\_\_\_\_ Addt'l ID Info \_\_\_\_\_

2. Make \_\_\_\_\_ Model \_\_\_\_\_ Caliber \_\_\_\_\_

Serial # \_\_\_\_\_ Addt'l ID Info \_\_\_\_\_

3. Make \_\_\_\_\_ Model \_\_\_\_\_ Caliber \_\_\_\_\_

Serial # \_\_\_\_\_ Addt'l ID Info \_\_\_\_\_

### TRANSFeree STATEMENT

I \_\_\_\_\_, a resident of the State of Iowa, am taking custody of the firearm(s)  
(Print Name)

listed above. I swear or affirm that the information above is true and correct to the best of my knowledge. I understand that should I transfer possession of the above firearms to an individual that is prohibited by Iowa Code section 724.15 or 724.26 from possessing firearms, that I may be convicted of a class "D" felony pursuant to Iowa Code section 724.16.

Permit Type: \_\_\_\_\_ Permit #: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

I certify that I am not prohibited by any Federal, State or Local Laws from possessing or owning firearms.

Signature \_\_\_\_\_ Date \_\_\_\_\_

### TRANSFEROR'S STATEMENT BY NORTH LIBERTY POLICE DEPARTMENT

The firearm(s) listed above are in the custody of the North Liberty Police Department. The owner of the above described firearm(s) has been determined to be prohibited by law from possessing a firearm, but has requested that the firearm(s) listed above be given to the above named transferee. Documentation of the authorization to transfer the firearm(s) in question is either on the back of this form or attached to this form.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(North Liberty Police Department Designee)

\*File with this: Copy of the Transferee's DL and Permit to Carry/Purchase and release from owner if they are not signing this document.



**AUTHORIZATION TO TRANSFER OWNERSHIP OF FIREARM (Signed by owner)**

I, \_\_\_\_\_, am the owner of the firearm(s) described on Page 1 of  
(Print name)

this document which is/are currently in the custody of the North Liberty Police Department. I further acknowledge that I am not authorized to lawfully possess a firearm. Because I am not lawfully authorized to possess a firearm, I am requesting that the above described firearm(s) be transferred to \_\_\_\_\_ (Transferee) with the understanding that in doing so, I am agreeing to give up  
(Print name)

any right of ownership to said firearm(s) and I am agreeing that ownership of the described firearm(s) being transferred to the Transferee named above.

Signature \_\_\_\_\_ : Date \_\_\_\_\_

**ALTERNATIVE AUTHORIZATION**

\*If owner of firearm(s) has already provided written authorization for the transfer prior to completion of this form, **attach a copy of the authorization of transfer** with the date the authorization was provided and the name of the law enforcement officer who received the authorization.

Date authorization received: \_\_\_\_\_

Name of law enforcement officer who received the authorization: \_\_\_\_\_

## **Short form NO contract service.pdf**

## Instructions for Court Clerk

When an IOWA computerized system hit was received for an unserved no-contact or protective order, the following steps were taken to complete short form notification.

1. Law enforcement officer completes no-contact or protective order short form notification and served the defendant/respondent.
2. Law enforcement officer explained each condition and read the NOTICE provision, emphasizing that the order was now in effect and the defendant/respondent may be subject to arrest for violating the order.
3. Law enforcement officer completed the affidavit of service on the bottom of this page. It was not necessary to sign before a notary.
4. An IOWA computerized system should have been recorded and modified by the officer serving the short form.
5. The defendant/respondent's copy contained further explanation of their rights and responsibilities, and advised the defendant/respondent of their responsibility to obtain the full order of protection.
6. The law enforcement officer must file, electronically or in paper hard copy, the short form notification with the district clerk of court in the county where the no-contact or protective order was issued. In EDMS counties it shall be electronically filed by scanning the law enforcement agency copy into the existing case. The clerk will docket as RSPO (Return of Service Short Form Protective Order).
7. If the clerk provides a copy of the full no-contact or protective order to the defendant/respondent, the clerk may want to add a note in the docket indicating such.
8. The clerk has no responsibility to contact the sheriff for return of the defendant/respondent's copy of the order given to the sheriff for service. If the sheriff's office provides a copy of the full no-contact order to the defendant/respondent, the sheriff may file a return of service of the full no-contact or protective order. The clerk shall docket the returned no-contact or protective order as RSOT.

First copy – Defendant/Respondent

Second copy - Retained for law enforcement agency file

Third copy - District clerk of court office in the county where the no-contact or protective order was issued.

## Clerk of Court Copy

**Only needed if filing in a non-EDMS county. If electronically filed in an EDMS county, this copy is not needed as the law enforcement copy will be scanned and filed in the existing case.**

IN THE IOWA DISTRICT COURT FOR \_\_\_\_\_ COUNTY

\_\_\_\_\_  
Plaintiff/Petitioner

vs.

\_\_\_\_\_  
Defendant/Respondent

Case No: \_\_\_\_\_

**No-Contact or Protective Order  
Short Form Notification**

An order of protection was entered against \_\_\_\_\_ (full name) on \_\_\_\_\_  
in \_\_\_\_\_ County by Judge \_\_\_\_\_. A hearing is set on the matter. If you fail to  
appear, a default order may be entered against you.

The hearing details: Date \_\_\_\_\_ Time \_\_\_\_\_ Location \_\_\_\_\_

☐ Officer unable to provide this information.

Protected Party(ies): \_\_\_\_\_

You are prohibited from contacting the protected party(ies). The following are some of the restrictions that may apply to you. You must obtain a copy of the order for a complete list of restrictions. Instructions for obtaining the full order are on the back of this form.

- You must not threaten, assault, stalk, molest, attack, harass or otherwise abuse the protected party(ies).
- You must not use, or attempt to use, or threaten to use physical force against the protected party(ies) that would reasonably be expected to cause bodily harm.
- You must stay away from the protected party(ies) and shall not be in that party's presence, except in a courtroom during court hearings.
- You shall not communicate with the protected party(ies) in person or through any means (i.e., e-mail, phone, text messaging, etc.), including third persons. This restriction does not prohibit communication through legal counsel.
- Petitioner may have exclusive possession of the residence. If so, you may not go to, enter, occupy or remain in that residence or any other residence in which the protected party is staying, under any circumstances.
- Petitioner may be granted temporary custody of the child(ren). If so, you may be granted visitation with the child(ren). Otherwise you shall not contact the child(ren) and shall not contact the protected party about visitation except as provided in the order.
- You are also subject to federal penalties for possessing, transporting, or accepting a firearm or ammunition under the Gun Control Act (18 U.S.C. § 922 9(g)(8)).

**Notice to defendant/respondent:** The terms and conditions of the no-contact or protective order are now enforceable. You must obtain a full copy of the no-contact order or the protective order from the county sheriff or the district court clerk of the county in which the order was entered. You are subject to arrest for violating the no-contact or protective order.

Defendant/Respondent's current address: \_\_\_\_\_

**Affidavit of Service**

I certify that on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_ County at \_\_\_\_\_ am/pm. Service made at or near \_\_\_\_\_. I personally performed a short form notification to \_\_\_\_\_. I further certify that I orally informed the person of the conditions checked and the enforcement notice listed.

Officer \_\_\_\_\_ Agency \_\_\_\_\_

Signature \_\_\_\_\_ Agency Case No. \_\_\_\_\_



## Instructions for Law Enforcement

When law enforcement officer becomes aware of an unserved no-contact or protective order, the following steps must be taken to complete the short form notification.

1. Complete order of non-contact or protective order short form notification.
  - You are authorized by statute to detain the defendant/respondent for a reasonable period of time in order to complete the notification process. Filling out the short form notification should take no longer than a speeding ticket and will therefore not entail any unlawful detention of a person who is not under arrest.
  - Do not advise the defendant/respondent of the active, outstanding no-contact or protective order until the short form notification is completed and ready to be served on the defendant/respondent.
  - If you are taking the defendant/respondent into custody, serve the short form and notify the jail or detention authority that the subject has not received a copy of the full no-contact or protective order.
2. Serve the completed form on the defendant/respondent. Explain each condition and read the NOTICE provision. Emphasize that the order is now in effect. The defendant/respondent may be subject to arrest for violating the order and is responsible for obtaining a full copy of the no-contact or protective order from the Sheriff's office or district court clerk office as listed on the back of the defendant/respondent's copy of the short form. Inform the defendant/respondent that a further explanation of their rights and obligations are listed on the back of the short form notification.
3. Complete the affidavit of service on the bottom of the short form. It is not necessary to sign before a notary.
4. Contact the dispatcher of the originating county that the short form notification has been served on the defendant/respondent. A modifying entry must be made in the IOWA computerized system with the service date of the short form notice form.
5. The law enforcement officer serving the short form notification is responsible for filing a copy (electronically or in hard copy) with the district clerk of court office in the county where the no-contact or protective order was issued. In EDMS counties, it shall be filed electronically by scanning the law enforcement agency copy in the existing case by selecting the event RSPO – Return of Service Short-Form Protective Order in the county where the no-contact or protective order was issued. The filer will

Expedite distribution of copies.

First copy – Defendant/Respondent

Second copy - Retain for your Agency file

Third copy – District clerk of court office in the county where the no-contact or protective order was issued.

**Law Enforcement Agency Copy**

IN THE IOWA DISTRICT COURT FOR \_\_\_\_\_ COUNTY

\_\_\_\_\_  
Plaintiff/Petitioner

vs.

\_\_\_\_\_  
Defendant/Respondent

Case No: \_\_\_\_\_

**No-Contact or Protective Order  
Short Form Notification**

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- You must not use, or attempt to use, or threaten to use physical force against the protected party(ies) that would reasonably be expected to cause bodily harm.
- You must stay away from the protected party(ies) and shall not be in that party's presence, except in a courtroom during court hearings.
- You shall not communicate with the protected party(ies) in person or through any means (i.e., e-mail, phone, text messaging, etc.), including third persons. This restriction does not prohibit communication through legal counsel.
- Petitioner may have exclusive possession of the residence. If so, you may not go to, enter, occupy or remain in that residence or any other residence in which the protected party is staying, under any circumstances.
- Petitioner may be granted temporary custody of the child(ren). If so, you may be granted visitation with the child(ren). Otherwise you shall not contact the child(ren) and shall not contact the protected party about visitation except as provided in the order.
- You are also subject to federal penalties for possessing, transporting, or accepting a firearm or ammunition under the Gun Control Act (18 U.S.C. § 922 9(g)(8)).

**Notice to defendant/respondent:** The terms and conditions of the no-contact or protective order are now enforceable. You must obtain a full copy of the no-contact order or the protective order from the county sheriff or the district court clerk of the county in which the order was entered. You are subject to arrest for violating the no-contact or protective order.

Defendant/Respondent's current address: \_\_\_\_\_

**Affidavit of Service**

I certify that on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_ County at \_\_\_\_\_ am/pm. Service made at or near \_\_\_\_\_. I personally performed a short form notification to \_\_\_\_\_. I further certify that I orally informed the person of the conditions checked and the enforcement notice listed.

Officer \_\_\_\_\_ Agency \_\_\_\_\_

Signature \_\_\_\_\_ Agency Case No. \_\_\_\_\_



## No-Contact or Protective Order Short Form Notification

### Important Information for Defendant/Respondent

This is a **no-contact or protective order short form notification** under Iowa Code Chapter 664A and does not contain all the information you need to know about the order of protection.

You, the defendant/respondent, must obtain a copy of the full order of protection as soon as possible. The full order remains in effect until the expiration date indicated on the order.

#### To obtain the full order of protection

Go to the sheriff's office or district court clerk office in the county where the order was issued to obtain a copy of the full order. Be sure to bring this form and proper identification (driver's license or state ID) with you to obtain a copy of the full order.

The full order explains in more detail what the Judge has ordered. **Failing to obtain the full order does not protect you from arrest if you violate any of the terms of the order.** You are subject to arrest for violation of the no-contact or protective order.

Law enforcement agency, please write in or stamp addresses here.

**Sheriff's Office**

**Clerk of District Court**

You may not enter or stay at the residence, even if you are invited by the petitioner or another person. The petitioner cannot change this provision, only the Judge can. Only you, and not the petitioner, will be in violation of this no-contact or protective order. You may not enter the residence to remove any personal effects without supervision of law enforcement. You may be able to make arrangements to remove personal effects when you obtain the full order from the Sheriff's Office or District Court Clerk's Office, listed above.

You are also subject to federal penalties for possessing, transporting, or accepting a firearm or ammunition under the Gun Control Act (18 U.S.C. § 922 9(g)(8)).

**DEFENDANT/RESPONDENT'S COPY**

\_\_\_\_\_  
Plaintiff/Petitioner

vs.

\_\_\_\_\_  
Defendant/Respondent

Case No: \_\_\_\_\_

**No-Contact or Protective Order  
Short Form Notification**

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**DEFENDANT/RESPONDENT'S COPY**