

Duluth Police Domestic Abuse Policy

The department is committed to engaging in a comprehensive approach to intervening in domestic abuse incidents. The investigation of these cases sets the foundation for almost every subsequent action by the courts and community-based agencies. It is the cornerstone of an effective, coordinated inter-agency response. The intent of the law this order is to protect victims from ongoing domestic abuse.

This order defines the departments procedures in the initial investigation and response to domestic abuse incidents. This order is in compliance with Minnesota statutes pertaining to police authority and responsibilities in domestic abuse cases.

Procedure

A. Single Offender

If a person is determined to be the sole aggressor, and the person involved meet the definition of family or household member; that person shall be arrested and taken into custody when an officer has probable cause to believe that person has:

- within the last four hours, assaulted a family or household member causing visible signs of injury or physical impairment. (An arrest may be made after four hours and before 12 hours.)
- within the past twelve hours, made terroristic threats within the meaning of the Minnesota Statute 609.731 Sub 1; or
- within the past twelve hours, has committed criminal sexual conduct in the first, second, third or fourth degree within the meaning of Minnesota Statute 609.342, 609.343, 609.344, or 609.348

A person may be arrested for domestic abuse and taken into custody when an officer has probable cause to believe that person has within the last twelve hours:

- assaulted another person
- placed the victim in fear or immediate bodily harm

At no time is an officer to leave a citation with the victim to give to the offender or to mail a citation to the offender.