

	<b>MEDFIELD POLICE DEPARTMENT</b>	<b>POLICY NO. 1.10b</b>
<h1 style="color: red;">PROTECTIVE ORDERS</h1>		
<b>MASSACHUSETTS POLICE ACCREDITATION STANDARDS</b> <b>REFERENCED: 74.1.2, 74.2.1, 74.4.1</b>		<b>DATE OF ISSUE:</b> 05/14/2023
<b>ISSUING AUTHORITY:</b>  Michelle Guerette Chief of Police		<b>EFFECTIVE DATE:</b> 05/14/2023 <b>REVISION DATE:</b> 11/07/2025

**I. PURPOSE:**

The purpose of abuse prevention orders is for the protection of victims of violent crimes. In order that they are effective and that defendants be aware of their provisions, abuse prevention orders must be served promptly and properly documented.

**II. POLICY:**

The Medfield Police Department will ensure that any restraining order issued by any court is served upon the defendant as soon as possible and the service of such notice is properly documented.

**III. PROCEDURES:**

**A. *Receipt of Abuse Prevention Orders***

1. Whenever any member of this Department receives a restraining order issued by a court (to include a notice to vacate or amendments to an existing order), it shall be presented to the Officer in Charge. The Officer in Charge shall cause the following actions to be carried out:
  
2. The Officer in Charge will forward the abuse prevention order to Dispatch. If it is a new order assigned to the Medfield Police Department for service, Dispatch will do

appropriate checks including BOP, R8, Q2, Firearms Sales Inquiry (FSI), Firearms FID/LTC, and a Warrant Check.

3. If the defendant is listed as having a current or expired FID/LTC, and the license was issued by the Medfield Police Department, the Officer in Charge will be immediately notified and will notify the Chief Clerk. The Chief Clerk will confirm with the Massachusetts Instant Records Check System (MIRCS) computer that the defendant has a FID/LTC and suspend it.

4. If the defendant is listed as having a current or expired FID/LTC, and the license was issued by another law enforcement agency, the Chief Clerk will cause that agency to be notified so they may take appropriate action.

5. If the Medfield Police Department is notified by MIRCS that a defendant is the subject of an abuse prevention order and has a FID/LTC that was issued by the Medfield Police Department, the Chief Clerk will suspend it.

6. The Department's Information Systems (IMC) will be checked to see if there is a Restraint Entry (RO) number or Offense (OF) number previously assigned to the defendant and plaintiff named in the abuse prevention order. If there is an existing Restraint Entry (RO) record on file, that number shall be used to update the record. If there is no Restraint Entry (RO) record on file, Dispatch will create a Restraint Entry (RO) report. The report shall contain the following information:

- a. Date received;
- b. Entering Officer;
- c. Plaintiff's name;
- d. Plaintiff's Address;
- e. Defendant's name;
- f. Defendant's address;
- g. All service attempts **[74.1.2]**
- h. Scanned copy of the 209a with the entry date of the order in the title of the scan.

7. In all cases where an order is served, the abuse prevention order shall be entered into the IMC system as a call for service. The Restraint Entry (RO) number will be referenced in the call narrative by Dispatch. If a previously unreported crime has been committed in Medfield, a new Offense (OF) number will be created.

8. In all cases, the Officer in Charge will be responsible for insuring that the abuse prevention order is entered as a Restraint Entry (RO) record with as much information as possible on the Restraint, Plaintiff, and Defendant screens. If necessary the Registry of Motor Vehicles database should be used to fill in any missing information.

9. After the appropriate LEAPS/MIRCS checks are completed, the Officer in Charge will assign a patrol officer to serve the order. The Officer in Charge will provide the complete package, including a copy of the "Resource Guide to Get Help," to the officer assigned to serve the order.

***B. Service of Abuse Prevention Orders [74.2.1]***

1. Abuse prevention orders shall be promptly served and returned to the issuing court. Each attempt at service will be reported in the Restraint Entry (RO) record by the patrol officer.

2. Two officers will be assigned to serve any order where:

a. The defendant is required to immediately vacate the place where service is to be made;

b. The defendant or any person at the place of service is wanted or has a substantial criminal record; or

c. The defendant has an FID/LTC, or is suspected of possessing firearms.

3. If the order requires the defendant to surrender an FID/LTC, officers serving the order will demand that the defendant surrender it immediately, and will demand the surrender of all firearms. If the defendant's FSI indicates that he owns weapons that he has not surrendered, officers shall take appropriate steps to retrieve the weapons. These steps may include, but are not limited to, requiring that the defendant supply information about the disposal of weapons he no longer possesses or owns, making arrangements to retrieve weapons that are not available at the place of service, and conducting a search for weapons.

4. If service is not made by the end of shift, the entire abuse prevention order package will be returned to the Officer in Charge to be passed on to the Officer in Charge of the next shift. When service of an abuse prevention order is made, the officer will inform the Officer in Charge and Dispatch that service was made. Dispatch will log this into the call narrative.

5. After making service, the serving officer will make an entry in the Restraint Entry (RO) report. The officer will review the defendant screen in the Restraint Entry record and update the information contained within if necessary (i.e. description, scars, tattoos). Scan and attach the return of service to the Restraint Entry. The scan shall include the date in the title of the scan.

6. The original copy shall be given to records for return to the issuing court.

7. If the abuse prevention order originated at Dedham District or Superior Court, the original return of service will be completed and forwarded to the Court Prosecutor for return. If the abuse prevention order originated at another court, a copy of the return of service will be faxed to the appropriate party and the original copy will be forwarded to the Court Prosecutor for return. If the abuse prevention order was received from another agency, the return of service will be faxed back to the appropriate party at that agency.

**C. *Abuse Prevention Orders Which Require No Service***

1. When an abuse prevention order is received by this Department and no service is necessary, the Officer in Charge will insure that the abuse prevention order is entered into the Restraint Entry (RO) record with as much information as possible. A Restraint Entry (RO) number shall be created if one is not currently on file and the 209a shall be scanned and attached to the file. The scan shall contain the date in the name of the entry.

**D. *Service Outside Department's Jurisdiction***

1. When an abuse prevention order is received by this Department and service is in another jurisdiction the Officer in Charge will insure that the abuse prevention order is entered into the Restraint Entry (RO) report with as much information as possible. A narrative should be created documenting what was done with the order. A Restraint Entry (RO) number shall be created if one is not currently on file.
2. If the abuse prevention order is an emergency order and the defendant's address is outside of the Town of Medfield, the abuse prevention order shall be faxed to the appropriate police department along with the defendant's information sheet and a copy of the return of service. The original defendant's copy of the abuse prevention order shall be mailed to the defendant.

**E. *Vacated Orders***

1. Whenever any member of the Department receives notification that an abuse prevention order has been vacated, it shall immediately be presented to the Officer in Charge.
2. The Officer in Charge shall cause it to be entered into the original Restraint Entry (RO) record as vacated and then a copy of the vacated order shall be attached to the record. The scan shall contain the date in the name of the entry. .

**F. *General Policies Regarding Abuse Prevention Orders***

1. All restraining orders received by this Department will be entered into the Restraint Entry (RO) records in accordance with this policy.
2. Offense (OF) numbers will only be created if the abuse prevention order is the result of a previously unreported crime being committed in Medfield. All other reports will be filed using the Restraint Entry (RO) number.
3. All permanent orders will be given the expiration date of 01/01/9999 and the time will be 0000 hours.

4. When the address of the Defendant on the order is not current but the officer has information about a current location for the Defendant within the Town of Medfield the officer is to attempt service at that location. If the location is outside of the Town of Medfield the officer shall document that information under Service Attempts and notify the Shift Supervisor. The Shift Supervisor can then return the order to the issuing court with the updated information.

5. If it is determined that the defendant no longer resides at the listed service location and a current location is unknown, the officer is to attempt to locate the individual. This shall include, but not be limited to; speaking with neighbors, landlords, co-workers, checks using IMC, RMV, and BOP. The officer is to document any investigative methods used.

6. If an officer is unsuccessful at serving an order by the end of his shift he shall enter the attempts made in the Service Attempts tab in IMC and add any information that may assist in the service of the order in the comments. If more space is needed the officer shall enter the information into a narrative. The officer shall return the unserved order to the Shift Supervisor at the end of his shift so that it can be passed onto the incoming Shift Supervisor.

7. If the location given for the Defendant is no longer current, and all means to locate the Defendant have been exhausted, the officer shall notify the Shift Supervisor. The Shift Supervisor shall then enter the order as "Unable to serve; Returned to (Issuing Court)" under comments in the Service Attempts tab. All documents related to the attempted service shall be returned to Records for return to the issuing court. If the order originated from another police department, fax all paperwork back to that department and notify them by phone that we were unable to serve the order.

#### **G. *Property [74.4.1]***

1. All property or evidence which comes into the custody of the Department shall be handled and disposed of in accordance with the Departmental policy on ***Evidence Management.***

#### **H. *Status of Abuse Prevention Orders***

1. The Detective Sergeant will review the Restraint Entries (RO's) weekly to determine if there are any abuse prevention orders which have not been served by this Department, or another police department to which an abuse prevention order was forwarded.

2. If there are any abuse prevention orders that have not been served, Dispatch will check the plaintiff's file for the original abuse prevention order. The dispatcher will make a copy of the abuse prevention order and forward it to the Officer in Charge.

3. The Officer in Charge will check the expiration date on the abuse prevention order to determine if it is still a valid order. If the abuse prevention order is still valid, the Officer in Charge will assign an officer to serve the order.