

When the police get involved

Are you OK?

Unfortunately sometimes domestic violence reaches the point where someone calls the police. This can be unsettling for you, your staff, and other tenants. It may help to know a little about what will likely happen.

Calling the police

Anyone can call the police if they think a crime is being committed or is about to be committed. The crimes associated with domestic violence include assault, kidnapping, manslaughter, and murder.

What will the police do?

The police will respond as quickly as possible. If resources permit, they may send out a special domestic violence team which may include a social worker. They will interview the victim, the alleged abuser, other adult family members, the person who phoned in the complaint, and anyone else who may have relevant information. They will also gather any physical evidence that might be important.

Once they assess the situation, the police will decide what to do next. They will consider the severity of the situation. Who was hurt? How badly were they hurt? What else might have happened if the police hadn't been called? Were alcohol or drugs involved? Are there children in the unit?

Sometimes they can settle the situation without arresting anyone. However, if they think a crime was committed and the situation is still dangerous they will arrest the alleged abuser.

What happens if the alleged abuser is arrested?

If the police decide to arrest the abuser, they will take him to the police station. They will contact a Justice of the Peace who will decide whether he can be released on bail. That usually takes a few hours. If he is released, it may be on the basis of some conditions limiting his contact with the victim or the residence. Later a prosecutor will review the evidence and decide whether to proceed with the charges. Meanwhile, the alleged abuser may be getting a lawyer or applying for legal aid. If he isn't released on bail, he will be kept in custody.

What about the victim?

The police may talk to the victim about getting help from their victim service program. A victim service worker will explain what might happen with the criminal charges, provide some practical assistance and emotional support, and help with communication with the prosecutor.

The police may also suggest that she get an Emergency Protection Order. It may order the alleged abuser to

- stay away from the residence, her work place, or other designated space
- stay away from her or other family members
- not communicate with her directly or indirectly or with anyone else who is named in the order.

If he violates the order, he can be arrested again.

The order can also allow a police officer to

- accompany someone to the residence to remove personal belongings
- seize any firearms.

Frequently asked questions

How will we know what is happening?

Neither the police nor the victim are required to keep you informed about what is happening. It will be up to them to tell you where things are at. However, you can ask the victim if there has been any sort of order keeping the abuser from coming onto the premises. You can also call the Victim Services Unit of your local police to see if they can find out anything for you. If you have a community police liaison officer for your area, see if they can help.

Will I, other staff members, or other tenants be called as witnesses?

Anyone who has direct knowledge of the alleged offence may be called as a witness. Just hearing about it from someone else probably won't be enough. In many cases, though, the alleged abuser pleads guilty so there is no trial and no one is called to testify. However, anyone who was directly affected by the crime can provide a written Victim Impact Statement to be used in sentencing the abuser.

How do the police know who to believe and whose fault it is?

Sometimes it is not obvious who is at fault in a domestic violence incident. Sometimes the incident starts with something very minor, may build, and then blows up. Sometimes the victim 'starts it'. Sometimes she is just 'fighting back'. The police will do their best to investigate the situation and may even charge both parties.

What if she doesn't want him charged?

There are several reasons why a victim may not want her abuser charged even if the assault is serious. It is important not to judge her. The police will take her concerns into consideration but in the end it is not her decision. The police and the prosecutor will decide whether to proceed with charges or not.

Why was he back home the next day?

It is not unusual for a person arrested for an offense to be released from custody. For example, the police may decide not to charge him with anything. Or, while the alleged abuser was in custody, he would have had the opportunity to ask to be released 'on bail'. That might have been granted. If so, he might be required to 'be of good behavior'. He may also have to abide by some conditions about where he can go and who he can see. If you are concerned about his behavior when he returns, call the police.

Handy resources

Centre for Public Legal Education Alberta

Domestic Violence: How the Police Can Help – tip sheet
<https://www.cplea.ca/DVPoliceHelp.pdf>

What you need to know about Emergency Protection Orders – tip sheet
<https://www.cplea.ca/EmergencyPO.pdf>

Alberta Government

Victims of Crime: What victims of crime can expect from the justice system - booklet

<https://bit.ly/2lcpwC>

Victim impact statements - brochure

<https://bit.ly/2GfhHtr>

Alberta Society for the Prevention of Cruelty of Animals (Alberta SPCA)

Pet Safekeeping - website

<https://bit.ly/2r5ljp6>