

~~4. WHETHER ONE OF THE PARTIES ACTED IN SELF DEFENSE; AND~~

~~5. ANY OTHER FACTOR THAT INDICATES THAT A PERSON IS A PRIMARY PHYSICAL AGGRESSOR.~~

~~[772.~~

~~When a law enforcement officer responds to a request for assistance under § 11F of this article and an incident report is filed, the law enforcement agency shall provide a copy of the report to the Department of State Police and, on request, to the victim without a subpoena.]~~

~~772.~~

~~(A) WHEN A LAW ENFORCEMENT OFFICER RESPONDS TO A REPORT OF AN INCIDENT OF DOMESTIC VIOLENCE, THE OFFICER SHALL CONDUCT A PERSONAL INTERVIEW WITH THE VICTIM AND PREPARE A COMPLETE OFFENSE REPORT INCLUDING THE OFFICER'S DISPOSITION OF THE CASE.~~

~~(B) (1) IN THIS SUBSECTION, "CIVILIAN EMPLOYEE" INCLUDES:~~

~~(I) A POLICE SERVICE AIDE;~~

~~(II) A COMMUNITY SERVICE OFFICER; AND~~

~~(III) A POLICE CADET.~~

~~(2) A CIVILIAN EMPLOYEE OF A LAW ENFORCEMENT AGENCY MAY PREPARE AN OFFENSE REPORT ON A DOMESTIC VIOLENCE COMPLAINT IF THE VICTIM APPEARS IN PERSON AT THE OFFICE OF THE LAW ENFORCEMENT AGENCY.~~

~~(3) A CIVILIAN EMPLOYEE PREPARING A REPORT UNDER THIS SUBSECTION SHALL CONDUCT A PERSONAL INTERVIEW WITH THE VICTIM.~~

~~(C) A COPY OF A REPORT PREPARED UNDER SUBSECTION (A) OR (B) OF THIS SECTION SHALL BE MADE AVAILABLE TO THE VICTIM UPON REQUEST, WITHOUT A SUBPOENA.~~

~~(D) EACH LAW ENFORCEMENT AGENCY SHALL MAKE, WITHIN 48 HOURS, A WRITTEN RECORD OF EACH REPORTED INCIDENT OF DOMESTIC VIOLENCE AND SHALL MAINTAIN RECORDS OF ALL INCIDENTS OF DOMESTIC VIOLENCE REPORTED TO IT.~~

~~(E) RECORDS KEPT UNDER THIS SECTION SHALL BE:~~

~~(1) MADE IDENTIFIABLE BY MEANS OF A DEPARTMENTAL CODE FOR DOMESTIC VIOLENCE; AND~~

~~(2) REPORTED TO THE DEPARTMENT OF STATE POLICE.~~