SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	*FOR COURT USE ONLY*
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE (CLETS—CPO)	CASE NUMBER:

☐ **ORDER PENDING TRIAL (Pen. Code, § 136.2)** ☐ **MODIFICATION**

☐ **PROBATION CONDITION ORDER (Pen. Code, § 1203.097(a)(2))**

ORDER UPON CONVICTION: ☐ **PENAL CODE, § 136.2(i)** ☐ **PENAL CODE, § 273.5(j)** ☐ **PENAL CODE, § 368(*l*)** ☐ **PENAL CODE, § 646.9(k)**

This order may take precedence over other conflicting orders; see item 4 on page 5.

1. **Restrained person/defendant**

   *Name: *Gender: ☐ M ☐ F ☐ Nonbinary *Race:

   *Date of birth: Height: Weight: Hair color: Eye color:

2. **Protected person** *(use form CLETS-002)*

   *Name:

3. **Additional protected persons** *(use form CLETS-002)*

**Name*	*Relationship to person in item 2*

   a. ☐ The court finds that the additional protected persons were also victims of the crime (finding required for postconviction orders issued under Penal Code section 136.2(i)(1)).

   b. ☐ The court finds by clear and convincing evidence that the above named percipient witnesses have been harassed by the defendant (finding required for postconviction orders issued under Penal Code section 136.2(i)(1)).

(For items 1, 2, and 3: Information that has a star (*) next to it is required to add this order into the California Restraining and Protective Order System. Please provide all known information.)

4. **Expiration date**

   a. For pretrial orders, this order remains in effect until further court order. To terminate, courts must use *Notice of Termination of Protective Order in Criminal Proceeding* (form CR-165).

   b. For postconviction orders, this order expires on *(date):* . (Orders under Penal Code sections 136.2(i), 368(*l*), and 646.9(k) may be valid for up to 10 years, and orders under section 273.5(j) may be valid for up to 15 years.)

5. **Hearing**

   This proceeding was heard on *(date):* at *(time):* in Dept.:

   by *(judicial officer):* .

6. **Personal service**

   ☐ Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required.

7. The court finds good cause to grant a protective order. See items 8–21.

To the defendant

- If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- Traveling across state or tribal boundaries with the intent to violate the order may be punishable as a federal offense. (18 U.S.C. § 2261(a)(1).)

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8. **No firearms (guns), firearm parts, or ammunition**
   a. The defendant must not own, possess, buy or try to buy, receive or try to receive, or in any other way get any firearms (guns), firearm parts (meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame; see Penal Code section 16531), or ammunition. Possession of firearms, firearm parts, or ammunition while this order is in effect may subject the defendant to state or federal prosecution and may include jail or prison time and/or a fine.
   b. Within 24 hours of receiving this order, the defendant must turn in to local law enforcement, or sell to or store with a licensed gun dealer, any firearms, firearm parts, and ammunition owned by the defendant or within the defendant's immediate possession or control.
   c. Within 48 hours of receiving this order the defendant must file a receipt with the court showing that all firearms, firearm parts, and ammunition have been turned in, sold, or stored.
   d. The defendant may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800).
   e. ☐ The court has granted a limited exception to allow firearms or ammunition for work only. See detailed orders on attached form CR-850.

9. ☐ **Possession of prohibited items**
   a. ☐ The court finds that the defendant has the following prohibited items:
      (1) Firearms and/or firearm parts

	Description *(include serial number, if known)*	Location, if known	Proof of compliance received by the court
(a)			☐ *(date):*
(b)			☐ *(date):*

      (2) Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
			☐ *(date):*

      ☐ Check here to list additional items. List them on a separate piece of paper, write "Restrained Person Has Prohibited Items" at the top, and attach it to this form.
   b. ☐ The court sets a review hearing for *(date):* *(time):* *(dept.):* to determine whether the defendant has properly turned in, sold, or stored all prohibited items, including any items listed in item 9a. If the defendant does not attend the review hearing, the court may find that the defendant has violated the protective order and notify law enforcement and a prosecuting attorney of the violation.

10. ☐ **Noncompliance with surrendering prohibited items**
   a. The court finds that the defendant has not fully complied with the orders previously granted on *(date):* . The court has not received a receipt or proof of compliance for all the items listed in item 9a.
   b. ☐ The court will immediately notify the following law enforcement agency of this violation (*law enforcement agency or agencies*)*:*
   c. ☐ The court will immediately notify the following prosecuting agency of this violation (*prosecuting agency*):

11. **No body armor**
   The defendant must not own, possess, or buy any body armor (defined in Penal Code section 16288). Defendant must relinquish any body armor in their possession.

12. ☐ **No dissuading victim or witness (for pretrial orders issued under Penal Code section 136.2(a)(1))**
   The defendant must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing, testifying, or making a report to any law enforcement agency or person.

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13. **No obtaining addresses (for orders issued under Penal Code section 136.2)**
    a. The defendant must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardians unless good cause exists otherwise.
    b. ☐ The court finds good cause not to make this order.

14. ☐ **Order to not abuse**

Defendant must not harass, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy or damage personal or real property, disturb the peace of, keep under surveillance, annoy by phone or other electronic means (including repeated contact), impersonate (on the internet, electronically, or otherwise), or block movements of the protected persons named in items 2 and 3.

- "Disturb the peace of" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, activities, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status; and reproductive coercion, meaning controlling someone's reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone's contraception, birth control, pregnancy, or access to related health information.

15. ☐ **No-contact order**

Defendant must not contact the protected persons named in items 2 and 3, directly or indirectly, by any means, including by telephone, mail, email or other electronic means, or through a third party. Contact through an attorney under reasonable restrictions set by the court does not violate this order.

16. ☐ **Stay-away order**

Defendant must stay at least yards away from (*check all that apply*):

a. ☐ The protected person
b. ☐ The protected person's ☐ home ☐ job or workplace ☐ vehicle
c. ☐ Other protected persons in item 3
d. ☐ Other location:

17. ☐ **Exceptions**

Defendant may have peaceful contact with the protected persons named in items 2 and 3, as an exception to the no-contact and stay-away orders in items 15 and 16 of this order, only for the safe exchange of children and court-ordered visitation as stated in

a. ☐ the family, juvenile, or probate court order in *(case number):*
   issued on *(date):*
b. ☐ any family, juvenile, or probate court order issued *after* the date this order is signed.

The restrained and protected persons should always carry a certified copy of the most recent order issued by the family, juvenile, or probate court.

18. ☐ **Protected animals**

a. The protected persons named in items 2 and 3 are given the exclusive care, possession, and control of the animals listed below:

Name:	*Type of animal:*	*Breed (optional):*	*Color (optional):*

b. ☐ Defendant must not take, transfer, sell, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals listed above.

c. ☐ Defendant must not come within yards of the animals listed above.

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19. ☐ **Electronic monitoring**
Defendant must be placed on electronic monitoring for *(specify length of time):*
(Not to exceed one year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv), (i)(3).)

20. ☐ **Recordings**
The protected person in item 2 may record communications made by the person in item 1 who violated this order.

21. ☐ **Other orders**

Executed on *(date):*

Judicial Officer

Certificate of Compliance With Violence Against Women Act (VAWA)

This protective order meets all full faith and credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994). This court has jurisdiction over the parties and the subject matter, and the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, and shall be enforced as if it were an order of that jurisdiction.**

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Instructions for Law Enforcement

1. **Start Date and End Date of Order**

   This order starts on the date it was issued by a judicial officer.

   This order ends as ordered in item 4 on page 1 of this order.

   - Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (*People v. Stone* (2004) 123 Cal.App.4th 153.)
   - Orders issued under Penal Code sections 136.2(i)(1), 368(*l*), and 646.9(k) are valid for up to 10 years, and orders under section 273.5(j) are valid for up to 15 years, and may be issued by the court regardless of whether the defendant is sentenced to state prison, county jail, or subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
   - Orders under Penal Code section 1203.097(a)(2) are probationary orders, and the court has jurisdiction as long as the defendant is on probation.
   - To terminate this protective order, courts should use *Notice of Termination of Protective Order in Criminal Proceeding* (form CR-165).

2. **If the Protected Person Contacts the Restrained Person**

   Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

3. **Enforcing This Order in California**

   - This order must be enforced in California by any law enforcement agency that has received the order, or is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).
   - The peace officer or law enforcement officer must first determine if the restrained person had notice of the order. If notice cannot be verified, the restrained person must be advised of the terms of the order. If the restrained person fails to obey the order, the officer must enforce it. (Code Civ. Proc., § 527.12; Fam. Code, § 6383.)

4. **Conflicting Orders—Priorities for Enforcement**

   If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Code of Civil Procedure, section 517.12(d)(2), Penal Code section 136.2 and Family Code sections 6383(h)(2), 6405(b)):

   - **Emergency Protective Order (EPO):** If one of the orders is *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
   - **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must also be enforced. Item 15 is an example of a no-contact order.
   - **Criminal Protective Order (CPO):** If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Code Civ. Proc., § 517.12(d)(2); Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
   - **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

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