



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov/policy-administration/invitations-comment

INVITATION TO COMMENT

SPR25-12

Title

Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rule 1.51; repeal rule 4.700; adopt form CLETS-002; approve forms CR-800, CR-800-INFO, CR-830, CR-840, and CR-850; revise forms CR-160, CR-161, and CR-162

Proposed by

Criminal Law Advisory Committee
Hon. Lisa Rodriguez, Chair

Action Requested

Review and submit comments by May 23, 2025

Proposed Effective Date

January 1, 2026

Contact

Sarah Fleischer-Ihn, 415-865-7702
sarah.fleischer-ihn@jud.ca.gov

Executive Summary and Origin

To implement recent legislation addressing firearm and ammunition relinquishment for defendants subject to a criminal protective order and lengthening the time frame for certain postconviction criminal protective orders, the Criminal Law Advisory Committee proposes repealing a rule of court, revising three existing criminal protective order forms, and approving four new forms and an information sheet. The committee also proposes adoption of a new confidential California Law Enforcement Telecommunications System form for use with criminal protective orders, and amending California Rules of Court, rule 1.51 to require prosecuting agencies to use the form.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Background

Assembly Bill 2308

Effective January 1, 2025, Assembly Bill 2308 (Stats. 2024, ch. 649)¹ allows a court to issue a postconviction protective order for up to 15 years when a defendant is convicted of a violation of Penal Code section 273.5(a).² Previously, a court could issue such orders for up to 10 years.

Assembly Bill 2907

Effective January 1, 2025, Assembly Bill 2907 (Stats. 2024, ch. 538)³ amended Penal Code section 273.75(d) to require a court to inform a defendant about how to comply with firearm and ammunition prohibitions if the court has information or evidence that a defendant charged with a domestic violence–related offense *and* subject to a domestic violence criminal protective order has a firearm or ammunition.⁴ If evidence of compliance is not provided by the defendant within 48 hours, the court must notify within two business days the prosecuting agency and appropriate law enforcement officials. The prosecuting agency and law enforcement must take all necessary action to obtain the firearms and ammunition as soon as practicable.⁵

Effective January 1, 2025, Penal Code section 29825.5 requires a defendant subject to specified postconviction protective orders⁶ to relinquish firearms to law enforcement or a licensed firearms dealer within 24 hours of being served with the order and to file proof with the court within a specified period. The court is required to provide information on how to relinquish firearms and ammunition, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment.⁷ The bill also adds exemption criteria for sworn peace officers and others.⁸

¹ See Link A.

² All further statutory references are to the Penal Code unless otherwise specified.

³ See Link B.

⁴ § 273.75(d). Section 273.75(d) applies to protective orders issued in a case involving acts of domestic violence under section 136.2(h) and (i), and sections 273.5(j), 368(l), 646.9(k), and 1203.097(a)(2). Section 136.2(h)(1) concerns pretrial domestic violence protective orders and (h)(2) concerns a pretrial protective order issued when a sex offense is charged. Because section 273.75 addresses domestic violence offenses, the reference to orders issued under section 136.2(h) likely only applies to cases involving domestic violence.

⁵ § 273.75(d).

⁶ Specifically, orders issued under section 273.5(j), 368(l), or 646.9(k).

⁷ § 29825.5(b).

⁸ § 29825.5(g).

Senate Bill 899

Effective January 1, 2026, Senate Bill 899 (Stats. 2024, ch. 544)⁹ requires the relinquishment of ammunition for a defendant subject to a criminal protective order under section 136.2 and adds new court procedures related to firearms and ammunition relinquishment:¹⁰

- Upon the issuance of a protective order:
 - The court is required to provide information on how to relinquish firearms and ammunition, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment.¹¹
 - A court holding a hearing on the matter must determine whether a receipt has been filed and inquire of the respondent whether they have complied.¹²
 - Any violations of the firearms prohibition must be reported to the prosecutor within two business days of the court hearing unless the restrained person provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk.¹³
 - If the restrained person does not file a receipt within 48 hours after receiving the order for a firearm in their possession, the court must notify appropriate law enforcement officials.¹⁴
 - The court may grant an exemption based on modified criteria for sworn peace officers and others.¹⁵

⁹ See Link C.

¹⁰ SB 899 also amended statutes governing civil harassment, elder and dependent abuse, postsecondary private school violence, workplace violence, and gun violence restraining orders. The Civil and Small Claims Advisory Committee is circulating an invitation to comment proposing changes to several forms to implement SB 899. Similarly, the Family and Juvenile Law Advisory Committee is circulating an invitation to comment proposing form revisions to implement AB 2759, which changed the requirements for granting a firearm exception to a domestic violence or juvenile restraining order. See SPR25-27, *Protective Orders: Civil Restraining Order Forms to Implement SB 899* and SPR25-26, *Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759*, available at <https://courts.ca.gov/policy-administration/invitations-comment>.

¹¹ Code Civ. Proc., § 527.9(b).

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ Code Civ. Proc., § 527.9(f).

- When relevant information is provided to the court at any noticed hearing that the restrained person has a firearm:
 - The court must determine whether the restrained person has a firearm in violation of the order.¹⁶
 - In making the determination, the court may consider whether the restrained person has filed a firearm relinquishment receipt or if an exemption was granted.¹⁷
 - The court may make the determination at any noticed hearing where a restraining order is issued, at a subsequent review hearing, or at any subsequent hearing while the order remains in effect.¹⁸
 - The court may set a review hearing within 10 court days after the hearing at which the information was presented.¹⁹
 - If the restrained person is not present when the court sets the review hearing, the protected person must provide notice of the review hearing to the restrained person.²⁰

Previously, Senate Bill 320 (Stats. 2021, ch. 685) implemented similar relinquishment procedural requirements for civil domestic violence restraining orders, and SB 899 was intended to replicate that framework for other civil and criminal protective orders.²¹ As a result, many of the committee’s proposed amendments to implement SB 899 are modeled after those adopted for domestic violence restraining orders in light of SB 320.

Confidential CLETS information form

Confidential Information for Law Enforcement (form CLETS-001) must be submitted with requests for specified civil protective orders.²² The form requires the protected person’s age and gender, and gives the option of including the protected person’s date of birth, telephone number, and whether they speak English or another language. The form also requires the name and gender of additional protected people and gives the option of including their race and date of

¹⁶ § 18120.5(a).

¹⁷ § 18120.5(b)(1).

¹⁸ § 18120.5(b)(2).

¹⁹ § 18120.5(c)(1), (2).

²⁰ § 18120.5(c)(2).

²¹ See Sen. Rules Com., Off. of Sen. Floor Analyses, Rep. on Sen. Bill 899 (2023–2024 Reg. Sess.) Aug. 28, 2024, pp. 5, 7.

²² Cal. Rules of Court, rule 1.51(a).

birth. After the protected person's information from the form is entered into the California Law Enforcement Telecommunications System (CLETS),²³ the form must be promptly destroyed.²⁴

The Judicial Council first adopted a confidential CLETS information form to address safety concerns raised by domestic violence victim advocates about how including the protected person's date of birth and other identifying information on a domestic violence restraining order could be used to harass or stalk the protected person.²⁵ Subsequently, similar forms were adopted for use with juvenile protective orders and proceedings to prevent elder and dependent abuse, civil harassment, private postsecondary school violence, and workplace violence. These forms were consolidated into a single form, CLETS-001, effective January 1, 2012.

Adopted effective January 1, 2011, California Rules of Court, rule 1.51 provides direction to the public and the courts about how the confidential CLETS information form should be used, who has access to the information it contains, and how long courts should retain the form.

Protected person's date of birth

All restraining orders issued in California must be entered into the California Department of Justice's restraining order database (CARPOS). Eligible restraining orders entered into CARPOS are then forwarded to a federal electronic database called the National Crime Information Center Protection Order File (NCIC-POF), which is maintained by the U.S. Department of Justice. The NCIC-POF is used by law enforcement agencies to verify and enforce out-of-state protective orders.

Currently, civil and criminal restraining orders do not require the protected person's date of birth, and only the age of the protected person is required for entry into CARPOS. However, the federal database will not display the protected person's name in a restraining order record unless the protected person's date of birth is provided. This proposal includes the option of providing the protected person's date of birth through a confidential CLETS information form for inclusion in the federal database.

The Proposal

The Criminal Law Advisory Committee proposes amending rule 1.51, repealing rule 4.700, revising forms CR-160, CR-161, and CR-162, and adopting two new forms and approving four new forms and an information sheet, effective January 1, 2026, as described below.

Confidential CLETS information form

The committee proposes adoption of a new form, *Confidential Information for Law Enforcement—Criminal* (form CLETS-002), modeled after form CLETS-001, for use in criminal

²³ CLETS is a state law enforcement database.

²⁴ Cal. Rules of Court, rule 1.51(e).

²⁵ See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence Prevention Act Forms* (Aug. 27, 2003), p. 2.

cases to provide the protected person's gender, age, and date of birth, as well as additional information about the protected person and the defendant. The committee anticipates that the prosecuting agency would fill out and submit the form with the protected person's information. Forms CR-160 and CR-161 would be revised to delete the protected person's gender and age and the gender of additional protected persons, and to include a reference to using form CLETS-002. These changes would align the criminal protective orders with all other protective orders with a protected party that are entered into CLETS, address concerns with the protected person's identifying information being available on the order, and allow the protected person's date of birth to be provided for inclusion in the federal database in a confidential manner.

Additionally, the committee proposes amending rule 1.51 by adding to subdivision (a) that a prosecuting agency requesting protective orders issued under Penal Code section 136.2, 273.5(j), 368(l), 646.9(k), or 1203.097(a)(2) must submit to the court with the request a completed form CLETS-002.²⁶ The committee also proposes amending the rule where necessary to refer to "*Confidential CLETS Information forms*," plural, to make clear that the rule's other provisions apply to form CLETS-002, including the requirement in rule 1.51(b) that CLETS forms be kept confidential.

Unlike form CLETS-001, form CLETS-002 does not include an item regarding the protected person and defendant/restrained person's language preferences and an item for the petitioner to identify whether the defendant has firearms, firearm parts, ammunition, or body armor. The criminal protective orders do not currently ask for the language preferences of the protected person and defendant, so the committee preferred not to require this additional information. The committee also did not think information about prohibited items needed to be included on the CLETS form in criminal cases, given that the protective orders include that information.

While the committee's consensus was that adopting form CLETS-002 would result in a modest but manageable workload increase, the committee seeks specific comments on whether requiring the use of form CLETS-002 would create workload pressures for prosecuting agencies, law enforcement, or the courts. It is the committee's understanding that several prosecuting agencies already use form CLETS-001 in conjunction with forms CR-160 and CR-161.

Repealing rule 4.700

The committee proposes repealing rule 4.700 and seeks specific comments on whether there are reasons to retain all or part of the rule.

Rule 4.700 requires a court, upon issuing specified criminal protective orders, to set a review hearing to determine whether the defendant relinquished firearms if the court has good cause to believe that the defendant owns a firearm. The main rationale for the rule was that at the time, there were no statutory provisions to ensure that a court's order to relinquish firearms had been

²⁶ The Judicial Council is considering amendments to rule 1.51, effective July 1, 2025. (See Judicial Council of Cal., W25-07, *Protective Orders: New Civil Retail Crime Restraining Order*, p. 7, <https://courts.ca.gov/system/files/itc/w25-07.pdf>).

followed,²⁷ and one of the rule’s stated purposes is to assist courts issuing criminal protective orders to determine whether a defendant has a firearm and assist courts to determine compliance with orders to relinquish under Code of Civil Procedure section 527.9.²⁸

A similar rule governing civil domestic violence restraining orders, rule 5.495, was adopted by the Judicial Council effective July 1, 2014. The rationale for that rule was also the lack of statutory provisions around following up on relinquishment orders issued as part of restraining orders.²⁹ Subsequently, SB 320 codified rule 5.495 as Family Code section 6322.5, and the rule was repealed as of January 1, 2023.

Under Penal Code section 18120.5, which largely mirrors Family Code section 6322.5, it appears that the statutory gaps around firearm relinquishment compliance that rule 4.700 sought to address no longer exist. Though section 18120.5 does not directly codify rule 4.700, it does address when and how a court must determine whether a restrained person has a prohibited firearm, and the consequences of noncompliance.

Revising form CR-160

The committee proposes revising *Criminal Protective Order—Domestic Violence* (form CR-160) by:

- Removing the protected person’s gender and age and the item on the gender of additional protected persons and adding a reference to use form CLETS-002, where that information will be provided;
- Adding a statement that orders issued under section 273.5(j) last to up to 15 years;
- Adding, in item 8:
 - Ammunition as an item that must be relinquished;
 - A statement that the defendant may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800); and
 - New item 8e for the court to indicate if a firearm exemption was granted, and if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition for Work* (form CR-850);

²⁷ See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Firearms Relinquishment in Criminal Protective Order Cases* (Apr. 19, 2010), p. 1.

²⁸ Cal. Rules of Court, rule 4.700(b)(2).

²⁹ See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Firearms Relinquishment in Family and Juvenile Law Restraining Order Cases* (Apr. 2, 2014), p. 1.

- Adding new item 9, “Possession of prohibited items,” for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance;
- Adding new item 10, “Noncompliance with surrendering prohibited items,” stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders; and
- Adding citations to Code of Civil Procedure section 527.12 to the Instructions for Law Enforcement on page 5.

Revising form CR-161

The committee proposes revising *Criminal Protective Order—Other Than Domestic Violence* (form CR-161) by:

- Removing the protected person’s gender and age and the item on the gender of additional protected persons, and adding a reference to use form CLETS-002, where that information will be provided;
- Adding, in item 8:
 - Relinquishment requirements and time frames for orders issued under section 136.2 (item 8b) and sections 368(l) and 646.9(k) (new item 8c);
 - New item 8d stating that the defendant may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800); and
 - New item 8e for the court to indicate if a firearm exemption was granted, and if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition for Work* (form CR-850);
- Adding new item 9, “Possession of prohibited items,” for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance;
- Adding new item 10, “Noncompliance with surrendering prohibited items,” stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders; and
- Adding citations to Code of Civil Procedure section 527.12 to the Instructions for Law Enforcement on page 4.

Revising form CR-162

The committee proposes revising *Order to Surrender Firearms in Domestic Violence Case* (form CR-162) by:

- Changing the form title to *Order to Surrender Firearms, Firearm Parts, and Ammunition in Domestic Violence Case*;
- Revising item 4 to follow the structure and language of forms CR-160 and CR-161;
- Adding new item 4b for the court to indicate if a firearm exemption was granted, and if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition for Work* (form CR-850);
- Adding new item 5, “Relinquishment of prohibited items,” for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance; and
- Adding new item 6, “Noncompliance with surrendering prohibited items,” stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders.

Approving forms CR-800, CR-800-INFO, CR-830, CR-840, and CR-850

The committee proposes several new forms to implement the changes in law:

- Approve *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800) and a corresponding information sheet (form CR-800-INFO). Under SB 899, courts must provide information to a defendant subject to a criminal protective order on how to relinquish firearms and ammunition, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment.³⁰ Forms CR-800 and CR-800-INFO are modeled after existing forms for use with civil restraining orders.
- Approve *Noncompliance With Firearms and Ammunition Order* (form CR-830). This form would be used by a court to report noncompliance with relinquishment orders to both the prosecuting agency and law enforcement.³¹ In domestic violence cases, the agencies must “take all actions necessary to obtain those and any other firearms or ammunition owned, possessed, or controlled by the defendant and to address any violation of the order with respect to firearms or ammunition as appropriate and as soon as practicable.”³² This directive is not included for cases that do not involve domestic violence. To reflect these differences, the form has separate items for domestic violence cases and cases not involving domestic violence.
- Approve *Prohibited Items Finding and Orders* (form CR-840). This form is intended for use by the court when it learns that the restrained person has a firearm *after* a protective order has issued, pursuant to the procedures under Penal Code section 18120.5 and Code of Civil

³⁰ Code Civ. Proc., § 527.9(b).

³¹ Code Civ. Proc., § 527.9(b); Pen. Code, § 273.75(d).

³² § 273.75(d).

Procedure section 527.9. The form allows the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, set a review hearing on compliance, and state that the court will notify the prosecuting attorney and law enforcement if the defendant has not complied with relinquishment orders.

- Adopt *Permission to Have Firearm or Ammunition for Work* (form CR-850). This form allows the court to make appropriate findings and orders when granting a request for a firearm exemption under Code of Civil Procedure section 527.9(f) or Penal Code section 29825.5(g).

Alternatives Considered

The committee did not consider the alternative of taking no action because form revisions are needed to comply with AB 2308, AB 2907, and SB 899. To the extent the proposed revisions were not required by the terms of the new laws, the committee considered taking no action but ultimately determined the revisions were warranted in light of the benefits the revisions would provide to the courts and court users.

Conflict between relinquishment procedures in SB 899 and AB 2907

Though AB 2907 and SB 899 both address relinquishment of prohibited items due to a criminal protective order, there are some discrepancies on requirements and procedures depending on whether the order was issued pretrial, postconviction, or in a domestic violence case. Because the discrepancies appear to be due to oversight, the committee discussed whether to attempt to reconcile or standardize the requirements and procedures, but decided to directly reflect the applicable statutory language.

For example, while ammunition must now be relinquished with most criminal protective orders,³³ no statute requires ammunition relinquishment for postconviction criminal protective orders issued under Penal Code section 273.5(j), 368(l), or 646.9(k) in a case not involving domestic violence (see form CR-161, item 8c), because section 29825.5, the only statute addressing these types of cases, does not include clear language on ammunition relinquishment.

Additionally, section 273.75(d), regarding criminal protective orders issued in domestic violence cases, does not specify how prohibited items should be relinquished but requires the court to provide information to the defendant on how to comply with the prohibition. Given that relinquishment in the criminal context generally involves surrendering to law enforcement or selling to a licensed gun dealer, the committee proposes directing relinquishment to law enforcement or a licensed gun dealer for orders issued under Penal Code section 1203.097.³⁴

³³ See Code Civ. Proc., § 527.9(b); Pen. Code, § 273.75(d).

³⁴ All other criminal protective orders are subject to statutes requiring relinquishment to law enforcement or a licensed gun dealer (see Code Civ. Proc., § 527.9(b); Pen. Code, § 29825.5(b).)

Conflict between conviction-based relinquishment procedures under Penal Code section 29810 and postconviction criminal protective order relinquishment procedures

Postconviction criminal protective orders are generally issued in cases in which a conviction of the underlying offense also prohibits the defendant from possessing a firearm. In these matters, the postconviction criminal protective order relinquishment procedures conflict with some of the conviction-based relinquishment procedures under Penal Code section 29810, and there are no cross-references in the statutory language.

It is not certain which provisions supersede, and the committee noted the difficulty for litigants and judges to understand how to navigate the conflicting procedures. The committee discussed whether to try to reconcile the procedures in the forms but decided that it would require legislative clarity or resolution by the courts.

Service by protected person

Penal Code section 18120.5(c)(1), which applies to gun violence restraining orders and criminal protective orders issued under section 136.2, states that if the restrained person is not present when the court sets a review hearing regarding their compliance with relinquishment orders, the protected person must provide notice of the review hearing to the restrained person at least two court days before the review hearing, by personal service or by mail to the restrained person's last known address.

Despite the statutory language, the committee is not including an item addressing service of the defendant by the protected person on form CR-840, as this is not a common practice in a criminal case and the likelihood that the protected person would be present at the time a review hearing is set is minimal. The committee discussed the option of including an item about service of the defendant by the protected person and modifying it to state that the protected person may seek assistance from the prosecuting agency, but ultimately preferred excluding the language entirely.

Mandatory or optional forms

Forms CR-830 and CR-840 are modeled after forms DV-830 and DV-840, which are used for proceedings related to domestic violence restraining orders. Forms CR-830 and DV-830 allow a court to report a restrained person's noncompliance with a relinquishment order to the prosecuting agency and law enforcement, and forms CR-840 and DV-840 are for courts to use when compliance issues arise after a restraining order has issued. Forms DV-830 and DV-840 are mandatory forms. Though there is a preference for Judicial Council forms to be as consistent as possible, the committee proposes making forms CR-830 and CR-840 optional rather than mandatory, since criminal courts have additional avenues to address noncompliance, such as a probation revocation, or may have local preferences to communicate with the prosecuting agency and law enforcement.

Firearm exemption advisement

On form CR-850, the committee initially considered presenting item 2c as a stand-alone warning text box:

Warning: The court orders listed above in ② only apply to this restraining order. If you are prohibited from having firearms or ammunition by another order or law, you may be in violation of state or federal law.

The committee discussed how to make this advisement as clear as possible to the defendant to avoid any confusion in the future, including whether to require the defendant to initial the warning to confirm it was received. The committee decided it would be clearer to make the advisement part of the order as item 2c. The committee seeks specific comments on whether the advisement is more clearly communicated as a stand-alone warning text box.

Notice of noncompliance to law enforcement and the prosecuting agency

For the notice to the law enforcement and prosecuting agency of a defendant's noncompliance with surrendering prohibited items,³⁵ the committee considered deriving the time frame for such notification from the statutory language of Code of Civil Procedure section 527.9(b)³⁶ and Penal Code section 273.75(d)³⁷ rather than calling for the court's immediate notification of law enforcement and prosecuting agencies. The committee modeled the language to immediately notify the agencies after the language implementing SB 320 in the domestic violence restraining orders, communicating to the restrained person that this exchange would occur swiftly.

Review hearings

Under new Penal Code section 18120.5, when relevant information is provided to the court at any noticed hearing that a person subject to a criminal protective order issued under section 136.2 has a firearm, the court must determine if the person has a firearm in violation of the order, with the option of setting a review hearing.³⁸ Section 18120.5 does not discuss ammunition, though under SB 899, it is now a prohibited item that must be relinquished, alongside firearms, under Code of Civil Procedure section 527.9(b).

³⁵ See item 10 of forms CR-160 and CR-161, and item 5 on form CR-840.

³⁶ "Violations of the firearms prohibition of any restraining order under this section shall be reported to the prosecuting attorney in the jurisdiction where the order has been issued within two business days of the court hearing unless the restrained party provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk of the court. If the person does not file a receipt with the court within 48 hours after receiving the order for a firearm in their possession, the court shall order the clerk of the court to immediately notify, by the most effective means available, appropriate law enforcement officials of the issuance and contents of a protective order, information about the firearm or ammunition, and of any other information the court deems appropriate." (Code Civ. Proc., § 527.9(b).)

³⁷ "If evidence of compliance with firearms prohibitions is not provided within 48 hours of the defendant being served with the protective order or after a review hearing under rule 4.700 of the California Rules of Court if required or as may be required otherwise, the court shall order the clerk of the court to notify within two business days, by the most effective means available, the prosecuting agency and appropriate law enforcement officials of the issuance and contents of the protective order, information about the firearm or ammunition, and of any other information obtained through the search that the court determines is appropriate." (Pen. Code, § 273.75(d).)

³⁸ § 18120.5(a), (c)(1).

To maintain consistency between the prohibited items that are required to be relinquished and the court findings and review hearings, the committee proposes adding ammunition as an item subject to the court findings and review hearings.³⁹ While new Penal Code section 18120.5 only expressly requires the court to determine if a person has a firearm in violation of an order, there is nothing precluding the court from making findings regarding ammunition as well.

Service by peace officer

SB 899 introduced new Code of Civil Procedure section 527.12, requiring a peace officer, “upon the request of a petitioner,” to serve specified protective orders on the respondent, including criminal protective orders issued under section 136.2. The committee considered but declined to include language on the existing or proposed forms regarding this provision, noting that a defendant will generally be personally served at the time the order is issued.

Use of form CLETS-001

The committee initially proposed including criminal protective orders in form CLETS-001, alongside civil restraining orders. However, the committee ultimately proposes a separate form due to the differences present in criminal cases. Form CLETS-002 is intended to be completed by a prosecuting agency rather than a petitioner and is designed for streamlined use by focusing on the protected person’s information.

Fiscal and Operational Impacts

The proposal will require training of court staff and judicial officers on the revised and new forms and amended rules. Additional expected costs include case management system updates and the production of new forms.

While the committee anticipates that requiring the use of form CLETS-002 for criminal protective orders will result in a modest but manageable workload increase, the committee seeks specific comments on whether this may create workload pressures for the courts, prosecuting agencies, or law enforcement.

³⁹ See item 9b on forms CR-160 and CR-161, and item 4 on form CR-840.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Should all or parts of California Rules of Court, rule 4.700 be retained rather than repealed? If so, why?
- Item 2c on form CR-850 is an advisement to the defendant that a granted firearm exemption only applies to the specific restraining order, and that if the defendant is prohibited from having firearms or ammunition by another order or law, the defendant may be in violation of state or federal law. Is such information more clearly communicated as a stand-alone warning box?
- Would proposed form CLETS-002 increase the workload for courts, prosecuting agencies, and law enforcement?
- Would it be helpful to include language preferences and prohibited item information on form CLETS-002, similar to form CLETS-001?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rules 1.51 and 4.700, at pages 15–18
2. Form CLETS-002, CR-160, CR-161, CR-162, CR-800, CR-800-INFO, CR-830, CR-840, and CR-850, at pages 19–41
3. Link A: Assem. Bill 2308,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2308
4. Link B: Assem. Bill 2907,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2907
5. Link C: Sen. Bill 899,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB899

Rule 1.51 of the California Rules of Court would be amended and rule 4.700 would be repealed, effective January 1, 2026, to read:

1 **Rule 1.51. California Law Enforcement Telecommunications System (CLETS)**
2 **information form**

3
4 **(a) Confidential CLETS Information form to be submitted to the court**

5
6 (1) A person requesting protective orders under Code of Civil Procedure section
7 527.6, 527.8, or 527.85; Family Code section 6320, 6404, or 6454; Penal
8 Code sections 18100–18205; or Welfare and Institutions Code section 213.5
9 or 15657.03 must submit to the court with the request a completed
10 *Confidential CLETS Information* form.

11
12 (2) A prosecuting agency requesting protective orders under Penal Code section
13 136.2, 273.5(j), 368(l), 646.9(k), or 1203.097(a)(2) must submit to the court
14 with the request a completed *Confidential Information for Law*
15 *Enforcement—Criminal* (form CLETS-002).

16
17 **(b) Confidentiality of the form**

18
19 The *Confidential CLETS Information* forms ~~is~~ are confidential, and access to the
20 information on the forms is limited to the persons listed in (c).

21
22 **(c) Access to information on the form**

23
24 The *Confidential CLETS Information* forms must not be included in the court file.
25 After the form is submitted to the court, only the following persons may have
26 access to the information on the form:

- 27
28 (1) Authorized court personnel; and
29
30 (2) Law enforcement and other personnel authorized by the California
31 Department of Justice to transmit or receive CLETS information.
32

33 **(d) Amendment of the form**

34
35 A person or party requesting protective orders or the person's attorney may submit
36 an amended *Confidential CLETS Information* form as a matter of right to provide
37 updated or more complete and accurate information.
38

39 **(e) Retention and destruction of the form**

- 40
41 (1) When a *Confidential CLETS Information* form is submitted to the court, the
42 court, if a temporary restraining order or order after hearing is entered, may:

Rule 1.51 of the California Rules of Court would be amended and rule 4.700 would be repealed, effective January 1, 2026, to read:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

- (A) Transmit the form to a law enforcement agency for entry into CLETS and not retain any copy; or
- (B) Enter the information on the form into CLETS itself and promptly destroy the form or delete it from its records.

(2) If no temporary restraining order or order after hearing is entered, the court may promptly destroy the form or delete it from its records.

(3) Until the court has completed (1) or (2), the form must be retained in a secure manner that prevents access to the information on the form except to those persons identified in (c).

Rule 4.700. Firearm relinquishment procedures for criminal protective orders
[Repealed]

(a) Application of rule

~~This rule applies when a court issues a criminal protective order under Penal Code section 136.2 during a criminal case or as a condition of probation under Penal Code section 1203.097(a)(2) against a defendant charged with a crime of domestic violence as defined in Penal Code section 13700 and Family Code section 6211.~~

(b) Purpose

~~This rule is intended to:~~

- ~~(1) Assist courts issuing criminal protective orders to determine whether a defendant subject to such an order owns, possesses, or controls any firearms; and~~
- ~~(2) Assist courts that have issued criminal protective orders to determine whether a defendant has complied with the court's order to relinquish or sell the firearms under Code of Civil Procedure section 527.9.~~

(c) Setting review hearing

~~(1) At any hearing where the court issues a criminal protective order, the court must consider all credible information, including information provided on~~

Rule 1.51 of the California Rules of Court would be amended and rule 4.700 would be repealed, effective January 1, 2026, to read:

1 ~~behalf of the defendant, to determine if there is good cause to believe that the~~
2 ~~defendant has a firearm within his or her immediate possession or control.~~

3
4 ~~(2) If the court finds good cause to believe that the defendant has a firearm~~
5 ~~within his or her immediate possession or control, the court must set a review~~
6 ~~hearing to ascertain whether the defendant has complied with the requirement~~
7 ~~to relinquish the firearm as specified in Code of Civil Procedure section~~
8 ~~527.9. Unless the defendant is in custody at the time, the review hearing~~
9 ~~should occur within two court days after issuance of the criminal protective~~
10 ~~order. If circumstances warrant, the court may extend the review hearing to~~
11 ~~occur within 5 court days after issuance of the criminal protective order. The~~
12 ~~court must give the defendant an opportunity to present information at the~~
13 ~~review hearing to refute the allegation that he or she owns any firearms. If the~~
14 ~~defendant is in custody at the time the criminal protective order is issued, the~~
15 ~~court should order the defendant to appear for a review hearing within two~~
16 ~~court days after the defendant's release from custody.~~

17
18 ~~(3) If the proceeding is held under Penal Code section 136.2, the court may,~~
19 ~~under Penal Code section 977(a)(2), order the defendant to personally appear~~
20 ~~at the review hearing. If the proceeding is held under Penal Code section~~
21 ~~1203.097, the court should order the defendant to personally appear.~~

22
23 **(d) Review hearing**

24
25 ~~(1) If the court has issued a criminal protective order under Penal Code section~~
26 ~~136.2, at the review hearing:~~

27
28 ~~(A) If the court finds that the defendant has a firearm in or subject to his or~~
29 ~~her immediate possession or control, the court must consider whether~~
30 ~~bail, as set, or defendant's release on own recognizance is appropriate.~~

31
32 ~~(B) If the defendant does not appear at the hearing and the court orders that~~
33 ~~bail be revoked, the court should issue a bench warrant.~~

34
35 ~~(2) If the criminal protective order is issued as a condition of probation under~~
36 ~~Penal Code section 1203.097, and the court finds at the review hearing that~~
37 ~~the defendant has a firearm in or subject to his or her immediate possession~~
38 ~~or control, the court must proceed under Penal Code section 1203.097(a)(12).~~

39
40 ~~(3) In any review hearing to determine whether a defendant has complied with~~
41 ~~the requirement to relinquish firearms as specified in Code of Civil Procedure~~
42 ~~section 527.9, the burden of proof is on the prosecution.~~

Rule 1.51 of the California Rules of Court would be amended and rule 4.700 would be repealed, effective January 1, 2026, to read:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Advisory Committee Comment

~~When issuing a criminal protective order under Penal Code section 136.2 or 1203.097(a)(2), the court is required to order a defendant “to relinquish any firearm in that person’s immediate possession or control, or subject to that person’s immediate possession or control” (Code Civ. Proc., § 527.9(b).) Mandatory Judicial Council form CR-160, *Criminal Protective Order—Domestic Violence*, includes a mandatory order in bold type that the defendant “must surrender to local law enforcement or sell to a licensed gun dealer any firearm owned or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order.”~~

~~Courts are encouraged to develop local procedures to calendar review hearings for defendants in custody beyond the two-court-day time frame to file proof of firearms relinquishment with the court under Code of Civil Procedure section 527.9.~~

CLETS-002 Confidential Information for Law Enforcement—Criminal

Instructions:

- The prosecuting agency seeking the criminal order must complete item ① and ② of this form and give it to the court clerk along with form CR-160 or CR-161. Item ③ is optional.
- If the judge grants the protective order, information on this form will be entered into the California Law Enforcement Telecommunications System (CLETS) and may be entered into a federal law enforcement database.
- If information changes later, this form may be completed again and turned in to the court.

To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.

PEOPLE OF THE STATE OF CALIFORNIA
v.
DEFENDANT:

Court fills in case number when form is received.

Case Number:

Date received by court: _____

Information that has a star (*) next to it is required. All other information is helpful.

① *Protected Person's Information

*Name: _____

*Gender: M F Nonbinary *Race: _____

*Age: _____ Date of Birth (month, day, year): _____

(Date of birth is required for the protected person's information to appear in a federal law enforcement database.)

Telephone: _____

② Other Protected People

(Date of birth is required for the information of any protected people listed below to appear in a federal law enforcement database.)

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

This is not a Court Order—Do not place in court file.



3 Defendant

*Name: _____

See form CR-160 or CR-161 for all additional information.

Other names used: _____

*Gender: M F Nonbinary *Race: _____

*Age: _____ (estimate, if age unknown) Date of Birth: _____

Marks, scars, or tattoos: _____

Driver's license (number and state): _____ SSN: _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Telephone: _____

Name of employer and address: _____

This is not a Court Order—Do not place in court file.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i> 04/08/2025 DRAFT Not approved by the Judicial Council
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE (CLETS—CPO) <input type="checkbox"/> ORDER PENDING TRIAL (Pen. Code, § 136.2) <input type="checkbox"/> MODIFICATION <input type="checkbox"/> PROBATION CONDITION ORDER (Pen. Code, § 1203.097(a)(2)) ORDER UPON CONVICTION: <input type="checkbox"/> PENAL CODE, § 136.2(i) <input type="checkbox"/> PENAL CODE, § 273.5(j) <input type="checkbox"/> PENAL CODE, § 368(l) <input type="checkbox"/> PENAL CODE, § 646.9(k)	CASE NUMBER:

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).)

DEFENDANT:	CASE NUMBER:
------------	--------------

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)		<input type="checkbox"/> (date):
(b)		<input type="checkbox"/> (date):

(2) Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
			<input type="checkbox"/> (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.

DEFENDANT:	CASE NUMBER:
------------	--------------

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 repeatedly 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:

<i>Name:</i>	<i>Type of animal:</i>	<i>Breed (optional):</i>	<i>Color (optional):</i>
--------------	------------------------	--------------------------	--------------------------

- 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.

DEFENDANT:	CASE NUMBER:
------------	--------------

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.**

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

DEFENDANT:	CASE NUMBER:
------------	--------------

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—Priority of 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 an *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 of Civil Procedure section 517.12(d)(2), Family Code sections 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. (Penal Code section 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.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY 04/08/2025 DRAFT Not approved by the Judicial Council
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
CRIMINAL PROTECTIVE ORDER—OTHER THAN DOMESTIC VIOLENCE (CLETS—CPO) (Pen. Code, §§ 136.2, 136.2(i), 368(f), and 646.9(k)) ORDER <input type="checkbox"/> Pen. Code, § 136.2 <input type="checkbox"/> MODIFICATION PENDING TRIAL: <input type="checkbox"/> Pen. Code, § 136.2(i) <input type="checkbox"/> Pen. Code, § 646.9(k) ORDER UPON <input type="checkbox"/> Pen. Code, § 136.2(i) <input type="checkbox"/> Pen. Code, § 646.9(k) CONVICTION: <input type="checkbox"/> Pen. Code, § 368(f)	CASE NUMBER:

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): _____ . (Postconviction orders under Penal Code sections 136.2(i) and 646.9(k) may be valid for up to 10 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 8–19.

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.

DEFENDANT:	CASE NUMBER:
------------	--------------

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. For orders issued under Penal Code section 136.2: 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. 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.
- c. For orders issued under Penal Code sections 368(l) or 646.9(k): 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 and firearm parts owned by the defendant or within the defendant's immediate possession or control. By (date): _____ the defendant must file a receipt with the court showing that all firearms and firearm parts 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)			<input type="checkbox"/> (date):
(b)			<input type="checkbox"/> (date):
 - (2) Ammunition

	Description	Amount, if known	Location, if known	Proof of compliance received by the court
				<input type="checkbox"/> (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 (for orders issued under Penal Code section 136.2)

- 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.

DEFENDANT:	CASE NUMBER:
------------	--------------

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 repeatedly contact), impersonate (on the internet, electronically, or otherwise), or block movements of the protected persons named in items 2 and 3.

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. 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).)

19. Other orders

Executed on *(date)*:

_____ JUDICIAL OFFICER

DEFENDANT:	CASE NUMBER:
------------	--------------

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) and 646.9(k) are valid for up to 10 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.
- To terminate this protective order, courts should use *Notice of Termination of Protective Order in Criminal Proceeding* (form CR-165).

2. 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 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.)

3. Conflicting Orders—Priority of 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 527.12(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 an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must **also** be enforced. Provisions of another order that do not conflict with the EPO must 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 of Civil Procedure, section 527.12(d)(2) & Family Code sections 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. (Penal Code section 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.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i> 04/08/2025 DRAFT Not approved by the Judicial Council
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
ORDER TO SURRENDER FIREARMS, FIREARM PARTS, AND AMMUNITION IN DOMESTIC VIOLENCE CASE (CLETS—CPO) (Penal Code, § 136.2(a)(1)(G)(ii))	CASE NUMBER:

PERSON TO SURRENDER FIREARMS/DEFENDANT *(complete name):*

Gender: <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Nonbinary	Race:	Date of birth:
Ht.:	Wt.:	Hair color:
		Eye color:

1. This proceeding was heard on *(date):* _____ at *(time):* _____ in Dept.: _____
 Room: _____ by judicial officer *(name):* _____
2. This order expires on *(date):* _____. If no date is listed, 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).
3. 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.
4. **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. The court has granted a limited exception to allow firearms or ammunition for work only. See detailed orders on attached form CR-850.
5. **Relinquishment of prohibited items**
 - a. 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. 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.
 - b. The court finds that the defendant has the following prohibited items:

(1) Firearms and/or firearm parts		
<i>Description (include serial number, if known)</i>	<i>Location, if known</i>	<i>Proof of compliance received by the court</i>
(a)		<input type="checkbox"/> <i>(date):</i>
(b)		<input type="checkbox"/> <i>(date):</i>
(2) Ammunition		
<i>Description</i>	<i>Amount, if known</i>	<i>Location, if known</i>
		<i>Proof of compliance received by the court</i>
		<input type="checkbox"/> <i>(date):</i>

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.

- c. The court sets a review hearing for *(date):* _____ *(time):* _____ *(dept.):* _____ to determine whether the defendant has properly turned in, sold, or stored all prohibited, including items described in item 5b. (Code Civ. Proc., § 527.9; Pen. Code, § 18120.5.) 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.

DEFENDANT:	CASE NUMBER:
------------	--------------

6. **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 5b.
- 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):

7. **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.

Executed on: _____
(DATE)

(SIGNATURE OF JUDICIAL OFFICER)

NOTICES

- This order is effective as of the date it was issued by the judicial officer and expires as ordered in item 2.
- This order is to be used ONLY when the court orders firearms relinquishment but does not make any other protective or restraining orders. Do NOT use in conjunction with other criminal protective orders (form CR-160 or CR-161).

Clerk stamps date here when form is filed.

This form provides information for a restrained person/defendant who is ordered to turn in firearms, firearm parts, and ammunition under a criminal protective order (form CR-160 or CR-161) or *Order to Surrender Firearms in Domestic Violence Case* (form CR-162).

03/18/2025
DRAFT
Not approved by
the Judicial Council

1 Protected Person:

Name: _____

2 Restrained Person / Defendant

a. Name: _____

Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____

State: _____ Zip: _____ Telephone: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

City: _____

Fax: _____

3 To the Restrained Person:

If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts, and ammunition—meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531)—use this form to prove to the judge that you have obeyed their orders. Take this form to a law enforcement officer or a licensed gun dealer to complete 4 or 5. For more information on how to properly turn in your items, read form CR-800-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?*

4 To Law Enforcement

(Complete the section below. Keep a copy and give the original to the person in 2.)

Name of Law Enforcement Agency: _____

Name of Law Enforcement Agent: _____

Address: _____

Telephone number: _____ Email address: _____

Items Surrendered

a. Firearms, firearm parts, and ammunition transferred on:

Date: _____ Time: _____ a.m. p.m.



Case Number: _____

4 To Law Enforcement

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form from your agency (e.g., a property report), use ⑥, or both.) Check below if you have attached a separate form:

Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Signature of law enforcement agent _____

5 To Licensed Gun Dealer

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Licensed Gun Dealer: _____

License number: _____

Address: _____

Telephone number: _____ Email address: _____

Items Stored or Sold

a. Firearms, firearm parts, and ammunition transferred on:

Date: _____ Time: _____ a.m. p.m.

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form (e.g., Department of Justice’s Report of Firearm Acquisition), use ⑥, or both.) Check below if you have attached a separate form:

Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Signature of licensed gun dealer _____

6 List of Items Surrendered

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items "CR-800, item 6" at the top, and attach it to this form.

7 To the Restrained Person:

Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns), firearm parts, or ammunition?

No

Yes (If yes, check one of the boxes below:)

a. I filed a Receipt for Firearms, Firearm Parts, and Ammunition (form CR-800) or other proof for those items with the court on (date): _____

b. I am filing the proof for those firearms (guns), firearm parts, or ammunition along with this proof.

c. I have not yet filed the proof for the other firearms (guns), firearm parts, or ammunition. (Explain why not):

Your signature

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

Sign your name

Your Next Steps

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- Keep a copy for yourself.

Note that failure to file a receipt with the court is a violation of the court's order.

CR-800-INFO How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?

This form provides information for a restrained person/defendant who is ordered to turn in firearms, firearm parts, and ammunition under a criminal protective order (form CR-160 or CR-161) or *Order to Surrender Firearms in Domestic Violence Case* (form CR-162).

What do I need to turn in, sell, or store?

You must turn in, sell, or store all of the following prohibited items that you have or own:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, includes receivers, frames, and any item that may be used as or easily turned into a receiver or frame (also called “ghost guns”); and
- Ammunition, including bullets, shells, cartridges, and clips.

How do I properly turn in, sell, or store the prohibited items?

You must take them to:

- Law enforcement, who will accept all prohibited items for safekeeping or to destroy,
- or
- A licensed gun dealer, who can buy or store your firearms. If you have firearm parts or ammunition, call ahead for more information.

When do I turn in, sell, or store prohibited items?

In most cases, within 24 hours of being served with the protective order. Check the protective order or court order for further details.

Can I give my prohibited items to family or friends?

No, only to law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

Do I have to pay a fee to store prohibited items?

You may have to pay a fee. Contact law enforcement or a licensed gun dealer about fees and whether they have space to store your items.

How do I take prohibited items to law enforcement?

Call your local law enforcement agency to ask about their procedures. They will give you specific instructions, like making sure your firearms are unloaded and in the trunk of the car. Take a copy of the protective order or court order with you. ***Do not*** bring your firearms to court.

If I turn in my firearms to law enforcement, how long will they keep them?

It depends. There are procedures for getting your firearms back after a protective order or court order expires. Ask the law enforcement agency.

After I give my firearms to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearms you are selling.

How do I prove to the judge that I have complied with (obeyed) the orders?

- ① Bring a copy of form CR-800, *Receipt for Firearms, Firearm Parts, and Ammunition*, with you, and ask the dealer or officer to complete and sign the form.
- ② File form CR-800 with the court. Make sure you get two copies. All receipts must be filed with the court within 48 hours from the time you were served with the protective order or court order, unless the judge gave you another deadline.

Clerk stamps date here when form is filed.

This notice is provided to the agency or agencies listed below.

03/19/2025
DRAFT
Not approved by
the Judicial Council

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Protected Person

Name: _____

2 Restrained Person / Defendant

Name: _____

3 Noncompliance—Domestic Violence

a. The court has found that the person listed in **2** has firearms (guns), firearm parts, or ammunition in violation of the following order in a case involving domestic violence (*choose one*):

- (1) *Criminal Protective Order—Domestic Violence* (form CR-160)
- (2) *Order to Surrender Firearms, Firearm Parts, and Ammunition in Domestic Violence Case* (form CR-162)

b. Notice to Law Enforcement Agency (*name of agency or agencies*):

The person listed in **2** is subject to a criminal protective order in a case involving domestic violence. Notice is provided under Penal Code section 273.75(d). The agency must take all actions necessary to obtain firearms and ammunition.

c. Notice to Prosecuting Agency (*name of agency*): _____

The person listed in **2** is subject to a criminal protective order in a case involving domestic violence. Notice is provided under Penal Code section 273.75(d). The agency must take all actions necessary to obtain firearms and ammunition.

d. Additional information

The court has conducted a background search pursuant to Penal Code section 273.75. In addition to the information provided above, the court is attaching the following information found in the background search. (*Briefly describe information*): _____

4 Noncompliance—Other Than Domestic Violence

a. The court has found that the person listed in **2** has firearms (guns), firearm parts, or ammunition in violation of the following order:

- Criminal Protective Order—Other Than Domestic Violence* (form CR-161)

b. Notice to Law Enforcement Agency (*name of agency or agencies*):

The person listed in **2** is subject to a criminal protective order issued under Penal Code section 136.2. Notice is provided under Code of Civil Procedure section 527.9(b).



Case Number: _____

- 4 c. Notice to Prosecuting Agency (*name of agency*): _____
- The person listed in 2 is subject to a criminal protective order issued under Penal Code section 136.2. Notice is provided under Code of Civil Procedure section 527.9(b).

5 Number of pages attached to this form, if any: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

—Clerk's Certificate—

[seal] I certify that I am not a party to this case and that a true copy of *Noncompliance with Firearms and Ammunition Order* (form CR-830), was sent to the agency or agencies listed on page 1:

- a. **Law enforcement agency listed in (*check one*):** item 3b or 4b
- (1) by fax, email, or other electronic means by personal delivery
- (2) (*Phone number, email address, or address*): _____
- _____
- _____
- (3) Date of transmission or delivery: _____

- b. **Prosecuting agency listed in (*check one*):** item 3c or 4c
- (1) by fax, email, or other electronic means by personal delivery
- (2) (*Phone number, email address, or address*): _____
- _____
- _____
- (3) Date of transmission or delivery: _____

Date: _____ Clerk, by _____, Deputy

For your protection and privacy, please press the Clear This Form button after you have printed the form.

37

Clerk stamps date here when form is filed.

03/19/2025
DRAFT
Not approved by
the Judicial Council

1 Protected Person

Name: _____

2 Restrained Person/Defendant

a. Name: _____

b. The defendant is subject to a criminal protective order issued under Penal Code section 136.2.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

3 Restrained Person Has Prohibited Items

The court has found that you have the following prohibited items:

a. Firearms and/or firearm parts

Description <i>(include serial number, if known)</i>	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	_____	<input type="checkbox"/> (date): _____


Check here to list additional items. List them on a separate piece of paper, write "CR-840, item 3" at the top, and attach it to this form.



4 **Notice of Compliance Hearing**

To the person in **2** :

The restrained person must attend the court hearing listed below to prove that all prohibited items have been properly turned in, sold, or stored. If the restrained person does not attend the hearing listed below, the court may find that the restrained person has violated the protective order and notify law enforcement and a prosecuting attorney of the violation.

	Date: _____ Time: _____	Dept.: _____ Room: _____	Name and address of court, if different from the one listed above: _____ _____
---	----------------------------	-----------------------------	--

5 **Restrained Person Has Not Complied With Surrendering Prohibited Items**

- a. The court finds that you have not fully complied with (obeyed) the orders previously granted on *(date)*: _____. The court has not received a receipt or proof of compliance for all the items listed in **3**.
- b. Notify Law Enforcement
The court will immediately notify the following law enforcement agency of this violation *(name of agency)*: _____.
- c. Notify Prosecutor
The court will immediately notify the following prosecuting agency of this violation *(prosecuting agency)*: _____.

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.

CR-850

Permission to Have Firearm or Ammunition for Work

Case Number: _____

This form is attached to (*check one*): CR-160 CR-161 CR-162 Other: _____

1 Court Findings

The court finds that the restrained person/defendant (*name*): _____

- a. Is required to carry a specific firearm or ammunition during scheduled work hours as a condition of their continued employment.
- b. Cannot be reassigned by their employer to another position where having a firearm or ammunition is not needed.
- c. Is not otherwise prohibited from having firearms or ammunition under state or federal law.
- d. Does not pose an additional threat of harm to any protected person or the public by having access to a specific firearm or ammunition.
- e. Is a sworn peace officer and:
 - (1) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise; and
 - (2) The personal safety of the restrained person depends on their ability to carry a specific firearm or ammunition outside of scheduled work hours.
- f. Is not a sworn peace officer and (*check (1) or (2)*):
 - (1) The court did not order the restrained person to complete a psychological evaluation.
 - (2) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise.
- g. Other

This is a Court Order.



2 Court Order

a. The restrained person is (*check one*):

(1) Not a sworn peace officer and may have the items listed in 2b only during scheduled work hours.

(2) A sworn peace officer and (*check one*):

(A) May have the items listed in 2b while on duty.

(B) May have the items listed in 2b while on or off duty.

b. This restraining order does not require the restrained person to relinquish the specific firearm or ammunition listed below:

Firearm (*make*): _____ (*model*): _____ (*serial no.*): _____

Ammunition (*description*): _____

c. The court orders listed above only apply to this restraining order. If you are prohibited from having firearms or ammunition by another order or law, you may be in violation of state or federal law.

This is a Court Order.