

Order of Protection

Per R.C. 2919.26(G)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -
 PHONE NUMBER

STATE OF OHIO/
 CITY OF _____

v.

DEFENDANT

ALLEGED VICTIM:

First Middle Last

v.

DEFENDANT:

First Middle Last

Address where Defendant can be found:

Case No. _____

Judge _____

State

OHIO

DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDER (DVTPO) (R.C. 2919.26)

New Order Modification of Previous Order

PERSON(S) PROTECTED BY THIS ORDER:

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Members:

Additional forms attached

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

DEFENDANT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DOB	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing features: _____

WARNING TO LAW ENFORCEMENT: DEFENDANT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

Ex Parte DVTPO Granted: _____ / _____ / _____ (Date)

DVTPO Granted: _____ / _____ / _____ (Date)

Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the Defendant was provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.**

THE COURT HEREBY ORDERS:

That the above named Defendant be restrained from committing acts of abuse or threats of abuse against the Alleged Victim and other protected persons named in this Order. Additional terms of this Order are set forth below.

WARNING TO DEFENDANT: See the warning page attached to the front of this Order.

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO DEFENDANT

- 1. **DEFENDANT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 04]
- 2. **DEFENDANT SHALL NOT INTERFERE** with the protected persons' right to occupy any residence by canceling utilities or insurance or interrupting telecommunication (e.g., telephone, internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]

- 3. **DEFENDANT SHALL SURRENDER** all keys and garage door openers to the following residence

at the earliest possible opportunity after service of this Order to the law enforcement agency that serves the Defendant with this Order or as follows:

- 4. **DEFENDANT SHALL STAY AWAY FROM THE PROTECTED PERSONS NAMED IN THIS ORDER,** and shall not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Defendant knows or should know the protected persons are likely to be, **even with protected persons' permission.** If the Defendant accidentally comes in contact with protected persons in any public or private place, the Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

- 5. **DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT** by any means with the protected persons named in this Order or with their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 05]

- 6. **DEFENDANT SHALL NOT** use any form of electronic surveillance on protected persons.

- 7. **DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS** owned or possessed by the protected persons named in this Order.

- 8. **THE ALLEGED VICTIM IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS** owned by Alleged Victim, from the possession of Defendant:

Exchange of the listed companion animals or pets shall take place as follows:

- 9. **DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.
- 10. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION** at any time while the Order remains in effect to bring about a cessation of violence pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

DEFENDANT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition disability applies.

- 11. **DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS, INCLUDING FIREARMS AND AMMUNITION**, owned by Defendant or in Defendant’s possession to the law enforcement agency that serves Defendant with this Order no later than _____ or as follows:

Any law enforcement agency is authorized to accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

Law enforcement shall immediately notify the Court upon receiving Defendant’s deadly weapons, including firearms, and ammunition for protective custody as set forth in this Order.

Upon the expiration or termination of this Order and if a civil protection order or consent agreement has not been issued or approved arising out of the same activities as those that were the basis of the complaint filed in this action, Defendant may reclaim any deadly weapons, including firearms, and ammunition held in protective custody by law enforcement pursuant to this Order, unless Defendant is otherwise disqualified as verified by a check of the NCIC protection order file.

- 12. **DEFENDANT’S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- 13. **DEFENDANT MAY PICK UP CLOTHING** and personal effects from the following residence:

only in the company of a uniformed law enforcement officer upon release **or** within seven or _____ days of the filing of this Order or the date of Defendant’s release on bond in connection with this charge, whichever is later. Arrangements may be made by contacting:

- 14. **DEFENDANT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

- 15. **IT IS FURTHER ORDERED:** [NCIC 08]

- 16. **DEFENDANT IS ADVISED THAT VISITATION ORDERS DO NOT PERMIT THE DEFENDANT TO VIOLATE ANY OF THE TERMS OF THIS ORDER.**
- 17. **IT IS FURTHER ORDERED** a copy of this Order shall be delivered to the Defendant on the same day that the Order is entered.
- 18. **THIS ORDER IS EFFECTIVE** until the occurrence of one of the following: (1) it is modified by this Court; or (2) the criminal proceeding arising out of the complaint upon which this Order were issued is disposed by this Court or by the court of common pleas to which the Defendant is bound over for prosecution; or (3) a court issues a Domestic Violence Civil Protection Order (“CPO”) arising out of the same activities as those that were the basis of the complaint filed in this action.

IT IS SO ORDERED.

MAGISTRATE	DATE <i>EX PARTE</i> DVTPO	JUDGE	DATE <i>EX PARTE</i> DVTPO
MAGISTRATE	DATE DVTPO	JUDGE	DATE DVTPO

NOTICE TO DEFENDANT

NO PERSON PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON’S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A HEARING on this Order shall be held before
 Judge/Magistrate _____

on _____ / _____ /
 at _____ a.m. p.m.,

at the following location:

TO THE CLERK:

A COPY OF THIS ORDER SHALL BE SERVED ON DEFENDANT (by personal service). COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Prosecutor
- Alleged Victim
- Defendant’s Attorney /Public Defender
- Law Enforcement Agency Where Alleged Victim Resides:

- Law Enforcement Agency Where Alleged Victim Works:

- Sheriff’s Office / Police Department:

- Other: _____

Service acknowledged:

DEFENDANT

DATE

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO A HEARING ON THE MOTION FOR A DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDER AND HEREBY KNOWINGLY AND VOLUNTARILY WAIVE THE HEARING ON THE MOTION AND AGREE TO BE BOUND BY THE TERMS OF THIS ORDER.

DEFENDANT

DATE