



THE SUPREME COURT *of* OHIO

**Ohio's New
Protection Order
Forms – LE Edition
Part IV: Form 10-A**

Judge Linda Warner
Alexandria Ruden, Esq.
Anne Murray, Esq.

Welcome



- Introductions
- Revised forms can be found at DV Program page:
<http://www.supremecourt.ohio.gov/JCS/domesticViolence/>
- This is NEW for all of us
 - There will be hiccups
 - Please send us your questions/concerns

Objectives & Abbreviation Key



- Understand the reason behind the changes to the 10-A
- Recognize when courts will use the new checkboxes on 10-A
- Identify when you may expect to receive a new 10-A from court
- Consider policies and procedures that should be addressed for implementation

LE	=	Law Enforcement/Officer
NCO	=	No Contact Order
PO	=	Protection Order
R	=	Respondent or Defendant

Changes to Form 10-A

Notice to National Crime Information Center

PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)

- Initial NCIC Form Amended NCIC Form Removal from NCIC
 Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)

Pursuant to Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio, this information shall be promptly entered into the National Crime Information Center Index.

SUBJECT NAME		_____	
(LAST)		(FIRST)	(M.I.)
ADDRESS		_____	
(STREET)		(CITY)	(STATE) (ZIP)
PHYSICAL DESCRIPTION:	HGT _____	WGT _____	HAIR _____
	EYES _____	RACE _____	SEX <input type="checkbox"/> M <input type="checkbox"/> F
NUMERICAL IDENTIFIER (NOTE: Only ONE of the 4 numerical identifiers is needed.)			
1.	SSN _____	2.	DOB ____/____/____
3.*	DRIVER'S LIC. NO. _____	STATE _____	EXPIRATION YR. _____
4.*	VEHICLE LIC. NO. _____	STATE _____	EXPIRATION YR. _____
(* If #3 or #4 is used as a numerical identifier, entire line MUST be completed.)			
BRADY DISQUALIFIERS:			
Pursuant to 18 U.S.C. 822(g)(8), a "yes" response to all three Brady questions disqualifies the subject from purchasing or possessing any firearms, including a rifle, pistol, revolver, or ammunition.			
• Does the Order protect an intimate partner or child(ren)?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
• Did the subject have notice of the hearing and opportunity to participate in the hearing regarding the Order?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
• Does the Order find the subject a credible threat or explicitly prohibit physical force?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
CASE / ORDER NO.	_____ (15 DIGIT MAXIMUM)	Is order term of probation/ community control?	<input type="checkbox"/> YES <input type="checkbox"/> NO
COURT ORIGINATING AGENCY IDENTIFIER _____		(9 DIGIT ORI ASSIGNED BY NCIC)	
NAME OF JUDGE/MAGISTRATE _____			
DATE OF ORDER	____/____/____	EXPIRATION OF ORDER	____/____/____
(IN R.C. 2919.26 AND 2903.213 CASES, "NONEXP" MAY BE USED)			
TERMS AND CONDITIONS OF ORDER (Mark all that are applicable):			
<input type="checkbox"/> 01	The subject is restrained from assaulting, threatening, abusing, harassing, following, interfering, or stalking the protected person and/or the child(ren) of the protected person.		
<input type="checkbox"/> 02	The subject shall not threaten a member of the protected person's family or household.		
<input type="checkbox"/> 03	The protected person is granted exclusive possession of the residence or household.		
<input type="checkbox"/> 04	The subject is required to stay away from the residence, property, school, or place of employment of the protected person or other family or household member.		
OHP DATA <input type="checkbox"/> 05	The subject is restrained from making any communication with the protected person, including but not limited to, personal, written, or telephone contact, or their employer, employees, or fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the victim.		
ONLY <input type="checkbox"/> 06	The subject has visitation or custody rights of the child(ren) named in this Order.		
WEPO <input type="checkbox"/> 07	The subject is prohibited from possessing and/or purchasing a firearm or other weapon as identified in the Miscellaneous Field.		
<input type="checkbox"/> 08	See the Miscellaneous Field for comments regarding the specific terms and conditions of this Order. Miscellaneous comments: _____		
<input type="checkbox"/> 09	The protected person is awarded temporary exclusive custody of the child(ren) named.		

10-A: Changes to Rules of Superintendence



- Clarifies: Every time an order is changed a new NCIC 10-A form must be completed [**Sup. R. 10-A**]

Upon a court's issuance, modification, or termination of a criminal or civil *ex parte* or full hearing protection order or approval of a consent agreement civil protection order pursuant

Change to PO

New 10-A

10-A: Additional Boxes



- Additional Check boxes at top: To indicate each time a change is made to Protection Order

PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)		
<input type="checkbox"/> Initial NCIC Form	<input checked="" type="checkbox"/> Amended NCIC Form	<input type="checkbox"/> Removal from NCIC
<input checked="" type="checkbox"/> Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)		

10-A: Service Completed



PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)		
<input type="checkbox"/> Initial NCIC Form	<input checked="" type="checkbox"/> Amended NCIC Form	<input type="checkbox"/> Removal from NCIC
<input checked="" type="checkbox"/> Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)		

- Clarifies: Ex parte orders should be entered into NCIC when issued, even before served
- Important for notice, safety, and enforcement
- Helps LE determine if should try to get R served or give notice of PO and complete Form 10-D

10-A: Removal from NCIC



PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)

Initial NCIC Form

Amended NCIC Form

Removal from NCIC

Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)

- “Removal” to be used if order is terminated/dismitted early need if NCO/probation ended earlier than original entry in NCIC
- **NOT** necessary if naturally expires on date listed in original entry into NCIC

10-A: Removal from NCIC required fields



FORM 10-A: PROTECTION ORDER NOTICE TO NCIC Case/Order No. _____

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Initial NCIC Form
 Amended NCIC Form
 Removal from NCIC
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	(LAST)	(FIRST)	(M.I.)		
ADDRESS					
	(STREET)	(CITY)	(STATE)	(ZIP)	
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	EYES _____	RACE _____	SEX _____	<input type="checkbox"/> M <input type="checkbox"/> F	
NUMERICAL IDENTIFIER (NOTE: Only ONE of the 4 numerical identifiers is needed.)					
1.	SSN _____ - _____ - _____	2.	DOB _____ / _____ / _____		
3.*	DRIVER'S LIC. NO. _____	STATE _____	EXPIRATION YR. _____		
4.*	VEHICLE LIC. NO. _____	STATE _____	EXPIRATION YR. _____		
(* If #3 or #4 is used as a numerical identifier, entire line MUST be completed.)					

DATE OF ORDER _____ / _____ / _____	EXPIRATION OF ORDER _____ / _____ / _____
(IN R.C. 2919.26 AND 2903.213 CASES, "NONEXP" MAY BE USED)	

Changes to Rules of Superintendence



- Clarifies: Remote Access Exception includes Form 10-A NCIC and civil protection order case forms
- Rules of Superintendence mirror federal law that courts shall not make available on the internet any record of a civil protection order case that is likely to reveal the identity or location of a petitioner or another protected party



Scenario: Using the 10-A



- On Friday 2/12/21, Blue Wolverine is arraigned for Aggravated Menacing toward Brutus Buckeye. At that hearing, Judge Kelsey Mitchell from Shoe Co. Municipal Court grants a Criminal Protection Order ordering Wolverine to stay away from Buckeye.
- Judge Mitchell serves the the protection order on Wolverine, and sends the order and a completed 10-A to Shoe Co. Sheriffs (who filed the charges). Shoe Co. Sheriffs enter the 10-A into NCIC.

10-A Scenario continued



- On 4/19/21, Wolverine pleads guilty to Aggravated Menacing. As part of the sentence, Judge Mitchell orders Wolverine to have no contact with Buckeye for 2 years ending on 4/19/23.
- Judge Mitchell completes the sentencing entry, and a Form 10-A to remove the Criminal protection order from NCIC. Judge Mitchell also completes a Form 10-G Post-Conviction No Contact Order with a NEW 10-A for the NCO.

NOTE: Criminal protection orders must be removed from NCIC before the NCO may be entered. NCIC cannot accept two separate orders with the same case number.

10-A Scenario Part 2



- On 11/27/21, Wolverine violates his probation by going to Brutus Buckeye's and assaulting him. Ultimately, Wolverine's probation is terminated on 3/3/22 and he is sent to jail for the time that was suspended.
- Judge Mitchell sends a new 10-A to the Shoe Co. Sheriff's to remove the NCO from NCIC, because Wolverine's probation is being terminated earlier than the original expiration date (which had been 4/19/23).

Questions to be determined by LE policy and procedures:



- Who will communicate with court to ensure smooth entry and removal of 10-A?
- Which LE agency will enter No Contact Orders into NCIC? The charging agency (similar to with criminal protection orders)?



(And we know more questions will follow)

Thank you! Contact Us



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