

IN THE _____ COURT
_____ COUNTY, OHIO

Order of Protection

Per R.C. 2919.26(G)(2), this order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -
PHONE NUMBER

STATE OF OHIO/CITY OF _____
v. _____

DEFENDANT

Case No. _____

Judge/Magistrate _____

County _____

State

OHIO

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

New Order Modification of Previous Order

ALLEGED VICTIM:

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First Middle Last

PERSON(S) PROTECTED BY THIS ORDER:

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Member(s):

_____ DOB: _____
_____ DOB: _____
_____ DOB: _____

DEFENDANT:

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First Middle Last

Address where Defendant can be found:

FIREARMS ACCESS – PROCEED WITH CAUTION

DEFENDANT IDENTIFIERS

SEX	RACE	HT	WT
EYES	HAIR	DATE OF BIRTH	
DRIVER'S LIC. NO. & EXP. DATE			STATE

Distinguishing Features: _____

Ex Parte DVTPO Granted: _____ **Date Issued** _____

DVTPO Granted: _____ **Date Issued** _____

(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 has been or will be 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, as set forth below.

Additional terms of this order are set forth below.

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

(Ex Parte)

(Temporary)

Upon a hearing held on _____, _____ OR _____, _____ the Court finds that the motion for a Domestic Violence Temporary Protection Order is well taken. The Court finds that the safety and protection of protected persons named in this Order may be impaired by the continued presence of Defendant. Therefore, the following orders, which are designed to ensure the safety and protection of protected persons named in this Order, are issued to Defendant as pretrial conditions of release in addition to any bail set under Criminal Rule 46.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE DEFENDANT

- 1. **DEFENDANT SHALL NOT ABUSE** protected persons named in this order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- 2. **DEFENDANT SHALL NOT ENTER** the residence, school, business, place of employment, 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]
- 3. **DEFENDANT SHALL NOT INTERFERE** with protected persons' right to occupy any residence by canceling utilities or insurance and interrupting phone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 4. **DEFENDANT SHALL SURRENDER** all keys and garage door openers to the following residence:

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

- 5. **DEFENDANT SHALL STAY AWAY FROM PROTECTED PERSONS NAMED IN THIS ORDER**, and shall not be present within 500 feet or _____ (distance) of any protected persons wherever protected persons may be found, or any place the Defendant knows or should know the protected persons are likely to be, **even with the protected persons' permission.** If Defendant accidentally comes in contact with protected persons in any public or private place, Defendant must depart *immediately*. This order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- 6. **DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, telephone, fax, e-mail, voice mail, delivery service, writings, or communications by any other means in person or through another person. Defendant may not violate this order even with the permission of a protected person. [NCIC 05]
- 7. **DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
- 8. **DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this order.
- 9. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON.** Defendant shall turn over all deadly weapons in Defendant's possession to the law enforcement agency that serves Defendant with this Order as follows:

_____ Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

- 10. **DEFENDANT MAY PICK UP CLOTHING** and personal items from the following residence: _____ only in the company of a uniformed law enforcement officer within 7 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: _____

11. DEFENDANT SHALL NOT CONSUME, USE, OR POSSESS illegal drugs or beverages containing alcohol.

12. IT IS FURTHER ORDERED: _____

13. DEFENDANT IS ADVISED THAT VISITATION ORDERS DO NOT PERMIT DEFENDANT TO VIOLATE ANY OF THE TERMS OF THIS ORDER.

14. IT IS FURTHER ORDERED that a copy of this Order shall be delivered to Defendant on the same day that the Order is entered.

15. THIS ORDER REMAINS IN EFFECT: (1) until modified by this court; or (2) until the criminal proceeding arising out of the complaint upon which these orders were issued is disposed by this court or by the common pleas court to which the defendant is bound over for prosecution; or (3) until a court issues a 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.

JUDGE/MAGISTRATE – DATE OF *EX PARTE*
DVTPO

JUDGE/MAGISTRATE – DATE OF DVTPO

NOTICE TO DEFENDANT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE 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. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A HEARING on this order shall be held before

Judge _____ or

Magistrate _____

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

(the next court day) at the following location:

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Prosecutor

Alleged Victim

Defendant (by personal service)

Attorney for Defendant

Police Department Where Alleged Victim Resides: _____

Police Department Where Alleged Victim Works: _____

The _____ County Sheriff

Other _____

Service acknowledged: _____
Defendant Signature

Date

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO HAVE A HEARING ON THE MOTION FOR A DOMESTIC VIOLENCE CRIMINAL 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: _____