

LOUISIANA PROTECTIVE ORDER REGISTRY

PEACE OFFICER STANDARDS & TRAINING COUNCIL

Overview

Welcome to Louisiana Protective Orders Registry. This self-paced course was designed and written by Louisiana POST exclusively for law enforcement officers. The course is based on both the Louisiana Revised Statutes, as well as the Louisiana Civil Code of Procedure.

This training should take approximately 30 minutes to complete, including brief review quizzes and a final exam. You must complete the entire course in order to receive credit.

Lesson 01: Introduction

Slide 1-1. Overview

The Louisiana Protective Orders Registry (LPOR) is a database of orders and injunctions issued by the courts to enhance the safety of individuals who have sought court-ordered protection. Law enforcement officers are called upon to respond to violations of orders of protection. Therefore, it is important for officers to know how to use the LPOR system and to understand the terms and conditions associated with specific orders.

Upon successful completion of this course, you will know:

- the origins, purpose, and benefits of LPOR,
- what is in LPOR and who can access it,
- the kinds of orders that can be issued,
- the proper responses to violations of orders of protection,
- what to look for on order forms, and
- how to access the Registry.

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Lesson 2: Overview of the Louisiana Protective Order Registry

Slide 2-1. Brief History

The Louisiana Protective Order Registry is a project of the Judicial Administrator's Office of the Louisiana Supreme Court, and has been in full operation since 1999. The Registry is a computer database containing orders of protection that are issued by Louisiana courts in response to domestic, dating, or family violence. Most U.S. states have such registries.

When LPOR was created in 1997, the legislation defining the Registry gave the Supreme Court the responsibility for creating uniform legal order forms that are mandatory for courts throughout the state to use when issuing orders of protection. Judges are required by this legislation to ensure that the proper forms are used, Clerks of Court are required to transmit those legal order forms to LPOR for entry into the database and sheriff's offices are required to transmit confirmation of service of those orders to LPOR also for entry into the database.

Legislation creating the Louisiana Protective Order Registry and defining the responsibilities for use of the Registry can be found in La. R.S. 46:2136.2. A copy of the statute is located under the Resources tab of this course.

Slide 2-2. Description of the Registry

The Registry houses all orders that are issued to prevent harassment, threats, abuse, or violence against a spouse, intimate cohabitant, dating partner family, or household member.

In response to new legislation, the Registry now houses orders of protection that are issued in conjunction with criminal matters involving stalking and sexual assault, regardless of the relationship between stalker and victim. These may include bail restrictions, probation conditions, or sentencing orders. Legislation added in 2014 creates an avenue for civil orders of protection against stalking by a stranger or acquaintance to be issued on LPOR forms and entered into the Registry. The following year the legislature enacted legislation providing civil orders of protection for victims of sexual assault issued on LPOR forms and entered into the Registry. These are the only non-domestic/dating/family violence orders of protection entered into the Registry at this time.

Service information on orders is also entered into the Registry when serving entities make such information available to LPOR.

Slide 2-3. What the Registry Includes

The Registry includes temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, peace bonds, bail restrictions that require protection, and probation conditions or sentencing orders that provide protection.

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On the date of the order's expiration or expungement, it is automatically removed from the Registry index of "Active" orders that can be viewed by law enforcement agencies. Expired orders are archived, however, and can be viewed by courts.

Slide 2-4. Who May Access the Registry?

LPOR is not a public access database. Under Louisiana law, only law enforcement agencies, courts, probation and parole agencies, district attorney offices, the Attorney General's office, and certain state Departments and Offices, such as Health and Hospitals, Children and Family Services, and Elderly Affairs, have access to information in the database, after receiving authorization.

Lesson 3: Benefits of the Louisiana Protective Order Registry

Slide 3-1. Why a Statewide Registry of Orders is a Good Idea

The most important benefit of LPOR is the enhancement of safety for people who have sought court-ordered protection, and for law enforcement officers who respond to calls for help when orders have been violated. Information contained in orders of protection and housed in the Registry can be accessed by authorized users such as law enforcement personnel 24 hours a day, 7 days a week.

With the aid of mobile terminals or helpful dispatch personnel, officers on the way to a potential domestic violence call can learn about the existence of an order, the subject of the order, and the terms and conditions of the order before arriving at the scene. If the victim claims there is an order but no longer has a copy readily at hand, officers can confirm the existence of an order and view a summary of the terms and conditions of the order. Officers can also request a "fax-back" copy of the order from the Registry. You will learn more about getting information from the Registry in the upcoming section on Access to the Registry.

Slide 3-2. Connections to Federal Resources

Louisiana's Registry shares protection order information with the National Protective Order File (POF) of the FBI's National Crime Information Center (NCIC). Law enforcement agencies in any state can locate information from an order of protection issued in Louisiana if it has been entered into LPOR and thus shared with NCIC. This provides protection to victims who need enforcement of their Louisiana-issued orders when they have traveled to another state.

Another national database that receives information from LPOR through NCIC is the FBI's National Instant Criminal Background Check System (NICS). This database is used by Federal Firearms Licensees (FFLs) to instantly determine whether a prospective buyer is eligible to purchase firearms or explosives. Under federal law, the subject of a current order of protection is prohibited from possessing, purchasing, transporting, or selling a firearm during the period of the order, so inclusion in this database allows FFLs to determine if an applicant is ineligible for firearms purchase.

Now, let's briefly check your understanding of the material presented so far.

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Review & Reinforcement

Question 01.

LPOR houses orders issued in conjunction with both criminal and civil matters. *(Review slide 2-02, True)*

- True
- False

Question 02.

Orders are maintained in the active index of LPOR for a period of 6 months following their date of expiration or expungement. *(Review slide 2-03, False)*

- True
- False

Question 03.

Law enforcement agencies in any state can locate information from an order of protection entered into LPOR. *(Review slide 3-02, True)*

- True
- False

Lesson 4: Statutory Avenues for Seeking Protection

Slide 4-1. Louisiana Statutes

Louisiana has many statutes that provide protection from abuse, threats, and harassment. In fact, there are 12 statutes under which a person can seek civil or criminal court-ordered protection. The kind of protection provided, the length of time a person can be protected, or the eligibility for applying for an order all vary depending upon the statute under which the order is issued.

All orders of protection are entered in LPOR if they are issued according to Louisiana statute in response to, or to prevent, domestic, dating, or family violence. LPOR also includes those criminal and civil orders of protection issued in conjunction with a stalking charge, regardless of the relationship of the defendant to the victim.

While any of these orders could be correctly referred to as a “restraining order” or an “order of protection,” there are more specific terms that are used to describe the kind of order.

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Slide 4-2. Temporary Restraining Order

A **temporary restraining order (TRO)** is usually the beginning phase of the process of getting court-ordered protection. It is temporary because it is issued before the court has held a hearing, and is intended to last only until the hearing. TRO's are civil orders that are issued after the person seeking protection files a petition with the court describing the need for protection.

Slide 4-3. Protective Order

A **protective order (PO)** is a civil order that is issued under the Domestic Abuse Assistance Act in Title 46, the Protection from Dating Violence Act, the Domestic Abuse Assistance Act in the Children's Code, the Protection from Stalking Act, or the Protection for Victims of Sexual Assault Act.

A PO is the order that can be granted after the hearing that was set when the TRO was issued. Under these statutes, a person seeking protection from domestic, dating, or family violence can file a petition, attend hearings, and receive protection from the court on his or her own behalf, without using a lawyer.

Slide 4-4. Injunction

An **injunction** against abuse is an order issued under the Post-Separation Family Violence Relief Act, under the Code of Civil Procedure, or as part of a divorce. The issuance of an injunction usually follows the issuance of a TRO under these statutes.

Depending upon the stage in the process, an injunction may be a **preliminary injunction** (issued after a hearing but before the trial on the merits) or a **permanent injunction** (issued after a trial on the merits). These actions are usually attorney-initiated on behalf of the person seeking protection.

Slide 4-5. Criminal Orders of Protection

Criminal orders of protection are court orders issued in conjunction with a criminal charge, to prevent and prohibit abuse, threats, or harassment. They may be issued as a bail restriction, a condition of release from jail, part of a sentencing order, or a condition of probation. A peace bond is a type of criminal order but a criminal charge is not required in order for a peace bond to be issued.

Victims can have both civil and criminal orders in place, to enhance their protection.

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Lesson 05: Law Enforcement Responsibility for Notification of Protection Availability

Slide 5-1. Law Enforcement Responsibility for Notification

Part of the Domestic Abuse Assistance Act (La. R.S. 46:2140. Law enforcement officers; duties) includes a statutory requirement that law enforcement officers notify victims of the availability of orders of protection. Some important facts to know in order to make an effective referral at the scene of a call involving domestic or dating violence, stalking or sexual assault include:

1. Victims of domestic abuse or dating violence can seek court-ordered protection for themselves and/or their minor children or dependents
2. Victims of stalking or sexual assault by a stranger or acquaintance are eligible to file for court-ordered protection
3. There is no cost to the victim for filing a petition for an order of protection
4. The place to start the process is with the Clerk of Court's office. The Clerk's office is required to provide forms and assistance to victims.
5. Where available, victim services agencies may aid victims in seeking orders of protection.
6. Victims have several options for where they can file a petition:
 - The parish where the abuse, stalking or sexual assault occurred
 - The parish where the victim resides or is domiciled
 - The parish where the alleged perpetrator resides or is domiciled
 - The parish where the victim and perpetrator reside or are domiciled together, or last lived together or were domiciled, if applicable.

Slide 5-2. Law Enforcement Responsibility for Notification

Victims are not required to file for protection, and there are circumstances under which victims may feel that a court order would not be a safe option to pursue, but officers are required to make them aware that it is available to them should they choose to pursue it.

Giving the victim the referral information, including contact numbers, in written form is the most efficient and effective way to ensure the officer fulfills the duty to notify, and the victim receives and can retain the information for future use.

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Lesson 06: Enforcement of Orders of Protection

Slide 6-1. Legal Basis for Responses

Law enforcement response to the violation of orders of protection, civil and criminal, is addressed by La. R.S. 14:79.

The specific legal foundation for the enforcement of orders of protection:

“Law enforcement shall use every reasonable means including, but not limited to, immediate arrest of the violator, to enforce a preliminary or permanent injunction or protective order obtained pursuant to:

R.S. 9:361 (Post-Separation Family Violence Relief Act),

R.S. 9:372 (Injunction Against Abuse Ancillary to a Petition for Divorce),

R.S. 46:2131 et seq. (Domestic Abuse Assistance Act),

R.S. 46:2151 (Protection from Dating Violence Act),

R.S. 46:2171 et seq. (Protection from Stalking Act),

R.S. 46:2181 et seq. (Protection for Victims of Sexual Assault Act,

Children’s Code Article 1564 et seq. (Domestic Abuse Assistance Proceedings),

Code of Civil Procedure Articles 3604 and 3607.1 (Injunctive Relief), and

Code of Criminal Procedure Articles 327.1, 335.1 and 871.1

after a contradictory hearing, or to enforce a temporary restraining order or ex parte protective order issued pursuant to (the above acts) if the defendant has been given notice of the temporary restraining order or ex parte protective order by service of process as required by law.”

Slide 6-2. Proper Service

When determining if a violation of a temporary restraining order or bail restriction has occurred, it is important to establish that the order was properly served to the defendant, as these orders are issued before there is an opportunity for a hearing by the court.

La. R.S. 14:79 also states: *“A defendant may also be deemed to have been properly served if tendered a certified copy of a temporary restraining order or ex parte protective order, or if tendered a faxed or electronic copy of a temporary restraining order or ex parte protective order received directly from the issuing magistrate, commissioner, hearing officer, judge or court, by any law enforcement officer who has been called to any scene where the named defendant is present. Such service of a previously issued temporary restraining order or ex parte protective order if noted in the police report shall be deemed sufficient evidence of service of process and admissible in any civil or criminal proceedings. A law enforcement officer making service under this Subsection shall transmit proof of service to the judicial administrator’s office, Louisiana Supreme Court, for entry into the Louisiana Protective Order Registry, as provided in R.S. 46:2136.2(A), by facsimile transmission or direct electronic input as expeditiously as possible, but no later than the end of the next business day after making service, exclusive of weekends and holidays. This proof shall include, at a minimum, the case caption, docket number, type of order, service agency and officer, and the date and time service was made.”*

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NOTE: Protective orders and permanent injunctions are issued after the opportunity for a contradictory hearing has been provided to the defendant, therefore law enforcement is not required to establish service of a protective order in order to enforce the order.

Slide 6-3. Proper Service

Law enforcement officers are frequently called to the scene of a domestic disturbance where the victim reports that a temporary restraining order has been issued but the defendant, now present, has not been served. Officers can serve the defendant at the scene using the protected person's certified copy of the temporary restraining order.

If using this method of service, it is essential to ensure that:

1. the protected person is provided another copy of the order as quickly as possible for future protection, and
2. service of the order is noted in the police report, and
3. notice of service (a copy of the police report) is provided to the issuing court so that the hearing process can proceed.

Slide 6-4. Common Misconceptions

One common misconception about orders of protection is that the protected person is in violation of the order if she or he contacts the defendant, or willingly allows or invites the defendant to be in her or his presence. The terms and conditions of the order describe prohibitions on the defendant's behavior, not the protected person's. A violation occurs when a behavior that is specifically prohibited in the court order is committed by the person named as prohibited.

Another common misconception is that reconciliation by the protected person and the defendant nullifies or invalidates the court's order. In fact, the order is no longer valid only if it expires or is dissolved through the court.

Slide 6-5. Common Misconceptions

A third misconception is that if a temporary restraining order has not yet been served, none of the elements of the court's order can be enforced or acted upon. In fact, court orders are valid and can be acted upon once the judge has signed them. Although the defendant cannot be charged with the violation of a court order prior to service, elements of the order can be acted upon, such as gaining custody of children, possession of property, use of residence, assistance by law enforcement, etc. if so granted in the order.

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Review & Reinforcement

Question 01.

A _____ is usually issued during the beginning phase of the process of getting court-ordered protection. *(Review slide 4-02, B)*

- A. Protective Order
- B. Temporary Restraining Order
- C. Injunction
- D. Criminal Order of Protection

Question 02.

Officers at the scene of a domestic disturbance can serve the defendant at the scene using the protected person's certified copy of the Temporary Restraining Order. *(Review slide 6-03, True)*

- True
- False

Question 03.

The protected person is in violation of an order if she or he willingly allows or invites the defendant to be in her or his presence *(Review slide 6-04, False)*

- True
- False

Lesson 07: Full Faith & Credit

Slide 7-1. Interjurisdictional Validity

A locally issued court order of protection can be afforded "full faith and credit" by federal law. This means an order of protection, like a driver's license, is valid across parish, state, territorial, and tribal boundaries. To qualify for "full faith and credit," the order must meet the following requirements:

1. The court that issued the order had proper jurisdiction to do so, and
2. Reasonable notice and opportunity for a hearing was given to the defendant.

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Slide 7-2. Interjurisdictional Validity

Federal statute 18 U.S.C. §2665, Violence Against Women Act covers temporary and final orders issued by either civil or criminal courts in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection. Temporary or ex parte orders are included if the defendant has been given notice of an upcoming hearing. It is not necessary that the hearing has been held.

For example, this means that:

- a valid Caddo Parish order of protection can be enforced in Livingston Parish,
- a valid Texas order of protection can be enforced in Louisiana, or
- a valid Louisiana order of protection can be enforced in Georgia.

Slide 7-3. Exception

It is important to note that not all orders of protection can receive “full faith and credit.” Sometimes a judge may decide at the hearing to grant an order of protection to the petitioner, and also issue a “mutual” or “reciprocal” order of protection to the defendant. If the defendant did not file a petition, complaint, or motion asking for protection, and if notice of an upcoming hearing on that matter was not given to the other party, that “mutual” or “reciprocal” order issued to the defendant is not eligible to receive “full faith and credit.”

Lesson 08: LPOR Order Forms: What to Look For

Slide 8-1. LUAPO

The legislation that created LPOR also assigned the responsibility for development of uniform legal order forms to the Judicial Administrator’s Office of the Louisiana Supreme Court. These Louisiana Uniform Abuse Prevention Order (LUAPO) forms are mandatory for use by courts throughout Louisiana for civil and criminal orders of protection issued in response to domestic, dating, or family violence, stalking or sexual assault.

Slide 8-2. LUAPO

All LUAPO forms have the same cover sheet to make them easily recognizable to law enforcement. The terms and conditions of the order are listed on the following pages. A check mark and judge’s initials next to an item of the order indicates the item has been granted by the court.

Attorneys sometimes draft orders of protection that are not on LUAPO forms, and the issuing court may grant such orders without having them converted to the required LUAPO forms. If an order is current and signed by a judge, even though it is not on a LUAPO form, it is still a valid order of the court and should be treated as such.

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Slide 8-3. Expiration

In addition to the identifying information on the defendant and protected person, one of the most important things to look for on the order is the date of expiration, located near the bottom of the cover sheet. The expiration date is also located next to the judge's signature at the very end of the order.

Under legislation passed in 2012, some orders of protection have parts that expire on a specific date, and other parts that do not expire, as suggested by the language under the expiration date on the cover sheet.

-----FOR LPOR USE ONLY----- PNO# _____ Date Entered: _____ Initials: _____ Verified by: _____																															
LOUISIANA UNIFORM ABUSE PREVENTION ORDER																															
<div style="text-align: center;">Order of Protection</div> <p> <input type="checkbox"/> Protective Order <input type="checkbox"/> Modified Protective Order </p>	Docket No. _____ Court: _____ Div.: _____ City/Parish _____ State _____ Filed: _____ Clerk: _____																														
PETITIONER _____ <small>First Middle/Maiden Last</small> Protected person is: <input type="checkbox"/> Petitioner <input type="checkbox"/> other(s) <i>List other(s) name & date of birth:</i>	PETITIONER IDENTIFIERS _____ <small>Date of birth</small> _____ <small>Race</small> _____ <small>Sex: F</small> <input type="checkbox"/> <small>Sex: M</small> <input type="checkbox"/>																														
V.																															
DEFENDANT NAME AND ADDRESS _____ <small>First Middle Last</small> _____ Name of minor defendant's parent or guardian Defendant's Alias: _____ No. & Street _____ Apt. No. _____ City _____ State _____ Zip Code _____	DEFENDANT IDENTIFIERS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">SEX</td> <td style="width: 15%;">RACE</td> <td style="width: 25%;">DOB</td> <td style="width: 15%;">HT</td> <td style="width: 10%;">WT</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>EYES</td> <td>HAIR</td> <td colspan="3">SOCIAL SECURITY #</td> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <td colspan="2">DRIVER'S LICENSE #</td> <td>STATE</td> <td colspan="2">EXP DATE</td> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> </table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	SOCIAL SECURITY #								DRIVER'S LICENSE #		STATE	EXP DATE						
SEX	RACE	DOB	HT	WT																											
EYES	HAIR	SOCIAL SECURITY #																													
DRIVER'S LICENSE #		STATE	EXP DATE																												
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. Additional findings of this court are as set forth on the following pages.																															
THE COURT HEREBY ORDERS: That the above named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.																															
This order shall be effective through 11:59 PM on _____ (month/day/year)																															
NOTE: Some provisions of this order MAY NOT EXPIRE . See paragraphs 1-5.																															
This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265).																															
WARNINGS TO DEFENDANT: Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)). See further notice on pages 6-7 of this Order.																															
ONLY THE COURT CAN CHANGE THIS ORDER.																															
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Slide 8-4. Expiration

On the third page of those orders, you will notice that items 1 through 5 have checkboxes that indicate whether those items expire on the expiration date listed on the cover and back pages, or do not expire.

Docket No. _____

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS CHECKED AND INITIALED BY A JUDGE SHALL APPLY

___ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

Does not expire

___ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

Exceptions (if any):

Does not expire

___ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court.

Exceptions (if any):

Does not expire

___ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

<u>No. & Street</u>	<u>Apt. No.</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
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Does not expire

___ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

<u>Employment/School</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
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<u>Employment/School</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
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Does not expire

___ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

___ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at:

<u>No. & Street</u>	<u>Apt. No.</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
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to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.

_____ (Sheriff's office) is ordered to **evict** the defendant.

___ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets) and/or the return of protected person(s) property:

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Slide 8-5. Orders for Law Enforcement

Some orders will include items directing law enforcement agencies to take certain actions to assist the protected person, such as accompanying the protected person or defendant to obtain property or minor children, or evicting the defendant from the residence.

Docket No. _____

9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to obtain property listed in Order No. 8 above.

10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner and/or the minor child(ren).

11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

13. THE DEFENDANT IS ORDERED TO pay:

all court costs, payable to _____
no later than _____ (date)

attorney fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

evaluation fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

expert witness fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

cost of medical and/or psychological care for the petitioner, the minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse, dating violence, stalking or sexual assault : _____

14. THE DEFENDANT IS ORDERED TO seek professional counseling and/or complete a court-monitored domestic abuse intervention program.

15. THE DEFENDANT IS ORDERED TO submit to a:

medical evaluation, no later than _____ (date) _____

AND/OR

mental health evaluation, no later than _____ (date) _____

DOMESTIC ABUSE, DATING VIOLENCE ONLY
ONLY ORDERS CHECKED AND INITIALED BY A JUDGE SHALL APPLY

16. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner: (name, date of birth, and relationship to petitioner)

17. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

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Slide 8-6. Gun Possession

The bolded language on page two and at the end of the order notifies the defendant of the penalties for violation of the order, and the restriction on gun possession for the duration of the order.

Docket No. _____		
LOUISIANA UNIFORM ABUSE PREVENTION ORDER		
PROTECTIVE ORDER		
Pursuant to:		
<input type="checkbox"/> La. R.S. 46:2131 et seq. (Domestic Abuse)	<input type="checkbox"/> La. R.S. 46:2171 et seq. (Non-intimate stalking)	46:2171 and 46:2181 valid for relationships in Box C below ONLY
<input type="checkbox"/> La. R.S. 46:2151 (Dating Violence)	<input type="checkbox"/> La. R.S. 46:2181 et seq. (Non-intimate sexual assault)	
<input type="checkbox"/> La. Ch. C. Article 1564 et seq. (Children's Code Domestic Abuse)		
<input type="checkbox"/> Court Approved Consent Agreement		
PETITIONER _____		Protected person is: <input type="checkbox"/> Petitioner <input type="checkbox"/> other(s)
V.		
DEFENDANT _____		
The protected person(s) is related to the defendant as: <i>(check all that apply)</i>		
A <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant <input type="checkbox"/> 3. child, stepchild, or foster child <input type="checkbox"/> 4. child of defendant's current or former intimate partner <input type="checkbox"/> 5. protected person and defendant have a child(ren) in common	B <input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent <input type="checkbox"/> 4. grandchild	C Select ONLY if statute 46:2171 or 46:2181 is marked above <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance/co-worker/neighbor or other: _____
D	THIS ORDER WAS ISSUED AFTER ACTUAL NOTICE AND AN OPPORTUNITY TO PARTICIPATE IN A HEARING WAS PROVIDED TO THE DEFENDANT. THUS, THE COURT ISSUES THE FOLLOWING ORDERS:	
ONLY ORDERS CHECKED AND INITIALED BY A JUDGE SHALL APPLY		
E	<input type="checkbox"/> THE COURT FINDS THAT THE DEFENDANT REPRESENTS A CREDIBLE THREAT TO THE PHYSICAL SAFETY OF A FAMILY MEMBER, HOUSEHOLD MEMBER, OR DATING PARTNER. THEREFORE, PURSUANT TO R.S. 46:2136.3, THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM FOR THE DURATION OF THIS ORDER.	
F	<input type="checkbox"/> THE DEFENDANT IS HEREBY ORDERED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED; ANY CONCEALED HANDGUN PERMIT IS HEREBY SUSPENDED, PURSUANT TO LA. C.C.R.P. ARTICLE 1001 ET SEQ. See timeframes and details on page 7 of this Order.	
IT IS ORDERED THAT THE DEFENDANT BE SERVED WITH A COPY OF THIS ORDER.		
Page 2 of 8		LPOR 3 v.12

LOUISIANA PROTECTIVE ORDER REGISTRY

PEACE OFFICER STANDARDS & TRAINING COUNCIL

Docket No. _____		
DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT ONLY ORDERS CHECKED AND INITIALED BY A JUDGE SHALL APPLY		
<p><input type="checkbox"/> 23. Other:</p> <div style="border: 1px solid black; height: 150px; width: 100%; margin-top: 5px;"></div>		
<p><input type="checkbox"/> 24. THE DEFENDANT IS ORDERED TO appear at hearing(s) on:</p> <p>1) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the _____ Court, located at _____ in _____, La., to review</p> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> <p style="text-align: center;">AND</p> <p>2) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the _____ Court, located at _____ in _____, La., to review</p> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div>		
<p style="text-align: center;">Date of Order</p> <p style="text-align: center;">_____ month/day/year</p>	<p style="text-align: center;">Order effective through 11:59 PM on</p> <p style="text-align: center;">_____ month/day/year</p> <p style="text-align: center;">Some provisions of this order MAY NOT EXPIRE See paragraphs 1-5.</p>	<p style="text-align: center;">_____ SIGNATURE OF JUDGE</p> <p style="text-align: center;">_____ PRINT OR STAMP JUDGE'S NAME</p>
<p><small>NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.</small></p>		
NOTICE TO DEFENDANT - VIOLATION OF ORDER:		
<p><small>PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.</small></p> <p><small>PURSUANT TO LA. R.S. 13:4611 AND LA. CH.C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$1,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.</small></p>		
<small>Page 6 of 8</small>		<small>LPOR 3 v.12</small>

LOUISIANA PROTECTIVE ORDER REGISTRY

PEACE OFFICER STANDARDS & TRAINING COUNCIL

Docket No. _____

NOTICE TO DEFENDANT – FIREARM POSSESSION (Domestic abuse or dating violence ONLY):

AS A RESULT OF THIS ORDER, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THIS ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the duration of this order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box A on page 2 of this order
- AND**
- Notice and opportunity for a hearing provided (Box D on page 2 of this order).
- AND**
- EITHER Judicial finding of credible threat (Box E on page 2 of this order is initialed), **OR** Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term "ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

Louisiana law: R.S. 46:2136.3 prohibits the possession of a firearm* for the duration of this order if both of the following occur:

- The order includes a finding that the person subject to the order represents a credible threat to the physical safety of the protected person(s) (Box E, on page 2 of this order is initialed) and the protected person(s) is a family member, household member, or dating partner (Box A **OR** Box B on page 2 of this order is checked).
- AND**
- The order informs the person subject to the order that the person is prohibited from possessing a firearm pursuant to the provisions of 18 U.S.C. 922(g) (8) and R.S. 46:2136.3.

**Under this statute, "firearm" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.*

NOTICE TO DEFENDANT – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (Domestic abuse or dating violence ONLY)

AS A RESULT OF THIS ORDER, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.

OR

- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

Firearms transfer shall occur within 48 hours, exclusive of legal holidays. If firearms are sold or transferred prior to issuance of transfer order, you must provide a proof of transfer form signed by the receiver and a witness, within 10 days.

LOUISIANA PROTECTIVE ORDER REGISTRY

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Slide 8-7. Notice to Law Enforcement

The final page of the order includes a notice to law enforcement about enforcement of the order.

Docket No. _____	
FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265	
The issuing court certifies that it has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; that the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued <i>ex parte</i> , the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.	
THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.	
_____ SIGNATURE OF JUDGE	
_____ PRINT OR STAMP JUDGE'S NAME	
_____ PETITIONER	_____ DEFENDANT
NOTICE TO LAW ENFORCEMENT	
Pursuant to La. R.S. 14:79, the crime of violation of protective orders – you shall use every reasonable means, including but not limited to immediate arrest of the violator, to enforce this order. Further, you shall at a minimum issue a summons to the person in violation.	
Pursuant to La. R.S. 46:2140(A), if you have reason to believe that a family or household member or dating partner has been abused AND the abusing party is in violation of this order, you SHALL immediately arrest the abusing party.	
<input type="checkbox"/> DEFENDANT WAS SERVED AT CLOSE OF HEARING. Date _____ Clerk _____	
<input type="checkbox"/> FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY Date _____ Clerk _____	
Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Sheriff of the parish where the defendant resides 6) Louisiana Protective Order Registry.	
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LPOR 3 v.12	

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Review & Reinforcement

Question 01.

A locally issued court order of protection can be afforded “full faith and credit” by federal law. *(Review slide 7-01, True)*

- True
- False

Question 02.

Defendants who are the subject of orders of protection are restricted from possessing guns during the duration of the order. *(Review slide 8-06, True)*

- True
- False

Question 03.

Attorneys sometimes draft orders of protection that are not on LUAPO forms. *(Review slide 8-02, True)*

- True
- False

Lesson 09: Access to LPOR Information

Slide 9-1. Need for Access

The most important aspect of the Registry is the ability for those who need the information to access it quickly and easily. Information held in LPOR is intended for this use by certain groups such as law enforcement and courts, but is not available to the general public.

Slide 9-2. Need for Access

Several circumstances give rise to the need for law enforcement to access information in LPOR. Some examples are:

- to learn about the terms and conditions of an order prior to arriving at the scene of a possible violation, so that officers can be better prepared to handle the situation,
- when the complainant or victim reports that he or she has a current order, but does not have a copy to show the officers, or

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- when one party produces a current active order and the other party reports the order has been dismissed, but has no documentation of the dismissal.

However, when a protected person is able to produce a current, valid, unexpired order signed by a judge, there is no need to confirm or verify the order in LPOR before enforcing it.

Slide 9-3. Orders Not Found in LPOR

If an order is not found in LPOR, it does NOT mean the order does not exist, or that the order is not valid. It is not the inclusion in LPOR that makes an order valid and enforceable; LPOR is merely a repository that collects and stores active orders that are sent in by the courts. There may in fact be a valid order in effect that was not sent to LPOR. In this case, the order could be verified through the Clerk of Court's office, if necessary.

Orders are automatically removed from Active status in LPOR on the date and time of their expiration, and can no longer be viewed by law enforcement personnel. Although expired orders are kept in LPOR archives, only courts have access to them.

Slide 9-4. Access Procedures

Law enforcement personnel can access information in the Registry in several ways:

- If you are part of the Department of Public Safety and Corrections (DPS&C)/State Police network, use a mobile terminal unit or state terminal that uses the LINXX-2000 software interface, or
- If you use other data interface systems, such as MOTION or ARMS, enter through NCIC.
- Call the staff at LPOR.

You will need certain identifying information, such as defendant name, petitioner name, or Protective Order Number (PNO) to access the Registry. Other identifying information that may be necessary in order to narrow down the search is the defendant's date of birth, race/ethnicity, and gender.

Slide 9-5. Calling the LPOR Staff

If officers or dispatch personnel are unable to access the Registry, LPOR's on-call staff is available 24 hours a day, 7 days a week, and can be reached at 504-568-6798 during regular office hours. After hours and on weekends and holidays, staff can be reached through a toll-free pager number (877-830-9680) or cell phone (504-812-4377).

Staff can assist in locating orders in the registry, relaying the information to the caller instantly, and can arrange for a fax-back copy of the order to be sent if the caller provides a fax number.

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Slide 9-6. DPS&C Direct Link through LINXX-2000

Law enforcement personnel can perform a name-based search for active orders in the registry as part of a routine background or warrant check, as long as the terminal used is licensed by DPS&C/State Police. The petitioner name, the defendant name, or the Protective Order Number (PNO) must be entered to begin the search. If the search results include several entries for the name entered, the searcher may need more information, such as date of birth, gender, or race, in order to refine the search.

If an active order is located, the search will return a summary of the order's terms, conditions, and service information if it has been provided to LPOR by the serving entity. The search results will include the Protective Order Number that can be used to request a fax-back copy of the original order.

Slide 9-7. DPS&C Direct Link through LINXX-2000

The initial search screen asks for identifying information on the subject.

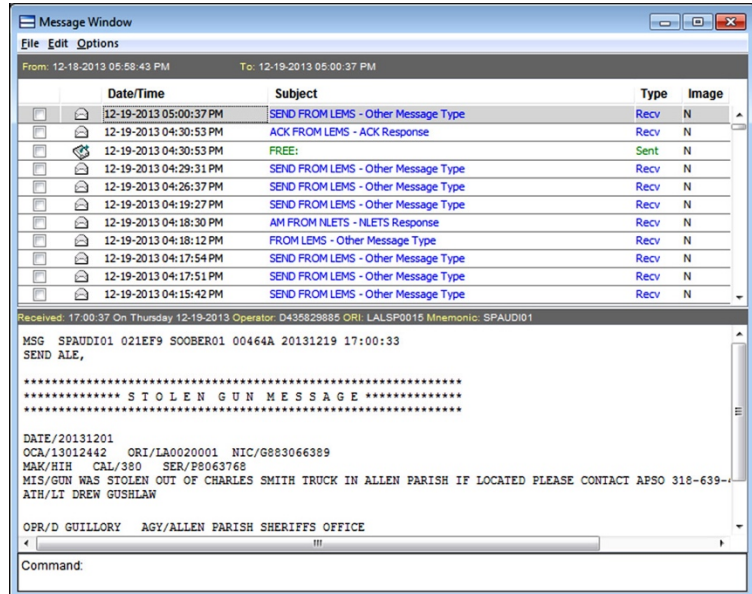
The screenshot displays the Omnix Force software interface for the PROTECTION ORDER DATA ENTRY TRANSACTION (EPO/EPOC/ETO/ETOC). The form is organized into several sections:

- AGENCY/CASE DATA:** Includes fields for Originating Agency Code (ORI) with the value 'LALSP0015', Agency Case Number (OCA), Notify Originating Agency (NOA), Protection Order Conditions (PCO), Protection Order Number (PNO), Expiration Date (EXP), Date Protection Order Issued (ISD), Brady Record Indicator (BRD), and Caution and Medical Conditions (CMC).
- PERSON DATA:** Includes fields for Name (NAM), Sex (SEX), Race (RAC), Height (HGT), Weight (WGT), Hair Color (HAI), Eye Color (EYE), Skin Tone (SKN), Date of Birth (DOB), Place of Birth (POB), Citizenship (CTZ), Scars Marks and Tattoos (SMT), Social Security Number (SOC), Miscellaneous Number (MNU), FBI Number (FBI), Fingerprint Classification (FPC), DNA Profile Indicator (DNA), and DNA Location (DLO).
- License Number (OLN):** Includes fields for State (OLS) and Year (OLY).
- Miscellaneous (MIS):** A large text area for additional information.
- VEHICLE DATA:** Includes a field for Vehicle ID Number (VIN).

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The search returns a screen that lists all entries related to the subject.



Selecting an entry at the top of the screen for an active protection order will return the terms and conditions of the order. They are displayed at the bottom of the screen.

Reference: Unknown
Msg ID :
Msg Key : QPO
Date/Time: 20131114081021
Ent Agy :
Requester:
User :
QRI :
Source : NCIC
Control :
Summary : NCIC Response Hit

TXT: MSG 074000B6CA SPAUDI01 0217E5 NC2K EFB848 2013114 08:10:21

*****WARNING - THE FOLLOWING IS AN NCIC PROTECTION ORDER RECORD. DO NOT SEARCH, DETAIN, OR ARREST BASED SOLELY ON THIS RECORD. CONTACT ENTERING AGENCY TO CONFIRM STATUS AND TERMS OF PROTECTION ORDER*****

*****THE SUBJECT OF THIS RECORD IS PROHIBITED FROM RECEIVING OR POSSESSING A FIREARM UNDER FEDERAL LAW (TITLE 18, U.S.C., SECTION 922)*****

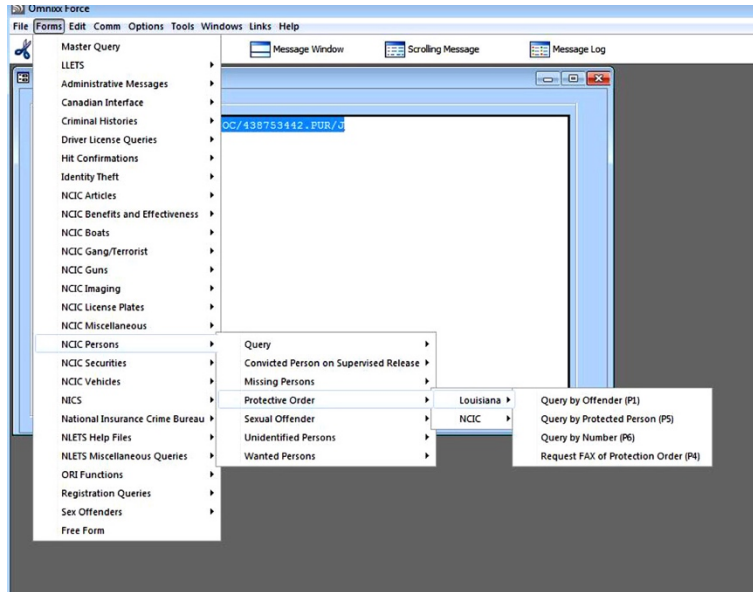
MKE/PROTECTION ORDER - CAUTION
CMC/01 - OTHER
ORI/LA0000000 NAM/(Subject name here) SEX/M RAC/W
DOB/(Subject date of birth here)
SOC/(Subject social security # here)
OLN/000000 OLS/LA OLY/2013
PNO/12345 BRD/Y ISD/20130101 EXP/NONEX/ CTI/LA033333j
PPN/(Protected person name here) PPB/(Protected person date of birth here)
PCO/01 - THE SUBJECT IS RESTRAINED FROM ASSAULTING, THREATENING, ABUSING
PCO/HARASSING, FOLLOWING, INTERFERING, OR STALKING THE PROTECTED PERSON AND/OR
PCO/THE CHILD OF THE PROTECTED PERSON.
VLD/20130606
MIS/CAUTION; ORDER IS PART OF SUBJECTS CRIMINAL SENTENCING;BAIL;PEACE BOND
MIS/SUBJECT CHARGED WITH LA RS 14:35 14:37 14:34* SUBJECT NOT TO CONTACT
MIS/FAMILY OF PROTECTED PERSON BY PHONE, WRITING, IN PERSON OR THROUGH A THIRD
MIS/PARTY ORDERS CAN BE CONFIRMED AT 504;568;6798, 504;310;2561 OR VIA PAGER
MIS/AT 877;830;9680
DNA/N
ORI IS SUPREME COURT NEW ORLEANS
PCO/04 - THE SUBJECT IS REQUIRED TO STAY AWAY FROM THE RESIDENCE, PROPERTY,
PCO/SCHOOL, OR PLACE OF EMPLOYMENT OF THE PROTECTED PERSON OR OTHER FAMILY OR
PCO/HOUSEHOLD MEMBER.
PCO/05 - THE SUBJECT IS RESTRAINED FROM MAKING ANY COMMUNICATION WITH THE
PCO/PROTECTED PERSON INCLUDING BUT NOT LIMITED TO, PERSONAL, WRITTEN, OR
PCO/TELEPHONE CONTACT, OR THEIR EMPLOYERS, EMPLOYEES OR FELLOW WORKERS, OR
PCO/OTHERS WITH WHOM THE COMMUNICATION WOULD BE LIKELY TO CAUSE ANNOYANCE OR
PCO/ALARM THE VICTIM.
NIC/H344444444 DTE/20130606 1202 EDT DLU/20130606 1815 EDT

LOUISIANA PROTECTIVE ORDER REGISTRY

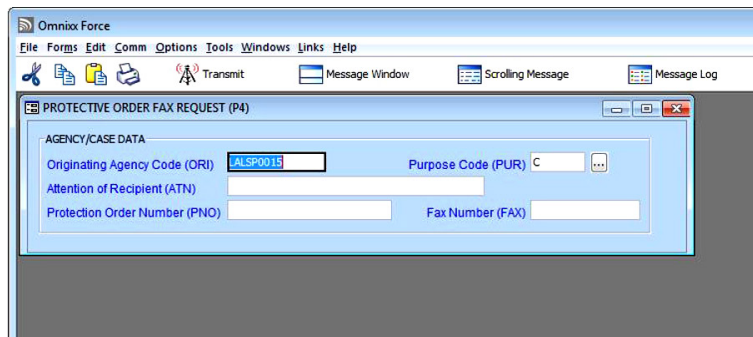
PEACE OFFICER STANDARDS & TRAINING COUNCIL

Slide 9-8. DPS&C Direct Link through LINXX-2000

To find the order as listed in NCIC, or to request a faxed-back copy of the order, begin under the Forms dropdown menu on the main screen, select “NCIC persons,” then “Protective Order,” then “Louisiana.”



To request a faxed-back copy, select Request Fax of Protection Order (P4). You must supply the PNO and contact information to receive the faxed copy.



Slide 9-9. Other Data Interface Systems and Mobile Units

Some law enforcement agencies use their own specialized data interface system, such as MOTION or ARMS. In this case, the searcher must first locate and select the link to NCIC, and then select LPOR in order to access information about orders of protection. The returned order summary is the same those of Direct Link searches.

Interface systems for mobile terminals, such as Thinkstream and Voyager, vary across agencies. Local law enforcement should consult with their agencies to determine the proper process to access the LPOR if using a mobile unit.

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PEACE OFFICER STANDARDS & TRAINING COUNCIL

Lesson 10: Scenarios & Conclusion

Slide 10-1. Scenarios

Now, let's see how well you can apply the material that you have learned in this course. Read each of the following scenarios and select the BEST response to each situation.

Scenario 01. Maria & Marcus

Part 1

Maria calls to ask for law enforcement assistance in getting her kids from her live-in boyfriend's mother. She just left court after receiving a TRO against her live-in boyfriend, Marcus. The order includes granting her the custody of the children and law enforcement assistance in getting them. Maria says she knows Marcus hasn't been served yet because he is out of town today on a business trip and she would like to pick up the children from his mother before he returns. Your response is: *(Review slide 6-05, A)*

- A. Yes, officers can confirm that the TRO is valid and includes the provision about child custody and law enforcement assistance, then assist Maria in picking them up.
- B. No, officers cannot assist Maria in retrieving the children because the TRO has not yet been served to Marcus.

Part 2

Later the same day, the dispatcher sends you to the scene of a domestic dispute and tells you that the caller says she has a restraining order. You arrive to find the caller is Maria, and the subject of the order, Marcus, is at the scene. Marcus says he just got back into town and doesn't know anything about a restraining order, but he came over to see Maria and they got into a disagreement so she called the police. Maria says Marcus isn't supposed to be there and produces her temporary restraining order, which she just received at court today. It appears the order is valid, but Marcus has not yet been served.

What is the BEST course of action to take if you determine that no violation, other than Marcus' presence, has occurred? *(Review slide 6-03, C)*

- A. Leave. Marcus hasn't violated the order because he hasn't been served.
- B. Arrest Marcus. He is clearly in violation of the order by his presence, even if he hasn't been served.
- C. Serve Marcus with Maria's copy of the order and advise him to leave. Record service in your report, and make sure the court is notified of service. Make sure Maria gets another copy of the order for her future protection. See that service information is faxed to LPOR.

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Scenario 02. Teri & Troy

You are on your way to a domestic disturbance call and the dispatcher informs you that the victim, Teri, has a protective order against her former boyfriend, Troy. The dispatcher checks for the order in LPOR to see the terms and conditions, but cannot find any orders in LPOR listing Troy as a defendant. When you arrive Teri shows you an order of protection against Troy that appears to be current and valid. *(Review slide 9-03, A)*

Can you enforce this order of protection?

- A. Yes
- B. No, because it is not in LPOR.

Scenario 03. Kim & Phil

You arrive at the scene of a domestic disturbance to find Kim, the caller, possessing a current protective order. The subject of the order, her husband Phil, says that the order was dissolved. Phil does not have a copy of the dissolution. You determine that no other violation of Kim's order, other than Phil's presence, has occurred. You ask the dispatcher to check LPOR, and the dispatcher confirms that there is an order to dissolve the protective order. *(Review slide 6-04, C)*

What is the best course of action?

- A. Arrest Phil. There is a valid order on hand at the scene, and no paper copy that confirms the order has been dissolved.
- B. Leave. The order to dissolve means the order is no longer in effect, no action required.
- C. Check the dissolution date, through LPOR or the Clerk of Court's office, to make sure it is more current than the issuance of the order. If it is more current, Phil is not in violation, but Kim may be in danger as there were apparently grounds for the issuance of the original court order. Advise Kim on procedures for applying for a new order if it appears warranted.

Scenario 04. Sandra & Jeff

You arrive at the scene of a domestic disturbance to find the caller, Sandra, reporting that her husband, Jeff, has been threatening to hurt her and has hurt her several times in the past. Sandra says she has a protective order against him that gives her the use of the house and prohibits him from coming to the house. Jeff says Sandra invited him back a few days ago and he has been living there with her ever since. Today she got mad about financial matters and called the police, but the order isn't good anymore because they reconciled. Sandra confirms she did invite him back and he has been there for several days. *(Review slide 6-04, C)*

Which of the following is true?

- A. No action can be taken against Jeff or Sandra. Their reconciliation, that both acknowledge, nullifies the court order.
- B. Sandra can be charged with violating the order by allowing Jeff back in the house.
- C. Jeff can be charged with violating the order because even though Sandra invited him back, he was aware of a court order prohibiting him from returning and that order is still valid.

LOUISIANA PROTECTIVE ORDER REGISTRY

PEACE OFFICER STANDARDS & TRAINING COUNCIL

Slide 10-7. Conclusion

Congratulations! You have completed the POST *Louisiana Protective Orders Registry* course. During the course, you have learned about the origins, purpose, and benefits of the LPOR. You have also learned what is in LPOR and how to access it. And you now know what to look for on order forms and the proper responses to violations of orders of protection.

For additional information, you may contact your training coordinator.