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—Priorities for 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 *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 Civ. Proc., § 517.12(d)(2); Fam. Code, §§ 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. (Pen. Code, § 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.