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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Order of ProtectionThis order can be verified during business hours with the Polk County Clerk of Court at 515-286-3765 or anytime with the Polk County Sheriff’s Office at 515-286-3333. |

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|       |

Case No.Judge        (print or type name here)

|  |  |  |  |
| --- | --- | --- | --- |
| County | POLK | State | IOWA |

**NO CONTACT ORDER**(Criminal Prosecution)

|  |  |
| --- | --- |
| ISSUE DATE: |       |

 |
| **PROTECTED PARTY:**

|  |
| --- |
|  |

First Middle Last | Other Protected Persons:                   |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **STATE OF IOWA****V.****DEFENDANT:**

|  |
| --- |
|  |

First Middle Last

|  |  |  |
| --- | --- | --- |
| **CAUTION:** | **[ ]**  | If checked,***Firearms WARNING for Law Enforcement*** |

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|  |  |
| --- | --- |
| DEFENDANT Date of Birth |       |

      Address for Defendant (not shared with the Protected Party)             |
| **THE COURT HEREBY FINDS:**It has jurisdiction over the parties and subject matter, and the Defendant has been provided with reasonable notice and opportunity to be heard. **Additional findings are set forth below.****THE COURT HEREBY ORDERS:**The above named Defendant is restrained from committing any acts of abuse or threats of abuse.The above named Defendant is restrained from any contact with the Protected Party.**Additional terms of this order are as set forth below.**This order shall remain in effect through unless it is modified, terminated, or extended by further written order of the court.This Sentencing No Contact Order cancels and replaces any existing or temporary No Contact Orders previously entered in this case. |
| **WARNINGS TO DEFENDANT:****This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and any tribal jurisdiction (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262).**Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. § 922(g)(8)).**Only the court can change this order.** |

The defendant has been convicted of the following crime(s):

The court finds the presence of or contact with the defendant poses a threat to the safety of the above-listed protected parties.

*(Please check one of the following for appropriate coding in the Mandatory Arrest Protective Order Registry)*

[ ]  **INTIMATE PARTNER.** If checked, the court finds the defendant and protected party meet the definition of intimate partners as defined in 18 U.S.C. § 921(a)(32) (“‘intimate partner’ means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person”). [Registry order type D]

**IF CHECKED, the court must check box 5, prohibiting the defendant from possessing firearms.**

OR

[x]  **OTHER.** If checked, the court finds the relationship status of the defendant and protected party is other than the federal “Intimate Partner” definition. [Registry order type I]

**Therefore, the court orders as follows:**

1. Defendant shall not communicate or attempt to communicate with the protected party in person, in writing, by telephone, voice or electronic messaging systems or through any other means including third persons. This restriction shall not prohibit communication through legal counsel.

2. Defendant shall not be in the immediate vicinity of the residence or place of employment of the protected party located at or wherever the protected party may reside or be employed. Defendant shall stay away from the protected party and shall not be in that party’s presence except in a courtroom during court hearings.

3. The Defendant, personally or through a third party, shall not threaten, assault, stalk, molest, attack, harass, or otherwise abuse the protected party, persons residing with the protected party, or members of the protected party’s family. Defendant shall not use, or attempt to use, or threaten to use physical force against the protected party that would reasonably be expected to cause bodily injury.

[ ]  4. If checked, additional directives      .

[ ]  5. If checked, the Defendant shall not possess firearms while this order is in effect as a condition of release. Defendant shall deliver all firearms to the Polk County Sheriff or       (law enforcement agency) within 48 hours of release from jail. The defendant is advised that the issuance of this protective order may also affect the right to possess or acquire a firearm or ammunition under federal law. 18 U.S.C. §§ 922(d)(8), (g)(8).

[ ]  6. If checked, Defendant may enter the residence once in the company of a peace officer to retrieve defendant’s clothing and work-related items. Defendant shall turn over to the law enforcement agency all devices that allow access or entry to the residence or out buildings (for example, keys or garage openers). The law enforcement agency shall contact the protected party to provide notice at least within 24 hours of the intent of the defendant to return to the residence and to accommodate the safety concerns of the protected party.

7. This protective order is in effect immediately and shall remain in effect through the expiration date listed above. The order may be extended prior to expiration for five years pursuant to sections 664A.5 (modification) and 664A.8 (extension).

8. **A DEFENDANT WHO VIOLATES THIS ORDER FACES IMMEDIATE ARREST.** Violation may occur even if the protected party(ies) consent(s) to prohibited contact. Only the court may release defendant from restrictions contained in this order.

9. Except as specifically set out herein, this order shall not be construed as an award of personal or real property to either the defendant or the protected party.

[ ]  Defendant was personally served a copy of this order by the court:      .

[ ]  Defendant acknowledges the No Contact Order in his/her guilty plea.

[x]  The Clerk shall provide copies to: [x] Protected Party (Mail) [x] Polk County Sheriff.

[ ]  The Polk County Sheriff shall serve this order upon the defendant and file a return of service.

[ ]  In addition to all other parties entitled to a copy of this order, the Clerk shall provide a copy to the following:      .

**NOTICE:** If you have a disability and need assistance to participate in court proceedings, please call the ADA Coordinator at (515) 286-3394. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.