



PARADISE VALLEY POLICE GENERAL ORDER

Orders of Protection

Order Number

74.3

Date

08-21-15

74.3 Orders of Protection

- A. An *order of protection* is a court order issued for the purpose of restraining/prohibiting a person from committing an act of *domestic violence*. A copy of the order is presumed to be a valid existing order of the court for two years (if served on or after 9/24/2022) from the date of service on the defendant.
- B. An *order of protection* may:
1. order a person not to commit acts of *domestic violence*
 2. grant one person exclusive possession and use of a shared residence or a pet
 3. order a person not to go to a specific place
 4. order a person not to contact a specific person or persons
 5. order a person not to possess or purchase a firearm (and to surrender all firearms to the local police department)
 6. include other orders that the court believes are necessary
- C. If exclusive use of a residence is provided in the order, the order *may* also permit the excluded person to retrieve belongings, if accompanied by a law enforcement *officer*.
- D. In situations where an *officer* is the first to inform a defendant of the existence of an *order of protection*, and the plaintiff has a copy of the order that an *officer* can use to serve the defendant, the *officer shall* serve the defendant giving a copy of the order to the defendant. The *officer shall* then advise the violator that he or she has been served with an *order of protection*, and any continued violation of the order *shall* be treated as a violation of A.R.S. § 13-2810, "Interfering With Judicial Proceedings" and the violator *will* be *arrested* if present. Whenever an *officer* serves an *order of protection* on a defendant, the *officer must* complete an Affidavit of Service and route it to the appropriate court.
- E. A person who violates an *order of protection* *may* be subject to *arrest* for violating A.R.S. § 13-2810. A person who has violated an order of protection should, in most circumstances, be physically arrested and booked. If an officer believes that the immediate arrest of a violator should not occur due to unusual extenuating circumstances, the officer must first receive the approval of a supervisor.