

Cohabitant Protective Order (Dating Violence PO)	Criminal Protective Order	Civil Stalking Injunction	Permanent Criminal Stalking Injunctions	Jail Release Agreement/Order
Issued by the Court	Issued by the Court	Issued by the Court	Issued by the Court	Issued by the Jail/ Court
Enforced by Police or Court	Enforced by Police	Enforced by Police	Enforced by Police	Enforced by Police
Cost: No charge	Cost: No charge	Cost: No charge	Cost: No charge	Cost: No charge
Requirements: <u>Must be a "cohabitant;"</u> having one or more of the following: <ul style="list-style-type: none"> • Been married or divorced, • Lived together, • Have child(ren) together, • Have an unborn child together, • Related by blood or marriage, • Resided in the same residence. Or In a "Dating relationship" as defined as 78B-7-401	Requirements: <u>Must be a "cohabitant;"</u> having one or more of the following: <ul style="list-style-type: none"> • Been married or divorced, • Lived together, • Have child(ren) together, • Have an unborn child together, • Related by blood or marriage, • Resided in the same residence. Must be a victim of DV <u>offense charged or convicted</u>	Requirements: <u>Must be a victim of stalking,</u> which is a course of conduct that causes fear of harm or emotional distress. <u>Must provide the court with supporting evidence,</u> such as: <ul style="list-style-type: none"> • A list or journal of contact the stalker has had with victim • Notarized witness statements corroborating list or journal • Police reports documenting stalking activity • Copies of letters or notes; transcripts of messages or things that were 	Requirements: Criminal charge of stalking involving victim was filed against defendant and defendant was either convicted, or a plea in abeyance was entered	Requirements: Arrest for DV offense and booked into jail for a domestic violence crime <u>Must be issued one of two ways:</u> <ul style="list-style-type: none"> • Jail issues JRA at time of release if arrestee agrees in writing to conditions; OR • Court issues JRO at time of release If arrestee refuses to agree or court does not issue order, arrestee stays in jail until next court appearance

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<p>Criminal Charge for Violation: <i>Violation of PO:</i> criminal portion, Class A misdemeanor; police enforce</p> <p>Civil Penalty: Violation of civil portion, contempt; court enforces</p>	<p>Criminal Charge for Violation: : <i>Violation of Pre-Trial P O:</i> Class A misdemeanor if originally charged with DV misdemeanor and may be enhanced to a felony if prior DV conviction; 3rd degree felony if originally charged with DV felony; <i>Violation of Sentencing PO:</i> Class A misdemeanor</p>	<p>Criminal Charge for Violation: <i>Stalking:</i> Class A misdemeanor for first violation, graduated penalties for subsequent violations; if cohabitant, violation is 3rd degree felony for first violation.</p>	<p>Criminal Charge for Violation: Stalking, violation of PCSL, 3rd degree felony for first conviction</p>	<p>Criminal Charge for violation: <i>Violation of JRA/JRO:</i> Class A misdemeanor if originally arrested for DV misdemeanor and may be enhanced to a felony if prior DV conviction; 3rd degree felony if originally arrested for DV felony</p>
<p>Length:</p> <ul style="list-style-type: none"> • Civil part – 150 days from date judge signs order • Criminal part –until Court dismisses at request of either party; may be indefinitely • Dating- Automatically Expire at 180 Days 	<p>Length:</p> <ul style="list-style-type: none"> • Pretrial PO – until trial/conviction • Sentencing PO – during probation period 	<p>Length:</p> <ul style="list-style-type: none"> • Three years from date of service • Must file a new petition if stalking is still a problem 	<p>Length:</p> <p>Permanent; can only be dismissed by Court upon request of victim</p>	<p>Length:</p> <ul style="list-style-type: none"> • Until midnight of the day arrestee makes first appearance in Court; Court may extend up to 3 days at request of prosecutor to file charges
<p>Can Include: Criminal portion</p> <ul style="list-style-type: none"> • Order the respondent not to harm the petitioner, the children, or anyone who lives with petitioner 	<p>Can Include: PTPO:</p> <ul style="list-style-type: none"> • Order Defendant to not threaten or commit DV or abuse against victim' • Not harass, phone, contact or otherwise 	<p>Can Include: Order the respondent (the person who is stalking) to:</p> <ul style="list-style-type: none"> • Not stalk the petitioner, • Not contact or go near the petition, and 	<p>Can Include:</p> <ul style="list-style-type: none"> • Prohibit defendant coming to victim's residence, employment, property or school • Prohibit defendant from contact, direct 	<p>Can Include: The following requirements shall be ordered by a court or must be agreed to, in writing, by the alleged abuser prior to release on bail, recognizance, or otherwise:</p> <ul style="list-style-type: none"> • The alleged perpetrator will

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<ul style="list-style-type: none"> Order the respondent to stay away from the petitioner and home, job, vehicle, or school, and not to contact or harass the petitioner in any way Order the respondent to not have any guns or other weapons <p>Civil portion</p> <ul style="list-style-type: none"> Order temporary possession of the home, cars, and essential personal property Order temporary custody, parent-time, and support for the children Order temporary spousal support if married Any other order court deems necessary (may include Order the children not to be removed from Utah) 	<ul style="list-style-type: none"> communicate, directly or indirectly, with victim Remove and exclude defendant from residence and stay away from specific places Any other order court deems necessary to protect victim <p>Sentencing PO: In addition to PTPO terms listed above, court can also order:</p> <ul style="list-style-type: none"> No purchase or possession of firearms/ weapons Do not consume alcohol or controlled substances Surrender weapons Complete DV treatment or other treatment Pay restitution Any other order court deems necessary for rehabilitation of defendant 	<ul style="list-style-type: none"> Not go near other people listed in the order Any other order the court deems necessary to protect victim Court can deal with custody/visitation if chooses 	<ul style="list-style-type: none"> or indirect. with victim and with 3rd parties that is likely to cause annoyance or alarm to the victim Stay away from victim and any specified place Any other order Court deems necessary to protect victim and family Court can address custody/visitation if so chooses 	<ul style="list-style-type: none"> have no personal contact with the alleged victim; The alleged perpetrator will not threaten or harass the alleged victim; and The alleged perpetrator will not knowingly enter onto the premises of the alleged victim's residence or any premises temporarily occupied by the alleged victim. <p>Victim can waive, in writing, the 1st and 3rd conditions but cannot waive 2nd condition. Waiver must be in writing.</p>