

Law Enforcement Case No.: \_\_\_\_\_

Name of Court & Case No.: \_\_\_\_\_

### EMERGENCY PROTECTIVE ORDER

1. PROTECTED PERSON (name): \_\_\_\_\_

2. RESPONDENT (name) \_\_\_\_\_

Sex: \_\_\_\_\_ Hgt: \_\_\_\_\_ Wgt: \_\_\_\_\_ Eye color: \_\_\_\_\_ Hair color: \_\_\_\_\_ Race: \_\_\_\_\_ DOB: \_\_\_\_\_

3. THIS ORDER WILL EXPIRE ON: \_\_\_\_\_

INSERT DATE OF SEVENTH CALENDAR DAY  
AFTER ORDER IS SIGNED. DO NOT COUNT  
THE DAY THE ORDER IS GRANTED.

4. THE COURT FINDS that probable cause exists for the issuance of this Order based on the Peace Officer Declaration below, and the Order is necessary to prevent the occurrence or recurrence of abuse.

5. **IT IS HEREBY ORDERED THAT RESPONDENT MUST NOT CONTACT THE PROTECTED PERSON NAMED IN ITEM 1 ABOVE OR ATTEMPT TO OR IN FACT INTIMIDATE, MOLEST, INTERFERE WITH, OR MENACE THE PROTECTED PERSON NAMED IN ITEM 1 ABOVE.**

IT IS FURTHER ORDERED that the SECURITY AMOUNT for violation of any provision of this Order is \$5,000 unless otherwise specified here: Other Amount: \$ \_\_\_\_\_

JUDGE'S NAME, SIGNATURE, AND DATE: \_\_\_\_\_

#### PEACE OFFICER DECLARATION

6. I am a peace officer and have probable cause to believe that an emergency protective order is necessary to prevent the protected person from suffering the occurrence or recurrence of abuse because:

I have responded to an incident of domestic disturbance and circumstances exist for mandatory arrest as described in ORS 133.055(2)(a);

**OR**

The person is in immediate danger of abuse by a family or household member.

DESCRIBE briefly: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7.  The protected person gave consent and/or permission for the application for the Emergency Protective Order. (REQUIRED)

**I DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I UNDERSTAND THEY ARE MADE FOR USE AS EVIDENCE IN COURT AND ARE SUBJECT TO PENALTY FOR PERJURY.**

\_\_\_\_\_  
(PRINT NAME OF PEACE OFFICER)

\_\_\_\_\_  
(PEACE OFFICER'S SIGNATURE)

\_\_\_\_\_  
(DATE)

#### DECLARATION OF PROOF OF SERVICE

8. I personally served a copy of this Order to the Respondent named above on \_\_\_\_\_ at \_\_\_\_\_.

(DATE)

(TIME)

Address: \_\_\_\_\_

**I DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I UNDERSTAND THEY ARE MADE FOR USE AS EVIDENCE IN COURT AND ARE SUBJECT TO PENALTY FOR PERJURY.**

\_\_\_\_\_  
(PRINT NAME OF PEACE OFFICER)

\_\_\_\_\_  
(PEACE OFFICER'S SIGNATURE)

\_\_\_\_\_  
(DATE)

9. I certify this is a True Copy.

\_\_\_\_\_  
(PEACE OFFICER'S SIGNATURE)

ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

**EMERGENCY PROTECTIVE ORDER**  
**WARNINGS AND INFORMATION**

**TO THE RESPONDENT:** Violation of any part of this Order may be contempt of court. Contempt is a court proceeding in which the Judge can impose a fine of up to \$500 or one percent of your annual gross income, whichever is greater, or a jail term of up to six months, or both. The Court may also impose other consequences for contempt. All peace officers in the state of Oregon and all tribal law enforcement officers are required to enforce this Order. The terms and conditions of this Order remain enforceable until the Order expires or is terminated by the Court.

This Order will last until midnight on the date set out in item 3 on the reverse side. The protected person may, however, obtain a longer-lasting protective order from the court. You are entitled to receive notice if that happens. You may seek the advice of an attorney on any matter connected with this Order. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503.684.3763 or 800.452.7636 or go to: <https://www.osbar.org/public/ris/>.

**TO THE PROTECTED PERSON:** *This order will last only until midnight on the date set out in item 3 on the reverse side. If you need protection for a longer period of time, you must request a protective order from the court in the county where you live or where the respondent lives. If you go to court to request a longer-lasting protective order, take your copy of this form with you. You may apply for a protection order free of charge. For the forms and further information about obtaining a protective order for a longer period of time, go to: <http://courts.oregon.gov/ojd/forms/pages/index.aspx>.*

You have the option to seek the advice of an attorney on any matter connected with your application for any future court orders. **You do not have to have an attorney to get a protective order.** If you decide to consult an attorney, you should contact the attorney promptly so that the attorney can help you in making your application. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503.684.3763 or 800.452.7636 or <https://www.osbar.org/public/ris/>.

**TO LAW ENFORCEMENT:** The peace officer shall provide, without charge, a certified true copy of the Order to the protected person and shall ensure that certified true copies of the Order and Declaration are filed with the court.

- The peace officer shall serve the respondent personally.
- Upon completion of service, the peace officer is required to prepare the Proof of Service, file it with the Court

**NOTE:** If the peace officer cannot complete service *within one day* of the Emergency Protective Order's entry (filing with the court), the peace officer shall notify the court that the documents have not been served.

- Upon completion of service, enter the order into the Law Enforcement Data System (LEDS). Entry into LEDS constitutes notice to all law enforcement agencies of the Emergency Protective Order. The Emergency Protective Order is fully enforceable in any county or tribal land in Oregon.

A peace officer acting in good faith shall not be liable in any civil action for applying to or not applying to a circuit court for an ex parte Emergency Protective Order under HB 2776 Section 1 (10).