

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
DOMESTIC VIOLENCE/STALKING CRIMINAL ORDER OF PROTECTION
INCLUDING ORDERS AND CONDITIONS OF BAIL**

Case Number: _____ PNO Number: _____
 Court: _____
 Court ORI: _____
 Address: _____ County: _____
 SU Case Number _____ SU PNO _____ SU ORI _____

State of New Hampshire

v.

ADOPTED BY SU **AMENDED ORDER** **VACATE ORDER** Date _____

DEFENDANT'S NAME: First _____ Middle _____ Last _____	DEFENDANT IDENTIFIERS: DOB _____ HEIGHT _____ SEX <input type="checkbox"/> M <input type="checkbox"/> F WEIGHT _____ RACE _____ EYES _____ State/Birth _____ HAIR _____ ETHNICITY <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Refused
DEFENDANT'S PHYSICAL ADDRESS (additional info on Pg 4): Agency Case Number: _____ Date of Offense: _____	

PROTECTED PARTY #1 NAME: _____	DOB: _____ <input type="checkbox"/> Male <input type="checkbox"/> Female
DEFENDANT'S RELATIONSHIP TO PROTECTED PARTY*: <u>Intimate Partner:</u> <input type="checkbox"/> Spouse <input type="checkbox"/> Former spouse <input type="checkbox"/> Parent of defendant's child <input type="checkbox"/> Cohabit/Cohabited (intimate relationship required) * <input type="checkbox"/> Additional protected parties on Pg 2	DISTINGUISHING FEATURES: SKIN TONE: _____ SCARS, MARKS, TATTOOS: _____ Location and description _____

CAUTION <input type="checkbox"/> Weapon involved <input type="checkbox"/> Weapon is ordered to be relinquished pursuant to New Hampshire state law RSA 597	<table style="width: 100%;"> <tr> <td style="width: 15%;">LICENSE INFO:</td> <td style="width: 15%;">DRIVER'S LICENSE#:</td> <td style="width: 20%;">STATE</td> <td style="width: 15%;">EXP DATE</td> <td style="width: 35%;"></td> </tr> <tr> <td>VEHICLE INFO:</td> <td>YEAR</td> <td>MAKE</td> <td>STYLE</td> <td></td> </tr> <tr> <td></td> <td>MODEL</td> <td>COLOR</td> <td>VIN #</td> <td></td> </tr> </table>	LICENSE INFO:	DRIVER'S LICENSE#:	STATE	EXP DATE		VEHICLE INFO:	YEAR	MAKE	STYLE			MODEL	COLOR	VIN #	
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	MODEL	COLOR	VIN #													

WARNING: The attached order shall be enforced, even without registration, by the courts of any state, the District of Columbia, and any U.S. Territory, and may be enforced on Tribal Lands (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). As a result of this order it may be unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8) and state law. The defendant is advised that he/she has the further opportunity to be heard before a judge on bail issues within 24/48 hours of the request being made to the court, excluding weekends and holidays (RSA 597:6-e, I).

The above named defendant is restrained from harassing, stalking, or threatening an intimate partner, or child of an intimate partner or of the defendant, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily harm to the intimate partner or child; and

The defendant is prohibited from the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; and/or

The above named defendant represents a credible threat to the physical safety of such intimate partner or child;

CRIMINAL ORDER OF PROTECTION INCLUDING ORDERS AND CONDITIONS OF BAIL

It is hereby ordered pending final disposition of this matter that:

- I.
 - A. The defendant shall be released on personal recognizance and subject to conditions listed in Paragraph II and those conditions indicated in Paragraph III.
 - B. The defendant shall be released on \$ _____ cash/surety bond subject to conditions listed in Paragraph II and those conditions indicated in Paragraph III.
 - C. The defendant shall be detained to permit revocation of conditional release.
 - D. The defendant shall be detained for not more than 72 hours to allow for filing of a probation violation.
 - E. A hearing pursuant to RSA 597:2, III shall be conducted before the acceptance of bail.
 - F. The Court hereby orders that the defendant be detained without bail pursuant to RSA 597:2, III-a.

II. Defendant's release is subject to the conditions that:

- A. **Defendant appear at all court proceedings as ordered, including at this court to answer this charge at _____ AM PM on _____**
- B. Defendant not commit a federal, state or local crime while on release.
- C. Defendant advise the court in writing of all changes of address within 24 hours.
- D. Defendant comply with all civil domestic violence and stalking orders of protection.

III. The Court hereby determines that defendant's release under Paragraph I (A) or (B):

- will not reasonably assure the appearance of defendant as required; and/or
- will endanger the safety of the defendant or of another person or the community.

By reason of such determination, the Court imposes the following additional conditions that defendant:

- A. Shall have no contact with _____ by mail, telephone, fax, e-mail, the sending or delivery of gifts, through a third party or any other method unless specifically authorized by the Court, and is further ordered not to interfere with this person at his/her residence, school or place of employment and additionally is ordered to refrain from going within _____ feet of where such person(s) may be.
Protected Party #2 name: _____ DOB: _____ M F
Protected Party #3 name: _____ DOB: _____ M F
Protected Party #4 name: _____ DOB: _____ M F
- B. Shall live at: _____
- C. Shall not travel outside of: _____
- D. Other travel restrictions: _____
- E. Shall refrain from possessing a firearm, destructive device, dangerous weapon, or ammunition.
- F. Shall refrain from any use of alcohol, and use of a narcotic drug or controlled substance as defined in RSA 318-B.
- G. Shall comply with the following curfew: _____
- H. Is ordered not to drive until defendant's license or privilege is restored by the Director of Motor Vehicles.

CRIMINAL ORDER OF PROTECTION INCLUDING ORDERS AND CONDITIONS OF BAIL

- I. Shall report to arresting law enforcement agency or _____ as required.
 - J. Shall remain in the custody of _____, a responsible adult residing at _____, N.H, who agrees to supervise the defendant and to report any violation of a release condition to the Court. The Court has found that the above named adult has reasonably assured the Court that the defendant will appear as required and will not pose a danger to the safety of any person in the community.
 - K. Sign a waiver of extradition before released on bail.
 - L. Shall not use or attempt to use or threaten to use physical force against the protected party(ies) _____, or the parties' children which would reasonably be expected to cause bodily injury.
 - M. Is restrained from harassing, stalking, abusing or threatening to abuse the protected party(ies) family or household members, or protected party(ies) relatives (regardless of place of residence), or engaging in other conduct which would place a person in reasonable fear of bodily injury to the person or person's household members or relatives.
 - N. Other: _____
- IV. The defendant is hereby advised that in the event the defendant violates any of the above conditions of release the defendant may:
- A. Be subject to immediate arrest and detention;
 - B. Be subject to imprisonment for contempt of court;
 - C. Be subject to immediate revocation of release;
 - D. Be subject to additional imprisonment of one year if the defendant commits a misdemeanor while on release; and
 - E. Be subject to additional imprisonment of seven years if the defendant commits a felony while on release.

So Ordered:

_____ Date

Bail Commissioner Fee \$ _____

_____ Signature of Judge / Bail Commissioner

_____ Printed Name of Judge / Bail Commissioner

Amendments to bail conditions so ordered:

_____ Date

_____ Signature of Judge

_____ Printed Name of Judge

Case Name: State of New Hampshire v

Case Number: _____ PNO: _____

CRIMINAL ORDER OF PROTECTION INCLUDING ORDERS AND CONDITIONS OF BAIL

Acknowledgment of Receipt:

I hereby acknowledge receipt of the above order and the penalties below and:

Defendant received a copy of "What You Need to Know."

Date

Signature of Defendant

Defendant Cell Phone Number

Defendant Mailing Address

Defendant Alternative Phone Number

Defendant City/State/Zip Code

Defendant Email Address

Signature of Surety

**NOTICE OF INTERSTATE ENFORCEMENT AND
COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

1. This criminal protective order meets all full faith and credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994). This Court has jurisdiction over the parties and the subject matter; the defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and enforceable throughout New Hampshire and all other states, the District of Columbia, all tribal lands and all U.S. Territories, and shall be enforced as if it were an order of any such jurisdiction.
2. Violations of this order are subject to state and federal criminal penalties. If the restrained party (the defendant) travels across state or tribal boundaries, or causes the protected party to travel across state or tribal boundaries, with the intent to violate the protective orders and then violates a protective provision of this order, the defendant may be prosecuted for a federal felony offense under the Violence Against Women Act, 18 U.S.C. § 2262(a)(1) or (2) (1994).
3. It shall be unlawful for any person subject to a qualifying protection order to possess any firearm or ammunition in or affecting commerce; or to ship, transport or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce. A qualifying court order is an order that was issued after a hearing of which the defendant received actual notice, and at which the defendant had an opportunity to participate; and includes a finding that such person represents a credible threat to the physical safety of an intimate partner or child of such person or intimate partner or which restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. 18 U.S.C. § 922 (g) (8).
4. It shall be unlawful for any person convicted in any court of a misdemeanor crime of domestic violence to ship, transport in interstate commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce. 18 U.S.C. § 922 (g) (9).
5. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.