

BENTON COUNTY DISTRICT COURT, STATE OF WASHINGTON

STATE OF WASHINGTON/CITY OF KENNEWICK/
RICHLAND/WEST RICHLAND/PROSSER

CASE NO
DOMESTIC VIOLENCE
NO CONTACT ORDER
Pre-trial
Post conviction

vs.

Defendant

SID:
If no SID use DOB:

1. Based upon a finding of probable cause and/or other documents contained in the case record, testimony, and the statements of counsel, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, and further finds that to prevent possible recurrence of violence, this Domestic Violence No-Contact Order shall be entered pursuant to chapter 10.99 RCW. This order protects

NAME:

ADDRESS:

2. The court further finds that the defendant's relationship to a person protected by this order is: current or former spouse parent of a common child current or former cohabitant as intimate partner other family or household member as defined in RCW 10.99.

3. (Pretrial order) The court makes the following findings pursuant to RCW 9.41.800: the defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; the defendant previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040; or possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

It is Ordered:

***This No Contact Order expires in two years; OR
Until further order of the court.***

Telephonically approved by:

Defendant is **Prohibited** from:

- A. Causing or attempting to cause physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, stalking, or keeping under surveillance the protected person(s).
- B. Having any contact whatsoever, in person or through others, by phone, mail or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by defendant's lawyers with the protected person(s).
- C. Entering or knowingly coming within or knowingly remaining within (distance) of the protected person(s)'s residence school workplace other:
- D. Obtaining or possessing a firearm, other dangerous weapon or concealed pistol license. (Pretrial RCW 9.41.800 findings made)
Obtaining, owning, possessing or controlling a firearm. (Conviction of offense listed in RCW 9.41.040(2))

It is Further Ordered:

The defendant shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to:

[name/law enforcement agency].

WARNINGS TO THE DEFENDANT ON BACK

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to: County Sheriff's Office Police Department where the above-named protected person(s) lives, which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

Dated

Judge

Deputy Prosecuting Attorney
WSBA No.

Attorney for Defendant
WSBA No.

Defendant

Warnings to the Defendant: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony.

Willful violation of this order is punishable under RCW 26.50.110. Violation of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36 .011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if the defendant has at least 2 previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74.

If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, the defendant may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

In addition to the state and federal prohibitions against possessing a firearm upon conviction of a felony or a qualifying misdemeanor, upon the court issuing a no-contact order after a hearing at which the defendant had an opportunity to participate, the defendant, if a spouse or former spouse, a parent of a common child, or a current or former cohabitant as intimate partner of a person protected by this order, may not possess a firearm or ammunition for as long as the no-contact order is in effect. 18 U.S.C. § 922(g). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If the defendant is convicted of an offense of domestic violence, the defendant will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

You Can Be Arrested Even if the Person or Persons Protected by This Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.