



Magistrates Orders of Emergency Protection & Other Tools for Family Violence Homicide Prevention









Kimberly Piechowiak
Domestic Violence Training Attorney
Office of Court Administration

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Agenda





-  Dynamics and Prevalence
 -  Potential Indicators of Future Violence
 -  Homicide Prevention Toolbox
 -  Magistrate's Orders of Emergency Protection
 -  TCIC and the New Protective Order Registry



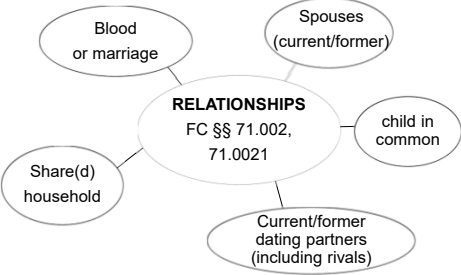
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DYNAMICS AND PREVALENCE


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Family Violence

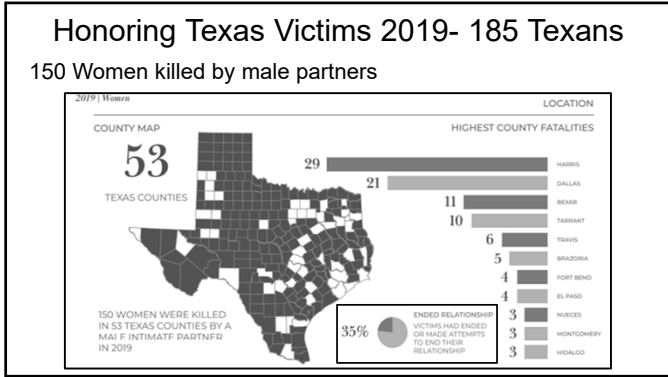


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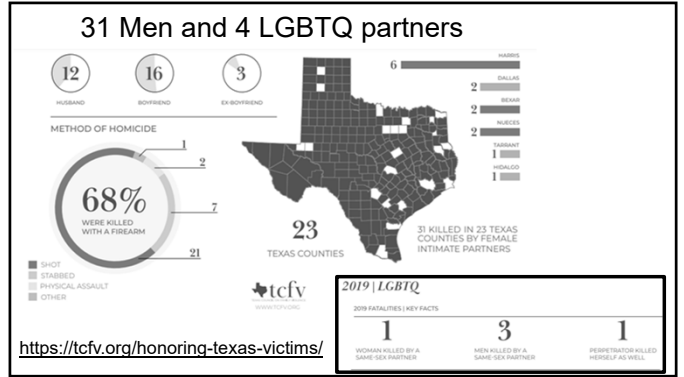
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      A[RELATIONSHIPS  
FC §§ 71.002,  
71.0021] --- B[Blood or marriage]
      A --- C[Spouses  
(current/former)]
      A --- D[child in common]
      A --- E[Current/former dating partners  
(including rivals)]
      A --- F[Share(d) household]
  
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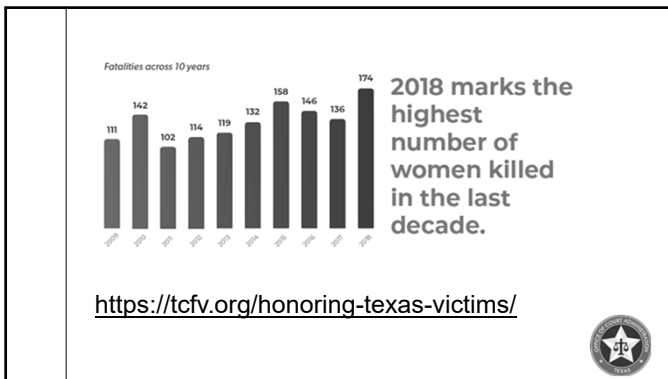
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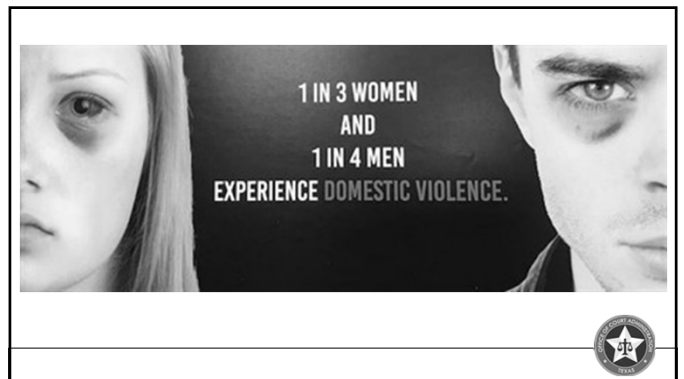
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2020: COVID 19 AND DV, AKA THE SHADOW PANDEMIC



- DV homicides rose in 2020
- Tarrant County
 - 2019 – 8
 - Mar thru Nov 2020 - 17
 - Bexar County
 - 2018 – 17
 - 2019 – 21
 - 2020 (Jan thru Aug) - 32

<https://www.bwjp.org/news/covid-coercive-control-wheel-combined.pdf>



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Family violence is knowable, predictable and **PREVENTABLE**

Go Purple | #TxDVAM
Texas Council on Family Violence

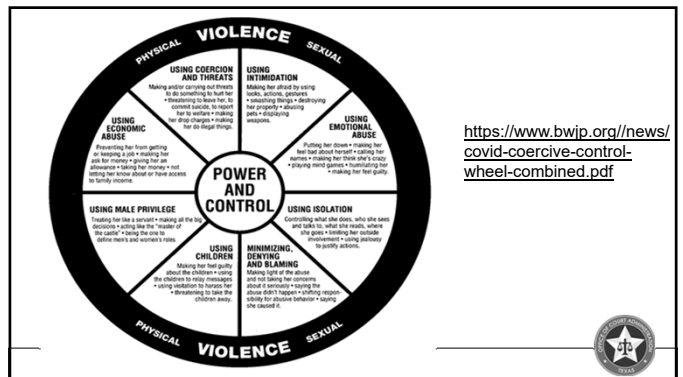
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"No relationship goes from happy, healthy, and functional to murder-suicide overnight. It never happens that way. There's always a **pattern** of abuse."

Casey Gwinn, J.D., President
<https://www.allianceforhope.com/>



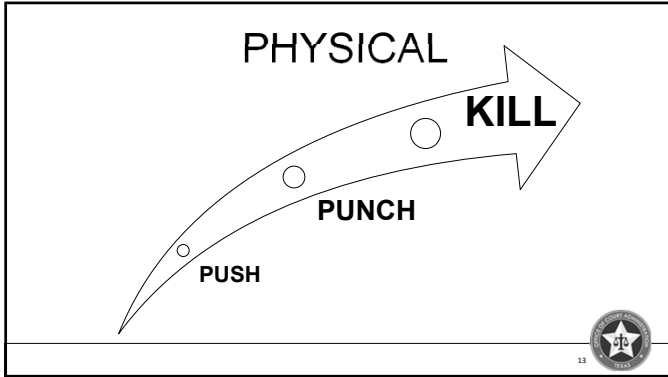
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<https://www.bwjp.org/news/covid-coercive-control-wheel-combined.pdf>



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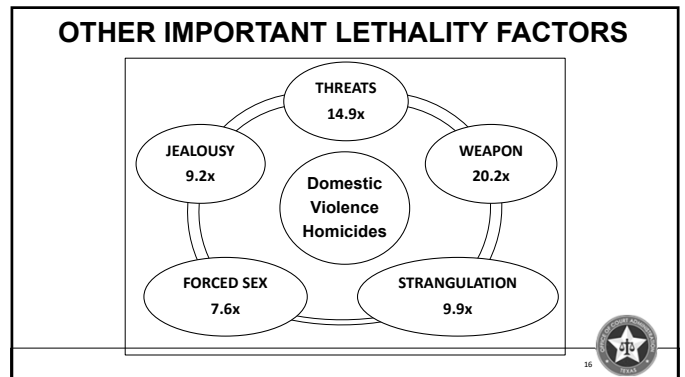
Potential Indicators of Future Violence

- Survivor
- Law Enforcement
- Community

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- What does that future behavior look like?**
- **Danger to same partner**
 - Repeat violations
 - Lethality escalates
 - Extends to loved ones/children
 - **Danger to new partner**- cycle starts all over again
 - Prior Family Violence
 - 72% of domestic violence homicides
 - Stalking
 - 76% of female domestic violence homicide victims

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A word about nonfatal strangulation...



Loss of consciousness can occur within 5-10 seconds. Death within minutes.

Only half of victims have visible injuries. Of these, only 15% could be photographed.



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<https://www.officer.com/investigations/article/12232472/are-thermal-cameras-the-next-step-in-law-enforcement-documentation-of-assault-injuries>



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TOOLS YOU CAN USE

Lethality/Danger Assessments

<https://www.dangerassessment.org/>

Strangulation

The Training Institute on Strangulation Prevention

<https://www.strangulationtraininginstitute.com/>
<https://www.strangulationtraininginstitute.com/resources/library/strangulation-information-graphic/>

2019: Occupations Code, Section 1701.253(d) mandates peace officer training on recognizing and documenting strangulation



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What does that future behavior look like? Danger to law enforcement



- 1988 – 2016: 136 officers died in DV calls compare to 80 during drug arrests.
- Nat'l LEO Memorial Fund: 2018
 - 47 officers killed in the line of duty
 - 66% of them (31) were killed by men with a DV history, including nonfatal strangulation.

Where police officers have died in shootings in 2018



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LINK BETWEEN DV AND MASS SHOOTINGS

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What does that future behavior look like?

- **Danger to community at large**
 - Austin, 1966 (UT Tower) –killed mother and wife killing 14 people and wounding 31
 - Sutherland Springs, 2017 – multiple DV incidents and convictions
 - Orlando, 2016 – Pulse nightclub shooter previously strangled ex-wife
 - Nice, France 2016 –killed 84 and injured 300; DV arrest in 2009
 - Boston Marathon, 2013 –DV arrest in 2009
- **Since Nov. 16, 2019:**
 - 88 DV shootings with 3 or more victims
 - 183 killed
 - 135 injured
- <https://www.gunviolencearchive.org/>



54%



In at least 54% of mass shootings, the perpetrator shot an intimate partner or family member.



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“MASS SHOOTING” DEFINITION:


- Federal agencies collect data on “active shooters,” i.e., “one or more individuals actively engaged in killing or attempting to kill people in a populated area.”
- DOJ Definition of “mass killings”: 3 or more killings in a single incident
- Another common definition (Congressional Research Service):
 - gunman
 - kills four or more people
 - selects victims randomly (ruling out gang killings or the killing of multiple family members), and
 - attacks in a public place

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June, 2016 James Hodgkinson, opened fire at a congressional baseball practice in Virginia had been arrested in 2009 after hitting and strangling his foster daughter.

Sept, 2017 Cancer James Hight shot and killed his estranged wife along with other people during a football viewing party in Plano, Texas.



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WHICH IS WHY...

“We must make **misdemeanors** matter. We must realize that true success is not prosecuting a murderer, it is preventing the murder.”

Source: Casey Gwinn, “Making Misdemeanors Matter”, 3 Homefront (1998).



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Your Family Violence Homicide Prevention Toolbox includes...

Class C Misdemeanor Family Violence Reporting

Conditions of Bond

24 - 48 hour Holds

Magistrate's Orders of Emergency Protection



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Misdemeanor Crimes of Domestic Violence



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Class C Family Violence Cases

TITLE 5. CHAPTER 22. ASSAULTIVE OFFENSES

•§ 22.01(a)(2) **Assault-threat**

“intentionally or knowingly threatens another with imminent bodily injury, including the person’s spouse”; or

•§ 22.01(a)(3) **Assault-contact**

“intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.”

United States v. Castleman, 134 S. Ct. 1405 (2014): Domestic violence can include acts such as pushing, grabbing, and shoving, and that federal law intended to cover all domestic violence crimes whether or not “strong and violent” force was involved.


Result: “Offensive touching” is enough to subject a convicted domestic abuser to the federal gun ban.



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Art. 42.013. FINDING OF FAMILY VIOLENCE
(73rd Leg., 1993)

In the trial of an offense under **Title 5, Penal Code**, if the court determines that the offense involved **family violence, as defined by Section 71.004, Family Code**, the court shall make an affirmative finding of that fact and enter the affirmative finding in the judgment of the case.





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MAKING MISDEMEANORS COUNT

Today's family violence misdemeanors are tomorrow's family violence felonies, including homicide.

Family violence thrives in darkness.



The easiest place for family violence to hide has been in misdemeanor cases, especially our fine-only cases.

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NEW: Requirements for fine-only family violence cases HB 1528


- CCP Article 27.14(b): Paying fines by mail no longer allowed
- CCP Article 27.14(e)(2): Admonishments printed on citations no longer suffice.
- CCP Article 45.0211: Must take the defendant's plea in open court.
- CCP Article 66.102(f): Computerized criminal history system must include whether the judgment reflects an affirmative finding of family violence pursuant to CCP 42.013
- CCP Article 66.252
 - (b): Law enforcement must prepare fingerprint card upon arrest.
 - (g): Clerk of the court must report applicable information regarding the person's citation or arrest and the **disposition** to the DPS using a uniform incident fingerprint card or an electronic methodology approved by the DPS

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Why do it?

- Defendant with a prior family violence conviction can allow new family violence class A to be filed as a 3rd degree felony.
- Keep firearms out of the hands of dangerous people whenever possible.



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Helpful Procedures and Forms

Process: whatever works for you, but think about...

- Docket structure
- Identifying family violence cases in case management system
- DPS Form CR4345
https://www.dps.texas.gov/sites/default/files/documents/administration/crime_records/docs/cjis/cr-4345.pdf

Helpful forms (samples included in materials):

- Waiver of Rights
- Affirmative Finding of Family Violence Admonishments
- Firearm Admonishment Upon Conviction for Family Violence Misdemeanor
- Stipulation to Family Relationship
- Admonishments Regarding Immigration Status



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For additional assistance, contact the appropriate section below.

CJIS Supplies
512-424-2367
512-424-5599 (fax)

Fingerprint Section
512-424-5248

Error Resolution Section
512-424-7256
errorresolution@dps.texas.gov

Corrections
512-424-2476 (fax)

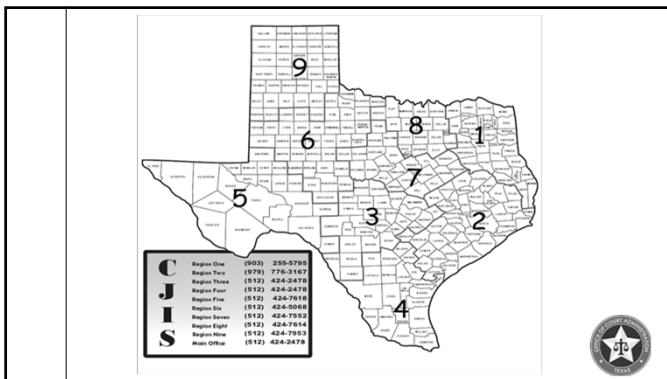
Biometrics Coordinator (Livescan)
*Contact to order Livescan Tracking Incident Numbers (TRN)
512-424-7026 – Chrystal Davila
livescan@dps.texas.gov

Electronic Disposition Reporting (EDR)
512-424-2479 – Cassandra Richey

CJIS Website
512-424-2500 – James McElroy
<https://cch.dps.texas.gov>
cjis@dps.texas.gov

Contact us for link to download training materials and reportable offense codes.

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REGION	AUDITOR	DESK PHONE	CELL PHONE	EMAIL
1	Drew Lambert	(903) 225-5795	(512) 484-0980	andrew.lambert@dps.texas.gov
2	Jeff McIlhaney	(979) 255-2615	(512) 751-1635	jeff.mcilhane@dps.texas.gov
3	Craig Lopez	(512) 424-7614	(512) 920-4092	craig.lopez@dps.texas.gov
4	Allante Smith	(512) 424-7618	(512) 217-9676	allante.smith@dps.texas.gov
5	Orlando Gallegos	(512) 424-5539	(512) 902-9349	orlando.gallegos@dps.texas.gov
6	Aaron Bonner	(512) 424-5068	(512) 922-5060	aaron.bonner@dps.texas.gov
7	Austin Jordan	(512) 424-7953	(512) 788-4536	austin.jordan@dps.texas.gov
8	Christopher Fiest	(512) 424-7792	(512) 839-0364	christopher.fiest@dps.texas.gov
9	Anna Gay	(512) 424-7552	(512) 221-6097	anna.gay@dps.texas.gov

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**FURTHER DETENTION OF
CERTAIN PERSONS IN
FAMILY VIOLENCE
OFFENSES
CCP ART. 17.291**



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24 - 48 hour holds: CCP Art. 17.291

Further Detention of Certain Persons in Family Violence Offenses

- Probable cause to believe the violence will continue if the person is immediately released.
 - Head of arresting or holding agency (usually the Sheriff) may hold up to 4 hours after bond has been posted.
- Magistrate may authorize in writing to extend up to additional
 - 24 hours if determines that violence would continue if the person is released.
 - 48 hours if the arrested person
 - has a prior family violence arrest in the last 10 years, or
 - if a deadly was used or exhibited during the current offense.



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**BOND CONDITIONS
FOR SAFETY
CCP ART. 17.40**



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CCP Art. 17.40: Conditions Related To Victim/Community Safety

"...a magistrate may impose any reasonable condition of bond related to the safety of a victim of the alleged offense or to the safety of the community."

- May revoke bond if finds by a preponderance of the evidence that violation occurred.

PC 25.07: Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking:



- CCP 14.03(a)(3): Peace officer **may** arrest, without a warrant, if probable cause to believe person violated PC 25.07, and it **was not** committed in officer's presence
- CCP 14.03(b): Peace officer **shall** arrest if it **was** committed in the officer's presence.

REMEMBER: Bond conditions are currently not tracked in all cases or easily accessible across jurisdictions.



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**MAGISTRATE'S ORDERS OF EMERGENCY PROTECTION
CCP 17.292**

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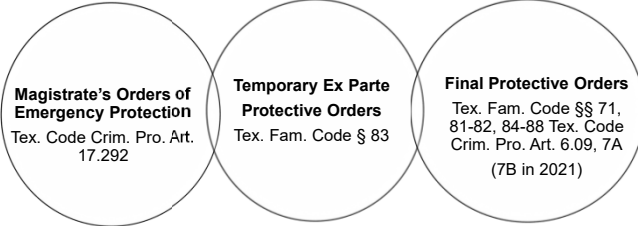
Acronyms AKA Alphabet Soup

- **MOEP**- Magistrates Order of Emergency Protection
- **PO**- Protective Order
- **TexPO**- Temporary Ex Parte Order
- **TCIC**—Texas Crime Information Center
- **NCIC**—National Crime Information Center
- **NICS**—National Instant Criminal Background Check System
 - checks available records in NCIC, III, and the NICS Index to determine if prospective transferees are disqualified from receiving firearms

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Types of Protective Orders in Texas



<p>Magistrate's Orders of Emergency Protection Tex. Code Crim. Pro. Art. 17.292</p>	<p>Temporary Ex Parte Protective Orders Tex. Fam. Code § 83</p>	<p>Final Protective Orders Tex. Fam. Code §§ 71, 81-82, 84-88 Tex. Code Crim. Pro. Art. 6.09, 7A (7B in 2021)</p>
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MAGISTRATE'S ORDER OF EMERGENCY PROTECTION

For Suspect: Cooling off period

For Victim: Zone of safety

For Police: Opportunity to protect




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MAGISTRATE'S ORDER FOR EMERGENCY PROTECTION

TEX. CODE CRIM. PROC. ART. 17.292

- Most common type of protective order issued in Texas
- Only available after an arrest for:
 - Family violence
 - Sexual assault (and some related offenses)*
 - Stalking*
 - Trafficking*
- Mandatory only in FV offenses involving serious injury or deadly weapon
- Tied to places, not people
- Relatively quick and easy process
- Short duration: 31 to 91 days



*No family or household relationship required




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WHO CAN REQUEST AN MOEP?

An MOEP can be requested by:

- the victim of the criminal offense;
- a guardian of the victim;
- an attorney representing the state;
- a peace officer; or
- the court.



Tex. Code Crim. Proc. Art. 17.292(a)




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How can an MOEP help survivors?

An MOEP may prohibit an offender from:

- Committing family violence, sexual assault, stalking or trafficking;
- Threats and harassment;
- Coming within a specific distance of certain locations;
- Possessing a firearm;
- Communication in any manner with victim(s) except through attorney or court appointed person if good cause is shown.



Tex. Code Crim. Proc. Art. 17.292(c)



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Confidentiality of protected places



Locations required unless magistrate finds address should be omitted for the safety of the protected party or parties.

CCP Art. 17.294 Upon request, the court may protect the applicant's mailing address by requiring protected person to:

- disclose mailing address to the court;
- designate another person to receive any notice or documents related to the order; and
- disclose the designated person's address to the court

The court can require that the court clerk:

- Redact address from public records of the court, and
- maintain a confidential record for use **only by the court, or a law enforcement agency** for entry into TCIC.

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CONFLICTING ORDERS

There are times when an MOEP conflicts with a pre-existing custody order. In these cases:

The LAST order issued controls (TEXPO exception).

Does not stop visitation exchanges; exchanges just cannot be made at protected addresses.



Tex. Code of Crim. Pro. Art. 17.292(f)(2)



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MODIFICATIONS – CCP17.292 ART. (J)

- Notice and hearing is required
- Notice to all parties
- Moving party must show
 - Unworkable
 - Will not result in greater danger for any protected party
- Bonus Tip: invite a victim advocate to confer with the protected person. Check with PD or call (800) 799-SAFE to find one in your area)



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Suspension of License to Carry is required in MOEP

Send Copy of Order and Cover Page to:

DPS Regulatory Service Division- License To Carry

Fax: 512-424-5774

Email: RSD.LTC.Compliance@dps.texas.gov

Mail: Regulatory Services Division – 0245
Texas Department of Public Safety
Austin, TX 78773-0245



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Bond Conditions for Safety

Advantage of putting safety conditions in the bond as well as the Magistrate's Order?

Magistrate's' Order lasts 31-91 days (CCP 17.292 (j))

Bond conditions last until changed by order or until case disposition.

REMEMBER: Bond conditions are currently not tracked in all cases or easily accessible across jurisdictions.



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PROTECTIVE ORDER REPORTING




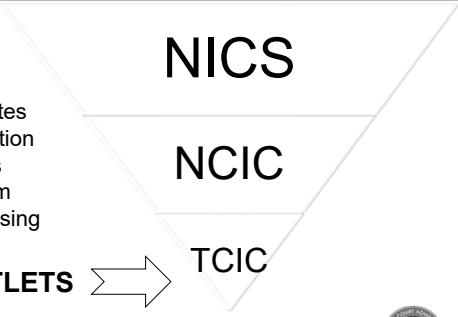

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Brady Act

Title 18, United States Code (U.S.C.), Section 922(g)(9) –prohibits certain persons from receiving or possessing a firearm

TLETS








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NICS ACT RECORD IMPROVEMENT PROGRAM (NARIP)

Requires states to report all Brady disqualifiers (from purchasing or receiving a firearm) to NICS

Per 18 U.S.C. § 922(g)(1-9), disqualifiers include:


- Felony convictions
- Mental health commitments
- Misdemeanor convictions of domestic violence
- Protective orders against intimate partner or his/her child, i.e. permanent orders, NOT MOEPs



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Question: Why do we care?
Short Answer: Full Faith And Credit

18 USC § 2265; Tex. Fam. Code §§ 88.003, 88.004




- POs from Texas are enforceable in other states
- POs issued in other states are enforceable in Texas

Long Answer Coming Up...

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Firearms Possession




MOEPs under CCP: Discretionary

Magistrate may forbid an accused from possessing a firearm unless the person is licensed peace officer in full time employment by state agency or political subdivision (CCP art. 17.292 (c)(4))

Except: Mandatory suspension of state handgun license (CCP art. 17.292(l))

Protective order under FC. 85.026: Mandatory


"It is unlawful for any person, other than a peace officer, as defined by section 1.07, penal code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a protective order to possess a firearm or ammunition."



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Federal Firearms Possession Prohibition

Title 18, United States Code (U.S.C.), Section 922(g)(9)
Gun Control Act Of 1968 (GCA)



Qualifying protective order

- Issued after notice and an opportunity for a hearing;
- Prohibits harassing, stalking, or threatening the accused's:
 - intimate partner, or
 - the intimate partner's child; AND
- Does at least one of the following:
 - contains a finding the accused poses credible threat of physical harm to protected persons, OR
 - prohibits use, attempted use, or threat of physical force capable of inflicting bodily injury to the protected persons




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FIREARMS POSSESSION PROHIBITION — SUGGESTIONS TO COURTS

Prohibit possession of firearm under CCP Art. 17.292(c)(4)

AND



Warn the defendant orally and in writing that the federal firearms prohibition may apply during the term of the Magistrate's Order.



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Sending the order

To Law Enforcement for TCIC entry

- The **magistrate shall** send a copy of the order to either Chief of police (if victim resides in municipality), OR Sheriff (if victim resides outside municipality)
- Include completed TCIC data entry form



<https://www.txcourts.gov/media/1450049/protective-order-tcic-data-entry-form.pdf>

- To Victim

The clerk shall send a copy of the order to the victim at the victim's last known address as soon as possible

When? By the end of the following business day



How? May be sent electronically

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BEST PRACTICES TO IMPROVE TCIC REPORTING:

- Require officers to furnish
 - Probable cause affidavit
 - Criminal history
 - Motion/request for MOEP
 - Copy of police report
 - Completed Protective Order Data Entry form
- Require TCIC form accompany order at time of filing
- Confirm information with complainant, if possible.
- Confirm data sheet information and compare to protective order for accuracy.
- Confirm the order and TCIC form were received.

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Protective orders that cannot be verified will often not be enforced.





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Q: Do protective orders provide safety?


For 50% of victims, the PO stopped the violence.

For the other half, violence was significantly reduced.

Weakness — enforcement, especially in rural areas

- Law enforcement difficulties in determining predominant aggressor
- Fewer resources
- Local politics


A: Yes, if CJ personnel know about them and then actually do something about them




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Monica's Law

Protective Order Registry: TGC §§ 72.151 -72.158




Monica Deming
Odessa, TX
2015



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Implementation Schedule

- **September 1, 2020:** Access and training for select pilot clerks/courts with onboarding of other clerks/courts on an ad hoc basis.
- **October 15, 2020:** Mandatory entry of all applications and protective orders begins.
- **Fall/Winter 2020/2021:**
 - Enable feature that permits public access to final orders that protected parties have expressly made public.
 - Public Access Consent form forwarded to OCA.
 - OCA affirmatively grants public access.
 - Grant access and provide training on system use to Restricted Users (law enforcement/prosecutors).
 - Conduct training and disseminate awareness information to advocacy groups.
 - Update information in Supreme Court Protective Order Kit.

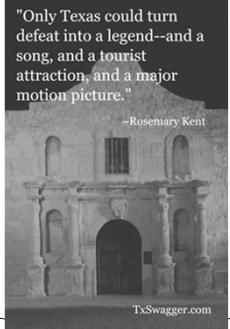


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"Some folks look at me and see a certain swagger, which in Texas is called 'walking.'" -George W. Bush

"Texas has yet to learn submission to any oppression, come from what source it may."
-Sam Houston

"Only Texas could turn defeat into a legend--and a song, and a tourist attraction, and a major motion picture."
-Rosemary Kent




TxSwagger.com



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Texas' Decentralized Court System


- 254 Counties
- 2746 Trial Courts with 3115 Judges
- Protective Orders issued in FY 2019 – **26,684**
 - JP & Muni (s) - 17,126
 - District & Statutory County - 9,400
 - Constitutional County – 158



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Acronyms and Definitions


- **MOEP-** Magistrates Order of Emergency Protection
- **PO-** Protective Order
- **TEXPO-** Temporary Ex Parte Order
- **Authorized User-** a person to whom the office has given permission and the means to submit records to or modify or remove records in the registry. **In other words, mostly court clerks and their designees, including those Judges acting their own clerks.**
- **Restricted User-** a person to whom the office has given permission to receive non-public information regarding protective order applications and orders, including imaged copies of those documents, listed in the statute as:
 - an **authorized user**
 - designees of the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, or a peace officer.
- **NOTE:** Statute does not list judges at this time.



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PROTECTIVE ORDER REGISTRY: TGC § 72.1521

<ul style="list-style-type: none"> • Applications* for a protective order filed under: <ul style="list-style-type: none"> • Chapter 82, FC; or • Article 17.292, CCP, arrests for a FV offense; • Protective orders* issued under: <ul style="list-style-type: none"> • TFC Chapter 83 (TexPO); • TFC Chapter 85 (PO); or • Article 17.292, () 	<p>*This has been expanded to include all POs and s pursuant to the CCP, such as:</p> <ul style="list-style-type: none"> • sexual assault, • stalking, • trafficking, • indecent assault, and • bias/prejudice
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Magistrate's Orders for Emergency Protection

- CCP 17.292
- Entered by clerks in JP courts, municipal, or any other courts that handle magistration duties
- **Within 24 hours**

Application, TexPO, and Final PO


- TFC Chapter 82 - Applications for Protective Orders
- TFC Chapter 83 - Temporary Ex Parte Order
- TFC Chapter 85 - Protective Order ≈ **10,000/year**
- Entered by county and district clerks, depending on type of court that issues POs.
- **Within 24 hours**



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Important Differences between TCIC and the Protective Order Registry


<u>Texas Crime Information Center</u>	<u>Protective Order Registry</u>
<ul style="list-style-type: none"> • Access: <ul style="list-style-type: none"> • Law enforcement only • Limited information due to character limits and no image of the order • Feeds into federal databases NCIC and NICS • Data entry may occur up to 4 days after is issued 	<ul style="list-style-type: none"> • Access: <ul style="list-style-type: none"> • Courts • Prosecution • Law enforcement • Public (extremely limited) • Includes actual image of order • Protective Order Registry will NOT replace the use of TCIC <ul style="list-style-type: none"> • A parallel process • Web-based



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Question: Why do we care?
Long Answer: Full Faith And Credit

18 USC § 2265; Tex. Fam. Code §§ 88.003, 88.004




- PO may be "inscribed on a tangible medium or may be stored in an electronic or other medium if it is retrievable in a perceivable form." Certified copy not required.
- Law enforcement may determine that there is probable cause to believe that a PO exists by relying on any relevant information.

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24 hours? Yes, even over the weekend.

- Why ?
 - Safety**
 - TCIC data entry up to 4 business days after issuance.
 - PC 25.07: Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Cases:
 - CCP 14.03(a)(3): Peace officer **may** arrest, without a warrant, if probable cause to believe person violated PC 25.07, and it **was not** committed in the officer's presence
 - CCP 14.03(b): Peace officer **shall** arrest if it **was** committed in the officer's presence.

Bottom Line:
Cannot arrest if they do not know the order even exists




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Why do expired orders stay in the registry?

Safety

- TCIC moves expired orders to archive, so there are extra steps required to locate them
- Violent history relevant to ALL arrest, detention, release, charging, and safety-planning decisions.


THE BEST PREDICTOR OF FUTURE BEHAVIOR IS PAST BEHAVIOR.



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TIPS FOR JUDGES

- Notate type of offense on the order, if possible.
- 17.292 CCP: number of days calculates expiration date
 - Minimum is 31 days
 - Maximum is 91 days
- If you do magistration on the weekend, but cannot get the MOEP to your clerk before the 24-hour deadline for data entry:
 - Discuss whether you should be added as a user so that you can do the data entry and meet the deadline.
 - If need more assistance, contact OCA-LegalSupport@txcourts.gov
- All current procedures for MOEPs, such as sending copies to victims and law enforcement, stays the same.
- System is built to allow edits and corrections.




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Benefits

- Courts
 - Sentencing decisions
 - MOEP and bond decisions
- Law Enforcement
 - PO available sooner than in TCIC
 - Can see entire order, not just TCIC hit
 - Good faith enforcement after hours
- Investigation/prosecution
 - Active and expired orders and applications
 - Orders involving prior applicants/witnesses
 - Contact information
- Advocates
 - Safety planning
 - History of abuse

As Authorized users, clerks can:

- Enter applications and orders (MOEPs)
- Search the entire registry so the judge can have relevant info.



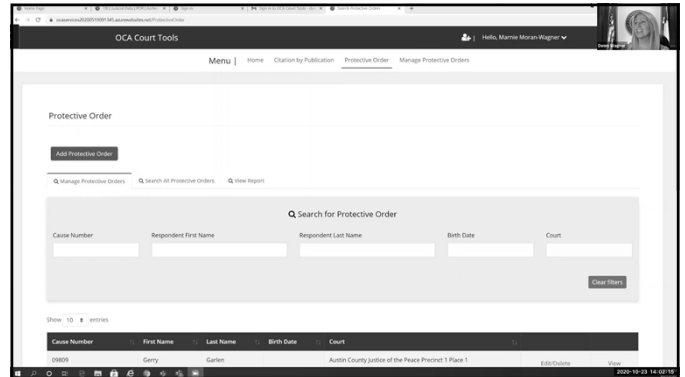
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ENTERING AND EDITING MOEPS

<https://courtal.txcourts.gov/>



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New: PROTECT Portal for law enforcement and prosecutors' offices

- TCIC moves expired orders to archive, so there are extra steps required to locate them.
- PROTECT shows expired orders because a violent history is relevant to ALL arrest, detention, release, charging, and safety-planning decisions.



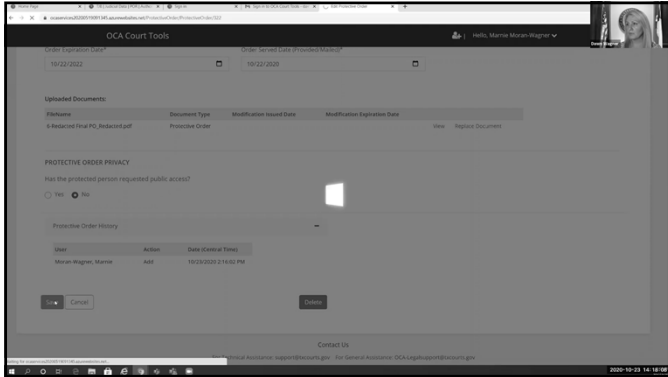
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[HTTPS://PROTECT.TXCOURTS.GOV/](https://protect.txcourts.gov/)

SEARCHING AS RESTRICTED USER (peace officer or prosecutor)



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Sec. 72.154. Public Access to PO Registry

- Public can search for **permanent** POs only, by county of issuance, Respondent's name, and/or year of Respondent's birth.
- Public access is NOT available for MOEPs, TexPOs, or images of any applications or orders.

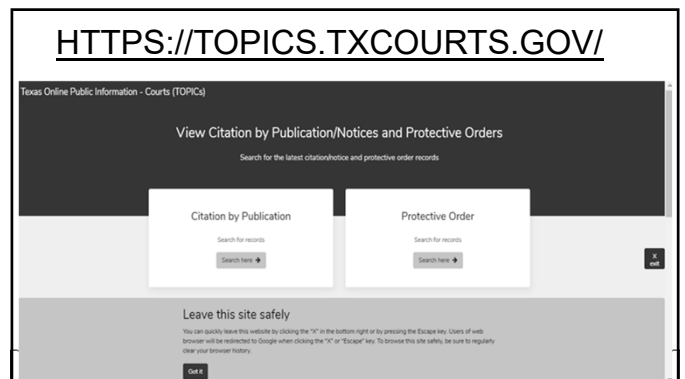
Publicly accessible information:

- Issuing court;
- Case number;
- Respondent's information
 - full name,
 - county of residence,
 - birth year, and
 - race or ethnicity;
- Date issued;
- Date served;
- Date the order was vacated, if applicable; and
- Date of expiration

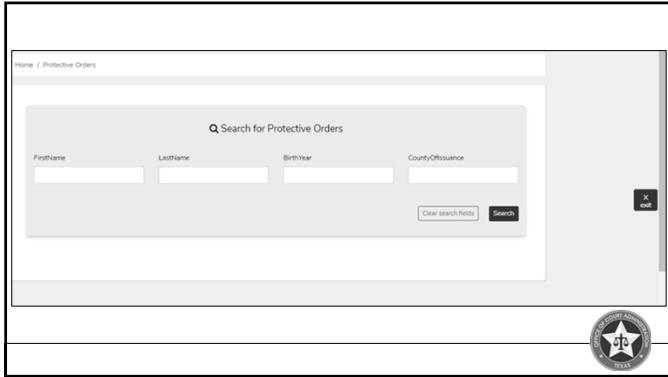
Available only with express written consent by the Protected Party



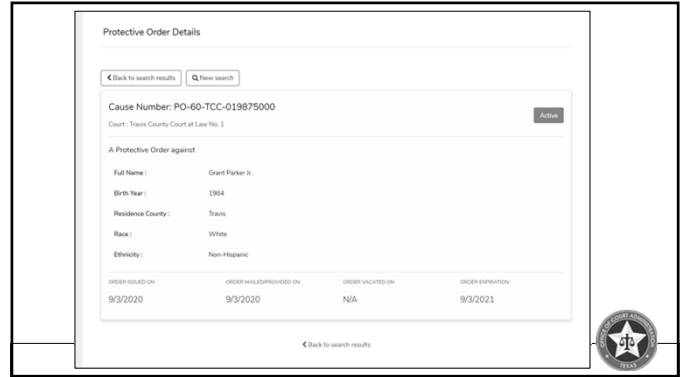
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For More Information:

<https://www.txcourts.gov/judicial-data/protective-order-registry/>
 FAQs: <https://www.txcourts.gov/judicial-data/protective-order-registry/authorized-user-information-instructions/faq/>
 On-demand webinar video:
https://txcourts.zoom.us/rec/share/bEv70Bj-X37DT4KvrsYGFqaEs8_vWie950qsuQfnGT9RYM12YUTupmdddWHyl1c.nlg1fTMyWmkUp5ai
 For other questions or assistance related to the Protective Order Registry, please contact:
OCA-LegalSupport@txcourts.gov



Be on the lookout for periodic updates and more training opportunities via email and the OCA website!



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Thank you!!!

Texas Office of Court
Administration
Domestic Violence Training
Attorney
(512) 936-6390
Kim.piechowiak@txcourts.gov

