

**TYLER POLICE DEPARTMENT
GENERAL ORDER**

**PROTECTIVE ORDERS
EFFECTIVE 04/15/95**

05.200

REVISED 03/25/10

05.201 PURPOSE

The purpose of this order is to set forth those guidelines necessary for the enforcement of Protective Orders.

05.202 DEFINITIONS

- A. A Protective Order, as authorized by the Texas Family Code, is issued by a Court that finds family violence has occurred and is likely to occur again. The Protective Order prohibits a party from specified acts or requires a party to do specified acts to prevent or reduce the likelihood of family violence. The Protective Order will list those persons and locations involved. The Protective Order also specifies the time the Order is in effect, up to two years from date of issuance.
- B. Temporary "ex parte" protective orders will be placed on file in the Communications Center for informational purposes only. Arrests pursuant to 25.07 of the Penal Code may be permitted provided all conditions are met. These orders will be stamped accordingly and maintained by the Communications Supervisor.
- C. A Magistrates Order for Emergency Protection issued pursuant to Art. 17.292 of the Texas Code of Criminal Procedure will be enforced pursuant to section 25.07 of the Texas Penal Code in the same manner prescribed for Protective Orders.

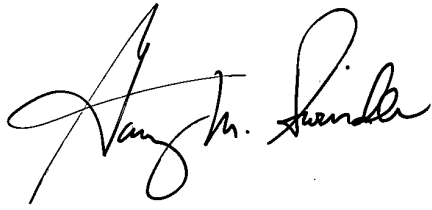
05.203 PROCEDURES INVOLVING A PROTECTIVE ORDER

- A. When a Protective Order or Magistrate's Order for Emergency Protection is received from the Court it shall be forwarded immediately to the Communications Unit Supervisor, or designate, who shall ensure that the Order is a copy signed by a magistrate. A list of active Protective Orders shall be posted on the W drive where it is available to all personnel. The Communications Unit Supervisor shall maintain a file of those Protective Orders and Magistrate's Orders for Emergency Protection that are in effect and periodically purge the file of those Orders that have expired.

When a judge issues a protective order on the weekend, a jail officer with Smith County Sheriff Office is to notify the Communications Unit or a Patrol Sergeant. The Sergeant is to have the order picked up and brought to the Communications Unit for immediate entry into the computer. The original will be provided to Communications.

- B. It shall be the responsibility of the Communications Unit Supervisor, or designate, to inform any officers dispatched to an address where a Protective Order has been issued of the existence of the Order and, if available, give the names of the persons and relationships involved.
- C. Arrests for violations of Protective Orders or Magistrate's Orders for Emergency Protection, as defined in Section 25.07 of the Texas Penal Code, shall be made pursuant to Art. 14.03 (a)(3) and 14.03 (b) of the Texas Code of Criminal Procedure, except as stated in 05.202B of this General Order.
- D. When an emergency protective order that has a Tyler Police Department Case number has expired, the Communications Sergeant will forward the expired original to Data Management where the original can be attached to the original case report.

Approved: 03/25/10

A handwritten signature in black ink, reading "Anthony M. Scandola". The signature is written in a cursive style with a large initial 'A' and a distinct 'S'.