

## OFFICE OF OPERATIONS

OPERATIONS ORDER NO. 6

November 30, 2016

**SUBJECT:        RESTRAINING AND PROTECTIVE ORDER HANDLING  
                  PROCEDURE**

**PURPOSE:**     In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for Fiscal Year 2014/15, Audit Division (AD) conducted the Restraining and Protective Order Audit. This audit revealed several deficiencies related to the handling of restraining and protective orders. It was determined that changes to the Department Manual and the establishment of a system for handling restraining and protective orders would help to mitigate these deficiencies. This Order establishes the procedure for handling restraining and protective orders to be followed by all geographic Areas.

**PROCEDURE:**

- A.    When a restraining and/or protective order arrives at an Area, whether by mail or hand delivered, it shall be taken to the Area Records Unit and placed in the “Restraining/Protective Order” in-box.

Whether received by Area records personnel or an officer, the employee receiving the order shall verify its validity prior to placing it in the in-box by:

- Verifying that the order has been certified by the issuing court;

**Note:** A certified copy of an order will bear an ink stamp signed by the deputy clerk of the court documenting authenticity.

- Ensuring that the order has not expired; and,
- Reviewing the proof of service to ensure it was properly served upon the restrained party/respondent.

- B.    Area records personnel shall then remove the orders from the in-box and follow the procedures for verification and data input per the Department’s 2014 Warrant Teletype Manual and the National Crime Information Center (NCIC) 2000 Operating Manual, California Restraining and Protective Order System (CARPOS), and Domestic Violence Restraining Order System (DVROS).

A second party must verify the documents for accuracy. Verification that the order and its attachments have been entered into the system and reviewed by a second party shall be indicated by a red stamp, placed on the bottom right-hand corner of the first page of the documents. On this stamp is written the name of the records personnel performing the second party verification, the type of protective/restraining order, and the date and time [this stamp was created and distributed by the Area Records Managers Association (ARMA)]. After the order and its attachments have been checked by a second party, they shall be placed in the “Restraining/Protective Order” in-box in the Subpoena Control area.

**Note:** The inputting of the Restraining Order into CARPOS should be a priority over other tasks due to the high risk of incident to the victim, and should be completed no later than 24 hours from receipt of a restraining and/or protective order.

- C. The Subpoena Control Officer shall remove the documents from the in-box and log the order in the Restraining Order Control Log, Form 15.40.00. Once logged, the Subpoena Control Officer shall place his or her initials in red ink at the bottom right-hand corner of the first page near the Records Clerk's stamp. The Subpoena Control Officer shall then take the certified copy, with all its attachments and forms, and place it in a binder in the Watch Commander's office.

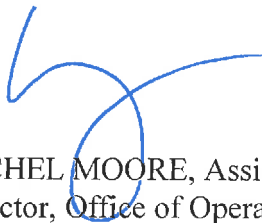
**Note:** The orders in this binder shall be organized alphabetically by the complainant's last name, and by expiration date of the order. This binder shall be accessible to all Department personnel, and shall be kept up to date by the Subpoena Control Officer by periodically removing inactive orders so that only active orders are maintained in the binder.

- D. Inactive orders, once removed from the binder, shall be filed in the Subpoena Control area and retained for two years. After two years, the orders shall be removed from the Subpoena Control area and taken to Area records personnel who shall then cause the orders to be archived at another location.
- E. In the case of a Firearms Emergency Protective Order or a Temporary Firearms Restraining Order, the Subpoena Control Officer shall make a copy of the order and provide the copy to the Area Detective Commanding Officer who shall be responsible for designating a coordinator.

The specific responsibilities for officers, Area records personnel, and Subpoena Control Officers are outlined in Department Manual Section 4/216.03.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

If you have any questions, please contact Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL MOORE, Assistant Chief  
Director, Office of Operations

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