

## 需要更詳盡的資訊嗎?

- 請查閱：  
[www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)
- 請電全國家庭暴力專線（24小時服務）：

**1-800-799-7233**

**聽力障礙者專線（TDD）：**  
**1-800-787-3224**

此為免費和保密電話。

服務人員可用100多種語言為您提供幫助。

欲在您所在地區獲得幫助，請洽：

### 編制單位：

Judicial Council of California  
Administrative Office of the Courts  
Center for Families, Children & the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102-3660

[www.courtinfo.ca.gov/programs/cfcc](http://www.courtinfo.ca.gov/programs/cfcc)

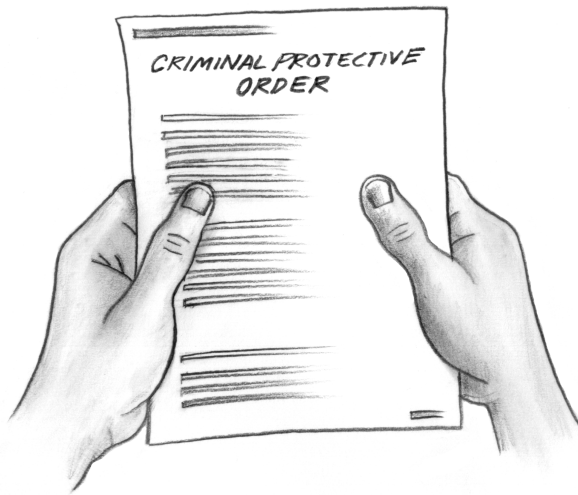
Brochure funded by the California  
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Criminal-Defendant  
Chinese

Use with CR-160. 01-04 Rev. 01/01/03

## 刑事保護令

# 我收到了 刑事保護令



## 什麼是「刑事保護令」？

這是一種法院命令，保護家庭暴力受保護人不受您傷害。

### 該命令內容是什麼？

它命令您：

- 不得接觸或接近受保護人，並且
- 不得擁有槍械

### 我如果違反命令有何後果？

警察可以逮捕您。您可能會坐牢。

### 該命令會生效多久？

請查閱CR-160表格，#7下面的日期，這是命令的終止日期。

NAME OF COURT AND DISTRICT, BRANCH, OR DIVISION, IF ANY: \_\_\_\_\_

FOR COURT USE ONLY CR-160

PEOPLE OF THE STATE OF CALIFORNIA vs. \_\_\_\_\_

DEFENDANT: \_\_\_\_\_

PROTECTIVE ORDER IN CRIMINAL PROCEEDING (CLETS)  
(Penal Code, §§ 136.2 and 1203.097(a)(2))

ORDER PENDING TRIAL  MODIFICATION  
 ORDER POST-TRIAL PROBATION CONDITION  DOMESTIC VIOLENCE CASE  
(Pen. Code, § 13700)

THIS ORDER TAKES PRECEDENCE OVER ANY CONFLICTING COURT ORDER

PERSON TO BE RESTRAINED (Complete name): \_\_\_\_\_  
Sex:  M  F Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 The defendant is a peace officer with \_\_\_\_\_ Department, \_\_\_\_\_ Room: \_\_\_\_\_

1. This proceeding was heard on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
by judicial officer (name): \_\_\_\_\_

2.  Defendant was personally present at the court hearing, and no additional proof of service of the restraining order is required.

GOOD CAUSE APPEARING, THE COURT ORDERS

3. The above-named defendant

a. must not annoy, harass, strike, threaten, sexually assault, batter, stalk, destroy personal property of, or otherwise disturb the peace of the protected persons named below.

b. must surrender to local law enforcement or sell to a licensed gun dealer any firearm owned or subject to his or her immediate possession or control within

(1)  24 hours after issuance of this order (if restrained person is present at hearing)  
(2)  48 hours after service of this order (if restrained person is not present at hearing)  
(3)  other (specify): \_\_\_\_\_

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

c. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.

d.  must have no personal, telephonic, or written contact with the protected persons named below.

e.  must not come within \_\_\_\_\_ yards of the protected persons named below.

f.  may have peaceful contact with the protected persons named below only for the safe exchange of children for court-ordered visitation as stated in the attached Family, Juvenile, or Probate court order in case no. \_\_\_\_\_ issued on (date): \_\_\_\_\_, as an exemption to the "no contact" or "stay-away" provision in paragraph (d), (e), or (f) of this order.

g.  may have peaceful contact with the protected persons named below only for the safe exchange of children for visitation as stated in a Family, Juvenile, or Probate court order issued after the date this order is signed, as an exemption to the "no contact" or "stay away" provisions in paragraph (d), (e), or (f) of this order.

4.  The protected person may record any prohibited communications made to him or her by the restrained person.

5. COMPLETE NAMES OF PROTECTED PERSONS: \_\_\_\_\_

6. Other orders including stay-away orders from specific locations: \_\_\_\_\_

7. This order expires on (specify date): \_\_\_\_\_  
If no date is listed, this order expires three years from the date of issuance.

Date: \_\_\_\_\_

Form Adopted for Mandatory Use  
Judicial Council of California  
CR-160 (Rev. January 1, 2003)

JUDICIAL OFFICER \_\_\_\_\_ Department/Division: \_\_\_\_\_

PROTECTIVE ORDER IN CRIMINAL PROCEEDING (CLETS)  
(Penal Code, §§ 136.2 and 1203.097(a)(2))

Page 1 of 2  
Penal Code, §§ 136.2, 166, 1203.097(a)(2)  
Form Approved by Department of Justice

(Distribution: original to file; 1 copy to each protected person; 1 copy to defendant; 1 copy to prosecutor; 1 copy to law enforcement)

## 我能否與受保護人商量撤銷命令？

不能。只有法官有權修改或撤銷命令。

## 如果受保護人與我聯絡怎麼辦？

無論如何您都必須遵從法院命令。該命令並不限制受保護人行為，它僅僅限制您的行為。

## 該命令在加州之外是否有效？

是。該命令在全美國有效，包括美國領地和印地安人保留地。

### 警告：

**如果您還涉及家庭法案件，請向律師洽詢。您在民事案件中所說的一切都可能在刑事案件中用作對您不利的證據。請告訴家庭法庭的法官您還涉及刑事案件。**

## 該命令對我的子女有何影響？

刑事保護命令並不涉及監護權、探訪權或子女撫養費等問題。您可以透過家庭法庭解決此類問題。

## 警察是否會逮捕我？

警察如果認為您有犯罪行為，就可以逮捕您。他們如果認為您違反了保護令，就必須逮捕您。

## 我如果被逮捕會怎樣？

您將被「傳訊」。您必須出庭。法官會告訴您對您提出的指控。如果您已被監禁，會在逮捕後48至72小時內傳訊。如果您未被監禁，傳訊可能會在數週之後進行。

## 我是否需要請律師？

是。如果您沒有錢請律師，法院在傳訊時會為您指派一名律師。

## 如果我沒有綠卡怎麼辦？

無論您是否有綠卡，命令都有效。您如果擔心被驅逐出境，請向移民律師洽詢。

## 如果受保護人希望撤消起訴怎麼辦？

市檢查官或地區檢查官 (D.A.) — 而不是受保護人 — 決定是否對您提出刑事起訴。他們會根據警察報告中的事實作出決定。