

**PORT GAMBLE S'KLALLAM COMMUNITY COURT  
PORT GAMBLE S'KLALLAM INDIAN RESERVATION  
KINGSTON, WA**

Case No.: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,  
vs.

**TEMPORARY PROTECTION ORDER  
AND NOTICE OF HEARING:  
DOMESTIC VIOLENCE**

\_\_\_\_\_  
Respondent.

Next Hearing Date: \_\_\_\_\_  
At Time: \_\_\_\_\_ am/ pm

**RESPONDENT IDENTIFIERS**

<b>RESPONDENT'S DISTINGUISHING FEATURES:</b>	<b>SEX</b>	<b>RACE</b>	<b>HAIR</b>
_____			
_____	<b>HEIGHT</b>	<b>WEIGHT</b>	<b>EYES</b>
_____			

**CAUTION: ACCESS TO WEAPONS:**  YES  NO  UNKNOWN

**THIS ORDER EXPIRES ON:**

**I. EMERGENCY TEMPORARY PROTECTION ORDER: DOMESTIC VIOLENCE**

Emergency ORDER FOR PROTECTION: DOMESTIC VIOLENCE issued by PORT GAMBLE S'KLALLAM POLICE department pursuant to PGST Code 15.04.04.

Issuing officer: \_\_\_\_\_ Badge #: \_\_\_\_\_

On-Call Judge: \_\_\_\_\_

Date of call: \_\_\_\_\_ Time of call: \_\_\_\_\_

**II. Dependents**

Includes protection of minors  Includes protection of elderly or vulnerable adults  
 No dependents involved.

Name (First, Middle Initial, Last)	Age	Sex	How Related to:	
			Petitioner	Respondent

**III. THE COURT FINDS:**

**THE COURT HAVING REVIEWED THE PETITION, AND FOR GOOD CAUSE SHOWN, THE COURT FINDS** that an emergency exists and that a **TEMPORARY PROTECTION ORDER: DOMESTIC VIOLENCE** should be issued without notice to the respondent to avoid irreparable harm.

This matter was conducted  in open Court;  in chambers,  via telephone/fax.

The Court has considered the petition and any supporting documents, response from the other party, other documents from the court record identified by the court, if any, and any testimony or argument. The court finds by a preponderance of the evidence that the petitioner has been a victim of domestic violence by the respondent.

The court has jurisdiction over the parties and the subject matter.

The court further finds that there is good cause to grant each remedy, regardless of the lack of prior service of process or of notice upon the respondent, because the harm which each remedy is intended to prevent if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner’s efforts to obtain judicial relief. Based on the findings of the court, the court concludes that the relief below shall be granted, it is Ordered:

1 **IV. IT IS ORDERED**

2 THE PARTIES SHALL APPEAR BEFORE THIS COURT at a hearing to determine  
3 whether PERMANENT PROTECTION ORDER: DOMESTIC VIOLENCE should be  
4 granted:

5 On: (Date) \_\_\_\_\_, (Time) \_\_\_\_\_ a.m./p.m.

6 At: PORT GAMBLE S'KLALLAM COMMUNITY COURT

7 31912 Little Boston Rd. NE

8 Kingston, WA 98346

9 **The respondent is directed to** appear and show cause why this temporary domestic  
10 violence protection order should not be made permanent and why the court should not order  
11 the relief requested by the petitioner.

12 **If Respondent is under 16 years of age**, then his or her parent(s) or legal guardian(s)  
13 shall also appear.

14 **\*\* Failure to appear at the hearing may result in the court granting all of the relief**  
15 **requested in the petition. \*\***

16 **WARNINGS TO THE RESPONDENT: A KNOWING VIOLATION OF THIS DOMESTIC**  
17 **VIOLENCE PROTECTION ORDER IS A CRIMINAL OFFENSE UNDER PGST CODE 15.07.10,**  
18 **AND CHAPTER 26.50 RCW AND WILL SUBJECT A VIOLATOR TO ARREST. YOU CAN BE**  
19 **ARRESTED EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR ALLOWS YOU TO**  
20 **VIOLATE THE ORDER'S PROHIBITIONS. YOU HAVE THE SOLE RESPONSIBILITY TO AVOID OR**  
21 **REFRAIN FROM VIOLATING THE ORDER'S PROVISIONS. ONLY THE COURT CAN CHANGE THE**  
22 **ORDER.**

23 **V. ORDER FOR PROTECTION**

24 **1.  Respondent is Restrained** from causing any physical harm, bodily injury, assault,  
25 including sexual assault, and from molesting, harassing, threatening, or stalking:

26  Petitioner  the Dependents named in section I above  these Dependents only:

27 \_\_\_\_\_  
28 (If the court orders this relief, the respondent will not be able to obtain or possess a firearm,  
29 other dangerous weapon, ammunition, or concealed pistol license **when they leave the**  
30 **Reservation** under state or federal law for the duration of the order.)

1 **2.  Respondent is Restrained** from harassing, following, keeping under physical or  
2 electronic surveillance as defined in PGST Code 15.01.02, and using telephonic,  
3 audiovisual, or other electronic means as defined under PGST Code 15.01.02 to monitor the  
4 actions, locations, or wire or electronic communication of:

5  Petitioner  the dependents named in section I above  these dependents only:  
6 \_\_\_\_\_;

7  Other members of the petitioners' household: \_\_\_\_\_  
8 \_\_\_\_\_

9  the petitioners' adult children: \_\_\_\_\_  
10 \_\_\_\_\_

11 **3  Respondent is Restrained** from coming near and from having any contact whatsoever,  
12 in person or through others, by phone, mail, or any means, directly or indirectly, except for  
13 mailing of court documents, with:

14  Petitioner  the dependents named in section I above, subject to any court-ordered  
15 visitation  these dependents only, subject to any court-ordered visitation:  
16 \_\_\_\_\_.

17 **4.  Respondent is Excluded** from

18  the shared residence  Petitioner's residence

19  Petitioner's workplace  Petitioner's school

20  the residence, day care, or school of:  the dependents named in section I above   
21 these dependents only: \_\_\_\_\_

22  other: \_\_\_\_\_

23 **Petitioner has a right to keep their residential address confidential.**

24 **5.  Respondent is Directed** to vacate the shared residence and restore it to the Petitioner.

25  **Tribal Housing is ordered** to change the locks of the residence within one business day  
26 of issuance of the order.

1 **6.  Respondent is Prohibited** from knowingly coming within, or knowingly remaining  
2 within (distance) \_\_\_\_\_ of:

3  the shared residence  Petitioner's residence  Petitioner's workplace

4  Petitioner's school

5  the residence, day care, or school of:  the dependents named in section I above

6  these dependents only: \_\_\_\_\_  
7 \_\_\_\_\_

8  other: \_\_\_\_\_

9 **7.  Respondent is Granted** the possession of essential personal belongings, including the  
10 following: \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_

13 **8.  Petitioner is Granted** the use of the following vehicle:

14 Year: \_\_\_\_\_, Make: \_\_\_\_\_, Model: \_\_\_\_\_

15 License Plate #: \_\_\_\_\_

16 **9.  Respondent is Directed** to surrender to the PGST Police Department all keys to the  
17 residence, keys to the protected person's vehicle(s), and garage door openers related to the  
18 protected person's residence.

19 **10.  Prohibit Weapons and Order Surrender**

20 Pursuant to PGST Code 15.07.11 UNLAWFUL POSSESSION OF FIREARMS, Respondent shall  
21 not use or possess a firearm while this Order is in effect.

22  The Port Gamble S'Klallam Police Department shall maintain custody of the following  
23 weapon(s): \_\_\_\_\_  
24 \_\_\_\_\_

25 Any person who is prohibited from possessing a firearm under PGST Code 15.07.11

26 UNLAWFUL POSSESSION OF FIREARMS, and who also claims tribal hunting rights under Title

27 18 must use a crossbow or other legal, non-firearm weapon for hunting purposes.

28 **WARNING TO RESPONDENT: Violation of this section is a FELONY 2 and may result**  
29 **in exclusion or banishment from the Port Gamble S'Klallam Tribal jurisdiction**

1 **11.  Petitioner is Restrained** from transferring, encumbering, concealing, or disposing of  
2 property except as authorized by the Court and required to show an accounting to the Court  
3 for all such transfers, encumbrances, dispositions, and expenditures.

4  **Respondent is Restrained** from transferring, encumbering, concealing, or disposing of  
5 property except as authorized by the Court and required to show an accounting to the Court  
6 for all such transfers, encumbrances, dispositions, and expenditures.

7 **12.  Other conditions:** \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11  
12 **VI. ORDER FOR PROTECTION: INVOLVING DEPENDENTS**

13 **\*\* Subject to any Child Custody court order \*\***

14 **1.  Petitioner is Granted** temporary custody pursuant to PGST Code 21.05.15 with regard  
15 to minor children of the respondent on a basis that gives primary consideration to the safety  
16 of the claimed victim of domestic violence and the minor children.

17  the dependents named in section I above  these dependents only: \_\_\_\_\_  
18 \_\_\_\_\_.

19 **2.  Respondent is Restrained** from interfering with petitioners physical or legal custody of  
20  the dependents named in section I above  these dependents only: \_\_\_\_\_  
21 \_\_\_\_\_.

22 **3.  Respondent is Restrained** from removing from:  Washington State  Kitsap  
23 County  Port Gamble S'Klallam Indian Reservation;  the dependents named in section  
24 I above  these dependents only: \_\_\_\_\_  
25 \_\_\_\_\_.

26 **4.  Petitioner and Respondent are Ordered** to establish permanent child custody orders  
27 pursuant to PGST Code 21.05 Child Custody and Visitation.  
28  
29  
30

1 **VII. ORDER FOR PROTECTION: ADDITIONAL REQUESTS**

2 1.  **Respondent is Directed** participate in appropriate treatment or counseling services.

3 \_\_\_\_\_  
4 \_\_\_\_\_

5 2.  **Respondent is Required** to pay: \_\_\_\_\_

6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_

10 3.  **Respondent is Restrained** from possessing and/or consuming alcohol, controlled  
11 substances, or drugs not taken under a valid and current prescription.

12  
13 **VIII. REQUEST AN ORDER FOR PROTECTION: ASSISTANCE FROM LAW ENFORCEMENT**

14 Law enforcement shall assist petitioner in obtaining:

15  Possession of:

16  the residence specified under section V item 5.

17  the vehicle specified under section V item 8.

18  Other: \_\_\_\_\_

19  Law enforcement shall assist petitioner in obtaining personal belongings listed under  
20 section V item 9.

21  
22  
23 **IX. WASHINGTON CRIME INFORMATION CENTER (WACIC) DATA ENTRY**

24 It is further ordered that Port Gamble S'Klallam Community Court Clerk shall forward a  
25 copy of this DOMESTIC VIOLENCE PROTECTION ORDER within 24 hours to: The Port  
26 Gamble S'Klallam Police Department, to the Kitsap County superior court, and to

27 \_\_\_\_\_ County Sheriff's Office where **Petitioner lives** which shall  
28 enter it into WACIC.

**X. SERVICE**

Respondent appeared and was served a copy of the order by the court; further service is not required.

The Port Gamble S’Klallam Community Court Clerk shall also forward a copy of this order on or before the next judicial day to:  Port Gamble S’Klallam Police Department,  \_\_\_\_\_ Police Department,  \_\_\_\_\_ County Sheriff’s Office where **Respondent lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court a Return of Service.

The Port Gamble S’Klallam Community Court Clerk shall also forward a copy of this order on or before the next judicial day to:  Port Gamble S’Klallam Police Department,

Petitioner shall make private arrangements for service of this order.

Respondent was served an Emergency ORDER FOR PROTECTION: DOMESTIC VIOLENCE issued by PORT GAMBLE S’KLALLAM POLICE DEPARTMENT.

**Full Faith and Credit**

This TEMPORARY PROTECTION ORDER: DOMESTIC VIOLENCE is issued in compliance with the full faith and credit provision of the Violence Against Women Act of 1994 (VAWA) as set forth in 18 U.S.C. 2265.

The Court shall coordinate with other agencies and ensure that any Port Gamble S’Klallam Tribal Protection Orders are submitted to any other jurisdiction, whether federal, state, tribal, or local, for the purpose of enhancing full faith and credit enforcement of all protection orders, including provisions to enter a protection order in the National Crime Information Center (NCIC) database.

**THIS ORDER IS IN EFFECT UNTIL THE HEARING SCHEDULED ON PAGE 3.**



1 SO ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

2  
3 \_\_\_\_\_  
4 JUDGE

5  
6  Emergency ORDER FOR PROTECTION: DOMESTIC VIOLENCE issued by PORT  
7 GAMBLE S'KLALLAM POLICE DEPARTMENT.

8 **PORT GAMBLE S'KLALLAM POLICE Officer Authorized to Affix Judge's Signature**  
9 **to this Temporary Order pursuant to PGST Code: 15.04.04:**

10 Printed Name: \_\_\_\_\_ Badge #: \_\_\_\_\_

11 Signature: \_\_\_\_\_

12 Date: \_\_\_\_\_ Time: \_\_\_\_\_  
13

14  
15 **I acknowledge receipt of a copy of this Order:**

16  
17 \_\_\_\_\_  
18 Signature of Respondent Print Name Date

19  
20 \_\_\_\_\_  
21 Signature of Respondent's Lawyer Print Name Date

22  
23 \_\_\_\_\_  
24 Signature of Petitioner/ Lawyer Print Name Date

25  
26 \_\_\_\_\_  
27 Signature of Person Filing Petition on Behalf of Petitioner Print Name Date

28  
29 \_\_\_\_\_  
30 Signature of PGST Tribal Prosecutor Print Name Date