

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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An Act to amend and reenact §§ 9.1-102, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-116.1:1, relating to victims of domestic violence, etc.; firearms safety or training course.

[S 1300]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-102, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 9.1-116.1:1 as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions, and (ii) temporary or probationary status, and establish the time required for completion of such training;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies, correctional officers employed by the Department of Corrections under the provisions of Title 53.1, and juvenile correctional officers employed at a juvenile correctional facility as the term is defined in § 66-25.3;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and with universities, colleges, community colleges, and other institutions, whether located in or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

- 57 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth,
58 for school operation for the specific purpose of training law-enforcement officers; but this shall not
59 prevent the holding of any such school whether approved or not;
- 60 14. Establish and maintain police training programs through such agencies and institutions as the
61 Board deems appropriate;
- 62 15. Establish compulsory minimum qualifications of certification and recertification for instructors in
63 criminal justice training schools approved by the Department;
- 64 16. Conduct and stimulate research by public and private agencies which shall be designed to
65 improve police administration and law enforcement;
- 66 17. Make recommendations concerning any matter within its purview pursuant to this chapter;
- 67 18. Coordinate its activities with those of any interstate system for the exchange of criminal history
68 record information, nominate one or more of its members to serve upon the council or committee of any
69 such system, and participate when and as deemed appropriate in any such system's activities and
70 programs;
- 71 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this
72 chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to
73 submit information, reports, and statistical data with respect to its policy and operation of information
74 systems or with respect to its collection, storage, dissemination, and usage of criminal history record
75 information and correctional status information, and such criminal justice agencies shall submit such
76 information, reports, and data as are reasonably required;
- 77 20. Conduct audits as required by § 9.1-131;
- 78 21. Conduct a continuing study and review of questions of individual privacy and confidentiality of
79 criminal history record information and correctional status information;
- 80 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect
81 to matters of privacy, confidentiality, and security as they pertain to criminal history record information
82 and correctional status information;
- 83 23. Maintain a liaison with any board, commission, committee, or other body which may be
84 established by law, executive order, or resolution to regulate the privacy and security of information
85 collected by the Commonwealth or any political subdivision thereof;
- 86 24. Adopt regulations establishing guidelines and standards for the collection, storage, and
87 dissemination of criminal history record information and correctional status information, and the privacy,
88 confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and
89 court orders;
- 90 25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal
91 justice information system, produce reports, provide technical assistance to state and local criminal
92 justice data system users, and provide analysis and interpretation of criminal justice statistical
93 information;
- 94 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law
95 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically
96 update that plan;
- 97 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the
98 Commonwealth, and units of general local government, or combinations thereof, including planning
99 district commissions, in planning, developing, and administering programs, projects, comprehensive
100 plans, and other activities for improving law enforcement and the administration of criminal justice
101 throughout the Commonwealth, including allocating and subgranting funds for these purposes;
- 102 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and
103 activities for the Commonwealth and units of general local government, or combinations thereof, in the
104 Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal
105 justice at every level throughout the Commonwealth;
- 106 29. Review and evaluate programs, projects, and activities, and recommend, where necessary,
107 revisions or alterations to such programs, projects, and activities for the purpose of improving law
108 enforcement and the administration of criminal justice;
- 109 30. Coordinate the activities and projects of the state departments, agencies, and boards of the
110 Commonwealth and of the units of general local government, or combination thereof, including planning
111 district commissions, relating to the preparation, adoption, administration, and implementation of
112 comprehensive plans to strengthen and improve law enforcement and the administration of criminal
113 justice;
- 114 31. Do all things necessary on behalf of the Commonwealth and its units of general local
115 government, to determine and secure benefits available under the Omnibus Crime Control and Safe
116 Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and
117 programs for strengthening and improving law enforcement, the administration of criminal justice, and

118 delinquency prevention and control;

119 32. Receive, administer, and expend all funds and other assistance available to the Board and the
120 Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe
121 Streets Act of 1968, as amended;

122 33. Apply for and accept grants from the United States government or any other source in carrying
123 out the purposes of this chapter and accept any and all donations both real and personal, and grants of
124 money from any governmental unit or public agency, or from any institution, person, firm or
125 corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section
126 shall be detailed in the annual report of the Board. Such report shall include the identity of the donor,
127 the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section
128 shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall
129 have the power to comply with conditions and execute such agreements as may be necessary;

130 34. Make and enter into all contracts and agreements necessary or incidental to the performance of
131 its duties and execution of its powers under this chapter, including but not limited to, contracts with the
132 United States, units of general local government or combinations thereof, in Virginia or other states, and
133 with agencies and departments of the Commonwealth;

134 35. Adopt and administer reasonable regulations for the planning and implementation of programs
135 and activities and for the allocation, expenditure and subgranting of funds available to the
136 Commonwealth and to units of general local government, and for carrying out the purposes of this
137 chapter and the powers and duties set forth herein;

138 36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707;

139 37. Establish training standards and publish and periodically update model policies for
140 law-enforcement personnel in the following subjects:

141 a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including
142 standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The
143 Department shall provide technical support and assistance to law-enforcement agencies in carrying out
144 the requirements set forth in subsection A of § 9.1-1301;

145 b. Communication with and facilitation of the safe return of individuals diagnosed with Alzheimer's
146 disease;

147 c. Sensitivity to and awareness of cultural diversity and the potential for biased policing;

148 d. Protocols for local and regional sexual assault response teams;

149 e. Communication of death notifications;

150 f. (Effective until July 1, 2018) The questioning of individuals suspected of driving while intoxicated
151 concerning the physical location of such individual's last consumption of an alcoholic beverage and the
152 communication of such information to the Alcoholic Beverage Control Board;

153 f. (Effective July 1, 2018) The questioning of individuals suspected of driving while intoxicated
154 concerning the physical location of such individual's last consumption of an alcoholic beverage and the
155 communication of such information to the Virginia Alcoholic Beverage Control Authority;

156 g. Vehicle patrol duties that embody current best practices for pursuits and for responding to
157 emergency calls;

158 h. Criminal investigations that embody current best practices for conducting photographic and live
159 lineups;

160 i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of
161 human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or
162 street patrol duties; and

163 j. Missing children, missing adults, and search and rescue protocol;

164 38. Establish compulsory training standards for basic training and the recertification of
165 law-enforcement officers to ensure sensitivity to and awareness of cultural diversity and the potential for
166 biased policing;

167 39. Review and evaluate community-policing programs in the Commonwealth, and recommend where
168 necessary statewide operating procedures, guidelines, and standards which strengthen and improve such
169 programs, including sensitivity to and awareness of cultural diversity and the potential for biased
170 policing;

171 40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with
172 Virginia law-enforcement agencies, provide technical assistance and administrative support, including
173 staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center
174 may provide accreditation assistance and training, resource material, and research into methods and
175 procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia
176 accreditation status;

177 41. Promote community policing philosophy and practice throughout the Commonwealth by
178 providing community policing training and technical assistance statewide to all law-enforcement

179 agencies, community groups, public and private organizations and citizens; developing and distributing
 180 innovative policing curricula and training tools on general community policing philosophy and practice
 181 and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia
 182 organizations with specific community policing needs; facilitating continued development and
 183 implementation of community policing programs statewide through discussion forums for community
 184 policing leaders, development of law-enforcement instructors; promoting a statewide community policing
 185 initiative; and serving as a statewide information source on the subject of community policing including,
 186 but not limited to periodic newsletters, a website and an accessible lending library;

187 42. Establish, in consultation with the Department of Education and the Virginia State Crime
 188 Commission, compulsory minimum standards for employment and job-entry and in-service training
 189 curricula and certification requirements for school security officers, which training and certification shall
 190 be administered by the Virginia Center for School and Campus Safety pursuant to § 9.1-184. Such
 191 training standards shall include, but shall not be limited to, the role and responsibility of school security
 192 officers, relevant state and federal laws, school and personal liability issues, security awareness in the
 193 school environment, mediation and conflict resolution, disaster and emergency response, and student
 194 behavioral dynamics. The Department shall establish an advisory committee consisting of local school
 195 board representatives, principals, superintendents, and school security personnel to assist in the
 196 development of these standards and certification requirements;

197 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with
 198 Article 11 (§ 9.1-185 et seq.);

199 44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

200 45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal
 201 justice agencies regarding the investigation, registration, and dissemination of information requirements
 202 as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

203 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula,
 204 and (iii) certification requirements for campus security officers. Such training standards shall include, but
 205 not be limited to, the role and responsibility of campus security officers, relevant state and federal laws,
 206 school and personal liability issues, security awareness in the campus environment, and disaster and
 207 emergency response. The Department shall provide technical support and assistance to campus police
 208 departments and campus security departments on the establishment and implementation of policies and
 209 procedures, including but not limited to: the management of such departments, investigatory procedures,
 210 judicial referrals, the establishment and management of databases for campus safety and security
 211 information sharing, and development of uniform record keeping for disciplinary records and statistics,
 212 such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an
 213 advisory committee consisting of college administrators, college police chiefs, college security
 214 department chiefs, and local law-enforcement officials to assist in the development of the standards and
 215 certification requirements and training pursuant to this subdivision;

216 47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established
 217 pursuant to § 9.1-187;

218 48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and
 219 attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human
 220 trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

221 49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of
 222 § 46.2-117;

223 50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional
 224 Standards Committee by providing technical assistance and administrative support, including staffing, for
 225 the Committee;

226 51. (Effective July 1, 2017) In accordance with § 9.1-102.1, design and approve the issuance of
 227 photo-identification cards to private security services registrants registered pursuant to Article 4
 228 (§ 9.1-138 et seq.);

229 52. In consultation with the State Council of Higher Education for Virginia and the Virginia
 230 Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on
 231 trauma-informed sexual assault investigation; ~~and~~

232 53. *Approve firearms safety or training courses or classes offered to victims of domestic violence,*
 233 *sexual abuse, stalking, or family abuse that are eligible for reimbursement under § 9.1-116.1:1 and*
 234 *publish and disseminate a list of approved courses or classes; and*

235 54. Perform such other acts as may be necessary or convenient for the effective performance of its
 236 duties.

237 **§ 9.1-116.1:1. Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims**
 238 **Fund; firearms safety or training course or class.**

239 A. *There is hereby created in the state treasury a special nonreverting fund to be known as the*

240 Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund, referred to in
 241 this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds
 242 appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its
 243 behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the
 244 Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including
 245 interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in
 246 the Fund. Moneys in the Fund shall be used solely for the purposes of reimbursing the cost of a
 247 firearms safety or training course or class to assist in protecting and providing necessary services to
 248 victims of and children affected by domestic violence, sexual abuse, stalking, and family abuse. For
 249 purposes of this section, "firearms safety or training course or class" means a course or class that is
 250 offered free of charge by a law-enforcement agency, junior college, community college, private or public
 251 institution of higher education or organization, or firearms training school to victims of domestic
 252 violence, sexual abuse, stalking, or family abuse that (i) has been approved by the Department and (ii)
 253 utilizes instructors certified by the National Rifle Association or the Department. Any entity offering such
 254 firearms safety or training course or class may apply for reimbursement from the Department, which
 255 shall be paid from the Fund, for the cost of offering such course or class to such victims.

256 B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants
 257 issued by the Comptroller upon written request signed by the Director of the Department. The Board
 258 shall establish the process for seeking reimbursement from the Fund and may impose limits on the
 259 amount of reimbursement that any entity offering such course or class may receive. Reimbursements
 260 shall be issued on the basis of a fiscal year of the Commonwealth, and in no case shall the Department
 261 issue more than the maximum amount of reimbursements allowed for the fiscal year. The maximum
 262 amount of reimbursements that may be issued in a fiscal year shall be the amount remaining in the
 263 Fund at the end of the previous fiscal year plus any amount appropriated for the current fiscal year as
 264 provided in the general appropriation act. Reimbursements applied for but not issued may be issued in
 265 a subsequent fiscal year. All reimbursements shall be issued in the order that each application is
 266 submitted to the Department. For applications received by mail or a recognized commercial delivery
 267 service, the postmark or confirmation of mailing shall determine the date of submission.

268 **§ 16.1-253.1. Preliminary protective orders in cases of family abuse; confidentiality.**

269 A. Upon the filing of a petition alleging that the petitioner is or has been, within a reasonable period
 270 of time, subjected to family abuse, the court may issue a preliminary protective order against an
 271 allegedly abusing person in order to protect the health and safety of the petitioner or any family or
 272 household member of the petitioner. The order may be issued in an ex parte proceeding upon good
 273 cause shown when the petition is supported by an affidavit or sworn testimony before the judge or
 274 intake officer. Immediate and present danger of family abuse or evidence sufficient to establish probable
 275 cause that family abuse has recently occurred shall constitute good cause. Evidence that the petitioner
 276 has been subjected to family abuse within a reasonable time and evidence of immediate and present
 277 danger of family abuse may be established by a showing that (i) the allegedly abusing person is
 278 incarcerated and is to be released from incarceration within 30 days following the petition or has been
 279 released from incarceration within 30 days prior to the petition, (ii) the crime for which the allegedly
 280 abusing person was convicted and incarcerated involved family abuse against the petitioner, and (iii) the
 281 allegedly abusing person has made threatening contact with the petitioner while he was incarcerated,
 282 exhibiting a renewed threat to the petitioner of family abuse.

283 A preliminary protective order may include any one or more of the following conditions to be
 284 imposed on the allegedly abusing person:

- 285 1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property.
- 286 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of
 287 the petitioner as the court deems necessary for the health or safety of such persons.
- 288 3. Granting the petitioner possession of the premises occupied by the parties to the exclusion of the
 289 allegedly abusing person; however, no such grant of possession shall affect title to any real or personal
 290 property.
- 291 4. Enjoining the respondent from terminating any necessary utility service to a premises that the
 292 petitioner has been granted possession of pursuant to subdivision 3 or, where appropriate, ordering the
 293 respondent to restore utility services to such premises.
- 294 5. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner
 295 alone or jointly owned by the parties to the exclusion of the allegedly abusing person; however, no such
 296 grant of possession or use shall affect title to the vehicle.
- 297 6. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner
 298 and any other family or household member and, where appropriate, requiring the respondent to pay
 299 deposits to connect or restore necessary utility services in the alternative housing provided.
- 300 7. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such

301 petitioner meets the definition of owner in § 3.2-6500.

302 8. Any other relief necessary for the protection of the petitioner and family or household members of
303 the petitioner.

304 B. The court shall forthwith, but in all cases no later than the end of the business day on which the
305 order was issued, enter and transfer electronically to the Virginia Criminal Information Network the
306 respondent's identifying information and the name, date of birth, sex, and race of each protected person
307 provided to the court. A copy of a preliminary protective order containing any such identifying
308 information shall be forwarded forthwith to the primary law-enforcement agency responsible for service
309 and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the
310 agency shall forthwith verify and enter any modification as necessary to the identifying information and
311 other appropriate information required by the Department of State Police into the Virginia Criminal
312 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et
313 seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as
314 provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit
315 court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the
316 respondent's identifying information and the name, date of birth, sex, and race of each protected person
317 provided to the court to the primary law-enforcement agency providing service and entry of protective
318 orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the
319 person subject to the order and other appropriate information required by the Department of State Police
320 into the Virginia Criminal Information Network established and maintained by the Department pursuant
321 to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly
322 abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter
323 the date and time of service and other appropriate information required by the Department of State
324 Police into the Virginia Criminal Information Network and make due return to the court. The
325 preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of
326 the issuance of the preliminary order. If the respondent fails to appear at this hearing because the
327 respondent was not personally served, or if personally served was incarcerated and not transported to the
328 hearing, the court may extend the protective order for a period not to exceed six months. The extended
329 protective order shall be served forthwith on the respondent. However, upon motion of the respondent
330 and for good cause shown, the court may continue the hearing. The preliminary order shall remain in
331 effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with
332 a copy of the order and information regarding the date and time of service. The order shall further
333 specify that either party may at any time file a motion with the court requesting a hearing to dissolve or
334 modify the order. The hearing on the motion shall be given precedence on the docket of the court.

335 Upon receipt of the return of service or other proof of service pursuant to subsection C of
336 § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the
337 primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as
338 necessary into the Virginia Criminal Information Network as described above. If the order is later
339 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded
340 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,
341 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify
342 and enter any modification as necessary to the identifying information and other appropriate information
343 required by the Department of State Police into the Virginia Criminal Information Network as described
344 above and the order shall be served forthwith and due return made to the court.

345 C. The preliminary order is effective upon personal service on the allegedly abusing person. Except
346 as otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

347 D. At a full hearing on the petition, the court may issue a protective order pursuant to § 16.1-279.1 if
348 the court finds that the petitioner has proven the allegation of family abuse by a preponderance of the
349 evidence.

350 E. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
351 office, nor any employee of them, may disclose, except among themselves, the residential address,
352 telephone number, or place of employment of the person protected by the order or that of the family of
353 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
354 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

355 F. As used in this section, "copy" includes a facsimile copy.

356 G. No fee shall be charged for filing or serving any petition or order pursuant to this section.

357 *H. Upon issuance of a preliminary protective order, the court shall provide the petitioner with a list*
358 *of firearms safety or training courses or classes that are available free of charge to victims of domestic*
359 *violence, sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*

360 **§ 16.1-253.4. Emergency protective orders authorized in certain cases; penalty.**

361 A. Any judge of a circuit court, general district court, juvenile and domestic relations district court or

362 magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in
 363 order to protect the health or safety of any person.

364 B. When a law-enforcement officer or an allegedly abused person asserts under oath to a judge or
 365 magistrate, and on that assertion or other evidence the judge or magistrate (i) finds that a warrant for a
 366 violation of § 18.2-57.2 has been issued or issues a warrant for violation of § 18.2-57.2 and finds that
 367 there is probable danger of further acts of family abuse against a family or household member by the
 368 respondent or (ii) finds that reasonable grounds exist to believe that the respondent has committed
 369 family abuse and there is probable danger of a further such offense against a family or household
 370 member by the respondent, the judge or magistrate shall issue an ex parte emergency protective order,
 371 except if the respondent is a minor, an emergency protective order shall not be required, imposing one
 372 or more of the following conditions on the respondent:

373 1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;

374 2. Prohibiting such contacts by the respondent with the allegedly abused person or family or
 375 household members of the allegedly abused person, including prohibiting the respondent from being in
 376 the physical presence of the allegedly abused person or family or household members of the allegedly
 377 abused person, as the judge or magistrate deems necessary to protect the safety of such persons;

378 3. Granting the family or household member possession of the premises occupied by the parties to
 379 the exclusion of the respondent; however, no such grant of possession shall affect title to any real or
 380 personal property; and

381 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
 382 petitioner meets the definition of owner in § 3.2-6500.

383 When the judge or magistrate considers the issuance of an emergency protective order pursuant to
 384 clause (i), he shall presume that there is probable danger of further acts of family abuse against a family
 385 or household member by the respondent unless the presumption is rebutted by the allegedly abused
 386 person.

387 C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the
 388 third day following issuance. If the expiration occurs on a day that the court is not in session, the
 389 emergency protective order shall be extended until 11:59 p.m. on the next day that the juvenile and
 390 domestic relations district court is in session. When issuing an emergency protective order under this
 391 section, the judge or magistrate shall provide the protected person or the law-enforcement officer seeking
 392 the emergency protective order with the form for use in filing petitions pursuant to § 16.1-253.1 and
 393 written information regarding protective orders that shall include the telephone numbers of domestic
 394 violence agencies and legal referral sources on a form prepared by the Supreme Court. If these forms
 395 are provided to a law-enforcement officer, the officer may provide these forms to the protected person
 396 when giving the emergency protective order to the protected person. The respondent may at any time
 397 file a motion with the court requesting a hearing to dissolve or modify the order issued hereunder. The
 398 hearing on the motion shall be given precedence on the docket of the court.

399 D. A law-enforcement officer may request an emergency protective order pursuant to this section
 400 and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant
 401 to § 16.1-253.1 or 16.1-279.1, may request the extension of an emergency protective order for an
 402 additional period of time not to exceed three days after expiration of the original order. The request for
 403 an emergency protective order or extension of an order may be made orally, in person or by electronic
 404 means, and the judge of a circuit court, general district court, or juvenile and domestic relations district
 405 court or a magistrate may issue an oral emergency protective order. An oral emergency protective order
 406 issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the
 407 order or the magistrate on a preprinted form approved and provided by the Supreme Court of Virginia.
 408 The completed form shall include a statement of the grounds for the order asserted by the officer or the
 409 allegedly abused person.

410 E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day
 411 on which the order was issued, enter and transfer electronically to the Virginia Criminal Information
 412 Network the respondent's identifying information and the name, date of birth, sex, and race of each
 413 protected person provided to the court or magistrate. A copy of an emergency protective order issued
 414 pursuant to this section containing any such identifying information shall be forwarded forthwith to the
 415 primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of
 416 the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any
 417 modification as necessary to the identifying information and other appropriate information required by
 418 the Department of State Police into the Virginia Criminal Information Network established and
 419 maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be
 420 served forthwith upon the respondent and due return made to the court. However, if the order is issued
 421 by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order
 422 containing the respondent's identifying information and the name, date of birth, sex, and race of each

423 protected person provided to the court to the primary law-enforcement agency providing service and
 424 entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter
 425 the name of the person subject to the order and other appropriate information required by the
 426 Department of State Police into the Virginia Criminal Network established and maintained by the
 427 Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith
 428 on the respondent. Upon service, the agency making service shall enter the date and time of service and
 429 other appropriate information required by the Department of State Police into the Virginia Criminal
 430 Information Network and make due return to the court. One copy of the order shall be given to the
 431 allegedly abused person when it is issued, and one copy shall be filed with the written report required
 432 by subsection D of § 19.2-81.3. The judge or magistrate who issues an oral order pursuant to an
 433 electronic request by a law-enforcement officer shall verify the written order to determine whether the
 434 officer who reduced it to writing accurately transcribed the contents of the oral order. The original copy
 435 shall be filed with the clerk of the juvenile and domestic relations district court within five business
 436 days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or
 437 modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency
 438 responsible for service and entry of protective orders, and upon receipt of the order by the primary
 439 law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the
 440 identifying information and other appropriate information required by the Department of State Police
 441 into the Virginia Criminal Information Network as described above and the order shall be served
 442 forthwith and due return made to the court. Upon request, the clerk shall provide the allegedly abused
 443 person with information regarding the date and time of service.

444 F. The availability of an emergency protective order shall not be affected by the fact that the family
 445 or household member left the premises to avoid the danger of family abuse by the respondent.

446 G. The issuance of an emergency protective order shall not be considered evidence of any
 447 wrongdoing by the respondent.

448 H. As used in this section, "law-enforcement officer" means (i) any full-time or part-time employee
 449 of a police department or sheriff's office which is part of or administered by the Commonwealth or any
 450 political subdivision thereof and who is responsible for the prevention and detection of crime and the
 451 enforcement of the penal, traffic, or highway laws of the Commonwealth; (ii) any member of an
 452 auxiliary police force established pursuant to § 15.2-1731; and (iii) any special conservator of the peace
 453 who meets the certification requirements for a law-enforcement officer as set forth in § 15.2-1706.
 454 Part-time employees are compensated officers who are not full-time employees as defined by the
 455 employing police department or sheriff's office.

456 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
 457 office, nor any employee of them, may disclose, except among themselves, the residential address,
 458 telephone number, or place of employment of the person protected by the order or that of the family of
 459 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
 460 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

461 J. As used in this section:

462 "Copy" includes a facsimile copy.

463 "Physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or
 464 (ii) unreasonably being within 100 feet from the petitioner's residence or place of employment.

465 K. No fee shall be charged for filing or serving any petition or order pursuant to this section.

466 L. Except as provided in § 16.1-253.2, a violation of a protective order issued under this section shall
 467 constitute contempt of court.

468 *M. Upon issuance of an emergency protective order, the court or magistrate shall provide the*
 469 *petitioner with a list of firearms safety or training courses or classes that are available free of charge*
 470 *to victims of domestic violence, sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*

471 **§ 16.1-279.1. Protective order in cases of family abuse.**

472 A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated
 473 respondent against whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the
 474 court may issue a protective order to protect the health and safety of the petitioner and family or
 475 household members of the petitioner. A protective order issued under this section may include any one
 476 or more of the following conditions to be imposed on the respondent:

477 1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;

478 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of
 479 the petitioner as the court deems necessary for the health or safety of such persons;

480 3. Granting the petitioner possession of the residence occupied by the parties to the exclusion of the
 481 respondent; however, no such grant of possession shall affect title to any real or personal property;

482 4. Enjoining the respondent from terminating any necessary utility service to the residence to which
 483 the petitioner was granted possession pursuant to subdivision 3 or, where appropriate, ordering the

484 respondent to restore utility services to that residence;

485 5. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner
 486 alone or jointly owned by the parties to the exclusion of the respondent and enjoining the respondent
 487 from terminating any insurance, registration, or taxes on the motor vehicle and directing the respondent
 488 to maintain the insurance, registration, and taxes, as appropriate; however, no such grant of possession
 489 or use shall affect title to the vehicle;

490 6. Requiring that the respondent provide suitable alternative housing for the petitioner and, if
 491 appropriate, any other family or household member and where appropriate, requiring the respondent to
 492 pay deposits to connect or restore necessary utility services in the alternative housing provided;

493 7. Ordering the respondent to participate in treatment, counseling or other programs as the court
 494 deems appropriate;

495 8. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
 496 petitioner meets the definition of owner in § 3.2-6500; and

497 9. Any other relief necessary for the protection of the petitioner and family or household members of
 498 the petitioner, including a provision for temporary custody or visitation of a minor child.

499 A1. If a protective order is issued pursuant to subsection A, the court may also issue a temporary
 500 child support order for the support of any children of the petitioner whom the respondent has a legal
 501 obligation to support. Such order shall terminate upon the determination of support pursuant to
 502 § 20-108.1.

503 B. The protective order may be issued for a specified period of time up to a maximum of two years.
 504 The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day
 505 of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner
 506 may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective
 507 order shall be given precedence on the docket of the court. If the petitioner was a family or household
 508 member of the respondent at the time the initial protective order was issued, the court may extend the
 509 protective order for a period not longer than two years to protect the health and safety of the petitioner
 510 or persons who are family or household members of the petitioner at the time the request for an
 511 extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day
 512 specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein
 513 shall limit the number of extensions that may be requested or issued.

514 C. A copy of the protective order shall be served on the respondent and provided to the petitioner as
 515 soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith,
 516 but in all cases no later than the end of the business day on which the order was issued, enter and
 517 transfer electronically to the Virginia Criminal Information Network the respondent's identifying
 518 information and the name, date of birth, sex, and race of each protected person provided to the court
 519 and shall forthwith forward the attested copy of the protective order containing any such identifying
 520 information to the primary law-enforcement agency responsible for service and entry of protective
 521 orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith
 522 verify and enter any modification as necessary to the identifying information and other appropriate
 523 information required by the Department of State Police into the Virginia Criminal Information Network
 524 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and
 525 the order shall be served forthwith upon the respondent and due return made to the court. Upon service,
 526 the agency making service shall enter the date and time of service and other appropriate information
 527 required by the Department of State Police into the Virginia Criminal Information Network and make
 528 due return to the court. If the order is later dissolved or modified, a copy of the dissolution or
 529 modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency
 530 responsible for service and entry of protective orders, and upon receipt of the order by the primary
 531 law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the
 532 identifying information and other appropriate information required by the Department of State Police
 533 into the Virginia Criminal Information Network as described above and the order shall be served
 534 forthwith and due return made to the court.

535 D. Except as otherwise provided in § 16.1-253.2, a violation of a protective order issued under this
 536 section shall constitute contempt of court.

537 E. The court may assess costs and attorneys' fees against either party regardless of whether an order
 538 of protection has been issued as a result of a full hearing.

539 F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate
 540 jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths,
 541 the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing
 542 violent or threatening acts or harassment against or contact or communication with or physical proximity
 543 to another person, including any of the conditions specified in subsection A, shall be accorded full faith
 544 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided

545 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person
 546 against whom the order is sought to be enforced sufficient to protect such person's due process rights
 547 and consistent with federal law. A person entitled to protection under such a foreign order may file the
 548 order in any juvenile and domestic relations district court by filing with the court an attested or
 549 exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of
 550 the order to the primary law-enforcement agency responsible for service and entry of protective orders
 551 which shall, upon receipt, enter the name of the person subject to the order and other appropriate
 552 information required by the Department of State Police into the Virginia Criminal Information Network
 553 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where
 554 practical, the court may transfer information electronically to the Virginia Criminal Information Network.

555 Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy
 556 available of any foreign order filed with that court. A law-enforcement officer may, in the performance
 557 of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been
 558 provided to him by any source and may also rely upon the statement of any person protected by the
 559 order that the order remains in effect.

560 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve
 561 or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on
 562 the docket of the court.

563 H. As used in this section:

564 "Copy" includes a facsimile copy; and

565 "Protective order" includes an initial, modified or extended protective order.

566 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
 567 office, nor any employee of them, may disclose, except among themselves, the residential address,
 568 telephone number, or place of employment of the person protected by the order or that of the family of
 569 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
 570 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

571 J. No fee shall be charged for filing or serving any petition or order pursuant to this section.

572 K. *Upon issuance of a protective order, the court shall provide the petitioner with a list of firearms*
 573 *safety or training courses or classes that are available free of charge to victims of domestic violence,*
 574 *sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*

575 **§ 19.2-152.8. Emergency protective orders authorized.**

576 A. Any judge of a circuit court, general district court, juvenile and domestic relations district court or
 577 magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in
 578 order to protect the health or safety of any person.

579 B. When a law-enforcement officer or an alleged victim asserts under oath to a judge or magistrate
 580 that such person is being or has been subjected to an act of violence, force, or threat and on that
 581 assertion or other evidence the judge or magistrate finds that (i) there is probable danger of a further
 582 such act being committed by the respondent against the alleged victim or (ii) a petition or warrant for
 583 the arrest of the respondent has been issued for any criminal offense resulting from the commission of
 584 an act of violence, force, or threat, the judge or magistrate shall issue an ex parte emergency protective
 585 order imposing one or more of the following conditions on the respondent:

586 1. Prohibiting acts of violence, force, or threat or criminal offenses resulting in injury to person or
 587 property;

588 2. Prohibiting such contacts by the respondent with the alleged victim or the alleged victim's family
 589 or household members, including prohibiting the respondent from being in the physical presence of the
 590 alleged victim or the alleged victim's family or household members, as the judge or magistrate deems
 591 necessary to protect the safety of such persons;

592 3. Such other conditions as the judge or magistrate deems necessary to prevent (i) acts of violence,
 593 force, or threat, (ii) criminal offenses resulting in injury to person or property, or (iii) communication or
 594 other contact of any kind by the respondent; and

595 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
 596 petitioner meets the definition of owner in § 3.2-6500.

597 C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the
 598 third day following issuance. If the expiration occurs on a day that the court is not in session, the
 599 emergency protective order shall be extended until 11:59 p.m. on the next day that the court which
 600 issued the order is in session. The respondent may at any time file a motion with the court requesting a
 601 hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the
 602 docket of the court.

603 D. A law-enforcement officer may request an emergency protective order pursuant to this section
 604 and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant
 605 to § 19.2-152.9 or 19.2-152.10, may request the extension of an emergency protective order for an

606 additional period of time not to exceed three days after expiration of the original order. The request for
 607 an emergency protective order or extension of an order may be made orally, in person or by electronic
 608 means, and the judge of a circuit court, general district court, or juvenile and domestic relations district
 609 court or a magistrate may issue an oral emergency protective order. An oral emergency protective order
 610 issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the
 611 order or the magistrate, on a preprinted form approved and provided by the Supreme Court of Virginia.
 612 The completed form shall include a statement of the grounds for the order asserted by the officer or the
 613 alleged victim of such crime.

614 E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day
 615 on which the order was issued, enter and transfer electronically to the Virginia Criminal Information
 616 Network the respondent's identifying information and the name, date of birth, sex, and race of each
 617 protected person provided to the court or magistrate. A copy of an emergency protective order issued
 618 pursuant to this section containing any such identifying information shall be forwarded forthwith to the
 619 primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of
 620 the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any
 621 modification as necessary to the identifying information and other appropriate information required by
 622 the Department of State Police into the Virginia Criminal Information Network established and
 623 maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be
 624 served forthwith upon the respondent and due return made to the court. However, if the order is issued
 625 by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order
 626 containing the respondent's identifying information and the name, date of birth, sex, and race of each
 627 protected person provided to the court to the primary law-enforcement agency providing service and
 628 entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter
 629 the name of the person subject to the order and other appropriate information required by the
 630 Department of State Police into the Virginia Criminal Information Network established and maintained
 631 by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served
 632 forthwith upon the respondent. Upon service, the agency making service shall enter the date and time of
 633 service and other appropriate information required into the Virginia Criminal Information Network and
 634 make due return to the court. One copy of the order shall be given to the alleged victim of such crime.
 635 The judge or magistrate who issues an oral order pursuant to an electronic request by a law-enforcement
 636 officer shall verify the written order to determine whether the officer who reduced it to writing
 637 accurately transcribed the contents of the oral order. The original copy shall be filed with the clerk of
 638 the appropriate district court within five business days of the issuance of the order. If the order is later
 639 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded
 640 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,
 641 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify
 642 and enter any modification as necessary to the identifying information and other appropriate information
 643 required by the Department of State Police into the Virginia Criminal Information Network as described
 644 above and the order shall be served forthwith and due return made to the court. Upon request, the clerk
 645 shall provide the alleged victim of such crime with information regarding the date and time of service.

646 F. The issuance of an emergency protective order shall not be considered evidence of any
 647 wrongdoing by the respondent.

648 G. As used in this section, a "law-enforcement officer" means any (i) person who is a full-time or
 649 part-time employee of a police department or sheriff's office which is part of or administered by the
 650 Commonwealth or any political subdivision thereof and who is responsible for the prevention and
 651 detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth and
 652 (ii) member of an auxiliary police force established pursuant to § 15.2-1731. Part-time employees are
 653 compensated officers who are not full-time employees as defined by the employing police department or
 654 sheriff's office.

655 H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
 656 office, nor any employee of them, may disclose, except among themselves, the residential address,
 657 telephone number, or place of employment of the person protected by the order or that of the family of
 658 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
 659 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

660 I. As used in this section:

661 "Copy" includes a facsimile copy.

662 "Physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or
 663 (ii) unreasonably being within 100 feet from the petitioner's residence or place of employment.

664 J. No fee shall be charged for filing or serving any petition pursuant to this section.

665 K. No emergency protective order shall be issued pursuant to this section against a law-enforcement
 666 officer for any action arising out of the lawful performance of his duties.

667 *L. Upon issuance of an emergency protective order, the court or magistrate shall provide the*
 668 *petitioner with a list of firearms safety or training courses or classes that are available free of charge*
 669 *to victims of domestic violence, sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*

670 **§ 19.2-152.9. Preliminary protective orders.**

671 A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable
 672 period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been
 673 issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of
 674 an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged
 675 perpetrator in order to protect the health and safety of the petitioner or any family or household member
 676 of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the
 677 petition is supported by an affidavit or sworn testimony before the judge or intake officer. Immediate
 678 and present danger of any act of violence, force, or threat or evidence sufficient to establish probable
 679 cause that an act of violence, force, or threat has recently occurred shall constitute good cause.

680 A preliminary protective order may include any one or more of the following conditions to be
 681 imposed on the respondent:

682 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to
 683 person or property;

684 2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or
 685 household members as the court deems necessary for the health and safety of such persons;

686 3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat,
 687 (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other
 688 contact of any kind by the respondent; and

689 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
 690 petitioner meets the definition of owner in § 3.2-6500.

691 B. The court shall forthwith, but in all cases no later than the end of the business day on which the
 692 order was issued, enter and transfer electronically to the Virginia Criminal Information Network the
 693 respondent's identifying information and the name, date of birth, sex, and race of each protected person
 694 provided to the court. A copy of a preliminary protective order containing any such identifying
 695 information shall be forwarded forthwith to the primary law-enforcement agency responsible for service
 696 and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the
 697 agency shall forthwith verify and enter any modification as necessary to the identifying information and
 698 other appropriate information required by the Department of State Police into the Virginia Criminal
 699 Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et
 700 seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided
 701 in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the
 702 clerk of the circuit court shall forthwith forward an attested copy of the order containing the
 703 respondent's identifying information and the name, date of birth, sex, and race of each protected person
 704 provided to the court to the primary law-enforcement agency providing service and entry of protective
 705 orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the
 706 person subject to the order and other appropriate information required by the Department of State Police
 707 into the Virginia Criminal Information Network established and maintained by the Department pursuant
 708 to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged
 709 perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the
 710 date and time of service and other appropriate information required by the Department of State Police
 711 into the Virginia Criminal Information Network and make due return to the court. The preliminary order
 712 shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the
 713 preliminary order. If the respondent fails to appear at this hearing because the respondent was not
 714 personally served, the court may extend the protective order for a period not to exceed six months. The
 715 extended protective order shall be served as soon as possible on the respondent. However, upon motion
 716 of the respondent and for good cause shown, the court may continue the hearing. The preliminary order
 717 shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the
 718 petitioner with a copy of the order and information regarding the date and time of service. The order
 719 shall further specify that either party may at any time file a motion with the court requesting a hearing
 720 to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of
 721 the court.

722 Upon receipt of the return of service or other proof of service pursuant to subsection C of
 723 § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to
 724 primary law-enforcement agency and the agency shall forthwith verify and enter any modification as
 725 necessary into the Virginia Criminal Information Network as described above. If the order is later
 726 dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded
 727 forthwith to the primary law-enforcement agency responsible for service and entry of protective orders,

728 and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify
729 and enter any modification as necessary to the identifying information and other appropriate information
730 required by the Department of State Police into the Virginia Criminal Information Network as described
731 above and the order shall be served forthwith and due return made to the court.

732 C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as
733 otherwise provided, a violation of the order shall constitute contempt of court.

734 D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10
735 if the court finds that the petitioner has proven the allegation that the petitioner is or has been, within a
736 reasonable period of time, subjected to an act of violence, force, or threat by a preponderance of the
737 evidence.

738 E. No fees shall be charged for filing or serving petitions pursuant to this section.

739 F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
740 office, nor any employee of them, may disclose, except among themselves, the residential address,
741 telephone number, or place of employment of the person protected by the order or that of the family of
742 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
743 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

744 G. As used in this section, "copy" includes a facsimile copy.

745 H. *Upon issuance of a preliminary protective order, the court shall provide the petitioner with a list*
746 *of firearms safety or training courses or classes that are available free of charge to victims of domestic*
747 *violence, sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*

748 **§ 19.2-152.10. Protective order.**

749 A. The court may issue a protective order pursuant to this chapter to protect the health and safety of
750 the petitioner and family or household members of a petitioner upon (i) the issuance of a petition or
751 warrant for, or a conviction of, any criminal offense resulting from the commission of an act of
752 violence, force, or threat or (ii) a hearing held pursuant to subsection D of § 19.2-152.9. A protective
753 order issued under this section may include any one or more of the following conditions to be imposed
754 on the respondent:

755 1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to
756 person or property;

757 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of
758 the petitioner as the court deems necessary for the health or safety of such persons;

759 3. Any other relief necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses
760 that may result in injury to person or property, or (iii) communication or other contact of any kind by
761 the respondent; and

762 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
763 petitioner meets the definition of owner in § 3.2-6500.

764 B. The protective order may be issued for a specified period of time up to a maximum of two years.
765 The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day
766 of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner
767 may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective
768 order shall be given precedence on the docket of the court. The court may extend the protective order
769 for a period not longer than two years to protect the health and safety of the petitioner or persons who
770 are family or household members of the petitioner at the time the request for an extension is made. The
771 extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on
772 the last day of the two-year period if no date is specified. Nothing herein shall limit the number of
773 extensions that may be requested or issued.

774 C. A copy of the protective order shall be served on the respondent and provided to the petitioner as
775 soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith,
776 but in all cases no later than the end of the business day on which the order was issued, enter and
777 transfer electronically to the Virginia Criminal Information Network the respondent's identifying
778 information and the name, date of birth, sex, and race of each protected person provided to the court
779 and shall forthwith forward the attested copy of the protective order and containing any such identifying
780 information to the primary law-enforcement agency responsible for service and entry of protective
781 orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith
782 verify and enter any modification as necessary to the identifying information and other appropriate
783 information required by the Department of State Police into the Virginia Criminal Information Network
784 established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and
785 the order shall be served forthwith upon the respondent and due return made to the court. Upon service,
786 the agency making service shall enter the date and time of service and other appropriate information
787 required into the Virginia Criminal Information Network and make due return to the court. If the order
788 is later dissolved or modified, a copy of the dissolution or modification order shall also be attested,

789 forwarded forthwith to the primary law-enforcement agency responsible for service and entry of
790 protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall
791 forthwith verify and enter any modification as necessary to the identifying information and other
792 appropriate information required by the Department of State Police into the Virginia Criminal
793 Information Network as described above and the order shall be served forthwith and due return made to
794 the court.

795 D. Except as otherwise provided, a violation of a protective order issued under this section shall
796 constitute contempt of court.

797 E. The court may assess costs and attorneys' fees against either party regardless of whether an order
798 of protection has been issued as a result of a full hearing.

799 F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate
800 jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths,
801 the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing
802 violent or threatening acts or harassment against or contact or communication with or physical proximity
803 to another person, including any of the conditions specified in subsection A, shall be accorded full faith
804 and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided
805 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person
806 against whom the order is sought to be enforced sufficient to protect such person's due process rights
807 and consistent with federal law. A person entitled to protection under such a foreign order may file the
808 order in any appropriate district court by filing with the court, an attested or exemplified copy of the
809 order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary
810 law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt,
811 enter the name of the person subject to the order and other appropriate information required by the
812 Department of State Police into the Virginia Criminal Information Network established and maintained
813 by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may
814 transfer information electronically to the Virginia Criminal Information Network.

815 Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy
816 available of any foreign order filed with that court. A law-enforcement officer may, in the performance
817 of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been
818 provided to him by any source and may also rely upon the statement of any person protected by the
819 order that the order remains in effect.

820 G. Either party may at any time file a written motion with the court requesting a hearing to dissolve
821 or modify the order. Proceedings to modify or dissolve a protective order shall be given precedence on
822 the docket of the court.

823 H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's
824 office, nor any employee of them, may disclose, except among themselves, the residential address,
825 telephone number, or place of employment of the person protected by the order or that of the family of
826 such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme
827 Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

828 I. No fees shall be charged for filing or serving petitions pursuant to this section.

829 J. As used in this section:

830 "Copy" includes a facsimile copy; and

831 "Protective order" includes an initial, modified or extended protective order.

832 K. *Upon issuance of a protective order, the court shall provide the petitioner with a list of firearms*
833 *safety or training courses or classes that are available free of charge to victims of domestic violence,*
834 *sexual abuse, stalking, or family abuse under § 9.1-116.1:1.*