

Protection Orders

Temporary Restraining Orders (TRO)

Lasts up for up to 14 days from date issued, unless extended

Service Required

TRO must be served to respondent to be enforceable. If TRO hasn't been served, law enforcement should serve petitioner's copy and arrest if respondent won't stop the violation immediately (Make sure service is reported).

Arrest Required

If probable cause that a condition has been violated—
MANDATORY ARREST.

Stalking

Consider if the violation or respondent's actions meet the elements of any other crime.

Violations of Temporary Restraining Orders are red flags for Stalking §940.32.

Foreign Protection Orders

A TRO issued in another State, Tribe or a territory governed by the U.S. (i.e. District of Columbia, Puerto Rico, etc.) is enforceable in WI under §813.128. If probable cause that a condition of this Foreign Protection Order has been violated—
MANDATORY ARREST.

Advocacy Agencies Can Assist With Protection Orders

Although a TRO may be a helpful tool in keeping a victim safe, officers are encouraged to have a victim of an intimate crime contact a local advocacy agency to help the victim determine if a TRO is appropriate. DV/SA agencies can also assist a victim in applying for a TRO and assist in safety planning.

Protection Orders

Injunctions (INJ)

Valid for up to 4 years

Service NOT Required

Domestic Abuse, Harassment, Child Abuse and Individuals at Risk Injunctions are enforceable as soon as the judge signs the order in court, whether or not the respondent is present. Service is NOT required.

Arrest Required

If probable cause that a condition has been violated—**MANDATORY ARREST.**

Firearm Surrender

Felony under §941.29(f) if respondent in Domestic Abuse, Child Abuse Injunctions is in possession of a firearm. (Harassment Injunction may also order no firearm possession, check conditions set by the judge).

Foreign Protection Orders

An injunction issued by another State, Tribe or territory governed by the U.S. (i.e. District of Columbia, Puerto Rico, etc.) is enforceable in WI under §813.128. If probable cause that a condition of this Foreign Protection Order has been violated—**MANDATORY ARREST.**

Stalking

Consider if the violation or respondent's actions meet the elements of any other crime.

Violations of Injunctions are red flags for Stalking §940.32.

Only a respondent can violate the order.