需要更多幫助嗎?

請電受害者證人協助組織:

1-800-777-9229

他們會幫助您獲得款項，以便您支付醫療費用、彌補損失的工資、為您本人及子女安排心理諮詢服務。他們還能幫助您獲得食品、衣服、臨時住所、交通工具、以及陪您出庭的人員。

需要更詳盡的資訊嗎?

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

  1-800-799-7233

  聽力障礙者專線（TDD）:
  1-800-787-3224

  此為免費和保密電話。

  服務人員可用100多種語言為您提供幫助。

欲在您所在地區獲得幫助，請洽:

編制單位:

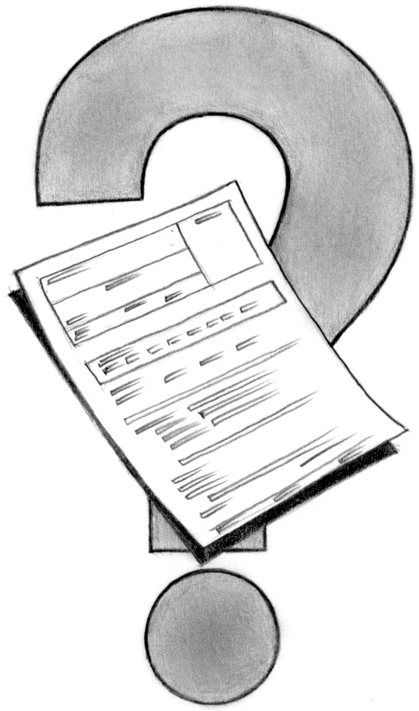
Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660

www.courtinfo.ca.gov/programs/cfcc

Brochure funded by the California Department of Health Services, Interagency Agreement No. 99-86072

Criminal–Victim
Chinese
Use with CR–160. 01-03 Rev. 01/01/03

刑事保護令 如何 幫助我?



什麼是「刑事保護令」?

這是一種法院命令，在刑事案件中保護您不受被告傷害。

該命令如何保護我?

如果您或您的子女是暴力行為的證人或受害者，被告不得:

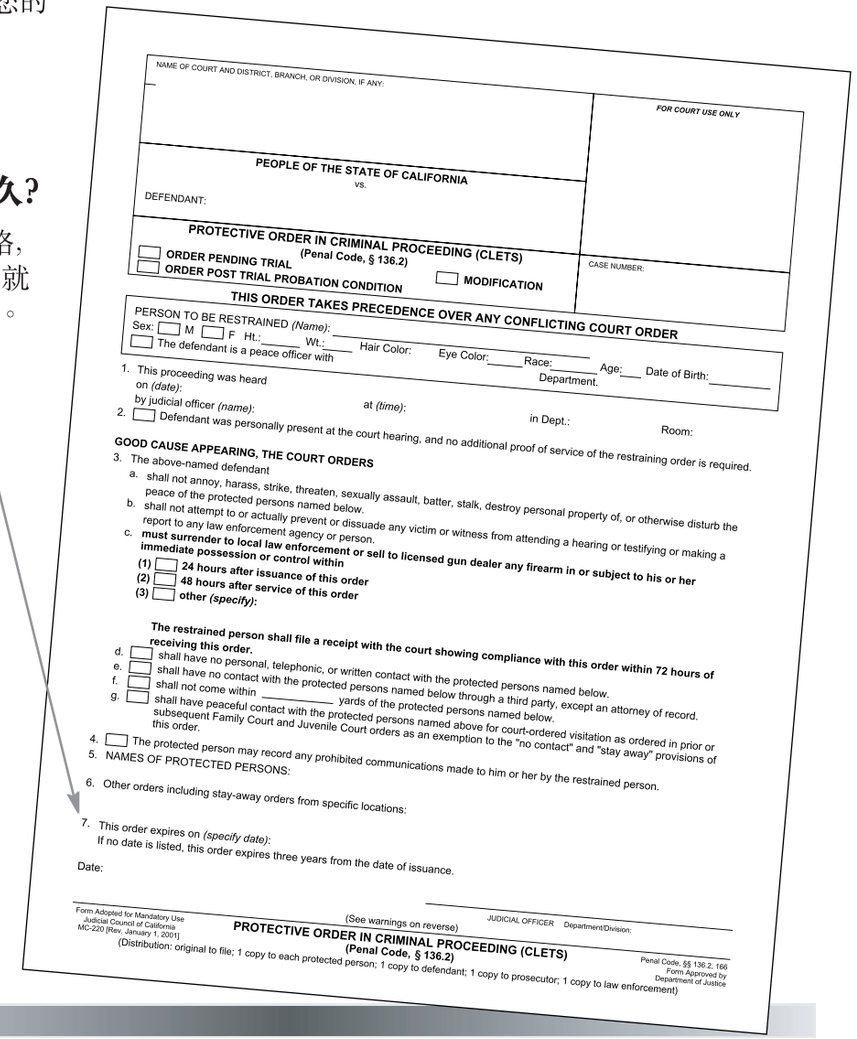
- 接觸或接近您或您的子女，或
- 擁有槍械

該命令會生效多久?

請查閱CR–160表格，#7下面的日期，這就是命令的終止日期。

該命令對我的子女有何影響?

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



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

FOR COURT USE ONLY

PEOPLE OF THE STATE OF CALIFORNIA
vs.
DEFENDANT:

PROTECTIVE ORDER IN CRIMINAL PROCEEDING (CLETS)
(Penal Code, § 136.2)
☐ ORDER PENDING TRIAL ☐ MODIFICATION
☐ ORDER POST TRIAL PROBATION CONDITION

CASE NUMBER:

THIS ORDER TAKES PRECEDENCE OVER ANY CONFLICTING COURT ORDER

PERSON TO BE RESTRAINED *(Name)*: _____
Sex: ☐ M ☐ F Ht.: _____ Wt.: _____ Hair Color: Eye Color: _____ Race: _____ Age: ___ Date of Birth: _____
☐ The defendant is a peace officer with _____ Department.

1. This proceeding was heard
   on *(date)*: at *(time)*: in Dept.: Room:
   by judicial officer *(name)*:
2. ☐ Defendant was personally present at the court hearing, and no additional proof of service of the restraining order is required.

GOOD CAUSE APPEARING, THE COURT ORDERS

3. The above-named defendant
   a. shall not annoy, harass, strike, threaten, sexually assault, batter, stalk, destroy personal property of, or otherwise disturb the peace of the protected persons named below.
   b. shall not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person.
   c. **must surrender to local law enforcement or sell to licensed gun dealer any firearm in or subject to his or her immediate possession or control within**
      (1) ☐ 24 hours after issuance of this order
      (2) ☐ 48 hours after service of this order
      (3) ☐ other *(specify)*:

      The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.
   d. ☐ shall have no personal, telephonic, or written contact with the protected persons named below.
   e. ☐ shall have no contact with the protected persons named below through a third party, except an attorney of record.
   f. ☐ shall not come within _____ yards of the protected persons named below.
   g. ☐ shall have peaceful contact with the protected persons named above for court-ordered visitation as ordered in prior or subsequent Family Court and Juvenile Court orders as an exemption to the "no contact" and "stay away" provisions of this order.
4. ☐ The protected person may record any prohibited communications made to him or her by the restrained person.
5. NAMES OF PROTECTED PERSONS:
6. Other orders including stay-away orders from specific locations:
7. This order expires on *(specify date)*:
   If no date is listed, this order expires three years from the date of issuance.

Date:

JUDICIAL OFFICER Department/Division:

Form Adopted for Mandatory Use
Judicial Council of California
MC-220 [Rev. January 1, 2001]

(See warnings on reverse)

PROTECTIVE ORDER IN CRIMINAL PROCEEDING (CLETS)
(Penal Code, § 136.2)

Penal Code, §§ 136.2, 166
Form Approved by Department of Justice

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

如果被告不遵從命令怎麼辦?

他（她）會被逮捕，並且受到刑事犯罪起訴。

我如果不需要該命令怎麼辦?

您可以告訴地區檢查官（DA）和法官，但法官可能仍然簽發該命令。

我能否與被告商量撤銷命令?

不能。只有法官有權修改或撤銷命令。

該命令在加州之外是否有效?

是。該命令在全美國有效，包括美國領地和印地安人保留地。您如果離開加州，請與所在州的法院或當地警察局聯絡，詢問他們如何執行該命令。

如果我沒有綠卡怎麼辦?

無論您是否有綠卡，命令都有效。

我如何瞭解被告的出獄日期?

告訴警察局或地區檢查官您希望瞭解被告出獄的日期。打電話給當地假釋部門或警長，詢問被告何時出獄。

我是否應當撥911?

您如果面臨危險或感到恐懼，或者被告違反禁制令，您可以撥911。警察到達時，告訴警察發生的事情。告訴他們有關禁制令、傷害、威脅、武器、以及是否有證人。

警察將怎樣做?

他們會進行調查，編寫一份「事件報告」。您可以向警察局免費索取一份報告副本。

警察是否會執行逮捕?

警察如果認為發生犯罪，就會執行逮捕。他們如果認為被告違反了禁制命令，就必須逮捕被告。如果警察不執行逮捕，您可以請求地區檢查官提出刑事犯罪起訴。

我如果被強奸怎麼辦?

打電話報警。在警察到達之前不要洗滌身體或衣物。性攻擊屬於刑事犯罪，即使被告是您的配偶或您所熟悉的人。

我能否控告被告?

能。您可以要求賠償醫療費用、損失的工資或由於遭受虐待而遭受的其他損失。請向家庭法庭求助。您也可以要求經濟賠償。請向律師洽詢。

我能否得到更多法律保護?

能。請向家庭法庭申請民事禁制令。法官可以命令被告:

- 不得接近您本人和您的子女、其他親屬、或與您一起居住的任何人
- 不得與您聯絡
- 搬出您的住所
- 遵守子女監護權、探訪權和子女撫養費命令
- 支付某些帳單
- 接受心理諮詢