

# File for a military protection order

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Learn the important ways in which a military protection order is different from a protection order you can get from a civilian court, and which might make more sense for your situation.

## **Can I get help if I've experienced domestic violence?**

**Community organizations can help!** If you've experienced domestic violence, harassment, stalking, or sexual assault, or the threat of any of these, get help from your local domestic violence shelter or sexual assault center. Shelters provide safety planning, temporary shelter, legal advocacy, counseling, and other services.

Visit Washington State Domestic Violence Information & Referral (<https://www.domesticviolenceinfo-referral.org/domestic-violence-programs>) to search for local programs by county, or for culturally/community specific ([https://www.domesticviolenceinfo-referral.org/domestic-violence-programs?field\\_county\\_value=All&field\\_program\\_catagory\\_tid=1](https://www.domesticviolenceinfo-referral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=1)) or Tribal programs ([https://www.domesticviolenceinfo-referral.org/domestic-violence-programs?field\\_county\\_value=All&field\\_program\\_catagory\\_tid=2](https://www.domesticviolenceinfo-referral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=2)).

You can call, text, or chat online with advocates 24/7 at any of these:

- National Domestic Violence Hotline (<https://www.thehotline.org/>), 1-800-799-7233
- National Sexual Assault Hotline (<https://rainn.org/resources>), 1-800-656-4673

- StrongHearts Native Helpline (<https://strongheartshelpline.org/>) (a peer support service of the National DV Hotline), 1-844-762-8483

If you've experienced domestic violence, harassment, stalking, or sexual assault and the person who harmed you is an active-duty service member who lives on a military base, you may be able to file for either a **civilian protection order** or a **military protection order**. Knowing the differences between the two will help you decide what type of order to get.

- You get a civilian protection order from a state court after the person who harmed you gets notice of your request for this court order and a chance to respond in writing or at a court hearing.
- You get a military protection order by asking the commanding officer (the CO) over the service member who harmed you for this type of order.

**Both types of orders can limit the service member's use of firearms.** You can get a civilian protection order that orders the service member to turn their firearms over to law enforcement. The military protection order can limit the service member's access to firearms.

#### **How are these orders different?**

**You don't need to go to a hearing to get a military protection order.** The service member does not get to respond to your request in writing, either.

On the other hand, **a civilian protection order may give you more protection both on and off base.** Law enforcement off base won't enforce a military protection order for you.

You might not want to have to see the person who harmed you in court. You might not feel up to having to go to a hearing. On the other hand, you might want to feel better protected both on and off base. You should talk to a domestic violence or other advocate about how to proceed. Depending on your situation, you can ask for one or both types of orders.

#### **Will a civilian protection order protect me on military bases?**

**Yes.** It has full force and effect on military bases and all federal property.

If the service member violates your civil protection order, you should report that to both law enforcement and the service member's base command or military police.

### **How do I get a civilian protection order against someone who's in the military and living on base?**

You must have a copy of your protection order court papers delivered to (served on) that person. Having this done on a military base isn't easy. **Local law enforcement and service agencies can't serve court papers on military bases.**

You may need to arrange for service to take place off base. Ask local law enforcement if they have a **memorandum of understanding (MOU)** with base command agreeing how service of court papers will take place on people located on base. An MOU will make service easier for you.

### **Will a military protection order protect me off military bases?**

**No.** Civilian and tribal courts and law enforcement can't enforce military protection orders. If you get a military protection order against a service member, and that person violates the order, you should report that to their base command or to military police.

### **How can a military protection order help me if it can't protect me off base?**

If you also are living and working on base, and the harm you've experienced has only happened on base, you should get a military protection order.

A military protection order can provide a "cooling off" period after an incident of domestic violence or sexual assault. It can also give you time to ask for a civilian protection order in state court.

### **Where can I get help?**

**The military's Family Advocacy Programs (FAP)** promote public awareness within military and civilian communities and coordinate intervention at all levels, including law enforcement, social services, health services, and legal services. An FAP can tell you about your options through the military and the civilian court system.

- Army resources (<https://www.armymwr.com/programs-and-services/personal-assistance/family-advocacy>)
- Navy resources (<https://www.mynavyhr.navy.mil/Support-Services/Culture-Resilience/Family-Advocacy/>)

- Air Force resources (<https://installations.militaryonesource.mil/military-installation/pentagon-air-force/military-and-family-support-center/family-advocacy-program>)
- Marine Corps resources (<https://www.usmc-mccs.org/marine-family-support/military-family-life/family-advocacy-program>)

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