

NCIC Protection Order File Brady Indicator

The following worksheet is provided for the use of Arkansas’s NCIC operators to aid them in establishing if a Protection Order meets the criteria of the Gun Control Act firearm prohibition. It is the responsibility of the entering agency to properly identify if a Protection Order meets the criteria.

This worksheet is provided ONLY as a supplemental tool to assist in this process. For additional information please see *NCIC 2000 Operating Manual | PROTECTION ORDER FILE | Section 2.5 Message Field Codes for Entry | Item 3. BRADY RECORD INDICATOR.*

Protection Order Brady Indicator Worksheet	
Respondent’s Name:	
Protection Order Number:	
Type of Order (Check one)	
No Contact Order	<input type="checkbox"/> This order does not qualify for Brady and should be coded as “N”.
Temporary Order (ex parte)	<input type="checkbox"/> This order does not qualify for Brady and should be coded as “N”.
Permanent Order	<input type="checkbox"/> Please continue with the worksheet below.
<i>Check only one box for each question below.</i>	
1. Issued after a Hearing Respondent received actual notice of hearing and had an opportunity to participate. <i>Note: No Contact or temporary orders (<u>ex parte</u>) are issued without a hearing having been held.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
2. Restrains from Harassing, Stalking, or Threatening Conduct Respondent is restrained from harassing, stalking, or threatening or otherwise engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury. <i>Example: Respondent is enjoined and prohibited from threatening, assaulting, molesting, attacking, or otherwise disturbing the peace of the petitioner.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
3. Finding of Credible Threat OR Explicitly Prohibits Use of Force a) Respondent is found to be a credible threat to the physical safety of the Petitioner. OR b) Respondent is explicitly prohibited from the use, attempted use, or threatened use physical force that would place the Petitioner in reasonable fear of bodily injury. <i>Example: Respondent is enjoined and prohibited from imposing any restraint upon the person or liberty of the petitioner.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
4. Petitioner/Protected Party’s relationship to Respondent /Restricted Party: The petitioner is the _____ of the respondent. a. <input type="checkbox"/> Spouse (Current or Former) b. <input type="checkbox"/> Cohabiting Intimate Partner ¹ (Current or Former) c. <input type="checkbox"/> Person with a Child in Common ² d. <input type="checkbox"/> Child of an Intimate Partner ³ e. <input type="checkbox"/> None of the Above f. <input type="checkbox"/> UNKNOWN ¹ Cohabiting Intimate Partner – Requires a live-in relationship between two individuals (can be same sex) which is a sexual/romantic one, NOT merely a roommate. ² Person with a Child in Common – Does NOT require cohabitation to have occurred at any time. ³ Child of an Intimate Partner – Includes biological, step, and adoptive children of current or former spouses and/or current or former cohabiting intimate partners ¹ . <i>Example: step-son/daughter, child of a live-in boyfriend/girlfriend, etc.</i>	
If ANY questions are answered “NO” OR the relationship in question 4 is identified as category e, then Brady Indicator = NO (BRD/N) If questions are answered “UNKNOWN” then Brady Indicator = UNKNOWN (BRD/U) If ALL of questions 1, 2, & 3 are answered “YES” AND the relationship in question 4 is identified as categories a, b, c, or d, then Brady Indicator = YES (BRD/Y)	

NOTE: An order granting that the Respondent is enjoined and prohibited from possessing or purchasing a firearm does NOT equate to a Brady indicator of YES. Protection Order Condition code 07 (PCO/07) should be used to indicate that a SUBJECT IS PROHIBITED FROM POSSESSING AND/OR PURCHASING A FIREARM OR OTHER WEAPONS.