

Date of Hearing: June 23, 2026  
Counsel: Dustin Weber

ASSEMBLY COMMITTEE ON PUBLIC SAFETY  
Nick Schultz, Chair

SB 99 (Blakespear) – As Amended June 4, 2026

**SUMMARY:** Authorizes a court determining whether to issue a protective order to consider whether evidence submitted to it by either party that a military protective order (MPO) has been issued against the respondent, as specified. Specifically, **this bill:**

- 1) Expands the requirement that, upon receiving information at the scene of a domestic violence incident, a law enforcement officer immediately inquire of the California Restraining and Protective Order System or the National Crime Information Center (NCIC) to include verifying existence of a military protective order.
- 2) Requires a law enforcement officer, if that officer determines that an MPO registered in the NCIC systems has been issued against a person involved in the domestic violence incident who violates a provision of a protective order, to notify the law enforcement agency that entered the MPO into NCIC that the restrained party may be in violation of an MPO.
- 3) Provides that each law enforcement agency in the state that petitions for or enforces protective orders issued, as specified, may develop and adopt memoranda of understanding (MOU) with military law enforcement or other designated representatives of one or more military installations located in whole or in part within the borders of its jurisdiction that govern the investigation and actions related to domestic violence involving service members assigned to units on those installations.
- 4) Provides that the MOUs may include, but are not limited to, all of the following:
  - a) To whom, how, and when each party would report information about potential violations of military or civilian protective orders;
  - b) Each party's role and responsibilities when conducting an investigation and in providing domestic violence prevention or rehabilitative services to a family in response to the results of the investigations, consistent with state and federal law; and
  - c) Protocols describing what, if any, confidential information may be shared between the parties and for what purposes, in accordance with applicable state and federal law.
- 5) Defines "military protective order" as "a protective order issued by a commanding officer in the Armed Forces of the United States, California National Guard, or the national guard of another state or territory against a person under the officer's command."

**EXISTING FEDERAL LAW:**

- 1) States that an MPO issued by a military commander remain in effect until such time as the military commander terminates the order or issues a replacement order. (10 U.S.C. § 1567)
- 2) Establishes, in the event an MPO is issued against a member of the armed forces, that the commander of the unit to which the member is assigned notify the appropriate civilian authorities of the issuance of the order and the individuals involved in the order not later than seven days after the date of the issuance of the order. (10 U.S.C. § 1567a(a).)
- 3) Requires that specified military commanders must also communicate with appropriate civilian authorities regarding the transfer of an individual against whom an MPO has been issued, and any changes to or termination of that MPO. (10 U.S.C. § 1567a(b), (c).)

**EXISTING STATE LAW:**

- 1) Authorizes a court, under the Domestic Violence Protection Act (DVPA), to issue and enforce domestic violence restraining orders (DVROs), including emergency protective orders (EPOs), temporary (or ex parte) restraining orders (TROs), and longer-term or permanent restraining orders. (Fam. Code, § 6200 et seq.)
- 2) Requires, before a hearing on a protective order, that the court ensures a search of specified records and databases is conducted to determine if the subject of the proposed order has a prior criminal conviction, as specified, an outstanding warrant, is currently on parole or probation, or owns or possesses a registered firearm. (Fam. Code, § 6306, subd. (a).)
- 3) Specifies that the search required above must be conducted of all records and databases readily available and reasonably accessible to the court, including, but not limited to the following:
  - a) The California Sex and Arson Registry (CSAR);
  - b) The Supervised Release File;
  - c) State summary criminal history information maintained by the DOJ, as specified;
  - d) The Federal Bureau of Investigation's (FBI) nationwide database; and
  - e) Locally maintained criminal history records or databases. (Fam. Code, § 6306, subd. (a)(1)(A)-(F).)
- 4) Requires the court to consider specified information obtained via the search of those records and databases before deciding whether to issue a protective order under the DVPA. (Fam. Code, § 6306, subd. (b)(1).)
- 5) Prohibits information obtained as a result of the search that does not involve a conviction, as specified, from being considered by the court in making a determination regarding the issuance of a DVRO. Requires that information to be destroyed and prohibits it from

becoming part of the public file in this or any other civil proceeding. (Fam. Code, § 6306, subd. (b)(2).)

- 6) Requires the court, after issuing its ruling, to advise the parties that they may request information obtained during the search specified above upon which the court relied, as specified. (Fam. Code, § 6306, subd. (c).)
- 7) States that the information obtained as a result of the search and relied upon by the court to be maintained in a confidential case file and prohibits it from becoming part of the public file in the proceeding or any other civil proceeding, as specified. (Fam. Code, § 6306, subd. (d).)
- 8) Provides that a protective order issued under the DVPA, whether a TRO, EPO, or an order issued after hearing pursuant to the DVPA, on request of the petitioner, to be served on the respondent by a law enforcement officer who is present at the scene of reported domestic violence involving the parties or who receives a request from the petitioner to provide service of the order. (Fam. Code, § 6383, subd. (a).)
- 9) States that a law enforcement officer, upon receiving information at the scene of a domestic violence incident that a protective order has been issued under the DVPA, or that a person who has been taken into custody is the respondent to that order, if the protected person cannot produce an endorsed copy of the order, to immediately inquire of the California Restraining and Protective Order System to verify the existence of the order. (Fam. Code, § 6383, subd. (d).)
- 10) Specifies the order in which protective orders must be enforced by law enforcement if multiple protective orders have been issued, as specified. (Fam. Code, § 6383, subd. (h)(2).)
- 11) Allows individuals with valid out-of-state protection orders to seek enforcement of those orders in California courts without having to reapply for a protective order under California law. (Fam. Code, § 6400 et seq.)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Sponsors:** United States Department of Defense and CA Commission on The Status of Women and Girls
- 2) **Author's Statement:** According to the author, “Military protective orders (MPOs), analogous to domestic violence restraining orders, are a critical tool for addressing domestic abuse within the military, but their effectiveness is limited. While MPOs apply off base, civilian law enforcement cannot enforce them. This limitation is particularly concerning given the severe shortage of on-base housing. In my district, Camp Pendleton has a waiting list up to 16 months long for on-base housing, forcing many survivors to live off base and leaving them vulnerable to continued abuse.

“SB 99 strengthens protections for survivors by bridging the gap between military and civilian systems. It allows courts to consider whether an MPO exists when deciding whether to grant a domestic violence prevention order. SB 99 also improves accountability by

requiring law enforcement officers who believe an MPO may have been violated to notify military authorities so appropriate enforcement action can be taken. Finally, the bill authorizes formal information sharing agreements between civilian law enforcement and military police to promote coordinated and effective responses to domestic violence.

“SB 99 ensures that domestic violence survivors are not left unprotected simply because their abuse crosses jurisdictional lines. By strengthening coordination and enforcement, this bill closes critical gaps and helps ensure meaningful, continuous protection for military families.”

- 3) **Effect of the Bill:** SB 99 generally would authorize courts determining whether to issue a protective order, where an MPO already has been issued, to consider evidence submitted by either party. This bill also would require law enforcement to verify existence of an MPO at the scene of a domestic violence incident; and, where a determination is made that the restrained person violated a protective order, law enforcement is required to notify the agency that entered the MPO that the restrained person also may have violated the MPO. SB 99 additionally authorizes law enforcement to enter into memoranda of understanding with relevant military authorities to coordinate investigations and actions relating to administration of protective orders.

MPO is defined in this bill as “a protective order issued by a commanding officer in the Armed Forces of the United States, California National Guard, or the national guard of another state or territory against a person under the officer’s command.” Existing California law requires that prior to a hearing on the issuance or denial of a protective order, a court must conduct a background check and consider specified relevant criminal history. (Fam. Code, § 6306.) SB 99 specifies that law enforcement must determine whether the subject of the proposed order involved in a domestic violence incident has a current or prior MPO or a prior violation of an MPO, as entered into the National Crime Information Center (NCIC) system.<sup>1</sup> The NCIC is maintained by the FBI and is the country’s central database for tracking crime-related information.<sup>2</sup> It is available to federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year.<sup>3</sup> Generally, commanding officers are required to enter MPOs into NCIC.<sup>4</sup>

SB 99 seeks to improve communications between local law enforcement agencies in the state and military law enforcement entities overseeing MPOs. Existing law provides that upon receiving information at the scene of a domestic violence incident that a protective order has been issued, or that a person who has been taken into custody is the respondent to that order, if the protected person cannot produce a copy of the order, the responding officer must query the California Restraining and Protective Order System to verify the existence of the order. (Fam. Code, § 386, subd. (d).) SB 99 would authorize development of memoranda of

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<sup>1</sup> U.S. MARINE CORPS REQUIREMENT TO ENTER MILITARY PROTECTIVE ORDERS INTO THE FEDERAL BUREAU OF INVESTIGATION NATIONAL CRIME INFORMATION CENTER PROTECTION ORDER FILE AND THE USMC AUTHORIZED CRIMINAL JUSTICE INFORMATION SYSTEM (Apr. 6, 2020) <<https://www.marines.mil/News/Messages/Messages-Display/Article/2138712/u-s-marine-corps-requirement-to-enter-military-protective-orders-into-the-feder/>> [as of June 12, 2026].

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

understanding between law enforcement and military authority to improve coordination and administration of MPOs.

- 4) **Military Protective Orders:** A military protective order (MPO) is a lawful order issued by a commanding officer ordering the respondent, or restrained party, to avoid contact with the petitioner, or protected party. An MPO may be issued to protect a member of the U.S. military from an alleged non-military perpetrator, or to protect a non-military individual from a member of the military, though the order itself may only apply to a member of the Armed Forces. Generally, the non-military parties involved include dependents of a servicemember, such as a spouse, child or other family member who believe they are at risk of harm. MPOs can be issued verbally or in writing, and are indefinite in duration, only subject to modification or termination by the commander who issued the order. (10 U.S.C. § 1567.)

MPOs are not enforceable by civilian law enforcement authorities but federal law does require a commander that issues an MPO to notify the appropriate civilian authorities of the order and the individuals involved no later than seven days after the issuance of the order. (10 U.S.C. § 1567a(a).) Where the subject of an MPO is transferred to another unit, the commander of the unit from which the subject is transferred must notify the commander of the destination unit, who must also notify the appropriate civilian authorities pursuant to the above requirement. (10 U.S.C. § 1567a(b).) The commander of the unit to which the subject of an MPO is assigned must also notify the appropriate civilian authorities if any change is made to the MPO or if the MPO is terminated. (10 U.S.C. § 1567a(b)-(c).) Violations of MPOs can be charged as violations of orders under Article 90 of the Uniform Code of Military Justice.<sup>5</sup>

- 5) **Due Process:** Due process concerns have been raised to SB 99. While MPOs undoubtedly raise due process concerns due to the untraditional process for issuing those orders (i.e., via commanding officers and not traditional magistrates or judges), courts have addressed some of these concerns. Not only are MPOs authorized by federal law (10 U.S.C. § 1567a) that are supreme to conflicting state law (U.S. Const., art. VI), the Ninth Circuit Court of Appeals has found that in certain cases a commanding officer “qualifies as a neutral and detached magistrate for the purpose of determining probable cause.” (*United States v. Banks* (9th Cir. 1976) 539 F.2d 14, 16 [finding an on-base search and arrest warrant valid where the search and arrest were based on violation of civil law and that the probable cause determination was made by a commanding officer who was not involved in the civilian law enforcement investigation].) Probable cause for a warrant and issuance of a protective order undoubtedly differ but both implicate individual constitutional rights. Moreover, if our federal appellate court has determined that commanding officers qualify as neutral, detached magistrates in certain Fourth Amendment contexts, it is conceivable that courts may find them to be neutral, detached magistrates in the context of the Fifth Amendment’s due process protections. This is arguably inconsistent with traditional notions of due process, but as the Third Circuit stated, “judicial review of [a commanding officer’s authority over their post] must necessarily be limited.” (*Committee to Free Ft. Dix 38 v. Collins* (3d Cir. 1970) 429 F.2d 807, 809.)

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<sup>5</sup> Office of the Staff Judge Advocate Legal Assistance Office, *Military Protective Orders Fact Sheet* (Mar. 2025) <<https://www.benning.army.mil/MCoE/SJA/content/PDF/20250509%20%20MPO%20FACT%20SHEET.pdf>> [as of June 11, 2026].

Understandably, simply because federal courts seem to have upheld the constitutionality of commanding officers as neutral magistrates on base does not mean California should not jealously guard its particular commitment to due process. There is no current requirement that California accept the veracity of MPOs in its courtrooms and this bill does not establish such a requirement. SB 99 does not require courts to do much of anything with MPO evidence, however, this bill does give courts discretion to “consider evidence submitted to it by either party that a military protective order has been issued against the respondent for the same or similar conduct against a person to be protected by the proposed order.” When faced with an MPO, a judge may opt not to consider the evidence of an MPO. This bill only explicitly allows a court to consider evidence of an MPO—an authority courts arguably already possess—but the bill does not mandate considering evidence of an MPO.

- 6) **Argument in Support:** According to the bill’s sponsor, the *United States Department of Defense*, “This bill addresses critical gaps in the response to interpersonal violence in the military, enhancing the safety and readiness of our service members and their families.

“Addressing this important policy in California is of great significance to the Department and Military Services with over 242,000 active-duty, National Guard and reserve military members and over 89,000 spouses of military members stationed and living in the State. Our service members hold a crucial role in protecting the interests of the United States both at home and abroad and ensuring our overall national security. Through development of interpersonal violence policies at the state level facilitating enhanced implementation at local levels, states can help empower victims, deter offenders, and create an environment for military families that ensures their well-being and enhances their resilience and readiness.

“Interpersonal violence, which includes a continuum of harm from harassment to domestic abuse, directly impacts military readiness. When these harmful behaviors involve military personnel, they often cross between military and civilian jurisdictions. Interpersonal violence extends well beyond an individual victim, as the effects of violence directly impact all our service members, their families, the units to which they are assigned, and our greater national security. Without coordinated communication between authorities, offenses can go unaddressed, leaving victims at risk and undermining a commander’s ability to ensure the welfare of their unit. SB 99 provides two essential solutions to bridge this jurisdictional gap:

- **Allows Military Protective Orders (MPOs) as evidence:** The bill enables state courts to consider a commander-issued MPO as evidence when a victim seeks a civilian restraining order. Currently, MPOs are not recognized or enforceable off a military installation. Explicitly allowing MPOs to be considered as evidence when a victim is seeking to obtain a civilian temporary restraining order will provide victims of interpersonal violence with greater access to state protections, services, and victim advocacy efforts that would not have been available through a standard military protective order that applies only on military property. This change provides judges with a more complete picture of the threat, gives victims faster access to civil protections, and can prevent them from having to relive their trauma in a second proceeding.

- **Enhances Information-Sharing:** The bill encourages reciprocal information-sharing between civilian and military law enforcement. While commanders are required to notify civilian authorities of MPOs, no reciprocal requirement exists for local agencies to notify the military of incidents or protective orders involving service members<sup>1</sup>. SB 99 closes

this communication gap, ensuring commanders can take appropriate action to stop abuse, support victims, and maintain unit accountability.

“These provisions directly complement federal law<sup>2</sup> and the Department's own efforts<sup>3</sup>, including our Family Advocacy Program<sup>4</sup>, to prevent and respond to domestic abuse. By strengthening the partnership between California and the military, this legislation will improve the well-being of our service members and their families, thereby enhancing the readiness of our force.”

- 7) **Argument in Opposition:** According to the *American Civil Liberties Union*, “While we agree in the importance of protecting survivors of domestic violence, we are deeply concerned about the fact that military protective orders (MPOs) are issued without due process. As such, these orders should not be used as evidence in state judicial processes.

“Military protective orders are issued with little to no due process for the subject of the order. The decision to impose an MPO is made by a Commanding Officer, not a judge. And this decision may be made without notice to the subject or any opportunity for the subject of the order to present evidence against the claims underlying the MPO. California should not compound the due process concerns with MPOs by allowing the orders to be used in state judicial proceedings.

“We recognize the need to continue finding ways to address domestic violence, but we must do so in balance with protecting due process. ACLU California Action is willing to remove our opposition if Section 1 of the bill is removed.”

8) **Related Legislation:**

- a) AB 1657 (Rogers) would prohibit a court from requiring that notice be provided to the party to be restrained in advance of filing an application for an ex parte restraining order, and would prohibit a court from requiring an explanation or declaration to substantiate a party’s decision not to provide notice in advance of filing. AB 1657 is pending a vote on the Senate floor.
- b) AB 1753 (Stefani), among other things, would authorize a court to dispense with notice when issuing an ex parte restraining order on a case-by-case basis and would prohibit courts from requiring petitioner showing exceptional circumstances to dispense with notice. AB 1753 is pending hearing in the Senate Public Safety Committee.
- c) AB 2179 (Patel) would allow any party or witness to a petition for a restraining order to appear remotely at a hearing and would prohibit any fee for appearing remotely. AB 2179 is pending hearing in the Senate Appropriations Committee.

9) **Prior Legislation:**

- a) AB 451 (Quirk-Silva), Chapter 693, Statutes of 2025, required local LEAs to adopt standard policies and procedures to implement requirements governing service, implementation, and enforcement of protective orders.

- b) AB 1078 (Berman), Chapter 570, Statutes of 2025, among other things, required the review of the California Restraining and Protective Order System to include information concerning whether the applicant is reasonably likely to be a danger to self, others, or the community at large.
- c) AB 2822 (Gabriel), Chapter 536, Statutes of 2024, requires a law enforcement officer to make a notation in a domestic violence incident report if they remove a firearm or other deadly weapon.
- d) SB 899 (Skinner), Chapter 544, Statutes of 2024, required the court, when issuing protective orders, to provide the person with information about how any firearms or ammunition still in their possession to be relinquished.
- e) AB 818 (Petrie-Norris), Chapter 242, Statutes of 2023, required all peace officers, not just sheriffs and marshals, to serve all types of protective orders for free upon the petitioner's request.
- f) AB 36 (Gabriel), of the 2023-2024 Legislative Session, would have provided that any person subject to a civil or criminal protective order issued on or after July 1, 2024, shall not own, possess, purchase, or receive a firearm or ammunition within three years after expiration of the order. AB 36 was held in the Assembly Appropriations Committee.
- g) SB 538 (Rubio), Chapter 686, Statutes of 2021, authorized remote appearances for GVRO and DVRO petitioners.
- h) SB 66 (Kuehl), Chapter 572, Statutes of 2001, required the court, prior to a hearing on the issuance or denial of a protective order to ensure that a search of specified records and databases is or has been made to determine if the proposed subject of the order has any specified prior criminal convictions or outstanding warrants, is on parole or probation, or is or was the subject of other protective or restraining orders.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

CA Commission on the Status of Women and Girls (Co-Sponsor)  
Arcadia Police Officers' Association  
Brea Police Association  
Burbank Police Officers' Association  
California Association of School Police Chiefs  
California Coalition of School Safety Professionals  
California Narcotic Officers' Association  
California Reserve Peace Officers Association  
Claremont Police Officers Association  
Corona Police Officers Association  
Culver City Police Officers' Association  
Fullerton Police Officers' Association  
Giffords  
Los Angeles School Police Management Association

Los Angeles School Police Officers Association  
Mayor Todd Gloria, City of San Diego  
Military Services in California  
Murrieta Police Officers' Association  
Newport Beach Police Association  
Palos Verdes Police Officers Association  
Placer County Deputy Sheriffs' Association  
Pomona Police Officers' Association  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
San Diego County District Attorney's Office  
U.s. Department of Defense

**Opposition**

ACLU California Action

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