



# Military Protection Orders (MPOs)

**What is an MPO?** A military protection order (MPO) is a formal protective order issued by a military commander to protect a party from the subject during a criminal investigation or prosecution. An MPO allows for broad protections, which may include: prohibiting the subject from engaging in certain conduct, including assaulting, threatening, abusing, harassing, or stalking the protected party; limiting communications between the subject and the protected party; prohibiting the subject from coming within a certain distance of the protected party, their household, residence, and workplace; mandating counseling for the subject; and requiring the subject's disposal of personal firearms located on the military installation. If a civilian protection order (CPO) also has been issued, the MPO may not include terms that are contradictory to or less restrictive than the CPO.

**Governing statute and regulations:** Title 10, United States Code, Sections 136, 1561a, and 1567a; DoDI 6400.06, Domestic Abuse Involving DoD Military and Certain Affiliated Personnel; DAFI 51-201, Administration of Military Justice; and AFMAN 71-102, Air Force Criminal Indexing.

**Basis for issuance:** A determination by the issuing commander that the MPO is the least restrictive means available to safeguard the protected party from the subject. No hearing is required prior to issuance of an MPO and there is no cost to the protected party for seeking one.

**MPO Terms:** An MPO is issued on a DD Form 2873, Military Protection Order. The MPO documents: the information/allegations supporting issuance of the MPO; the actions prohibited or restricted by the MPO; personal identifying information for the subject and the protected party; and a determination that issuance of the MPO is in the best interests of good order and discipline.

**Impact of issuance:** MPOs are entered into a Protective Order File (POF) maintained by the National Crime Information Center. Although MPOs are not enforceable by civilian authorities, entry in the POF ensures that civilian authorities are aware of the

MPO and may notify military authorities if off-base violations of the MPO occur. MPOs are removed from the POF upon their expiration or rescission by the issuing commander. If the subject separates from the military, the MPO is no longer enforceable against the subject.

**Review of MPOs:** A protected party or subject may request that the issuing commander review the MPO or its terms. The request must be in writing and may include additional matters for the commander's consideration. If the request is made by the subject, the request must be served on the protected party and the protected party is afforded three days to respond. The commander must issue a decision in writing to maintain, modify, or rescind the MPO, and must serve the decision on the protected party and the subject. Also, the issuing commander must review the MPO every year to determine whether it continues to be the least restrictive means necessary to protect the protected party.

**What happens if the subject transfers to another location?** The issuing commander must notify the subject's gaining (new) commander of the MPO within 30 days prior to the subject's arrival at the gaining (new) unit. The gaining commander must review the MPO within 7 days of the subject's arrival at the gaining unit to determine if the MPO and its terms remain valid and necessary. If the gaining commander decides to modify or rescind the MPO, the gaining commander documents that decision on a DD Form 2873-1 and serves it on the protected party, the subject, and law enforcement personnel.

**Assistance:** Resources and support for obtaining MPOs are available through the Family Advocacy Program (FAP).

**Expungement requests:** Submit requests for expungement to the Department of the Air Force Criminal Justice Information Center at [daf.cjic.expungements@us.af.mil](mailto:daf.cjic.expungements@us.af.mil). For additional information on expungements, please visit: <https://www.osi.af.mil/About/Expungement-Request/>.

