

664A.3 Entry of temporary no-contact order.

1. When a person is taken into custody for contempt proceedings pursuant to [section 236.11](#), taken into custody pursuant to [section 236A.12](#), or arrested for any public offense referred to in [section 664A.2, subsection 1](#), and the person is brought before a magistrate for initial appearance, the magistrate shall enter a no-contact order if the magistrate finds both of the following:

a. Probable cause exists to believe that any public offense referred to in [section 664A.2, subsection 1](#), or a violation of a no-contact order, protective order, or consent agreement has occurred.

b. The presence of or contact with the defendant poses a threat to the safety of the alleged victim, persons residing with the alleged victim, or members of the alleged victim's family.

2. Notwithstanding [chapters 804 and 805](#), a person taken into custody pursuant to [section 236.11](#) or [236A.12](#) or arrested pursuant to [section 236.12](#) may be released on bail or otherwise only after initial appearance before a magistrate as provided in [chapter 804](#) and the rules of criminal procedure or [section 236.11](#) or [236A.12](#), whichever is applicable.

3. A no-contact order issued pursuant to [this section](#) shall be issued in addition to any other conditions of release imposed by a magistrate pursuant to [section 811.2](#). The no-contact order has force and effect until it is modified or terminated by subsequent court action in a contempt proceeding or criminal or juvenile court action and is reviewable in the manner prescribed in [section 811.2](#). Upon final disposition of the criminal or juvenile court action, the court shall terminate or modify the no-contact order pursuant to [section 664A.5](#).

4. A no-contact order requiring the defendant to have no contact with the alleged victim's children shall prevail over any existing order which may be in conflict with the no-contact order.

5. A no-contact order issued pursuant to [this section](#) shall restrict the defendant from having contact with the victim, persons residing with the victim, or the victim's immediate family.

6. A no-contact order issued pursuant to [this section](#) shall specifically include notice that the person may be required to relinquish all firearms, offensive weapons, and ammunition upon the issuance of a permanent no-contact order pursuant to [section 664A.5](#).

[2006 Acts, ch 1101, §7; 2007 Acts, ch 180, §6; 2010 Acts, ch 1083, §3; 2017 Acts, ch 121, §28, 29](#)

Referred to in [§664A.5, §709.22, §915.50, §915.50A](#)
Subsection 1, unnumbered paragraph 1 amended
Subsection 2 amended