

**COLLATERAL  
CONSEQUENCES OF  
DOMESTIC VIOLENCE  
CONVICTIONS AND  
PROTECTIVE ORDERS**

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**CRIMINAL “RECORD”  
(CONVICTION *AND* DVPO)**

-Any conviction will be reflected in a person’s record.  
-DVPOs are also entered in the NCIC (National Crime Information Center) system.  
-This helps accomplish DVPO goals, and aids law enforcement, but it also shows up in response to a criminal background check and takes on a quasi-criminal appearance.

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**EMPLOYMENT  
DIFFICULTY  
(CONVICTION)**

-Some employers, particularly in the fields of child care, teaching, and health care, view a DV conviction as a red flag warning of danger and liability.  
-Even a DVPO that pops up during a background check can prevent employment.  
-There is no protected status to prevent hiring decisions based on convictions or DVPOs.

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**HIGHER EDUCATION  
(CONVICTION AND DVPO)**

.Use of Criminal Justice Information in processing applications to colleges and universities has been on the rise. [www.communityalternatives.org/pdf/Reconsidered-criminal-hist-recs-in-college-admissions.pdf](http://www.communityalternatives.org/pdf/Reconsidered-criminal-hist-recs-in-college-admissions.pdf)

.DVPOs will show up in any search that provides NCIC information.

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**PROFESSIONAL LICENSING  
(CONVICTION AND DVPO)**

- Everyone here went through the bar character and fitness review...

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**CRIMINALIZATION OF  
OTHERWISE LEGAL ACTS  
(DVPO)**

.Normally benign behavior and communication becomes a class A1 misdemeanor.

.A substantial portion of DVPO defendants (especially those without counsel) do not understand the full impact of the DVPO.

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**TRAVEL RESTRICTIONS  
(CONVICTION AND DVPO)**

-DVPOs often contain territorial restrictions that impose hardship because people often travel in small circles.  
-Sometimes in DVPO hearings it is not made clear that the parties will be crossing paths incidentally.  
-After conviction, lengthy DV counseling programs as part of probation can impact a person's ability to move or travel, sometimes affecting work.

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**FIREARMS  
(CONVICTION AND DVPO)**

-A DVPO can direct a defendant to surrender his/her firearms.  
-Even if the DVPO does not so order, it is still a felony under federal law to possess a firearm while subject to a DVPO. 18 USC 922(g)(8).  
-A conviction for a misdemeanor crime of doestic violence makes firearm possession a felony under federal law. 18 USC 922(g)(9).

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**PUBLIC HOUSING  
(CONVICTION AND DVPO)**

-A conviction is sufficient to allow eviction of a "culpable party" from public housing under the Violence Against Women Act.  
-A DVPO, especially one that is issued after a hearing, would seem to suffice as a form of documentation that a person committed some act of domestic violence for the purpose of eviction. A victim's advocate (such as the advocates who often assist the plaintiffs in 50B hearings) an attorney, or a medical professional, can submit a sworn statement of their "belief that the incidents in question are bona fide incidents of abuse," and that might suffice as a basis for eviction.

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## IMMIGRATION (CONVICTION AND DP)

-Domestic Violence convictions can trigger deportation and can render a person inadmissible.  
- Even if an undocumented defendant is offered a deferred prosecution agreement, if that agreement includes an admission of conduct, that may be used against the defendant in immigration proceedings.

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## STIGMA: THE BLACK BOX EFFECT

DV crimes fall on a spectrum. At one end are horrific cases of persistent abuse and intense violence. At the other, cases that meet the elements even though the fact finder would prefer to acquit.

A DV conviction or DVPO allows others to assume the worst.

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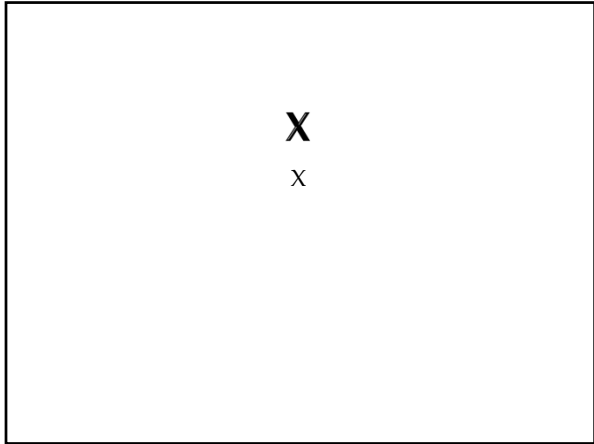
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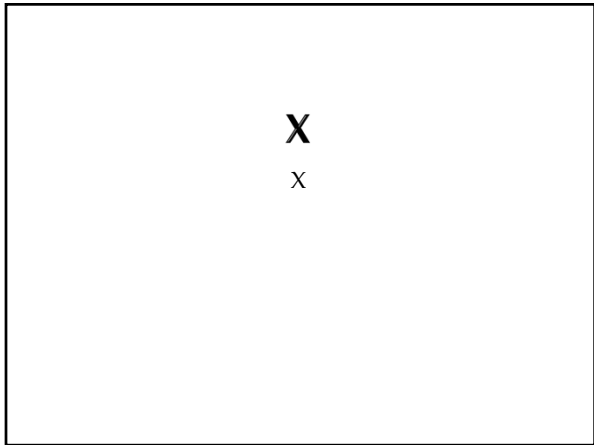
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