Pennsylvania State Police



Act 79 of 2018 CLEAN Administration



Act 79 of 2018

In October 2018, Governor Wolf signed Act 79 into law which made significant changes to the Protection From Abuse (PFA) Order requirements. The Act created new procedures regarding the relinquishment of firearms, ammunition, and other weapons by a defendant named in a PFA Order. Prior to this Act, firearms could be relinquished to a family member, friend, or county Sheriff's Office and defendants were allowed at least 30 days to comply with the relinquishment order. Effective April 10, 2019, Act 79 provides the following changes:

Changes:

- Firearms can no longer be given to friends or family for safekeeping;
- Firearms, ammunition, and other weapons can be relinquished to ANY law enforcement agency, Sheriff's Office, Federal Firearms Licensed dealers or a licensed commercial armory, and certain third parties;
- Firearms, ammunition, and other weapons must be relinquished within 24 hours of the issuance of a Final Protection Order or the service of a Temporary Protection Order, unless special circumstances exist.

Protection From Abuse Database (PFAD)

- The Protection From Abuse Database (PFAD) is a web-based application that has been modified from it's current use to encompass the new requirements of Act 79.
 Users include; Prothonotary/courts, state/municipal law enforcement, Sheriffs, Federal Firearms License holders and others.
- The new modifications incorporate the entire process from the creation of the PFA through its service by law enforcement, and finally the relinquishment and return of the firearms.
- PFAD will also send automatic messages using the Commonwealth Law Enforcement Assistance Network (CLEAN) to agencies notifying them of PFAs as they relate to firearms relinquishment.

Protection From Abuse Database (PFAD)

- PFAD will use the Commonwealth Law Enforcement Assistance Network (CLEAN) to send the following messages to the involved agencies:
 - A message advising that a PFA has been entered that requires a defendant to relinquish firearms in your area of responsibility within a specified time frame.
 - A message advising if no agency has made a PFAD entry (stating the required firearms were relinquished after the allotted time expires) and that an investigation by the agency having jurisdiction should begin.
 - A message stating a PFA with relinquished firearms has been dismissed/expired and the weapons can be returned.

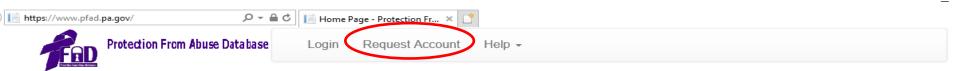


Logging into PFAD



If you do not have a PFAD account, from the below website select Request Account.

www.pfad.pa.gov



About PFAD

In October 1994, Governor Robert Casey signed into law Act 85, a bill providing extensive amendments to Pennsylvania's Protection From Abuse Act, which included the legislative mandate for a statewide protection order registry, operated by the Pennsylvania State Police (PSP).

In May 1996, PCADV submitted to the Pennsylvania Commission on Crime and Delinquency (PCCD), a concept paper and preliminary budget for a 3-year project to establish a Pennsylvania PFA Database. The information contained in those documents was subsequently included in PCCD's application for National Criminal History Improvement Program funding for Fiscal Year 1996. That funding was granted and the Protection From Abuse Database Project began in February 1997.

Since that time, PCADV has developed and implemented PFAD, an electronic statewide database. PFAD's mission is to establish and maintain a database that includes all PFA proceedings in the Commonwealth. It is a computer archival system designed to complement the operation of the Pennsylvania State Police Protection Order Registry.

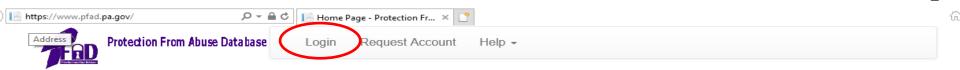
This archival database automates the PFA process in the courts; provides critical statewide data for analysis by the courts and law enforcement; creates and disseminates the PSP Protection From Abuse Summary Data Sheet - information necessary for inclusion in the PSP Registry; and contains all standardized PFA forms approved by the Pennsylvania Supreme Court as well as other forms necessary for protection from abuse cases. PFAD is currently working on developing and implementing electronic forms for Indirect Criminal Contempts. Records from PFAD are immediately available 24 hours a day/365 days a year to authorized users (includes courts, legal agencies and the private bar) via a SECURED Internet website.

Due to PFAD's experience in developing this web-based database, other states have requested technical assistance as they begin to launch their own databases.

COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK

Users with established PFAD accounts click Login.

www.pfad.pa.gov



About PFAD

In October 1994, Governor Robert Casey signed into law Act 85, a bill providing extensive amendments to Pennsylvania's Protection From Abuse Act, which included the legislative mandate for a statewide protection order registry, operated by the Pennsylvania State Police (PSP).

In May 1996, PCADV submitted to the Pennsylvania Commission on Crime and Delinquency (PCCD), a concept paper and preliminary budget for a 3-year project to establish a Pennsylvania PFA Database. The information contained in those documents was subsequently included in PCCD's application for National Criminal History Improvement Program funding for Fiscal Year 1996. That funding was granted and the Protection From Abuse Database Project began in February 1997.

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Due to PFAD's experience in developing this web-based database, other states have requested technical assistance as they begin to launch their own databases.

COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK



ENT DATA. UNAUTHORIZED ACCESS TO THIS SYSTEM AND SOFTWARE

IS PROHIBITED BY LAW. All activities on this system may be recorded and monitored. Anyone using this system expressly consents to such monitoring and waives any expectation of privacy. Evidence of possible misconduct or abuse, to include use without authorization, use in excess of authorization, or prevention of authorized use, may be provided to appropriate officials for investigation and action under applicable Federal and State criminal and civil statutes.



Petition

Petition

The changes to creating and filing the petition are few, but include:

A question asking if the Defendant was ever determined to be a perpetrator in a Child Protective Services incident.

• •	
Has Defendant been determined to be a perpetrator in a founded or indicated report under the Child Protective Services Law, 23 Pa.C.S. §§ 6301 - 6386?	
○ Yes ○ No ○ Don't Know	
If you answered Yes, what county's court or child protective services agency issued the founded or indicated report?	
County Court/Agency	

Petition

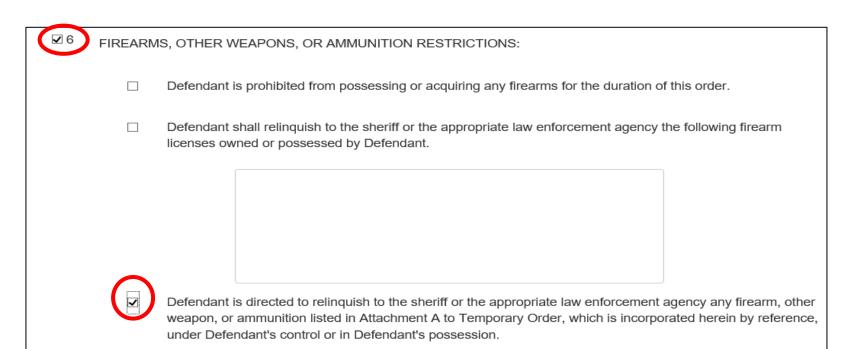
Relief's A-P

Please pay close **ATTENTION** as some of the relief conditions have changed.

- A. Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child/ren in any place where Plaintiff and/or the child/ren may be found.
- B. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.
- C. Require Defendant to provide Plaintiff and/or minor child/ren with other suitable housing.



In order to enable new PFAD features designed to ensure that the Defendant relinquishes all restricted items in the required time frame (24 hours) check Relief 6 <u>AND</u> check the bottom box within that Relief.

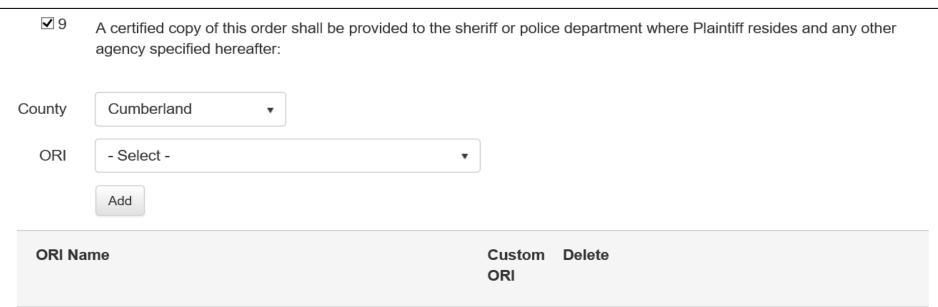


Another addition to the Temporary Order is Relief 8, requiring that the Plaintiff will have a law enforcement escort to retrieve belongings while the Defendant is being served.

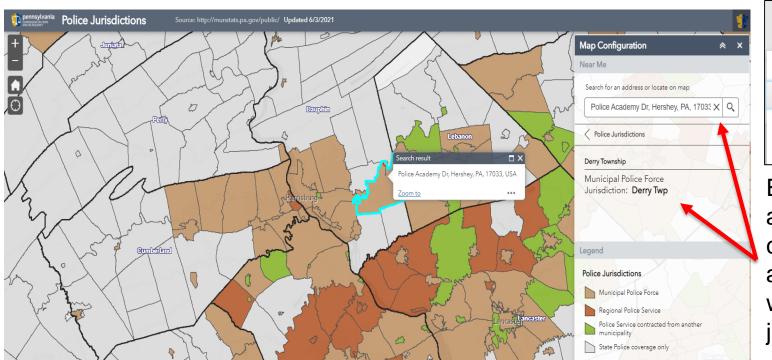
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The Pennsylvania State Police, the municipal police, or the sheriff shall accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant.

For Relief 9, selecting where certified copies of the order are to be routed is now completed by drop down menu.



This interactive map can assist determining where the copies are to go. This map can be found on the PFAD Website under the Help menu>Police Jurisdiction Map.



Help ▼ Logout

User Manual

Police Jurisdiction Map

Blank Forms

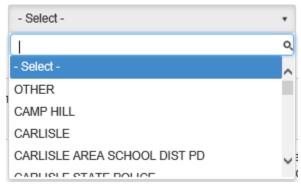
Troubleshooting

Entering an address or clicking on an area will tell you what PD has jurisdiction there.



First select the county where the agency is located.
Then scroll to the desired agency, or start typing in the

space provided to search.



Select the agency and click Add. This adds the agency to the routing list.

₹ 9	A certified copy of this order shall be provided to the she agency specified hereafter:	eriff or police	e department where Plaintiff resides and any other
County	Dauphin ▼		
ORI	DAUPHIN COUNTY SHERIFF •		
	Add		
ORI Na	me	Custom ORI	Delete
LOWER	PAXTON TWP	N	Delete
MILLERS	BBURG	N	Delete
DAUPHII	N COUNTY SHERIFF	N	Delete

Manual additions can be added by selecting OTHER.

When OTHER is selected a blank field will appear to add the agency that needs a copy of the order.

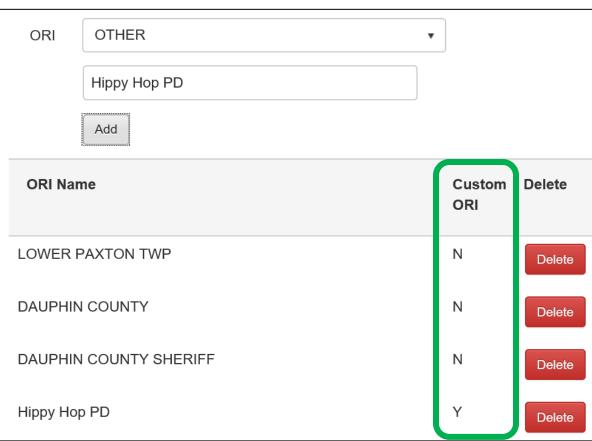
Click Add to add the agency to the list.

₹ 9	A certified copy of this order sha agency specified hereafter:	be provided to the sheriff or police department where Plaintiff resides and any oth
County	Dauphin •	
ORI	OTHER	•
	Hippy Hop PD	X
	Add	



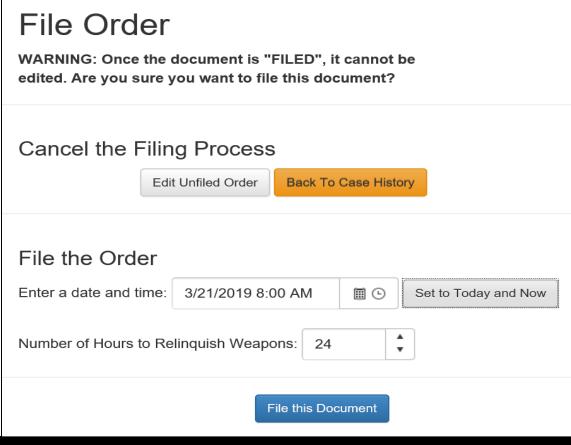
Agencies are added in this fashion so (if Relief 6 is selected and the checkbox at the bottom of Relief 6 is selected) the system will generate automated CLEAN messages which will be sent to the Primary ORI of the agencies listed.

Any agencies that were manually entered will NOT receive automated messages. These are any agencies listed with Custom ORI = Y.



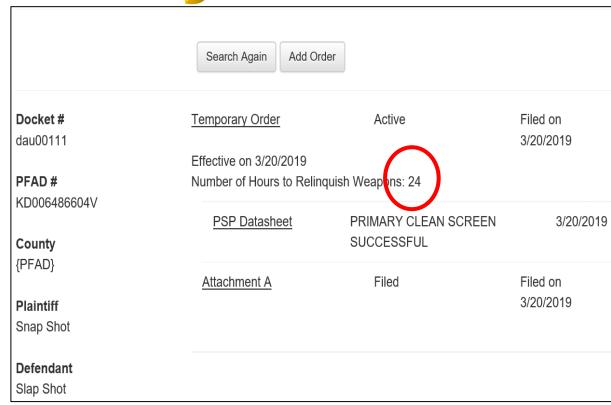
When filing a Temporary
Order, if Relief 6 and the
bottom checkbox in Relief 6
are checked, then the time
frame that the Defendant
has for relinquishment will
appear on this screen.

The default is 24 hours and cannot be less. Hours above 24 must be court-ordered.





If a timeframe for relinquishment in a Temporary Order was present on the previous screen, then the time frame the Defendant has for relinquishment will appear on this screen.





When a PFA is ordered with the previously mentioned Relief 6 checkboxes checked, the below message is sent to all of the agencies listed in Relief 9.

WEAPON RELINQUISHMENT ORDERED COMPLIANCE REQUIRED BY BELOW DATE

DEFENDANT: Joe Smith

PLAINTIFF: Joann Smith

Protection From Abuse Order #xxxxxx has been entered into the Protection From Abuse Database (PFAD).

This order requires the Defendant Joe Smith to relinquish firearms, ammunition and/or other weapons to the sheriff, the appropriate law enforcement agency or authorized third party for safekeeping by April 21, 2020.

Any entity receiving the weapons from the Defendant should immediately enter them into PFAD using the Relinquish of Firearms Receipt (SP 4-411).

Assistance on how to access and use the Relinquish of Firearms Receipt (SP 4-411) form through PFAD can be found by going to: https://www.pfad.pa.gov/System/UserManual



When the Defendant fails to relinquish items in the time allotted, the below CLEAN message is sent to all agencies listed in Relief 9. These messages repeat every day until the items are relinquished. A copy is emailed to the user who entered the PFA.

INVESTIGATION REQUIRED: FAILURE TO RELIQUISH FIREARM/WEAPONS

DEFENDANT: Joe Smith

PLAINTIFF: Joan Smith

The agency having jurisdiction where the Defendant resides must investigate why the weapons have not been relinquished.

Protection From Abuse Order #xxxxx was entered into the Protection From Abuse Database (PFAD). This order required the Defendant Joe Smith to relinquish firearms, ammunition and/or other weapons to the sheriff, appropriate law enforcement agency, or authorized third party for safekeeping by September 11, 2019.

An investigation shall be initiated by the appropriate law enforcement agency having primary jurisdiction for a possible violation of Title 18 of the Pennsylvania Consolidated Statutes Section 6105, Persons not to possess, use, manufacture, control, sell or transfer firearms.

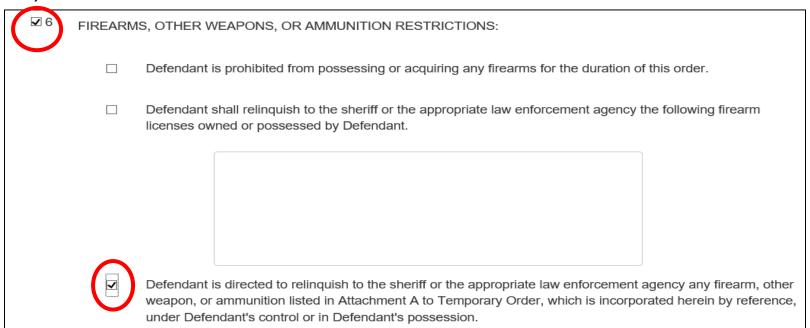
In accordance with Act 79 of 2018, the Plaintiff and Court shall also be notified by the appropriate law enforcement agency having primary jurisdiction that the Defendant failed to relinquish his/her firearms as required.

Assistance on how to update PFAD for Act 79 can be found by going to: https://www.pfad.pa.gov/System/UserManual

Your agency will continue to receive this message every 24 hours until the proper action is taken in PFAD.



In order to enable new PFAD features designed to ensure that the Defendant relinquishes all restricted items in the required time frame (24 hours) check Relief 6 AND check the bottom box within that Relief.



Another addition to the Final Order is Relief 8, requiring that the Plaintiff will have a law enforcement escort to retrieve belongings while the Defendant is being served.

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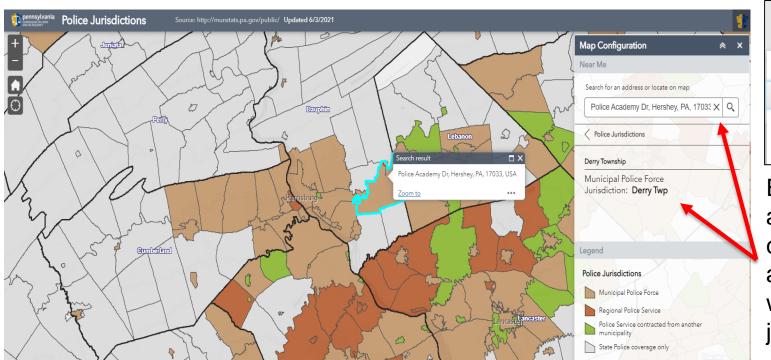
The Pennsylvania State Police, the municipal police, or the sheriff shall accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant.

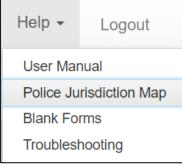
For Relief 13, selecting where certified copies of the order are to be routed is now completed by drop down menu.

☑ 13	A certified specified h		shall be prov	vided to the police department where Plaintiff resides and any other agency	
	County	Dauphin	•		
	ORI	SELECT		•	
		Add			
	ORI Na	me		Custom Delete ORI	



This interactive map can assist determining where the copies are to go. This map can be found on the PFAD Website under the Help menu>Police Jurisdiction Map.





Entering an address or clicking on an area will tell you what PD has jurisdiction there.

COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK



First select the county where the agency is located.
Then scroll to the desired

agency, or start typing in the space provided to search.

- Select -	•
	Q
- Select -	^
OTHER	
CAMP HILL	
CARLISLE	
CARLISLE AREA SCHOOL DIST PD	~
CARLIELE STATE DOLLOE	

Select the agency and click Add. This adds the agency to the routing list.

☑ 13		d copy of this Order shall be hereafter:	provided to the police dep	oartment v	where Plaintiff resides and any other agency
	County	Dauphin ▼			
	ORI	SELECT		•	
		Add			
	ORI Na	ame		Custom ORI	Delete
	LOWER	PAXTON TWP		N	Delete
	MILLER	SBURG		N	Delete
	DAUPH	IN COUNTY SHERIFF		N	Delete



Manual additions can be added by selecting OTHER.

When OTHER is selected a blank field will appear to add the agency that needs a copy of the order.

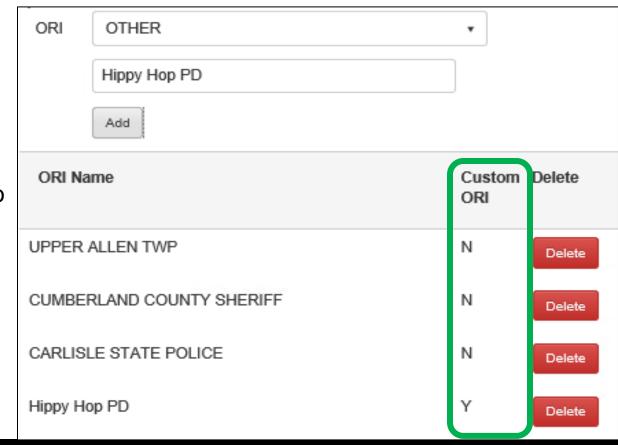
Click Add to add the agency to the list.

☑ 13	A certified specified h		er shall be p	provided to the polic	e depar	tment where Plaintiff resides and any other agency
	County	Dauphin	*			
	ORI	OTHER			*	
		Hippy Hop PD			X	
		Add				



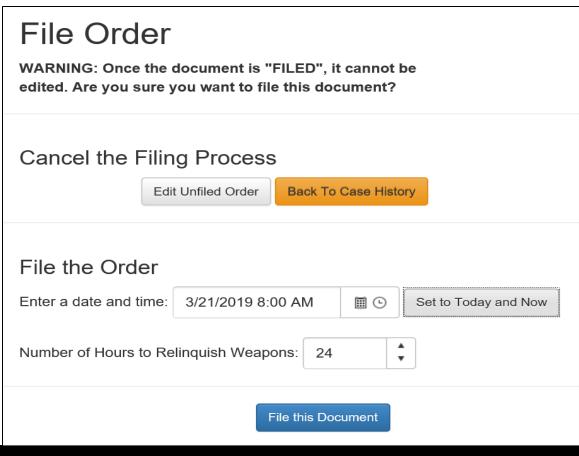
Agencies are added in this fashion so (if Relief 6 is selected and the checkbox at the bottom of Relief 6 is selected) the system will generate automated CLEAN messages which will be sent to the Primary ORI of the agencies listed.

Any agencies that were manually entered will NOT receive automated messages. These are any agencies listed with Custom ORI = Y.



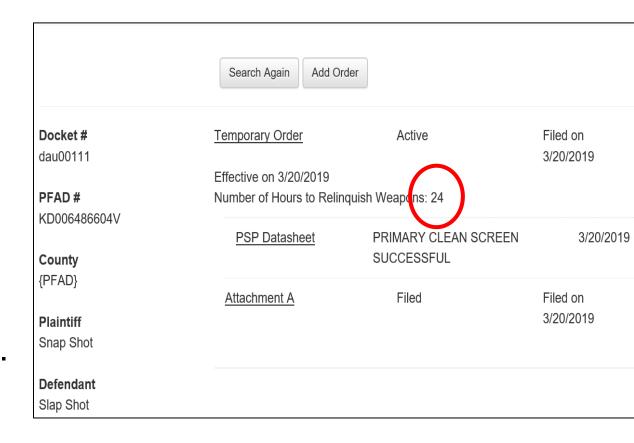
When filing a Final Order, if Relief 6 and the bottom checkbox in Relief 6 are checked, then the time frame that the Defendant has for relinquishment will appear on this screen.

The default is 24 hours and cannot be less. Hours above 24 must be court-ordered.





If a timeframe for relinquishment in a Final Order was present on the previous screen, then the time frame the Defendant has for relinquishment will appear on this screen.





When a PFA is ordered with the previously mentioned Relief 6 checkboxes checked, the below message is sent to all of agencies listed in Relief 9.

WEAPON RELINQUISHMENT ORDERED COMPLIANCE REQUIRED BY BELOW DATE

DEFENDANT: Joe Smith

PLAINTIFF: Joann Smith

Protection From Abuse Order #xxxxxx has been entered into the Protection From Abuse Database (PFAD).

This order requires the Defendant Joe Smith to relinquish firearms, ammunition and/or other weapons to the sheriff, the appropriate law enforcement agency or authorized third party for safekeeping by April 21, 2020.

Any entity receiving the weapons from the Defendant should immediately enter them into PFAD using the Relinquish of Firearms Receipt (SP 4-411).

Assistance on how to access and use the Relinquish of Firearms Receipt (SP 4-411) form through PFAD can be found by going to: https://www.pfad.pa.gov/System/UserManual

When the Defendant fails to relinquish items in the time allotted, the below CLEAN message is sent to all agencies listed in Relief 9. These messages repeat every day until the items are relinquished. A copy is emailed to the user who entered the PFA.

*This will not appear if the Defendant previously relinquished weapons for this case.

INVESTIGATION REQUIRED: FAILURE TO RELIQUISH FIREARM/WEAPONS

DEFENDANT: Joe Smith

PLAINTIFF: Joan Smith

The agency having jurisdiction where the Defendant resides must investigate why the weapons have not been relinquished.

Protection From Abuse Order #xxxxx was entered into the Protection From Abuse Database (PFAD). This order required the Defendant Joe Smith to relinquish firearms, ammunition and/or other weapons to the sheriff, appropriate law enforcement agency, or authorized third party for safekeeping by September 11, 2019.

An investigation shall be initiated by the appropriate law enforcement agency having primary jurisdiction for a possible violation of Title 18 of the Pennsylvania Consolidated Statutes Section 6105, Persons not to possess, use, manufacture, control, sell or transfer firearms.

In accordance with Act 79 of 2018, the Plaintiff and Court shall also be notified by the appropriate law enforcement agency having primary jurisdiction that the Defendant failed to relinquish his/her firearms as required.

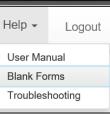
Assistance on how to update PFAD for Act 79 can be found by going to: https://www.pfad.pa.gov/System/UserManual

Your agency will continue to receive this message every 24 hours until the proper action is taken in PFAD.



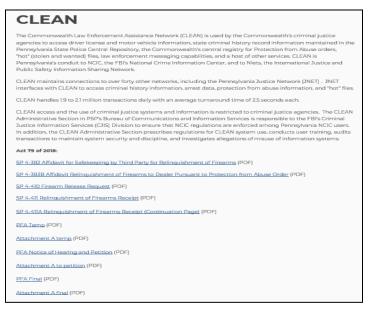
Location of Forms

Paper forms that are mentioned in this training are accessed in PFAD in the Help menu.

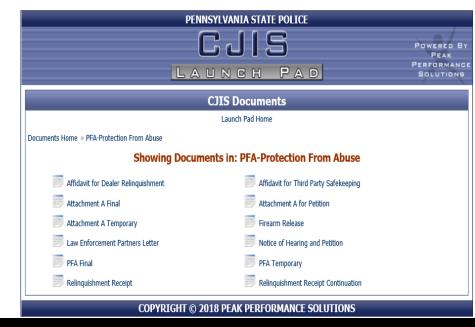


Printable versions of all the forms needed for relinquishment of items and their release are also available online at:

https://www.psp.pa.gov/law-enforcement-services/Pages/Commonwealth-Law-Enforcement-Assistance-Network.aspx



CJIS Launch Pad > CJIS Documents > PFA-Protection From Abuse

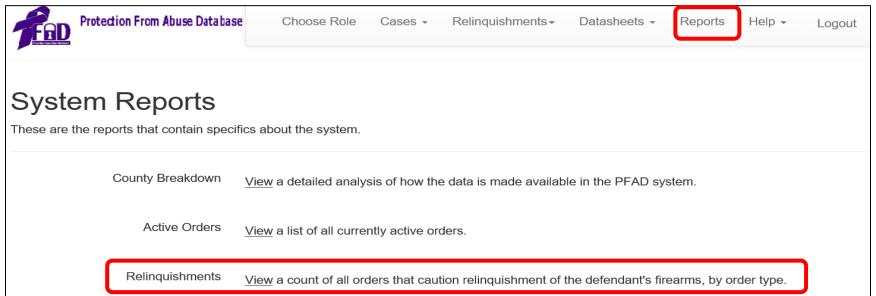






Relinquishment reports can be found in the Reports section of the menu bar. This report makes it easy to see which PFAs your agency is receiving notifications for as well as which PFAs your agency may be responsible for.

You can select if you want to look at all relinquishments or just ones completed by your agency.



County	All Counties 🗸	ORI	All ORIs 🗸	View Report
From		То		

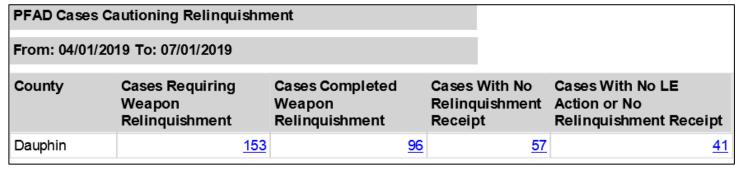
The Relinquishment Report can be run for individual counties or statewide.

The ORI can be selected for one agency or all agencies in the selected county.

The Date Range selection searches the <u>last update</u> made to the order.

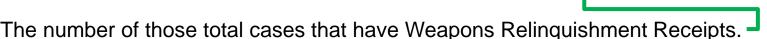
Therefore results can show orders older than the range requested, but the last change to the order was made <u>within</u> your selected date range.





The results will be displayed showing:





- The number of those total cases that have no Relinquishment Receipts that include the use of the "Disable Non-Compliance Notifications" checkbox.
- The number of those total cases with no action taken regards to the weapons.

Clicking on the number will display the records.



The records are listed that include the agencies that receive notifications for each PFA that requires a weapon relinquishment.

Clicking on the blue **PFAD Number** will open a new window for the actual case.

PFAD Cases Rec	quiring Weapon Relind	quishments			
County	Docket Number	PFAD Number	Date	Defendant Name	Agencies Notified
Cumberland	22552255	XD006487948K		ROBERT NOGUNS	CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF
Cumberland	55443322	QH006488531C	06/20/19	EDWARD ROONEY	LOWER PAXTON TWP, MILLERSBURG, DAUPHIN COUNTY SHERIFF
Cumberland	90210	FS006486762G	03/22/19	JAMES KIRK	MECHANICSBURG, UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF
Cumberland	D0CK3T	FR006487392E	03/31/19	WILLIAM BODDY	UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF
Cumberland	ncc1701c	BJ006486641R	03/21/19	JOHN ROMULAN	MECHANICSBURG, UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF

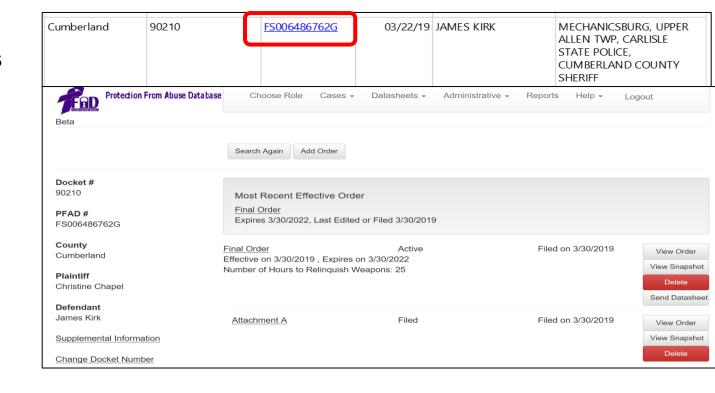
The agency responsible to ensure that the defendant relinquishes their weapons is the agency who has primary jurisdiction where the defendant lives.

The Prothonotary or Agency responsible in the county to enter orders into the PFAD system are the ones who select which agencies are to be notified.

County	Docket Number	PFAD Number	Date	Defendant Name	Agencies Notified
Cumberland	22552255	XD006487948K	04/05/19	ROBERT NOGUNS	CARLISLE STATE POLICE, CUMBERLAND COUNTY
					SHERIFF
Cumberland	55443322	QH006488531C	06/20/19	EDWARD ROONEY	LOWER PAXTON TWP, MILLERSBURG, DAUPHIN COUNTY SHERIFF
Cumberland	90210	FS006486762G	03/22/19	JAMES KIRK	MECHANICSBURG, UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF
Cumberland	D0CK3T	FR006487392E	03/31/19	WILLIAM BODDY	UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF
Cumberland	ncc1701c	BJ006486641R	03/21/19	JOHN ROMULAN	MECHANICSBURG, UPPER ALLEN TWP, CARLISLE STATE POLICE, CUMBERLAND COUNTY SHERIFF



Clicking on the blue
PFAD Number allows
quick access to the
case so you may
gather more
information as well as
adding any further
orders to the case.



Any issues can be addressed to the Pennsylvania State Police Help Desk at 1-877-777-3375