

Oregon's Extreme Risk Protection Order: A Vital Tool for Safety

An extreme risk protection order is a measure designed to help an individual in crisis, and those around them, to stay safe from gun violence.

An extreme risk protection order, also called an ERPO, is a court order that temporarily restricts a person's access to guns. It is designed to help law enforcement and concerned family members intervene quickly in dangerous situations.

FAQs

How do I request an extreme risk protection order?

To seek an extreme risk protection order, a family or household member can fill out and file the application directly with the court or contact a member of law enforcement to discuss any concerns. Law enforcement can then investigate these concerns and request the extreme risk protection order from the court.

Who can request an extreme risk protection order in Oregon?

Under Oregon law, a law enforcement officer or a person's family or household member may file a petition for an extreme risk protection order.

A family or household member is defined as:

- A spouse;
- An intimate partner;
- A parent;
- A child;
- A sibling; or
- A person living in the same household.

What happens after the request for an extreme risk protection order has been filed?

The court will hear a request (called a “petition”) for an extreme risk protection order on the day the petition is filed or on the next day the court is open.

If the court grants a temporary order, it will notify the person. The person will then have up to 30 days to request a court hearing, at which the court will determine whether to end the order or continue the order for one year.

If a hearing is requested, it will occur within 21 days. At the hearing, if the court finds that a person presents a risk in the near future of suicide or of causing physical injury to another person, the judge can issue a court order that requires the person’s firearms to be held by law enforcement, a federally licensed firearms dealer, or a third party who is legally allowed to possess the firearm for as long as the order is in effect.

Also, the person will not be able to purchase new firearms while the order is in effect.

I’m afraid to wait until a court hearing is scheduled. What if the person is in immediate danger of harming themselves or someone else?

Concern for the safety of the person, or the public, may demand that action be taken before the scheduled hearing date, to prevent immediate danger.

To protect a person or public safety during this time, a judge may issue an emergency extreme risk protection order that restricts a person’s access to firearms before the person has been notified of the petition, and before a full hearing is held.

How long does a final extreme risk protection order last?

A final extreme risk protection order lasts for one year. At the end of a year, law enforcement or the person’s family or household member may ask the court to renew the order. The order can only be extended after a court hearing.

Will an extreme risk protection order go on someone’s criminal record?

No. An extreme risk protection order is a civil court order. Its sole purpose is to remove firearms from a person who is at high risk of causing harm to themselves or to others. The court’s decision to issue the order does not cause the person to have a criminal record.

What if I am not able to request an extreme risk protection order myself? Is there anything I can do?

Even if you don't fall into any of the categories mentioned above, you can still take action in moments of crisis. If you are worried about someone who is showing warning signs of being at risk of self-harm or harming someone else, you can contact a law enforcement officer and ask that they seek an extreme risk protection order.

If you or someone you know is in crisis, **text or call 988** for 24/7 connection to free, confidential support. If you have immediate safety concerns, **call 911**.