

# Extreme Risk Protection Orders

## FREQUENTLY ASKED QUESTIONS



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# Frequently Asked Questions

## What are extreme risk laws?

Several states have enacted extreme risk laws. These laws enable courts to issue orders that are known by a variety of names but are most commonly called Extreme Risk Protection Orders (ERPOs)<sup>1</sup>. An ERPO is a civil order that removes firearms from an individual who poses an imminent risk of harm to themselves or others. The order prohibits the individual from purchasing, possessing, or receiving firearms for the duration of the order. The order does not protect a named individual or address conduct other than firearm access.

**Table 1: Statutory Names for Extreme Risk Protection Orders**

State	Statutory name
California	Gun Violence Restraining Order
Colorado	Extreme Risk Protection Order
Connecticut	Risk Protection Order and Warrant
Delaware	Lethal Violence Protective Order
District of Columbia	Extreme Risk Protection Order
Florida	Risk Protection Order
Hawai'i	Gun Violence Protective Order
Illinois	Firearms Restraining Order
Indiana	Seizure without Warrant, Warrant for Search and Seizure of a Firearm, Retention of Firearm
Maryland	Extreme Risk Protective Order
Massachusetts	Extreme Risk Protection Order
Michigan <sup>2</sup>	Extreme Risk Protection Order
Minnesota <sup>3</sup>	Extreme Risk Protection Order
Nevada	Order of Protection Against High-Risk Behavior
New Jersey	Extreme Risk Protective Order
New Mexico	Extreme Risk Firearm Protection Order
New York	Extreme Risk Protection Order
Oregon	Extreme Risk Protection Order
Rhode Island	Extreme Risk Protection Order

State	Statutory name
Vermont	Extreme Risk Protection Order
Virginia	Substantial Risk Orders
Washington	Extreme Risk Protection Order

## How do ERPOs compare to domestic violence protection orders?

An ERPO is not meant to replace a domestic violence protection order (DVPO) or address any gaps in current protection order systems. DVPOs are distinct tools designed to provide comprehensive protection for victims of intimate partner violence, including removing firearms from a respondent who is harming an intimate partner. ERPOs are intended to remove firearms from individuals experiencing temporary crises. Unlike DVPOs, ERPOs do not provide specific protection to the petitioner and cannot restrict or prohibit the respondent from contacting or communicating with another person, or restrain them from threatening, stalking, harassing, or assaulting someone. ERPOs are not qualifying orders under 18 U.S.C. 922(g)(8) and ERPOs are not entitled to full faith and credit. For an overview of significant differences between ERPOs and CPOs, please see [Extreme Risk Protection Orders vs Domestic Violence Protection Orders, What You Should Know](#).

## Does my state have an extreme risk law?

Presently<sup>4</sup>, twenty-one states, and the District of Columbia have enacted extreme risk laws. For a detailed summary of each statutory provision, please review the [Extreme Risk Laws Statutes](#).

Some states like Oklahoma and West Virginia have enacted preemptive statutes that prevent state or local agencies from implementing any extreme risk laws.<sup>5</sup>

## What is the typical process to obtain an ERPO?

Typically, to obtain an ERPO, an eligible person or entity must file a petition, providing sufficient evidence that meets the court's burden of proof for a preliminary ex parte temporary ERPO. Once issued, law enforcement serves the respondent with the order mandating the surrender of all firearms within the designated timeframe. This order will also indicate the duration of the temporary order and the date set for the final hearing.

During the final hearing, both parties and witnesses can present relevant evidence. The judge will then evaluate the evidence and decide on whether to issue a final ERPO. If the order is not granted, the respondent's firearms are returned unless another law prohibits their possession. If the ERPO is granted, the respondent cannot possess firearms for the order's duration. The respondent can petition the court to terminate the order early before the original expiration date, which would typically initiate another hearing.

## How much does it cost to file a petition?

Eleven ERPO statutes explicitly specify that petitioners should not bear any filing fees.<sup>6</sup> While Nevada doesn't address filing fees directly, it mandates that the court provides a free copy of an ex parte or final order to any family or household member who files a petition.<sup>7</sup> Other jurisdictions do not mention filing fees at all.

## What types of ERPOs are available?

Most jurisdictions typically issue two types of orders: a preliminary temporary ex parte order issued before a hearing, and a final order granted after a hearing.

California has two kinds of these preliminary temporary ex parte orders:

- a “temporary emergency” order which is exclusive to law enforcement petitioners and can be made orally and,
- An “ex parte” order that allows a broader range of petitioners, including family members, but must be submitted in writing.<sup>8</sup>

In Maryland, there are two types of preliminary temporary ex parte orders: the “interim” ERPO and the “temporary” ERPO. When the District Court is closed, a petitioner can approach a District Court commissioner, a judicial officer designated by the district court’s chief judge. This commissioner can issue an “interim” ERPO, which outlines the dates for the subsequent “temporary” and final ERPO hearings, both to be conducted by a district court judge.<sup>9</sup>

Indiana, on the other hand, stands out by permitting the search and seizure of a firearm without a court order or warrant. Once the firearm is seized either with or without a warrant, a subsequent court hearing determines if law enforcement has met the standard of proof to continue to retain the seized firearm.<sup>10</sup>

## Who is eligible to petition for an ERPO?

**Some states limit eligible petitioners to government entities.** Except for Vermont, every jurisdiction with an ERPO statute allows law enforcement to petition<sup>11</sup> (in Vermont, the State’s Attorney or the Office of the Attorney General can petition for an ERPO as well as a family or household member). In some states like Florida, Indiana, New Mexico, and Rhode Island, only law enforcement officers can petition for an ERPO.<sup>12</sup> Virginia’s limits eligibility solely to an attorney for the Commonwealth or a law enforcement officer.<sup>13</sup>

Although in New Mexico and Connecticut, non-law enforcement parties cannot be petitioners, certain non-law enforcement individuals, such as family or household members, can formally request that law enforcement consider filing an ERPO petition.<sup>14</sup>

Moreover, within individual states, the eligibility to request different types of ERPOs can vary. For instance:

- In California, only law enforcement can petition for a “Emergency Gun Violence Restraining Order.”<sup>15</sup>
- In Delaware, law enforcement alone can petition for an emergency order.<sup>16</sup>

**Most jurisdictions permit current and former intimate partners to petition.** Most jurisdictions allow family or household members to petition for an ERPO. The definition of a family or household member varies by jurisdiction and can be very expansive. Most jurisdictions allow a current spouse to petition for an ERPO.<sup>17</sup> Ten jurisdictions also allow former spouses to petition.<sup>18</sup> The majority of jurisdictions also allow current dating partners to petition.<sup>19</sup> Nine states also allow former dating partners to petition.<sup>20</sup> Thirteen jurisdictions allow a person who has a child in common with the respondent to petition.<sup>21</sup>

Massachusetts and New Jersey allow petitions by people who anticipate having a child with the respondent, even if that child has not yet been born.<sup>22</sup> New York allows petitions by any category of people defined as victims of domestic violence by regulations of the office of children and family services.<sup>23</sup>

Roommates/Co-habitants are eligible petitioners in many jurisdictions. Fourteen jurisdictions permit current “roommates” or individuals living with respondent to petition for an ERPO<sup>24</sup> and eight jurisdictions also allow formal cohabitants to do so.<sup>25</sup> California and Colorado mandate a recent cohabitation period of six months for eligibility, with California adding a requirement of “substantial and regular interactions” for at least one year.<sup>26</sup> New York permits anyone who has consistently lived with the respondent or has done so at “regular intervals” to petition for an ERPO.<sup>27</sup>

**States have varying eligibility requirements between family members related by blood, marriage, or guardianship.** California, Colorado, Delaware, the District of Columbia, Hawai’i, Illinois, Maryland, Massachusetts, Michigan, Nevada, New York, and Washington allow for any person related to the respondent by blood or “consanguinity” to petition for an ERPO.<sup>27</sup> Other than intimate partners and those living in the same home as the respondent, Oregon’s definition of a family or household member only includes the mother, father, child, or sibling of the respondent to petition.<sup>28</sup> Minnesota’s definition also limits the eligibility to the respondent’s parents

and children.<sup>29</sup> New Jersey focuses on whether an individual is or was a member of the respondent's household, irrespective of their blood or affinity relation.<sup>30</sup>

Ten jurisdictions permit those related to the respondent by marriage to petition for an ERPO.<sup>31</sup> In Nevada, eligibility is confined to those related by blood, adoption, or marriage within the first degree.<sup>32</sup> California, meanwhile, allows more distant relatives to petition, provided they have maintained regular contact with the respondent for at least one year.<sup>33</sup> In six jurisdictions, an individual who has legal guardianship over the respondent may petition for an ERPO.<sup>34</sup>

Petition eligibility for non-law enforcement professionals are more limited. Several states empower specific professionals outside of law enforcement to petition for an ERPO. Licensed health professionals who have directly treated the respondent can file in Colorado, Washington D.C., Hawai'i, Maryland, Michigan and New York.<sup>35</sup> School employees, such as teachers from institutions the respondent has attended, are also eligible in California, Colorado, Hawai'i and New York.<sup>36</sup> Moreover, in Hawai'i and California, co-workers of the respondent are able to file a petition.<sup>37</sup>

## **What liability concerns should petitioners be aware of when seeking an ERPO?**

In many jurisdictions, individuals who intentionally provide false information in an ERPO petition or file with the intent to harass may face criminal consequences.<sup>37</sup> Yet, many jurisdictions shield petitioners who file in good faith from liability.<sup>38</sup>

Alternatively, some jurisdictions provide immunity to petitioners who decide not to pursue an ERPO.<sup>39</sup> However, certain states limit such immunity to specific groups, such as:

- Law enforcement<sup>40</sup>,
- Family or household members<sup>41</sup>, or
- Health professionals<sup>42</sup>.

Meanwhile, several statutes remain silent on the topic of liability.

## **How long do ERPOs last?**

In the context of preliminary temporary ex parte orders, the time frame between issuance and a scheduled hearing varies across jurisdictions, ranging from one to forty-five days. Some jurisdictions permit extensions to this period at the respondent's request, providing additional time for hearing preparation.<sup>43</sup> In Oregon, if a respondent fails to request a hearing within 30 days of receiving an ex parte order, it automatically matures into a final order that lasts one year.<sup>44</sup>

Generally, final orders across various states typically last up to one year, with Vermont being an exception, capping its final orders at six months.<sup>45</sup> California's post-hearing ERPO demonstrates even more flexibility, with durations that can extend from one to five years.<sup>46</sup> However, Connecticut, Indiana, New Jersey uniquely allow their final orders to remain in effect indefinitely, until terminated by the court.<sup>47</sup>

**Table 2: Types of ERPOs, Length of Order and Persons Eligible**

Jurisdiction	Types	Length	Eligible Petitioners
<b>California</b> Gun Violence Restraining Order	Temporary Emergency <sup>48</sup>	21 days <sup>49</sup>	Law enforcement officer <sup>50</sup>
	Ex Parte <sup>51</sup>	Up to 21 days <sup>52</sup>	Immediate family member; employer; coworker if they have had substantial and regular interactions with the subject for least one year and obtained approval of the employer; school staff member or teacher from a school the individual attended in the past six months with approval from a senior school official; law enforcement officer; roommate of the subject of the petition; an individual who has a dating relationship with the subject of the petition; or an individual who has a child in common with the subject of the petition, if they have had substantial and regular interactions with the subject for at least one year. <sup>53</sup>
	Order Issued After Notice & Hearing <sup>54</sup>	1 to 5 years <sup>55</sup>	
<b>Colorado</b> Extreme Risk Protection Order	Temporary <sup>56</sup>	Expires on the date and time of the hearing on the extreme risk protection order petition OR withdrawal of petition <sup>57</sup>	Family or household member; community member (health professional, educator); law enforcement officer or agency <sup>58</sup>
	Final <sup>59</sup>	364 days <sup>60</sup>	
<b>Connecticut</b> Risk Protection Order and Warrant	Ex parte <sup>61</sup>	14 days <sup>62</sup>	Two law enforcement officers or one state's attorney or assistant state's attorney <sup>63</sup>
	After hearing <sup>64</sup>	Indefinite or at least in 180-day increments if respondent petitions court to terminate <sup>65</sup>	
<b>Delaware</b> Lethal Violence Protective Order	Emergency <sup>66</sup>	Usually 15 days, may not exceed 45 days <sup>67</sup>	Law enforcement officer <sup>68</sup>
	Nonemergency <sup>69</sup>	Fixed period of time not to exceed 1 year <sup>70</sup>	Family member or law enforcement officer <sup>71</sup>

Jurisdiction	Types	Length	Eligible Petitioners
<b>District of Columbia</b> Extreme Risk Protection Order	Ex Parte <sup>72</sup>	14 days & can be extended in 14-day increments for good cause shown <sup>73</sup>	Persons related by blood, adoption, guardianship, marriage, domestic partnership, having a child in common, cohabitating, or maintaining a romantic, dating or sexual relationship; mental health professionals; Metropolitan police department member <sup>74</sup>
	Final <sup>75</sup>	1 year <sup>76</sup>	
<b>Florida</b> Risk Protection Order	Temporary Ex Parte <sup>77</sup>	Until a RPO hearing is held (which is no later than 14 days after court issues order) <sup>78</sup>	Law enforcement officer or agency <sup>79</sup>
	Final <sup>80</sup>	A period the court deems appropriate up to and including but not exceeding 12 months <sup>81</sup>	
<b>Hawai'i</b> Gun Violence Protective Order	Ex Parte <sup>82</sup>	Until hearing that should be held within 14 days of granting of petition (hearing time can be extended by Respondent) <sup>83</sup>	Law enforcement officer; family or household member; medical professional; educator; or colleague <sup>84</sup>
	One-year <sup>85</sup>	1 year <sup>86</sup>	
<b>Illinois</b> Firearms Restraining Order	Emergency <sup>87</sup>	up to 14 days or until there is a hearing <sup>88</sup>	Family or law enforcement officer <sup>89</sup>
	Plenary <sup>90</sup>	Up to 1 year but not less than 6 months <sup>91</sup>	
<b>Indiana</b> Warrant for Seizure and Retention of a Firearm	Seizure without a Warrant <sup>92</sup>	Until hearing date, which should be scheduled within 14 days but otherwise as soon as possible. If respondent requests a continuance, then a period of not more than 60 days after seizure <sup>93</sup>	Law enforcement officer <sup>94</sup>
	Warrant for Search and Seizure of a Firearm <sup>95</sup>		
	Retention of Firearm Order <sup>96</sup>	Indefinite or at least in 180-day increments if respondent petitions court to terminate <sup>97</sup>	



Jurisdiction	Types	Length	Eligible Petitioners
<b>Maryland</b> Extreme Risk Protective Order	Interim <sup>98</sup>	Until the temporary order hearing (which should occur on the 1st or 2nd day on which a District Court judge is sitting after interim order issued or the end of the second business day after interim order is issued in which the Office of the District Court Clerk is open <sup>99</sup>	A physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage or family therapist, or health officer or designee of a health officer who has examined the individual; a law enforcement officer; the spouse of the respondent; a cohabitant of the respondent; a person related to the respondent by blood, marriage, or adoption; an individual who has a child in common with the respondent; a current dating or intimate partner of the respondent; and a current or former legal guardian of the respondent. <sup>100</sup>
	Temporary <sup>101</sup>	Normally up to 7 days; can be extended up to 6 months if necessary to complete service; if court is closed on the day on which the temporary order is due to expire, the temporary order shall be effective until the 2nd day on which the court is open <sup>102</sup>	
	Final <sup>103</sup>	up to 1 year <sup>104</sup>	
<b>Massachusetts</b> Extreme Risk Protective Order	Emergency <sup>105</sup>	Up to 10 days or until a hearing is held <sup>106</sup>	Family or household member or firearm licensing authority of the municipality where the respondent resides. The local police department would be considered the licensing authority. <sup>107</sup>
	Final <sup>108</sup>	1 year <sup>109</sup>	
<b>Michigan</b> Extreme Risk Protection Order	Immediate Emergency <sup>110</sup>	14 days <sup>111</sup>	The spouse of the respondent; a former spouse of the respondent, an individual who has a child in common with the respondent; an individual who has or has had a dating relationship with the respondent; an individual who resides or has resided in the same household with the respondent; a family member; a guardian of the respondent; a law enforcement officer, a health care provider. <sup>112</sup>
	Extended <sup>113</sup>	1 year <sup>114</sup>	

Jurisdiction	Types	Length	Eligible Petitioners
<b>Minnesota</b> Extreme Risk Protection Order	Emergency <sup>115</sup>	Up to 14 days unless a hearing is set on an earlier date <sup>116</sup>	The chief law enforcement officer; the chief law enforcement officer's designee; a city or county attorney, any family or household members of the respondent; or a guardian of the respondent. <sup>117</sup>
	Extreme Risk Protection Order <sup>118</sup>	The court shall determine the length of time the order is in effect, but may not set the length of time for less than 6 months or more than 1 year <sup>119</sup>	
<b>Nevada</b> Order of Protection Against High-Risk Behavior	Emergency <sup>120</sup>	Not to exceed 7 days <sup>121</sup>	Law enforcement officer or family or household member <sup>122</sup>
	Extended <sup>123</sup>	Up to 1 year <sup>124</sup>	
<b>New Jersey</b> Extreme Risk Protective Order	Temporary <sup>125</sup>	Until a final order is issued or denied <sup>126</sup>	Family or household member or law enforcement officer <sup>127</sup>
	Final <sup>128</sup>	Indefinite, until terminated by the court <sup>129</sup>	
<b>New Mexico</b> Extreme Risk Firearm Protection Order	Temporary <sup>130</sup>	Valid for a maximum of 10 days or until there is a hearing, whichever happens first. Respondent can request an extension of up to 30 days. <sup>131</sup>	Law enforcement officer. If Respondent is a law enforcement officer, then filed by district attorney or attorney general <sup>132</sup>
	One-year <sup>133</sup>	1 year <sup>134</sup>	

Jurisdiction	Types	Length	Eligible Petitioners
<b>New York</b> Extreme Risk Protection Order	Temporary <sup>135</sup>	Until a hearing on a final order (which will take place 3-6 days after service of temporary order, unless respondent requests more time beyond the 6 day timeframe) <sup>136</sup>	Law enforcement; or district attorney; or family or household members, school administrator or designee of any school which the respondent is currently enrolled or has been enrolled in 6 months immediately preceding the petition's filing; licensed health professional <sup>137</sup>
	Final <sup>138</sup>	Up to 1 year, as determined by the court but if temporary order was issued, duration of the final order will start counting from the day the temporary order was issued <sup>139</sup>	
<b>Oregon</b> Extreme Risk Protection Order	Ex Parte <sup>140</sup>	Until hearing date; within 30 days of service, the respondent can request a court hearing; if requested, both parties are notified of the hearing date within 21 days, and if the respondent doesn't request a hearing within 30 days, the order automatically remains effective for one year or unless it's terminated earlier. <sup>141</sup>	Law enforcement officer or household member <sup>142</sup>
	Final <sup>143</sup>	1 year <sup>144</sup>	
<b>Rhode Island</b> Extreme Risk Protection Order	Temporary <sup>145</sup>	Up to 14 days, until a hearing is held to determine if a one-year order should be issued <sup>146</sup>	Law enforcement agency <sup>147</sup>
	Final <sup>148</sup>	1 year <sup>149</sup>	

Jurisdiction	Types	Length	Eligible Petitioners
<b>Vermont</b> Extreme Risk Protection Order	Temporary Ex Parte <sup>150</sup>	Up to 14 days until hearing date <sup>151</sup>	State’s Attorney; the Office of the Attorney General; or a family or household member <sup>152</sup>
	Final <sup>153</sup>	Up to 6 months <sup>154</sup>	
<b>Virginia</b> Substantial Risk Order	Emergency <sup>155</sup>	Shall expire at 11:59 p.m. on the fourteenth day following issuance of the order but if court isn’t in session on that day then it’s extended until when the court is next open <sup>156</sup>	Attorney for the Commonwealth or a law enforcement officer <sup>157</sup>
	Final <sup>158</sup>	Lasts up to 180 days. The order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the 180-day period if no date is specified <sup>159</sup>	
<b>Washington</b> Extreme Risk Protection Order	Temporary Ex Parte <sup>160</sup>	Up to 14 days, until a hearing is held <sup>161</sup>	Intimate partner or a family or household member; or a law enforcement agency <sup>162</sup>
	Full <sup>163</sup>	1 year <sup>164</sup>	

## What is the standard of proof necessary for an ERPO?

Depending on the jurisdiction, a preliminary temporary ex parte order may be granted based on various legal standards, including:

- Reasonable cause/grounds<sup>165</sup>,
- Good cause<sup>166</sup>,
- Probable cause<sup>167</sup>,
- Substantial likelihood<sup>168</sup>,
- Preponderance of the evidence<sup>169</sup>, or
- Clear and convincing evidence<sup>170</sup>.

Of these legal standards, “reasonable cause/grounds” and “substantial likelihood” are generally considered more relaxed, while “clear and convincing” is among the strictest thresholds to meet.

In Vermont, the ERPO statute has a dual approach. When the petitioner is either the state’s attorney or the office of the attorney general, a “preponderance of the evidence” standard is applied. However, family or household members face a stiffer requirement, needing to meet the “clear and convincing” evidence standard.<sup>171</sup>

Michigan’s approach to ERPOs also has its distinctions. Whether or not the petitioner is law enforcement, the court can issue an immediate emergency ERPO without notice to the respondent. However, law enforcement is permitted to verbally request the order while non-law enforcement petitioners must provide a written petition.<sup>172</sup>

Another notable nuance lies in the criteria for temporary versus final ERPOs in many jurisdictions. While the findings for both types of orders are often similar, temporary ERPOs in certain states carry an additional emphasis on the “imminence” or “immediacy” of the threat.<sup>173</sup>

For final ERPOs issued post-hearing, the predominant standards of proof are either preponderance-of-the-evidence<sup>173</sup> or clear-and-convincing-evidence<sup>174</sup>, with the latter being the most common. While the preponderance of the evidence standard is met if there’s a greater than 50% chance the petition’s allegations are true, the clear-and-convincing-evidence standard, though not as stringent as “beyond a reasonable doubt” used in criminal cases, demands the evidence to strongly indicate that the allegations are highly probable or reasonably certain.<sup>175</sup>

**Table 3: Standards of Proof and Findings Required**

Jurisdiction	Types	Standards of Proof	Findings Required
<b>California</b> Gun Violence Restraining Order	Temporary Emergency	Reasonable Cause <sup>176</sup>	(1) The subject of the petition poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition.  (2) A temporary emergency gun violence restraining order is necessary to prevent personal injury to the subject of the petition or another because less restrictive alternatives either have been tried and found to be ineffective or have been determined to be inadequate or inappropriate for the circumstances of the subject of the petition.
	Ex Parte	Substantial likelihood <sup>177</sup>	(1) The subject of the petition poses a significant danger, in the near future, of causing personal injury to the subject of the petition or another by having in their custody or control, owning, purchasing, possessing, or receiving a firearm as determined by considering the factors listed in Section 18155.  (2) An ex parte gun violence restraining order is necessary to prevent personal injury to the subject of the petition or another because less restrictive alternatives either have been tried and found to be ineffective or are inadequate or inappropriate for the circumstances of the subject of the petition.
	Order Issued After Notice & Hearing	Clear and Convincing Evidence <sup>178</sup>	(1) The subject of the petition, or a person subject to a temporary emergency gun violence restraining order or an ex parte gun violence restraining order, as applicable, poses a significant danger of causing personal injury to themselves or another by having in the subject’s or person’s custody or control, owning, purchasing, possessing, or receiving a firearm, ammunition, or magazine.  (2) A gun violence restraining order is necessary to prevent personal injury to the subject of the petition, or the person subject to an ex parte gun violence restraining order, as applicable, or another because less restrictive alternatives either have been tried and found to be ineffective, or are inadequate or inappropriate for the circumstances of the subject of the petition, or the person subject to an ex parte gun violence restraining order, as applicable.

Jurisdiction	Types	Standards of Proof	Findings Required
<b>Colorado</b> Extreme Risk Protection Order	Temporary	Preponderance of the Evidence <sup>179</sup>	The respondent poses a significant risk of causing personal injury to self or others in the near future by having in the respondent's custody or control a firearm or by purchasing, possessing, or receiving a firearm.
	Final	Clear and Convincing Evidence <sup>180</sup>	The respondent poses a significant risk of causing personal injury to self or others by having in the respondent's custody or control a firearm or by purchasing, possessing, or receiving a firearm.
<b>Connecticut</b> Risk Protection Order and warrant	Investigation	Good Faith belief (for investigation) <sup>181</sup>	Person poses a risk of imminent personal injury to such person's self or to another person.
	Ex parte	Probable Cause <sup>182</sup>	
	Risk Protection Order	Clear and Convincing Evidence (at hearing) <sup>183</sup>	
<b>Delaware</b> Lethal Violence Protective Order	Emergency	Preponderance of the Evidence <sup>184</sup>	Respondent poses an immediate and present danger of causing physical injury to self or others by owning, possessing, controlling, purchasing, having access to, or receiving a firearm.
	Nonemergency	Clear and Convincing Evidence <sup>185</sup>	
<b>District of Columbia</b> Extreme Risk Protection Order	Ex Parte	Probable Cause <sup>186</sup>	Respondent poses a significant danger of causing bodily injury to self or others by having possession or control of, purchasing, or receiving any firearm or ammunition.
	Final	Preponderance of the Evidence <sup>187</sup>	

Jurisdiction	Types	Standards of Proof	Findings Required
<b>Florida</b> Risk Protection Order	Temporary Ex Parte	Reasonable Cause <sup>188</sup>	Respondent poses a significant danger of causing personal injury to himself or herself or others in the near future by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm or ammunition.
	Final	Clear and Convincing Evidence <sup>189</sup>	Respondent poses a significant danger of causing personal injury to himself or herself or others by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm or any ammunition.
<b>Hawai'i</b> Gun Violence Protective Order	Ex Parte	Probable Cause <sup>190</sup>	Respondent poses an imminent danger of causing bodily injury to the respondent's self or another person by owning, purchasing, possessing, receiving, or having in the respondent's custody or control any firearm or ammunition.
	One-year	Preponderance of the Evidence <sup>191</sup>	Respondent poses a significant danger of causing bodily injury to the respondent's self or another person by owning, purchasing, possessing, receiving, or having in the respondent's custody or control any firearm or ammunition.
<b>Illinois</b> Firearms Restraining Order	Emergency	Probable Cause <sup>192</sup>	Respondent poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm.
	Plenary	Clear and Convincing Evidence <sup>193</sup>	Respondent poses a significant danger of personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm.



Jurisdiction	Types	Standards of Proof	Findings Required
<b>Indiana</b> Seizure without a Warrant, Warrants for Search and Seizure of a Firearm, Retention of Firearm Order	Seizure without a Warrant	Probable Cause <sup>194</sup>	(1) The individual is “dangerous,” which is established if:  The individual presents an imminent risk of personal injury to the individual or to another individual; or
	Warrants for Search and Seizure of a Firearm	Probable Cause <sup>195</sup>	It is probable that the individual will present a risk of personal injury to the individual or to another individual in the future and the individual:
	Retention of Firearm Order	Clear and Convincing Evidence <sup>196</sup>	has a mental illness (as defined in IC 12-7-2-130) that may be controlled by medication, and has not demonstrated a pattern of voluntarily and consistently taking the individual’s medication while not under supervision; or  is the subject of documented evidence that would give rise to a reasonable belief that the individual has a propensity for violent or suicidal conduct.  (2) The “individual is in possession of a firearm.”
<b>Maryland</b> Extreme Risk Protective Order (ERPO)	Interim	Reasonable Grounds <sup>197</sup>	Respondent poses an immediate and present danger of causing personal injury to the respondent, the petitioner, or another by possessing a firearm.
	Temporary	Reasonable Grounds <sup>198</sup>	
	Final	Clear and Convincing Evidence <sup>199</sup>	Respondent poses a danger of causing personal injury to the respondent, the petitioner, or another by possessing a firearm.
<b>Massachusetts</b> Extreme Risk Protective Order (ERPO)	Emergency	Reasonable Cause <sup>200</sup>	Respondent poses a risk of causing bodily injury to self or others by being in possession of a license to carry firearms or a firearm identification card or having in the respondent’s control, ownership or possession a firearm, rifle, shotgun, machine gun, weapon or ammunition.
	Final	Preponderance of the Evidence <sup>201</sup>	Respondent poses a risk of causing bodily injury to self or others by having in the respondent’s control, ownership or possession a firearm, rifle, shotgun, machine gun, weapon or ammunition.

Jurisdiction	Types	Standards of Proof	Findings Required
<b>Michigan</b> Extreme Risk Protection Order	Immediate Emergency	Clear and Convincing Evidence <sup>202</sup>	<p>Immediate and irreparable injury, loss, or damage will result from the delay required to effectuate notice or that the notice will itself precipitate adverse action before an extreme risk protection order can be issued.</p> <p>*If petitioner is law enforcement: Officer is responding to a complaint involving the respondent and the respondent can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure the respondent or another individual by possessing a firearm.<sup>203</sup></p>
	Extreme Risk Protection Order	Preponderance of the Evidence <sup>204</sup>	Respondent can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure himself, herself, or another individual by possessing a firearm, and has engaged in an act or acts or made significant threats that are substantially supportive of the expectation.
<b>Minnesota</b> Extreme Risk Protection Order	Emergency	Probable Cause <sup>205</sup>	<p>(1) Respondent poses a significant danger of bodily harm to other persons or is at significant risk of suicide by possessing a firearm, and,</p> <p>(2) Respondent presents an immediate and present danger of either bodily harm to others or of taking their life.</p>
	Extreme Risk Protection Order	Clear and Convincing Evidence <sup>206</sup>	Respondent poses a significant danger to other persons or is at significant risk of suicide by possessing a firearm.
<b>Nevada</b> Order of Protection Against High-Risk Behavior	Emergency	Preponderance of the Evidence <sup>207</sup>	That a person poses an imminent risk of causing a self-inflicted injury or a personal injury to another person by possessing, controlling, purchasing or otherwise acquiring any firearm;
	Extended	Clear and Convincing Evidence <sup>208</sup>	<p>(2) The person engaged in high-risk behavior; and,</p> <p>(3) Less restrictive options have been exhausted or are not effective.</p>

Jurisdiction	Types	Standards of Proof	Findings Required
<b>New Jersey</b> Extreme Risk Protective Order	Temporary	Good Cause <sup>209</sup>	Respondent poses an immediate and present danger of causing bodily injury to the respondent or others by having custody or control of, owning, possessing, purchasing, or receiving a firearm
	Final	Preponderance of the Evidence <sup>210</sup>	Respondent poses a significant danger of bodily injury to the respondent’s self or others by having custody or control of, owning, possessing, purchasing, or receiving a firearm, the court shall issue an extreme risk protective order.
<b>New Mexico</b> Extreme Risk Firearm Protection Order	Temporary	Probable Cause <sup>211</sup>	Respondent poses a significant danger of causing imminent personal injury to self or others by having in the respondent’s custody or control or by purchasing, possessing, or receiving a firearm before notice is served and a hearing held.
	One-year	Preponderance of the Evidence <sup>212</sup>	Respondent poses a significant danger of causing imminent personal injury to self or others by having in respondent’s custody or control or by purchasing, possessing, or receiving a firearm.
<b>New York</b> Extreme Risk Protective Order	Temporary	Probable Cause <sup>213</sup>	Respondent is likely to engage in conduct that would result in serious harm to himself, herself or others, as defined in paragraph one or two of subdivision (a) of section 9.39 of the mental hygiene law.
	Final	Clear and Convincing Evidence <sup>214</sup>	N.Y. Mental Hyg. Law § 9.39(a): “Likelihood to result in serious harm” as used in this article shall mean:  1. substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself, or  2. a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm.
<b>Oregon</b> Extreme Risk Protective Order	Ex Parte <sup>215</sup>	Clear and Convincing Evidence	Respondent presents a risk in the near future, including an imminent risk, of suicide or of causing physical injury to another person.
	Final <sup>216</sup>		

Jurisdiction	Types	Standards of Proof	Findings Required
<b>Rhode Island</b> Extreme Risk Protective Order	Temporary	Probable Cause <sup>217</sup>	Respondent poses a significant danger of causing imminent personal injury to self or others by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm before notice can be served and a hearing held.
	One-year	Clear and Convincing Evidence <sup>218</sup>	Respondent poses a significant danger of causing imminent personal injury to self or others by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm.
<b>Vermont</b> Extreme Risk Protective Order	Temporary Ex Parte <sup>219</sup>	If Pet. Is State's Attorney, Attorney General: Preponderance of the Evidence  If Pet. Is family or household member: Clear and Convincing	Respondent poses an imminent and extreme risk of causing harm to himself or herself or another person by purchasing, possessing, or receiving a dangerous weapon or by having a dangerous weapon within the respondent's custody or control.
	Final	Clear and Convincing <sup>220</sup>	Respondent poses an extreme risk of causing harm to himself or herself or another person by purchasing, possessing, or receiving a dangerous weapon or by having a dangerous weapon within the respondent's custody or control.
<b>Virginia</b> Substantial Risk Order	Emergency	Probable Cause <sup>221</sup>	Person poses a substantial risk of personal injury to himself or others in the near future by such person's possession or acquisition of a firearm.
	Final	Clear and Convincing Evidence <sup>222</sup>	
<b>Washington</b> Extreme Risk Protection Order	Temporary	Reasonable Cause <sup>223</sup>	Respondent poses a significant danger of causing personal injury to self or others in the near future by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm.
	Final	Preponderance of the Evidence <sup>224</sup>	Respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm

## What type of evidence is required to obtain an ERPO?

To obtain an ERPO, a petitioner must present evidence demonstrating that the respondent poses a danger to themselves and others. Courts across jurisdictions evaluate a range of evidence to make their determinations. Typical types of evidence evaluated by the court concerning the respondent include:

- Threats or acts of violence,<sup>225</sup>
- History of violating protection orders,<sup>226</sup>
- Substance abuse,<sup>227</sup>
- Weapons brandishing,<sup>228</sup>
- A recent acquisition of a firearm,<sup>229</sup>
- Mental health history,<sup>230</sup>
- History of stalking,<sup>231</sup>
- History of domestic violence crimes,<sup>232</sup>
- Cruelty to animals.<sup>233</sup>

Michigan, Minnesota, New Jersey and Vermont consider the existence various types of protection order (including CPOs or ERPOs) against the respondent, irrespective of any violation.<sup>234</sup> New Mexico and Oregon focus exclusively on evidence of previous ERPOs only.<sup>235</sup>

Some jurisdictions include a catchall provision, allowing for the consideration of any relevant evidence,<sup>236</sup> while Delaware, Indiana and Massachusetts do not provide a specific list of evidence.<sup>240</sup>

## How are ERPOs served on the respondent?

In many jurisdictions, law enforcement officers are typically responsible for personally serving an ERPO notice to the respondent.<sup>237</sup> In fact, New Jersey explicitly prohibits asking family or household members to serve the order.<sup>238</sup> When serving an ERPO, some jurisdictions require law enforcement to inquire if the respondent has any firearms, ammunition, or magazines in their custody and control.<sup>239</sup>

While personal service is standard, some states permit alternative methods like mail, especially when personal service is not feasible.<sup>240</sup> However, in Michigan if an immediate firearm surrender is ordered, personal service is mandatory.<sup>241</sup> In several states, as long as the respondent attended an ERPO hearing, personal service is not required.<sup>242</sup>

## What happens if an ERPO request is denied?

Typically, if an ERPO request is denied, the respondent can retain and/or access firearms, provided they are not prohibited by another laws. If any firearms were temporarily seized pending the ERPO hearing, those firearms would be returned to the respondent, unless, again, there was another legal basis that would justify their retention or in some jurisdictions like Nevada, after a certain time period following the denial of the petition.<sup>243</sup> If the petitioner wishes to file another ERPO petition, they would be required to present new evidence sufficient to meet the requisite standard of proof.

## What relief is available under an ERPO?

All ERPO statutes prohibit respondents from possessing or obtaining firearms for the duration of the order. Beyond this foundational restriction, many jurisdictions also prohibit respondents from possessing ammunition.<sup>244</sup> Several states also further require respondents to surrender any concealed carry permits or firearms licenses they might hold.<sup>245</sup> Certain state provisions offer a unique set of provisions: for example, Delaware's ERPO not only bans the possession of firearms and ammunition but also inhibits firearms access by restricting respondents from living with anyone who owns or possesses these items.<sup>246</sup> Illinois's ERPO statute extends its prohibitions to include "parts that could be assembled to make an operable firearm."<sup>247</sup> Meanwhile, Vermont broadens the scope of its ERPO to cover not just firearms but also other "dangerous weapons," which notably includes explosives.<sup>248</sup>

## How are firearms relinquished/removed?

Under an ERPO, a respondent is typically required to either voluntarily surrender their firearms and ammunition or face law enforcement seizure of these items. Most jurisdictions provide the respondent an opportunity for voluntary surrender.<sup>249</sup> Specific states like Colorado and Minnesota have provisions for antique firearms, permitting their transfer to eligible relatives.<sup>250</sup> In the majority of states, respondents have the option to request that law enforcement sell or transfer their firearms and ammunition to a licensed dealer or another approved third party.<sup>251</sup>

## What happens if the respondent does not turn over their firearms?

Nine states authorize law enforcement to obtain search warrants for ERPO enforcement after the respondent has been served with the order.<sup>252</sup> Some jurisdictions like the District of Columbia, Delaware, Minnesota, New Jersey, New York, Illinois and Rhode Island have provisions allowing courts to simultaneously issue an ERPO and a search warrant.<sup>253</sup> Minnesota, in particular, offers respondents the chance to voluntarily hand over all firearms before the execution of the search warrant.<sup>254</sup>

Unlike most jurisdictions, Connecticut's and Indiana's ERPO procedures primarily operate through warrants.<sup>255</sup> In Indiana, law enforcement can retain firearms seized without a warrant, provided they establish probable cause by submitting an affidavit within 48 hours of the seizure, identifying the respondent as a "dangerous individual" in possession of a firearm.<sup>256</sup>

Conversely, states like California, Massachusetts, New Mexico, Oregon, and Vermont do not expressly mention the use of warrants in their ERPO statutes.

**Table 4: Firearms relinquishment/removal process**

Jurisdictions	General Process	Warrant Authority
<b>California</b>	<p>Upon the issuance of the order, the respondent must surrender all firearms and ammunition: immediately to law enforcement upon their request or, if no immediate request is made, within 24 hours to either a local law enforcement agency or a licensed firearms dealer.</p> <p>Within 48 hours of surrender, the respondent must provide both the court and the serving law enforcement agency with a receipt proving the surrender, sale, or transfer of the firearms and ammunition.</p> <p>Failure to provide this receipt is a violation of the restraining order.<sup>257</sup></p>	Statute is silent.
<b>Colorado</b>	<p>The respondent must surrender all firearms by:</p> <ul style="list-style-type: none"> <li>Selling/transferring to a federally licensed firearms dealer;</li> <li>Storing with a law enforcement agency;</li> <li>Transferring possession of specific antique firearms or curios to an eligible relative;</li> </ul> <p>Respondents also need to surrender any concealed carry permit to the serving law enforcement officer.</p> <p>Law enforcement must request immediate surrender of all firearms and any concealed carry permits when serving the order.</p> <p>The respondent within 48 hours of the ERPO issuance, must provide proofs of firearm and permit relinquishment to the court or attest to the court that they don't possess any firearms or a concealed carry permit<sup>258</sup></p>	If the respondent fails to surrender or is suspected of not complying, the court may issue a search warrant to seize firearms and any concealed carry permits <sup>259</sup>
<b>Connecticut</b>	<p>After risk protection order is issued, seized firearms and ammunition will be held until the order's termination.</p> <p>The respondent can transfer firearms/ammunition to a federally licensed firearm dealer. Once the involved parties notify in writing, the state agency holding the items must deliver them to the dealer within 10 days<sup>260</sup></p>	Warrant to search and seize firearms and ammunition is issued if court finds probable cause (1) the respondent possesses one or more firearms or other deadly weapons, and (2) such firearm or firearms or other deadly weapon or deadly weapons are within or upon any place, thing or person. <sup>261</sup>

Jurisdictions	General Process	Warrant Authority
<b>Delaware</b>	<p>The respondent must surrender any firearms or ammunition to designated law enforcement agency.</p> <p>The respondent is allowed to voluntarily relinquish to law enforcement or to hand over items to an approved designee who doesn't live with the respondent as long as designee can assure court that they will prevent respondent from accessing items.</p> <p>The respondent is prohibited from living with another individual in possession of firearms or ammunition<sup>262</sup></p>	<p>Court may authorize law enforcement to promptly search for and confiscate any firearms or ammunition that the respondent owns, possesses, or controls.<sup>263</sup></p>
<b>District of Columbia</b>	<p>When serving ERPO, law enforcement must:</p> <p>Ask the respondent to immediately surrender all firearms, ammunition, and related licenses/registrations.</p> <p>Take possession of all surrendered or those found during a lawful search.</p> <p>If someone other than the respondent is the lawful owner of any seized firearm or ammunition, it will be returned to them, given the items are stored out of the respondent's reach.<sup>264</sup></p>	<p>After ERPO is issued, court may also issue an accompanying search warrant.<sup>265</sup></p>
<b>Florida</b>	<p>When serving ERPO, law enforcement must:</p> <p>Request the respondent to immediately surrender all firearms, ammunition, and any concealed weapon licenses.</p> <p>If the respondent was present at the hearing or if personal service isn't possible, they must surrender these items to the local law enforcement right after the order is served or the hearing.</p> <p>After surrender, law enforcement will:</p> <p>Issue a receipt of all surrendered items and provide a copy to the respondent.</p> <p>File original receipt with court within 72 hours.<sup>266</sup></p>	<p>After ERPO is issued, if there is probable cause to believe the respondent failed to surrender, all firearms/ammunition, court may issue warrant<sup>267</sup></p>



Jurisdictions	General Process	Warrant Authority
<b>Hawai'i</b>	<p>The respondent can either voluntarily surrender or dispose of all firearms and ammunition under their control</p> <p>Law enforcement serving ERPO have authority to:</p> <p>Seize any firearms and ammunition in plain sight or discovered during a consensual search.</p> <p>Accept firearms willingly surrendered by the respondent.</p> <p>If not personally served by law enforcement, the respondent has 48 hours post-service to surrender these items to their local police chief.</p> <p>Law enforcement must provide a receipt for surrendered items, submitting the original to the court within 72 hours and ensuring the county police department keeps a copy.<sup>268</sup></p>	<p>If the court has probable cause to believe the respondent hasn't surrendered all firearms/ammunition or has obtained new ones while under the order, it may issue a search and seizure warrant<sup>269</sup></p>
<b>Illinois</b> <sup>270</sup>	<p>The respondent must surrender concealed carry license and Firearm Owner's Identification Card to local law enforcement</p> <p>Any seized items are reported by law enforcement within 4 days of the search warrant's execution.</p> <p>The respondent, or another claiming title, can petition the court to transfer the items to a law-abiding third party who doesn't share the respondent's address, with an affidavit ensuring non-transfer back to the respondent.</p>	<p>If ERPO is ordered, court can upon finding probable cause that the respondent possesses firearms, ammunition and firearm parts issue a search warrant for those items. This may include search the respondent's residence or other likely locations.<sup>271</sup></p>

Jurisdictions	General Process	Warrant Authority
<b>Indiana</b>	<p>Law enforcement may seize a firearm from an individual with or without a warrant.</p> <p>If a seizure was done without a warrant, a court will review an affidavit submitted by the law enforcement officer to determine if there was probable cause that the individual was dangerous.</p> <p>Once hearing is completed and court grants state’s request, court will order law enforcement to retain firearm for duration of retention order and suspend licenses.<sup>272</sup></p>	<p>Court may issue warrant if :</p> <p>Law enforcement provides a sworn affidavit that states why law enforcement believes the respondent is “dangerous” and in possession of a firearm;</p> <p>Law enforcement describes interactions and conversations with the respondent or other credible witness;</p> <p>Law enforcement provides location of firearm;</p> <p>There is probable cause to believe the respondent is dangerous and in possession of a firearm.<sup>273</sup></p>
<b>Maryland</b>	<p>The respondent must surrender all firearms and ammunition to law enforcement.</p> <p>Law enforcement can also arrest the respondent if there is probable cause to believe they are violating an order, even if there is no warrant</p> <p>The respondent can sell/transfer title to licensed firearm dealer or eligible 3rd party<sup>274</sup></p>	<p>Law enforcement can apply for a warrant if they have probable cause to believe the respondent is violating an ERPO.<sup>275</sup></p>
<b>Massachusetts</b> <sup>276</sup>	<p>The respondent must surrender all firearms, related licenses and ammunition to local licensing authority (law enforcement).</p> <p>The respondent can also sell all items to licensed firearms dealers.</p> <p>Law enforcement provides a receipt for all surrendered items and files it with court.</p>	<p>Statute is silent</p>

Jurisdictions	General Process	Warrant Authority
<b>Michigan</b>	<p>Within 24 hours, the respondent must surrender any firearms to law enforcement or to a licensed firearm dealer</p> <p>Within 1 business day of receiving or having notice of the ERPO, the respondent must either verify to the issuing court that all firearms and any concealed pistol license they had are surrendered or that they didn't possess any to begin with and remain without them at the time of verification.</p> <p>If compliance isn't met within 1 business day, the court clerk informs the designated local law enforcement. Law enforcement must then check if R has retained firearms or a license. The court also schedules a compliance hearing within 5 days of serving the order.<sup>277</sup></p>	<p>Non-compliance or absence from compliance hearing can result in arrest, search warrants, and potential contempt of court charges.</p> <p>If there's belief that the respondent possesses a firearm or concealed pistol license, an affidavit can be filed by the prosecutor or law enforcement. The court then decides if there's probable cause, which can lead to arrest, hearings, and search warrants to seize any firearms or licenses believed to be in the respondent's possession.<sup>278</sup></p>
<b>Minnesota</b> <sup>279</sup>	<p>Within 24 hours of ERPO issuance, the respondent must transfer any firearms to either a licensed firearm dealer or law enforcement.</p> <p>The respondent can transfer certain antique firearms or relics to a relative not living with them.</p> <p>Proof of transfer from either law enforcement or a licensed dealer or a declaration of non-possession should be submitted to law enforcement.</p>	<p>For emergency orders or immediate and present danger findings where there is probable cause that the respondent possesses firearms, court may issue search warrant for firearm seizure but the respondent has option to voluntarily surrender firearms before warrant's execution.</p> <p>Seized firearms can be transferred to a licensed dealer with appropriate proof of transfer and proof must be filed within 2 business days.<sup>280</sup></p>
<b>Nevada</b>	<p>The respondent must immediately surrender firearms to law enforcement, upon surrender R and court will receive a receipt within 1 business day.<sup>281</sup></p>	<p>If there is probable cause to believe that the respondent hasn't complied with ERPO, court can issue warrant.<sup>282</sup></p>

Jurisdictions	General Process	Warrant Authority
<p><b>New Jersey</b></p>	<p>The respondent must immediately surrender to law enforcement:</p> <p>All firearms and ammunition they own, possess or control;</p> <p>Any associated firearm purchaser identification card or permits.</p> <p>The respondent is also prohibited from purchasing firearms, ammunition or applying for any related permits.</p> <p>The respondent can opt to have law enforcement sell their firearms and ammunition to a federally licensed firearms dealer.</p> <p>Surrender receipts are provided by either the law enforcement officer or licensed dealer. The respondent must then file this receipt with the county prosecutor within 48 hours, with failure to do so being a contempt of the order.<sup>283</sup></p>	<p>If a respondent’s ownership of firearms or ammunition is indicated in the ERPO, a search warrant is simultaneously issued, compelling immediate surrender to law enforcement.</p> <p>If the respondent, already served with a protective order, does not surrender firearms or ammunition as stipulated, the issuing court can grant a search warrant to retrieve those items.<sup>284</sup></p>
<p><b>New Mexico</b></p>	<p>The respondent served with ERPO must surrender all firearms to a law enforcement officer/agency or a federal firearms licensee within 48 hours or sooner if directed by court.</p> <p>Upon taking possession of firearms, law enforcement/federal firearms licensee must generate a receipt and distribute copies to both the respondent and the petitioner.</p> <p>Original receipt should be filed with issuing court within 72 hours of firearm possession and copy must be retained by law enforcement.<sup>285</sup></p>	<p>Statute is silent</p>
<p><b>New York</b></p>	<p>The respondent is to immediately surrender all firearms to law enforcement serving ERPO.</p> <p>Law enforcement must take possession of all firearms that are in plain sight or discovered pursuant to a lawful search.</p> <p>The respondent’s firearm licenses are suspended, and they are prohibited from buying or possessing firearms.<sup>286</sup></p>	<p>As part of ERPO, Court may also include a search warrant.<sup>287</sup></p>

Jurisdictions	General Process	Warrant Authority
<b>Oregon</b>	<p>The respondent must, within 24 hours:</p> <p>Surrender all deadly weapons to law enforcement, a gun dealer or a lawful 3rd party;</p> <p>Hand over any concealed handgun license to law enforcement.</p> <p>During service, law enforcement:</p> <p>Will ask the respondent to surrender deadly weapons and concealed handgun licenses immediately.</p> <p>If serving a continued/renewed order, law enforcement may conduct lawful searches for deadly weapons.</p> <p>For any weapons or licenses handed over, law enforcement will provide a receipt detailing surrendered items and file receipt within 72 hours of service.<sup>288</sup></p>	Statute is silent
<b>Rhode Island</b>	<p>The respondent is obligated to immediately contact law enforcement to arrange for the surrender of any firearms in the respondent's custody, control or possession that have not already been seized.</p> <p>The respondent must also surrender any concealed carry permit.<sup>289</sup></p>	When an order is issued, if probable cause to believe the respondent owns firearms, an accompanying warrant is also issued for search of all firearms in the respondent's possession, custody, or control. <sup>290</sup>

Jurisdictions	General Process	Warrant Authority
<p><b>Vermont</b></p>	<p>If ordered by an ERPO, the respondent must immediately surrender any dangerous weapon (other than firearms) they own to law enforcement. The weapon will then be given to ATF.</p> <p>For firearms, they must be immediately surrendered to law enforcement or a licensed firearms dealers unless the court provides an alternate solution.</p> <p>Court may order the respondent to surrender firearms to a third party as long as 3rd party doesn't pose a safety risk.</p> <p>The 3rd party must:</p> <ul style="list-style-type: none"> <li>Confirm they received firearm;</li> <li>Attest to safely storing firearms;</li> <li>Assure they can legally own firearms;</li> </ul> <p>Understand obligations, including the risk of penalties if firearms are accessed by unauthorized people.</p> <p>If there's a breach, all items must be surrendered to law enforcement or licensed firearms dealer</p> <p>law enforcement is authorized to enforce ERPO including collecting and disposing dangerous weapons.<sup>291</sup></p>	<p>Statute is silent.</p>
<p><b>Virginia</b></p>	<p>The respondent is advised to voluntarily relinquish any firearms or concealed handgun permits that have not already been taken by law enforcement.</p> <p>The respondent can transfer items to another eligible individual under specific conditions, such as the recipient not living with them and being approved by the court. The firearm should be handed over to the new owner within five days of court approval.<sup>292</sup></p>	<p>Law enforcement can get a search warrant to find any firearms if there is a belief that the respondent has not given up all weapons after ERPO is issued and served.<sup>293</sup></p>

Jurisdictions	General Process	Warrant Authority
<b>Washington</b>	<p>Law enforcement serving the order should ask the respondent to surrender their firearms and concealed pistol licenses. They can also conduct legal searches for such firearms and should seize any they find.</p> <p>The respondent must immediately surrender all firearms and concealed pistol licenses not previously surrendered in a safe manner to law enforcement on the hearing date where the respondent was present in person or remotely or if the respondent was not present within 24 hours after being served with order by alternate service.</p> <p>Law enforcement taking firearms &amp; licenses should provide a receipt and file with the court within 72 hours.<sup>294</sup></p>	<p>If there is probable cause to believe that R hasn't surrendered all firearms, court will issue warrant<sup>295</sup></p>

## Is notification provided to a person at risk of harm from the respondent?

Several jurisdictions have provisions to ensure that individuals potentially at risk of harm, notably a respondent's family or household members, are informed about ERPO-related proceedings or events. For example, Maryland requires that final orders be served on all people the court deems "appropriate" and if there are any modifications or rescissions of an ERPO, notice must be given to all "affected persons."<sup>296</sup>

In Florida, Illinois and Washington, petitioners are obligated to make a good faith effort to notify the respondent's family or household members either about their intent to file an ERPO or that they have already done so. Distinctively, Illinois enforces this notification for all petitioners, whereas Florida and Washington restrict it to only law enforcement petitioners.<sup>297</sup>

Meanwhile, Colorado, the District of Columbia, Massachusetts, and Washington require courts to inform petitioners in advance about an ERPO's approaching expiration.<sup>298</sup> Rhode Island specifically instructs law enforcement petitioners to give a 14-day notice to the respondent's family or household members about an ERPO's impending lapse.<sup>299</sup> In New Jersey, local law enforcement is tasked with giving a 10-day notification to these members before returning any firearms or ammunition to the respondent.<sup>300</sup> New York has a similar requirement but it's limited to notifying only the petitioner and licensing officers.<sup>301</sup>

**Table 5: Notification of Persons at Risk**

Jurisdiction	Notification Procedure – Statutory Language
<b>California</b>	Statute is silent.
<b>Colorado</b>	<p>If the court issues an ERPO and the petitioner is a law enforcement officer or agency or community member, the petitioner shall make a good-faith effort to notify the respondent’s family or any third party at potential risk of violence.<sup>302</sup></p> <p>If the law enforcement can’t serve within 5 days, they’ll inform the petitioner, who should then provide more details about the respondent’s location to facilitate service.<sup>303</sup></p> <p>The court will inform the petitioner 63 days prior to the expiration of an extreme risk protection order.<sup>304</sup></p>
<b>Connecticut</b>	Statute is silent.
<b>Delaware</b>	Statute is silent.
<b>District of Columbia</b>	<p>The court will notify the petitioner 120 days before a final ERPO expires, also advising on renewal procedures.<sup>305</sup></p> <p>If the Metropolitan Police Department can’t personally serve the respondent within 7 days of receiving a court order, they will notify the petitioner.<sup>306</sup></p>
<b>Florida</b>	<p>The petitioner must make a good faith effort to notify the respondent’s family or any known third party who may be at risk of violence and provide them with relevant resources like mental health and counseling. The petitioner must confirm in the petition that they’ve given this notice or describe the steps they’ll take to do so.<sup>307</sup></p> <p>The court must inform the petitioner at least 30 days in advance of a ERPO’s expiration.<sup>308</sup></p>
<b>Hawai’i</b>	Statute is silent.
<b>Illinois</b>	<p>If the respondent poses an immediate and present danger to an intimate partner, the petitioner must try to notify all of the respondent’s intimate partners about the impending emergency firearms restraining order. If the petitioner is a law enforcement officer, they should also provide relevant domestic violence resources when appropriate. The petitioner must confirm in the official documents that they provided this notice or detail their attempts to do so.<sup>309</sup></p> <p>If a respondent’s Firearm Owner’s Identification Card is revoked or suspended, they can ask the court to transfer their firearms, ammunition, and related parts to someone legally able to possess them, as long as that person doesn’t live with the respondent. The person protected by the emergency firearms restraining order must be notified of this request.<sup>310</sup></p>
<b>Indiana</b>	Statute is silent.



Jurisdiction	Notification Procedure – Statutory Language
<b>Maryland</b>	<p>A copy of the final extreme risk protective order shall be served on the petitioner, the respondent, the appropriate law enforcement agency, and any other person the judge determines is appropriate in open court or, if the person is not present at the final extreme risk protective order hearing, by first-class mail to the person’s last known address.<sup>311</sup></p> <p>A final extreme risk protective order may be modified or rescinded during the term of the extreme risk protective order after: (i) giving notice to all affected persons and the respondent; and (ii) a hearing.<sup>312</sup></p>
<b>Massachusetts</b>	<p>At least 30 days before an ERPO expires, the court will notify the petitioner, at their last known address, about the upcoming expiration and the option to renew the order.<sup>313</sup></p> <p>At least 7 days before an extreme risk protection order expires, the licensing authority will inform the petitioner about the order’s expiration and the upcoming return of the respondent’s firearms license, guns, and ammunition.</p> <p>Upon learning of an extreme risk protection order’s termination, the licensing authority holding any surrendered weapons or ammunition will promptly inform the petitioner about the order’s end and the return of the respondent’s firearms license and firearms, rifles, shotguns, machine guns, weapons or ammunition to the respondent<sup>314</sup></p>
<b>Michigan</b>	Statute is silent.
<b>Minnesota</b>	Statute is silent.
<b>Nevada</b>	Statute is silent.
<b>New Jersey</b>	<p>At least 10 days before returning firearms or ammunition, the local police will inform the family or household member. If the State Police seized the items, the county prosecutor’s office handling the ERPO will provide the notification.<sup>315</sup></p>
<b>New Mexico</b>	Statute is silent.
<b>New York</b>	<p>Upon the protection order’s expiration, if the respondent applies and after notifying the petitioner and relevant licensing officers, the court will order the return of any surrendered firearms to the respondent, given there’s no legal other legal impediment.<sup>316</sup></p>
<b>Oregon</b>	Statute is silent.
<b>Rhode Island</b>	<p>14 days before a one-year ERPO expires, the original petitioner must inform all relevant parties, including the respondent’s family or household members, in writing.<sup>317</sup></p> <p>If requested by the court or petitioner, a law enforcement agency must notify relevant parties, including the respondent’s family or household members, about the impending return of a firearm to the respondent, as outlined in § 8-8.3-6.<sup>318</sup></p>
<b>Vermont</b>	Statute is silent.

Jurisdiction	Notification Procedure – Statutory Language
<b>Virginia</b>	Statute is silent.
<b>Washington</b>	<p>If the petitioner is a law enforcement agency , they must make a good faith effort to notify the respondent’s family or any known third party who may be at risk of violence and provide them with relevant resources like mental health and counseling. The petitioner must confirm in the petition that they’ve given this notice or describe the steps they’ll take to do so.<sup>319</sup></p> <p>The court must notify the petitioner of the impending expiration of an extreme risk protection order. Notice must be received by the petitioner 105 calendar days before the date the order expires.<sup>320</sup></p>

## Can an ERPO be terminated prior to the expiration date?

In all jurisdictions, respondents are permitted to request the termination of an ERPO before its expiration date. However, in eleven of these jurisdictions, respondents are explicitly restricted to a single termination request for each duration the order remains active.<sup>321</sup> Specifically in Minnesota, courts may issue an ERPO for a period ranging from 6 months to a year. During each 6-month span the order is active, the respondent has the right to apply for its termination once, irrespective of whether the order’s initial duration was set for only six months.<sup>322</sup> On the other hand, states like Connecticut, California, Indiana, Massachusetts, Maryland, Michigan, New Jersey, and New Mexico do not specify any limits on the number of times a respondent can petition for the termination of an ERPO.<sup>323</sup>

## Can an ERPO be extended/renewed?

In every jurisdiction with time-limited final orders (thus excluding Connecticut, Indiana, New Jersey), the petitioner can seek an extension or renewal before the order’s expiration. Seven of these states permit individuals who would have been qualified to file for an order initially to request a renewal, even if they weren’t the original petitioners.<sup>324</sup> In Vermont, while family or household members can petition for an ERPO, they cannot request its renewal. Only the State’s Attorney or the Office of the Attorney General have that authority.<sup>325</sup> In Michigan, either the original petitioner or the court *sua sponte*, on its own motion, may extend an ERPO.<sup>326</sup>

## How and when are firearms returned to the respondent?

After the termination or expiration of an ERPO, the respondent is expected to request the return of their firearms either from the relevant law enforcement agency or by seeking a court order. Some jurisdictions like Colorado, the District of Columbia, and Maryland, require law enforcement to notify the respondent when they are eligible to have their firearms returned to them.<sup>327</sup> In most states except for Indiana, New York, and Vermont, if a respondent requests the return of their firearms after the termination of an order, the law enforcement agency must return them, unless other laws prohibit it.<sup>328</sup> This is typically verified through a firearms background check. However, Indiana, Nevada, New York, and Vermont require a court order in order to return firearms to a respondent even after its expiration.<sup>329</sup> Notably, New Mexico’s statute states that a respondent cannot be required to acquire a court order to grant the return of relinquished firearms.<sup>330</sup>

## What happens to unclaimed firearms?

In most jurisdictions, with the exceptions of New Mexico, Nevada, and Delaware, firearms not reclaimed by the respondent after an ERPO’s expiration are legally deemed unclaimed or abandoned. Consequently, the law enforcement agency in possession of these firearms takes responsibility for their management and disposition. Statutes in many jurisdictions stipulate a specific waiting period before law enforcement discretion can be exercised.<sup>331</sup> However, the determination of this waiting period varies:

- In Illinois, Minnesota, Oregon, Rhode Island and Washington, the timeline is based on the internal policies of the holding law enforcement agency.<sup>332</sup>
- Colorado, Connecticut, Florida, and New Jersey mandate a one-year waiting period post-ERPO expiration before initiating the firearms disposal process.<sup>333</sup>
- New York sets the waiting period at two years, while Vermont requires just ninety days.<sup>334</sup>
- In Indiana, where an ERPO's expiration is undefined, the waiting period can last as long as five years from the first hearing date.<sup>335</sup>

In Maryland, unclaimed firearms or ammunition can be destroyed by law enforcement agencies six months after notifying the respondent of the ERPO's end.<sup>335</sup> In Massachusetts, if the holding agency cannot identify a lawful owner for the firearms 180 days post-ERPO expiration, they may commence disposal.<sup>336</sup>

Moreover, six states provide immunity to law enforcement agencies against damage to the seized or surrendered firearms, unless the damage results from gross negligence, recklessness, or intentional misconduct.<sup>337</sup> Indiana does not have an immunity provision in its statute and instead explicitly imposes liability due to negligence during the firearm's storage or handling.<sup>338</sup>

**Table 6: Firearms Disposal**

Jurisdictions	Disposal process
<b>California</b> <sup>339</sup>	Any firearm held by law enforcement for at least 180 days as unclaimed or abandoned must be sold or destroyed.
<b>Colorado</b> <sup>340</sup>	Any firearm surrendered or taken pursuant to an ERPO that remains unclaimed for at least 1 year after the related order's expiration will be disposed of according to the law enforcement agency's firearm disposal policies.
<b>Connecticut</b> <sup>341</sup>	The Commissioner of Emergency Services and Public Protection, or any local police department holding on their behalf, cannot destroy any seized firearm, deadly weapon, or ammunition under this section until at least one year after the warrant's termination date.
<b>Delaware</b>	Statute is silent.
<b>District of Columbia</b> <sup>342</sup>	If the respondent neither requests the return of a firearm or ammunition within 6 months after an extreme risk protection order ends nor sells or transfers them, the Metropolitan Police Department will consider them as surrendered.
<b>Florida</b> <sup>343</sup>	If firearms and ammunition surrendered by a respondent remain unclaimed by the lawful owner for 1 year after a risk protection order is vacated, it will be disposed of as per the law enforcement agency's disposal policies.
<b>Hawai'i</b> <sup>344</sup>	A county police department can only dispose of a firearm or ammunition held from a respondent 6 months after notifying the respondent of their intent unless it's claimed by the lawful owner within that period. After six months post-notice, if unclaimed, the department can dispose of it and no one can claim ownership thereafter.

Jurisdictions	Disposal process
<b>Illinois</b> <sup>345</sup>	If the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm or Firearm Owner’s Identification Card cannot be returned to the respondent due to them being unlocatable, unresponsive, or ineligible to possess them, the court may authorize local law enforcement to either destroy, use for training or repurpose the items as deemed appropriate by local law enforcement.
<b>Indiana</b> <sup>346</sup>	If at least five (5) years have passed since a court conducted the first hearing to retain a firearm under this chapter, the court, after giving notice to the parties and conducting a hearing, may order the law enforcement agency having custody of the firearm to dispose of the firearm.
<b>Maryland</b> <sup>347</sup>	Respondent can request that the agency holding the firearm to destroy it. If a firearm or ammunition is not reclaimed within 6 months after the provision of notice to a respondent:  (1) No party shall have the right to assert ownership of the firearm or ammunition; and  (2) The law enforcement agency holding the firearm or ammunition may destroy the firearm or ammunition.
<b>Massachusetts</b> <sup>348</sup>	If the licensing authority holding the firearms can’t determine a lawful owner within 180 days after an order ends, they may destroy the firearms or sell them to a licensed dealer.
<b>Michigan</b> <sup>349</sup>	If a restrained individual fails to reclaim a firearm under subsection within 90 days after the extreme risk protection order expires or is ordered terminated, the law enforcement agency storing the firearm shall do 1 of the following:  (a) Proceed as for a firearm subject to disposal under sections 239 and 239a of the Michigan penal code, 1931 PA 328, MCL 750.239 and 750.239a.  (b) Follow the procedures for property under 1987 PA 273, MCL 434.21 to 434.29.
<b>Minnesota</b> <sup>350</sup>	A licensed firearms dealer or law enforcement agency may establish policies for disposal of abandoned firearms, provided these policies require that the respondent be notified prior to disposal of abandoned firearms.
<b>Nevada</b>	Statute is silent.
<b>New Jersey</b> <sup>351</sup>	The law enforcement agency may destroy the firearms and ammunition according to their own policies and procedures at least one year after the order has expired.
<b>New Mexico</b>	Statute is silent.
<b>New York</b> <sup>352</sup>	Law enforcement may destroy a firearm pursuant to NY CLS Penal § 400.05 but they must wait at least 2 years before doing so unless legally transferred by the respondent to an eligible individual.

Jurisdictions	Disposal process
<b>Oregon</b> <sup>353</sup>	Any unclaimed weapon shall be disposed of in accordance with the law enforcement agency's policies and procedures.
<b>Rhode Island</b> <sup>354</sup>	State police are authorized to develop procedures for termination of seized firearms.
<b>Vermont</b> <sup>355</sup>	If respondent fails to claim their firearms 90 days after a court order releasing them, firearms may be sold for fair market value.
<b>Virginia</b> <sup>356</sup>	A firearm seized or surrendered under the ERPO statute and held by law enforcement can be disposed of in accordance to provisions of § 15.2-172 if the owner provides a written disposal authorization or the firearm is held over 120 days post-expiration/ termination of the order and the respondent has not submitted a request for the return.
<b>Washington</b> <sup>357</sup>	If respondent does not claim their firearms after the order ends, then the law enforcement agency holding them must dispose of them under the agency's own procedures.

## How can we ensure an ERPO is enforced?

ERPOs should be promptly served and entered into all applicable state, local, and federal databases or registries to facilitate enforcement.

One notable database is the National Instant Criminal Background Check System (NICS). This is a national system that checks criminal and civil records to determine if an individual is legally barred from buying or possessing firearms, with data sourced from local, state, tribal, and federal entities. Eleven jurisdictions explicitly mandate that ERPOs are reported to and/or inputted into the NICS system.<sup>358</sup>

However, Delaware, Indiana, Maryland and Vermont do not have statutory requirements for law enforcement or another agency to input ERPOs into either a state or federal database. In Connecticut, uniquely, a respondent is registered in the NICS database during the investigation phase, not after a formal hearing, rendering them ineligible to possess or access firearms.<sup>359</sup>

For individuals who are petitioners in both a CPO/DVPO and an ERPO against the same respondent, it's crucial that orders are cross-referenced on each document. Such individuals are advised to always have copies of both the CPO and ERPO with them. If either order is breached, the jurisdiction overseeing the enforcement of the orders should inform the jurisdiction that issued the order promptly. It is also important that individuals in this situation understand that full faith and credit is to be accorded to CPOs across state and tribal lines, but this does not extend to ERPOs.

**Table 7: Statutory mandates for ERPO entry into state and national databases**

Jurisdiction	Statutory requirements for entry of ERPOs
<b>California</b> <sup>360</sup>	<p>Law enforcement seeking an order must have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice.</p> <p>If the order is dissolved or terminated, the court notifies the Department of Justice within five court days.</p> <p>The Department of Justice will update the order’s status within 15 days of receiving a notice of dissolution or termination.</p> <p>Law enforcement officers must submit proof of service of the order to the California Restraining and Protective Order System within one business day and send the original proof to the issuing court.</p> <p>If someone other than a law enforcement officer provides proof of service, the court clerk must submit it within one business day to the same system. If electronic transmission is unavailable, the court sends the proof to a local law enforcement agency for entry.</p>
<b>Colorado</b> <sup>361</sup>	<p>Court clerk must immediately input any issued ERPO into a statewide judicial system.</p> <p>On the same day an order is issued, the clerk forwards it to the Colorado bureau of investigation and law enforcement specified on the order, which then logs it into NICS and any other national and state databases, where it remains until its expiration or termination.</p> <p>Within 3 days of issuing an order, the court sends the respondent’s details to the local county sheriff to check for concealed carry permits, which are revoked if found.</p> <p>If an order is terminated early, the court clerk notifies the Colorado bureau of investigation and specified law enforcement, to immediately remove it from all databases.</p> <p>At the order’s expiration, relevant agencies are responsible for its removal from the databases.</p>
<b>Connecticut</b> <sup>362</sup>	<p>Upon a court’s order for a risk protection investigation, the Commissioner of Emergency Services and Public Protection is notified, and the order, application, and affidavit are transmitted to the local law enforcement agency. The subject of the investigation is immediately marked as ineligible for firearms in the NICS. If the agency finds no probable cause of risk within 48 hours, they notify relevant parties, and any NICS record from the investigation is promptly removed; the same removal occurs once a risk protection order ends.</p>
<b>Delaware</b>	<p>Statue is silent.</p>

Jurisdiction	Statutory requirements for entry of ERPOs
<b>District of Columbia</b> <sup>363</sup>	<p>The Metropolitan Police Department must:</p> <p>Maintain a database of extreme risk protection orders (issued, terminated, renewed).</p> <p>Share this information with the Superior Court of D.C., the Attorney General’s Office, and relevant law enforcement or community supervision agencies upon request.</p> <p>The Mayor (or their designee) must promptly submit details about extreme risk protection orders to NICS for firearm buyer checks.</p>
<b>Florida</b> <sup>364</sup>	<p>Within 24 hours after issuance, the court clerk must enter any ERPO into the uniform case reporting system.</p> <p>Court clerk must send a copy of the order to the law enforcement agency identified in the ERPO.</p> <p>That law enforcement agency must enter into the Florida Crime Information Center and NCIC.</p> <p>If the order is vacated, the law enforcements agency must promptly delete the order from the system.</p>
<b>Hawai’i</b> <sup>365</sup>	<p>The court must inform the Hawai’i criminal justice data center within one business day of any actions related to a gun violence protective order.</p> <p>The court must provide specific details about the petitioner, respondent, and order status, including expiration dates for one-year orders, to the Hawai’i criminal justice data center.</p> <p>The Hawai’i criminal justice data center will keep a database of this information, accessible to law enforcement agencies.</p> <p>The Hawai’i criminal justice data center must share details of gun violence protective orders with NICS within 1 business day for firearm purchase background checks.</p>
<b>Illinois</b> <sup>366</sup>	<p>Sheriffs must daily provide the Illinois State Police with details of firearms restraining orders, ensuring same-day entry into the Law Enforcement Agencies Data System (LEADS).</p> <p>The Illinois State Police will keep systematic records of all firearms restraining orders, using the data to inform officers about order details.</p>
<b>Indiana</b>	Statute is silent.
<b>Maryland</b>	Statute is silent.
<b>Massachusetts</b>	<p>On the same day an ERPO is issued, the court clerk sends a copy to the local licensing authority, the probation commissioner, the criminal justice department, which must transmit the report to the U.S. Attorney General for NICS, and related state and federal databases. Once the order expires or is terminated, the court clerk notifies these entities that same day.<sup>367</sup></p>

Jurisdiction	Statutory requirements for entry of ERPOs
<b>Michigan</b> <sup>368</sup>	<p>Upon receiving a true copy of an ERPO, the designated law enforcement agency must:</p> <p>Enter the order into the law enforcement information network, unless a local entering authority is designated.</p> <p>Report the order entry to the FBI’s Criminal Justice Information Services Division for the national crime information center.</p> <p>When a restrained individual reclaims a firearm from a law enforcement agency, the agency should update the law enforcement information network and inform the FBI that the court has authorized the firearm’s return due to the expiration of the ERPO.</p>
<b>Minnesota</b> <sup>369</sup>	<p>The court administrator must send any extreme risk protection order or its extensions to the local police overseeing the respondent’s residence within 24 hours and to the NICS within 3 days. When such an order ends, the court will request its removal from the system. Law enforcement agencies must share the order’s details and status with other law enforcement officers.</p>
<b>Nevada</b> <sup>370</sup>	<p>When a court issues, serves or takes any action related to an ERPO, the person serving the order shall by next business day:</p> <p>Transmit required information to the Central Repository for Nevada Records of Criminal History;</p> <p>Send a copy of the order to the Attorney General.</p> <p>If the order is terminated, the Central Repository must remove the ERPO from its database within 5 business days.</p>
<b>New Jersey</b> <sup>371</sup>	<p>The Administrative Office of the Courts will maintain an electronic registry of individuals with a final extreme risk protective order, and all persons who have been charged with ERPO violations. When an ERPO terminates, its information will be removed from the registry except data about violations.</p>
<b>New Mexico</b> <sup>372</sup>	<p>Court clerks must provide a copy of any ERPO to designated law enforcement agencies for NICS</p> <p>The designated law enforcement agency must enter the order into:</p> <p>NICS;</p> <p>All relevant federal or state systems identifying prohibited firearm purchasers, and;</p> <p>All state-used criminal intelligence databases.</p> <p>When the order expires, the same agency must remove it from all systems</p>



Jurisdiction	Statutory requirements for entry of ERPOs
<b>New York</b> <sup>373</sup>	<p>The court must notify and provide copies of any ERPO to:</p> <ul style="list-style-type: none"><li>Division of state police;</li><li>Relevant law enforcement agencies;</li><li>Applicable licensing officers and;</li><li>Division of criminal justice services.</li></ul> <p>This should be done by the next business day after the order is issued, using electronic formats as prescribed.</p> <p>Upon receiving an ERPO, the division of criminal justice services should:</p> <ul style="list-style-type: none"><li>Instantly report the order's existence to the FBI to help identify individuals barred from buying firearms.</li><li>Immediately inform the FBI about the expiration, amendment, or revocation of such orders or when a respondent's firearm purchasing rights are restored.</li></ul>
<b>Oregon</b> <sup>374</sup>	<p>Upon receiving a copy of the ERPO and completion of service by law enforcement, the county sheriff must:</p> <ul style="list-style-type: none"><li>Immediately enter the ERPO into the Law Enforcement Data System maintained by the Department of State Police</li><li>Request that the ERPO is entered into NICS</li></ul> <p>If ERPO was served by someone other than law enforcement, sheriff shall perform the same actions upon receiving a copy of proof of service.</p>
<b>Rhode Island</b> <sup>375</sup>	<p>The court clerk must send a copy of the ERPO to the attorney general. The attorney general shall:</p> <ul style="list-style-type: none"><li>Input the order into NICS.</li><li>Input the order to all relevant federal or state databases to identify those prohibited from buying firearms.</li><li>Register the order in all state computer-based criminal intelligence systems used by law enforcement.</li><li>Ensure the order remains in these systems for its duration and only removes them when it's terminated or expired.</li></ul>
<b>Vermont</b>	Statute is silent.

Jurisdiction	Statutory requirements for entry of ERPOs
<b>Virginia</b> <sup>376</sup>	<p>Court must immediately enter and electronically transfer details respondent to the Virginia Criminal Information Network (VCIN) by the end of the business day it was issued.</p> <p>ERPO information must be send to law enforcement agency designated to serve and enter ERPO.</p> <p>That law enforcement agency must:</p> <p>Verify and enter any necessary modifications in VCIN, and;</p> <p>Enter date and time of service into VCIN</p>
<b>Washington</b> <sup>377</sup>	<p>Upon receipt of the ERPO, the law enforcement must:</p> <p>Immediately enter the order into NICS.</p> <p>Enter the order into any federal or state computer-based systems that identify prohibited firearm purchasers.</p> <p>Include the order in any state computer-based criminal intelligence system listing outstanding warrants.</p> <p>The criminal intelligence system’s data should indicate the order’s method of service, whether personal, electronic, via publication, or by mail.</p>

## How can our jurisdiction collaborate with local military installations to prevent unauthorized firearm access?

To ensure the effective enforcement of orders and removal of firearms, collaboration between law enforcement and military installations is essential. Law enforcement agencies and military installations should establish a memorandum of understanding to streamline the enforcement of ERPOs, CPOs, and military protection orders. Additionally, local advocacy groups should partner with family advocacy personnel on military bases to enhance the safety of domestic abuse victims, both on and off the installation.

### Best Strategies

The effectiveness of ERPOS requires: (1) appropriate stakeholder education; (2) centralized reporting and data collection; and (3) widespread support across system actors for practical implementation. Adopting this victim/survivor-centered approach promotes community safety and may reduce gun-related intimate-partner violence.

#### Stakeholder Education

- Ensure stakeholders understand the differences between CPOs and ERPOs and the proper role of each.
- Develop and implement comprehensive ERPO training tools and resources for law enforcement officers, court clerks, judges, and advocates.
- Provide clear and accessible instructions on how to obtain an ERPO to potential petitioners.

#### Reporting

- Utilize local, state, tribal and national reporting databases to identify firearm possession and restrictions and track ERPO compliance.
- Establish data collection methods and metrics to track ERPO outcomes at local, state, tribal, and national levels.

## **Practical Execution**

- Create safety protocols for firearms in the respondent's household irrespective of who owns such firearms.
- Allocate resources for wraparound services for petitioners partnering with advocacy groups, social services, and organizations that support survivors.

## **Information and Resources for Stakeholders**

Stakeholders must develop multidisciplinary and specialized training that offers clear guidance and resources on ERPOs. It's vital to prioritize training for attorneys, advocates assisting victims, first responders, and service providers who regularly assist and/or encounter petitioners. All stakeholders should collaboratively review the ERPO process regularly to ensure that policies and protocols are both current and effectively implemented.

## Endnotes

- 1 For clarity and conciseness, given the different names assigned to orders under extreme risk laws in various jurisdictions, this document will refer to orders issued under extreme risk laws as “ERPOs.”
- 2 Effective January 2024.
- 3 Effective January 2024.
- 4 Minnesota and Michigan’s ERPO statute will take effect in 2024.
- 5 Okla. Stat. tit. 21, § 1289.24c; W. Va. Code Ann. §§ 61-7B-3, 5-6.
- 6 **California:** Cal. Penal Code § 18121; **Colorado:** Colo. Rev. Stat. § 13-14.5-104(6); **Florida:** Fla. Stat. Ann. § 790.401(2)(H); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/10(c), 67/60(d); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131R(c); **Minnesota:** Minn. Stat. § 624.7171(Subd. 4)(h); **New Jersey:** N.J. Rev. Stat. § 2C:58-23(c), -(i); **Oregon:** Or. Rev. Stat. § 166.527(11); **Rhode Island:** R.I. Gen. Laws § 8-8.3-2; **Vermont:** Vt. Stat. Ann, tit. 13, § 4053(g); **Washington:** Wash. Rev. Code Ann. § 7-105-105(9)(a).
- 7 Nev. Rev. Stat. Ann. § 33.620(7).
- 8 Cal. Penal Code § 18125.
- 9 Md. Code Ann., Pub. Safety § 5-603
- 10 Ind. Code Ann. §§ 35-47-14-2, -3, -5, -8.
- 11 **California:** Cal. Penal Code §§ 18125, 18165; **Colorado:** Colo. Rev. Stat. §§ 13-14.5-103(1)(a), -104; **Connecticut:** Conn. Gen. Stat. § 29-38c(c)-(e); **Delaware:** Del. Code Ann. tit. 10, §§ 7703(a), 7701(4), 7704(a). **District of Columbia:** D.C. Code §§ 7-2510.01(2) -.02; -.04; **Florida:** Fla. Stat. Ann. §§ 790.401(1)(a); **Hawai’i:** Haw. Rev. Stat. Ann. §§ 134-61; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/5; **Indiana:** Ind. Code Ann. §§ 35-47-14-2, -3; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(e); **Massachusetts:** Mass. Ann. Laws ch. 140, § 121, Note: In Massachusetts, the statute designates a “firearm licensing authority,” as an eligible petitioner. According to the state’s website, such licensing authority would be considered local law enforcement. See Gun Ownership in Massachusetts, Mass.gov, [44](https://www.mass.gov/info-details/gun-ownership-in-massachusetts#agencies-involved-in-firearms-licensing-; ”>https://www.mass.gov/info-details/gun-ownership-in-massachusetts#agencies-involved-in-firearms-licensing-; </a> <b>Michigan:</b> Mich. Comp. Laws Serv. §§ 691.1807(4), 691.1805(2); <b>Minnesota:</b> Minn. Stat. § 624.7171(Subd. 3)(b); <b>Nevada:</b> Nev. Rev. Stat. Ann. § 33.560(1)-(2); <b>New Jersey:</b> N.J. Rev. Stat. § 2C:58-21; <b>New Mexico:</b> N.M. Stat. Ann. § 40-17-2(G); -5(A); <b>New York:</b> N.Y. C.P.L.R. § 6340(2); <b>Oregon:</b> Or. Rev. Stat. § 166.527(1); <b>Rhode Island:</b> R.I. Gen. Laws § 8-8.3-1(8), -(5); <b>Vermont:</b> Vt. Stat. Ann. tit. 13, § 4053(a); <b>Virginia:</b> Va. Code Ann. Ann. § 19.2-152.13(A); <b>Washington:</b> Wash. Rev. Code Ann. § 7.105.100(e).</li><li>12 Fla. Stat. § 790.401(2)(a); Ind. Code § 35-47-14-2; R.I. Gen. Laws § 8-8.3-1(8); N.M. Stat. Ann. § 40-17-2, <b>Note:</b> in New Mexico, if the respondent is a law enforcement officer, the petition shall be filed by the district attorney or the attorney general. N.M. Stat § 40-17-5(a).</li><li>13 Va. Code Ann. Ann. § 19.2-152.13.</li><li>14 N.M. Stat. Ann. § 40-17-5(D); Conn. Gen. Stat. §§ 29-38c(a), -(b)(1).</li><li>15 Cal. Penal Code § 18125(a).</li><li>16 Del. Code Ann. tit. 10, § 7703(a).</li><li>17 <b>California:</b> Cal. Penal Code §§ 18150(a)(1)(A), (a)(3); Cal. Penal Code §§ 18170(a)(1)(A), (c). Note: In California, a spouse can petition for an ex parte and final order but not a temporary emergency order. <b>Colorado:</b> Colo. Rev. Stat. §§ 13-14.5-102(5)(a), 13-14.5-103, 13-14.5-104; <b>Delaware:</b> Del. Code Ann. tit. 10, §§ 7701(4)(a), 901(12). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although spouses can petition for a lethal violence protective order on a “nonemergency” basis. Del. Code Ann. tit. 10, § 7704(a); <b>District of Columbia:</b> D.C. Code § 7-2510.01(2)(A); <b>Hawai’i:</b> Haw. Rev. Stat. § 134-61; <b>Illinois:</b> 430 Ill. Comp. Stat. Ann. 67/5; <b>Maryland:</b> Md. Code Ann., Pub. Safety § 5-601(e)(2)(iii); <b>Massachusetts:</b> Mass. Ann. Laws ch. 140, §§ 121, 131R; <b>Michigan:</b> Mich. Comp. Laws Serv. § 691.1805(2)(a); <b>Minnesota:</b> Minn. Stat. § 624.7171(b)(1); <b>Nevada:</b> Nev. Rev. Stat. § 33.540(1); <b>New Jersey:</b> N.J. Stat. Ann. § 2C:58-21; <b>New York:</b> N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(b); <b>Oregon:</b> Or. Rev. Stat. §§ 166.527(1), 166.525(2); <b>Vermont:</b> Vt. Stat. Ann. tit. 13, §§ 4051(7); 4053. <b>Washington:</b> Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(13)(a), -(20).</li><li>18 <b>Colorado:</b> Colo. Rev. Stat. §§ 13-14.5-102(5)(g), 18-6-800.3(2); <b>Delaware:</b> Del. Code Ann. tit. 10, §§ 7701(4)(a), 1041(2)(b); <b>Hawai’i:</b> Haw. Rev. Stat. §§ 134-61; <b>Illinois:</b> 430 Ill. Comp. Stat. Ann. 67/5; <b>Massachusetts:</b> Mass. Ann. Laws ch. 140, § 121; <b>Michigan:</b> Mich. Comp. Laws Serv. § 691.1805(2)(b); <b>Minnesota:</b> Minn. Stat. § 624.7171(b)(1); <b>New Jersey:</b> N.J. Stat. § 2C:58-21; <b>New York:</b> N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(c); <b>Washington:</b> Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(20).</li><li>19 <b>California:</b> Cal. Penal Code §§ 18150(a)(1)(G), (a)(2); Cal. Penal Code §§ 18170(a)(1)(G), (b); Cal. Penal Code § 243(f)(10). Note: In California, a spouse can petition for an ex parte and final order but not a temporary emergency order. <b>Colorado:</b> Colo. Rev. Stat. §§ 13-14.5-102(5)(g), 18-6-800.3(2) (“past or present unmarried couples”); <b>Delaware:</b> Del. Code Ann. tit. 10, §§ 7701(4)(a), 1041(2)(b). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although dating partners can petition for a lethal violence protective order on a “nonemergency” basis; <b>District of Columbia:</b> D.C. Code § 7-2510.01(2)(A); <b>Hawai’i:</b> Haw. Rev. Stat. § 134-61; <b>Maryland:</b> Md. Code Ann., Pub. Safety § 5-601(e)(2)(vii); <b>Massachusetts:</b> Mass. Ann. Laws ch. 140, §§ 121, 131R; <b>Michigan:</b> Mich. Comp. Laws Serv. § 691.1805(2)(d); <b>Minnesota:</b> Minn. Stat. § 624.7171(b)(4); <b>Nevada:</b> Nev. Rev. Stat. § 33.540(6); <b>New Jersey:</b> N.J. Stat. Ann. § 2C:58-21; <b>New York:</b> N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(f); <b>Oregon:</b> Or. Rev. Stat. §§ 166.527(1), 166.525(2) (“intimate partner”); <b>Vermont:</b> Vt. Stat. Ann. tit. 13, §§ 4051(7), 4053; <b>Washington:</b> Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(20).</li><li>20 <b>Colorado:</b> Colo. Rev. Stat. §§ 13-14.5-102(5)(g), 18-6-800.3(2) (“past or present unmarried couples”); <b>Delaware:</b> Del. Code Ann. tit. 10, §§ 7701(4)(a), 1041(2)(b). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although former dating partners can petition for a lethal violence protective order on a “nonemergency” basis.”; <b>Hawai’i:</b> Haw. Rev. Stat. § 134-61; <b>Maryland:</b> Md. Code Ann., Pub. Safety § 5-601(e)(2)(vii); <b>Massachusetts:</b> Mass. Ann. Laws ch. 140, §§ 121, 131R; <b>Michigan:</b> Mich. Comp. Laws Serv. § 691.1805(2)(d); <b>New Jersey:</b> N.J. Stat. Ann. § 2C:58-21; <b>New York:</b> N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(f); <b>Washington:</b> Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(20).</li></ol></div><div data-bbox=)

- 21 **California:** Cal. Penal Code § 18150(a)(1)(H) (“An individual who has a child in common with the subject of the petition, if they have had substantial and regular interactions with the subject for at least one year.”) Note: In California, a spouse can petition for an ex parte and final order but not a temporary emergency order. **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(b); **Delaware:** Del. Code Ann. tit. 10, § 7701(4)(a), Del. Code Ann. tit. 10, § 1041(2)(b). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although dating partners can petition for a lethal violence protective order on a “nonemergency” basis; **District of Columbia:** D.C. Code § 7-2510.01(2)(A); **Hawai’i:** Haw. Rev. Stat. § 134-61; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/5 (“person with whom the respondent has a minor child in common”); Maryland: Md. Code Ann., Pub. Safety § 5-601(e)(2)(vi); Massachusetts: Mass. Ann. Laws ch. 140, §§ 121, 131R; **Michigan:** Mich. Comp. Laws Serv. § 691.1805(2)(c); **Nevada:** Nev. Rev. Stat. § 33.540(2); **New Jersey:** N.J. Stat. Ann. § 2C:58-21; **New York:** N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(d); **Washington:** Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(20).
- 22 Mass. Ann. Laws ch. 140, § 121; N.J. Stat. Ann. § 2C:58-21.
- 23 N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(g).
- 24 **California:** Cal. Penal Code §§ 18150(a)(1)(F), (a)(4); Cal. Penal Code §§ 18170(a)(1)(F), (d). Note: In California, a roommate can petition for an ex parte and final order but not a temporary emergency order; **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(c); **District of Columbia:** D.C. Code § 7-2510.01(2)(A); **Hawai’i:** Haw. Rev. Stat. § 134-61; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/5; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(e)(2)(vii); **Massachusetts:** Mass. Ann. Laws ch. 140, §§ 121, 131R; **Michigan:** Mich. Comp. Laws Serv. § 691.1805(2)(e); **Minnesota:** Minn. Stat. § 624.7171(b)(3); **New Jersey:** N.J. Stat. Ann. § 2C:58-21 (“any other person who is a present household member or was at any time a household member”); **New York:** N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(e); **Oregon:** Or. Rev. Stat. §§ 166.527(1), 166.525(2); **Vermont:** Vt. Stat. Ann. tit. 13, §§ 4051(7), 4053; **Washington:** Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(13)(b).
- 25 **California:** Cal. Penal Code §§ 18150(a)(1)(F), (a)(4); Cal. Penal Code §§ 18170(a)(1)(F), (d). Note: In California, a former roommate can petition for an ex parte and final order but not a temporary emergency order; **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(c); **Hawai’i:** Haw. Rev. Stat. § 134-61; **Massachusetts:** Mass. Ann. Laws ch. 140, §§ 121, 131R; **Michigan:** Mich. Comp. Laws Serv. § 691.1805(2)(e); **New Jersey:** N.J. Stat. Ann. § 2C:58-21 (“any other person who is a present household member or was at any time a household member”); **New York:** N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(e); **Washington:** Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(13)(b).
- 26 **California:** Cal. Penal Code §§ 18150(a)(1)(F), (a)(3); Cal. Penal Code §§ 18170(a)(1)(A), (c). Note: In California, a roommate can petition for an ex parte and final order but not a temporary emergency order; **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(c).
- 27 **California:** Cal. Penal Code §§ 18150(a)(1)(A), (a)(4); Cal. Penal Code §§ 18170(a)(1)(F), (d). Note: In California, a family member can petition for an ex parte and final order but not a temporary emergency order. **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(a); **Delaware:** Del. Code Ann. tit. 10, §§ 7701(4)(a), 901(12). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although family partners can petition for a lethal violence protective order on a “nonemergency” basis. **District of Columbia:** D.C. Code § 7-2510.01(2)(A); **Hawai’i:** Haw. Rev. Stat. § 134-61; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/5; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(e)(2)(v); **Massachusetts:** Mass. Ann. Laws ch. 140, §§ 121, 131R; **Michigan:** Mich. Comp. Laws Serv. §§ 691.1803(d), 691.1805(2)(f); **Nevada:** Nev. Rev. Stat. §§ 33.540(1); **New York:** N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(a); **Washington:** Wash Rev. Code §§ 7.105.100(1)(e); 7.105.010(13)(b).
- 28 Or. Rev. Stat. §§ 166.527(1), 166.525(2).
- 29 Minn. Stat. § 624.7171(b)(2).
- 30 N.J. Stat. Ann. § 2C:58-21.
- 31 **California:** Cal. Penal Code §§ 18150(a)(1)(A), (a)(4); Cal. Penal Code §§ 18170(a)(1)(F), (d). Note: In California, a family member can petition for an ex parte and final order but not a temporary emergency order. **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(5)(a); **Delaware:** Del. Code Ann. tit. 10, §§ 7701(4)(a), 901(12). Note: In Delaware, only a law enforcement officer can petition for an emergency order, although family partners can petition for a lethal violence protective order on a “nonemergency” basis. **District of Columbia:** D.C. Code § 7-2510.01(2)(A); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/5; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(e)(2)(v); **Massachusetts:** Mass. Ann. Laws ch. 140, §§ 121, 131R; **Michigan:** Mich. Comp. Laws Serv. §§ 691.1803(d), 691.1805(2)(f); **Nevada:** Nev. Rev. Stat. §§ 33.540(1); **New York:** N.Y. C.P.L.R. § 6340(2); N.Y. Soc. Serv. Law § 459-a(2)(a)
- 32 Nev. Rev. Stat. §§ 33.540(1).
- 33 **California:** Cal. Penal Code §§ 18150(a)(1)(A), (a)(4); Cal. Penal Code §§ 18170(a)(1)(F), (d). Note: In California, a family member can petition for an ex parte and final order but not a temporary emergency order.
- 34 **Colorado:** Colo. Rev. Stat. § 13-14.5-102(5)(f); **District of Columbia:** D.C. Code § 7-2510.01(2)(A); **Hawai’i:** Haw. Rev. Stat. § 134-61; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(e)(2)(viii); **Michigan:** Mich. Comp. Laws Serv. §§ 691.1805(g); **Nevada:** Nev. Rev. Stat. §§ 33.540(6).
- 35 **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(1), -(9); **Washington, D.C.:** D.C. Code §§ 7-2510.01(2)(C), 7-1201.01(11); **Hawai’i:** Haw. Rev. Stat. Ann. § 134-61; **Maryland:** Md. Code Ann., Pub. Safety § 5-601(2)(i); **Michigan:** Mich. Comp. Laws Serv. §§ 691.1803(b), 691.1805(2)(i); **New York:** N.Y. C.P.L.R. §§ 6340(2)(d).
- 36 **California:** Cal. Penal Code §§ 18150(a)(1)(D), §§ 18170(a)(1)(D). Note: In California, a non-law enforcement official can petition for an ex parte and final order but not a temporary emergency order. **Colorado:** Colo. Rev. Stat. §§ 13-14.5-102(1)-(2), 13-14.5-103(1)(a), 13-14.5-104(1)(a); **Hawai’i:** Haw. Rev. Stat. Ann. § 134-61; **New York:** N.Y. C.P.L.R. § 6340(2)(c).
- 37 **California:** Cal. Penal Code § 18200; **Colorado:** Colo. Rev. Stat. §§ 13-14.5-113(2); **Florida:** Fla. Stat. Ann. § 790.401(11); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131V; **Michigan:** Mich. Comp. Laws Serv. § 691.1819(4); **Minnesota:** Minn. Stat. § 624.7177(Subd. 1); **Nevada:** Nev. Rev. Stat. Ann. § 33.660; **Oregon:** Or. Rev. Stat. Ann. § 166.543(3); **Rhode Island:** R.I. Gen. Laws § 8-8.3-10(c); **Vermont:** Vt. Stat. Ann. tit. 13, § 4058(b)(2); **Virginia:** Va. Code Ann. Ann. § 19.2-152.16; **Washington:** Wash. Rev. Code Ann. § 7.105.460.
- 38 **Colorado:** Colo. Rev. Stat. §§ 13-14.5-113(1); **Florida:** Fla. Stat. Ann. § 790.401(13) (no explicit mention of “good faith” requirement);

**Illinois:** 430 Ill. Comp. Stat. Ann. 67/75; **Maryland:** Md. Code Ann., Pub. Safety § 5-602(d); **Minnesota:** Minn. Stat. § 624.7178(Subd. 4); **New York:** N.Y. C.P.L.R. § 6348; Rhode Island: R.I. Gen. Laws § 8-8.3-11; **Virginia:** Va. Code Ann. Ann. § 19.2-152.17 (no explicit mention of “good faith” requirement); **Washington:** Wash. Rev. Code Ann. § 7.105.575.

39 **California:** Cal. Penal Code § 18109 (protection is limited to law enforcement agency or law enforcement officer); **Colorado:** Colo. Rev. Stat. §§ 13-14.5-113(4); **Delaware:** Del. Code Ann. tit. 10, § 7707; **Florida:** Fla. Stat. Ann. § 790.401(13); **Hawai’i:** Haw. Rev. Stat. Ann. § 134-72; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/75; **Massachusetts:** Mass. Ann. Laws ch. 140, § 131X; **Minnesota:** Minn. Stat. § 624.7178(Subd. 1); **New Jersey:** N.J. Rev. Stat. § 2C:58-22; **New York:** N.Y. C.P.L.R. § 6348; **Rhode Island:** R.I. Gen. Laws § 8-8.3-11; **Virginia:** Va. Code Ann. Ann. § 19.2-152.17; **Washington:** Wash. Rev. Code Ann. § 7.105.575.

40 **Delaware:** Del. Code Ann. tit. 10, § 7707; **Illinois:** 430 Ill. Comp. Stat. Ann. 67/75; **New Jersey:** N.J. Rev. Stat. § 2C:58-22; **Rhode Island:** R.I. Gen. Laws § 8-8.3-11; **Virginia:** Va. Code Ann. Ann. § 19.2-152.17

41 Massachusetts: Mass. Ann. Laws ch. 140, § 131X

42 **Minnesota:** Minn. Stat. § 624.7178(Subd. 4); **New York:** N.Y. C.P.L.R. § 6348

43 Haw. Rev. Stat. Ann. § 134-64(i); Ind. Code Ann. § 35-47-14-5(b); N.M. Stat. Ann. §§ 40-17-6(C)-(E); N.Y. C.P.L.R. § 6342(4)(d)(ii).

44 Or. Rev. Stat. §§ 166.527(9)-(10).

45 Vt. Stat. Ann. tit. 13, § 4053(e)(2).

46 Cal. Penal Code § 18175(e)(1).

47 Conn. Gen. Stat. § 29-38c(f); Ind. Code Ann. § 35-47-14-8; N.J. Stat. § 2C:58-24(d).

48 Cal. Penal Code §§ 18125-18148.

49 Cal. Penal Code § 18125.

50 Cal. Penal Code § 18125.

51 Cal. Penal Code §§ 18150-18165.

52 Cal. Penal Code § 18165.

53 Cal. Penal Code §§ 18150(a)(1), 18170(a)(1).

54 Cal. Penal Code § 18170.

55 Cal. Penal Code § 18175(e)(1).

56 Colo. Rev. Stat. § 13-14.5-103.

57 Colo. Rev. Stat. § 13-14.5-103(5)(b).

58 Colo. Rev. Stat. §§ 13-14.5-103(1)(a), -104.

59 Colo. Rev. Stat. §§ 13-14.5-104-105.

60 Colo. Rev. Stat. § 13-14.5-105(2).

61 Conn. Gen. Stat. §29-38c(a)-(c).

62 Conn. Gen. Stat. § 29-38c(e).

63 Conn. Gen. Stat. §§ 29-38c(c)-(e).

64 Conn. Gen. Stat. § 29-38c(a).

65 Conn. Gen. Stat. § 29-38c(f).

66 Del. Code Ann. tit. 10, § 7703.

67 Del. Code Ann. tit. 10, § 7703(f).

68 Del. Code Ann. tit. 10, § 7703(a).

69 Del. Code Ann. tit. 10, § 7704.

70 Del. Code Ann. tit. 10, § 7704(j).

71 Del. Code Ann. tit. 10, §§ 7701(4), 7704(a).

72 D.C. Code § 7-2510.04.

73 D.C. Code § 7-2510.04(h).

74 D.C. Code §§ 7-2510.01(2), -.02; -.04.

75 D.C. Code § 7-2510.03.

76 D.C. Code § 7-2510.03(i).

77 Fla. Stat. Ann. § 790.401(4).

78 Fla. Stat. Ann. §§ 790.401(4)(f); -(3)(a).

79 Fla. Stat. Ann. § 790.401(1)(a).

80 Fla. Stat. Ann. § 790.401(3).

81 Fla. Stat. Ann. § 790.401(3)(b).

82	Haw. Rev. Stat. Ann. § 134-64.
83	Haw. Rev. Stat. Ann. § 134-64(i).
84	Haw. Rev. Stat. Ann. § 134-61.
85	Haw. Rev. Stat. Ann. §§ 134-61, -65.
86	Haw. Rev. Stat. Ann. §§ 134-61, -65.
87	430 Ill. Comp. Stat. Ann. 67/35.
88	430 Ill. Comp. Stat. Ann. 67/35(i).
89	430 Ill. Comp. Stat. Ann. 67/5.
90	430 Ill. Comp. Stat. Ann. 67/40.
91	430 Ill. Comp. Stat. Ann. 67/40(g).
92	Ind. Code Ann. § 35-47-14-3.
93	Ind. Code Ann. § 35-47-14-5(b)
94	Ind. Code Ann. §§ 35-47-14-2, -3.
95	Ind. Code Ann. § 35-47-14-2, -5.
96	Ind. Code Ann. § 35-47-14-8.
97	Ind. Code Ann. § 35-47-14-8.
98	Md. Code Ann., Pub. Safety § 5-603
99	Md. Code Ann., Pub. Safety § 5-603(b)(1)(ii), -(e).
100	Md. Code Ann., Pub. Safety § 5-601(e).
101	Md. Code Ann., Pub. Safety § 5-604.
102	Md. Code Ann., Pub. Safety § 5-604(c).
103	Md. Code Ann., Pub. Safety § 5-605.
104	Md. Code Ann., Pub. Safety § 5-605(f).
105	Mass. Ann. Laws ch. 140, § 131T.
106	Mass. Ann. Laws ch. 140, § 131T(a).
107	Mass. Ann. Laws ch. 140, § 121; Gun Ownership in Massachusetts, Mass.gov, <a href="https://www.mass.gov/info-details/gun-ownership-in-massachusetts#agencies-involved-in-firearms-licensing-">https://www.mass.gov/info-details/gun-ownership-in-massachusetts#agencies-involved-in-firearms-licensing-</a> .
108	Mass. Ann. Laws ch. 140, § 131R-S.
109	Mass. Ann. Laws ch. 140, § 121.
110	Mich. Comp. Laws Serv. § 691.1807.
111	Mich. Comp. Laws Serv. § 691.1807(3)(a).
112	Mich. Comp. Laws Serv. § 691.1805(2).
113	Mich. Comp. Laws Serv. § 691.1807.
114	Mich. Comp. Laws Serv. § 691.1809(k).
115	Minn. Stat. § 624.7174.
116	Minn. Stat. § 624.7174(e).
117	Minn. Stat. § 624.7171(Subd. 3)(b).
118	Minn. Stat. § 624.7172.
119	Minn. Stat. § 624.7172(e).
120	Nev. Rev. Stat. Ann. §§ 33.570-575.
121	Nev. Rev. Stat. Ann. § 33.575(1).
122	Nev. Rev. Stat. Ann. § 33.560(1)-(2).
123	Nev. Rev. Stat. Ann. §§ 33.575-33.580
124	Nev. Rev. Stat. Ann. § 33.575(4).
125	N.J. Rev. Stat. § 2C:58-23.
126	N.J. Rev. Stat. § 2C:58-23(h).
127	N.J. Rev. Stat. § 2C:58-21.
128	N.J. Rev. Stat. §§ 2C:58-24,-25.
129	N.J. Rev. Stat. § 2C:58-24, -25.
130	N.M. Stat. Ann. § 40-17-6.

- 131 N.M. Stat. Ann. §§ 40-17-6(C)-(E).
- 132 N.M. Stat. Ann. § 40-17-2(G); -5(A)
- 133 N.M. Stat. Ann. § 40-17-2(F); -8
- 134 N.M. Stat. Ann. § 40-17-2(F).
- 135 N.Y. C.P.L.R. § 6342.
- 136 N.Y. C.P.L.R. § 6342(4)(d)(ii).
- 137 N.Y. C.P.L.R. § 6340(2).
- 138 N.Y. C.P.L.R. § 6343.
- 139 N.Y. C.P.L.R. § 6343(3)(c).
- 140 Or. Rev. Stat. § 166.527.
- 141 Or. Rev. Stat. §§166.527(9)-(10).
- 142 Or. Rev. Stat. § 166.527(1).
- 143 Or. Rev. Stat. § 166.530.
- 144 Or. Rev. Stat. § 166.530(3)(a)(A).
- 145 R.I. Gen. Laws § 8-8.3-4.
- 146 R.I. Gen. Laws § 8-8.3-4(f).
- 147 R.I. Gen. Laws § 8-8.3-1(8), -(5).
- 148 R.I. Gen. Laws § 8-8.3-5.
- 149 R.I. Gen. Laws § 8-8.3-5(a).
- 150 Vt. Stat. Ann. tit. 13, § 4054.
- 151 Vt. Stat. Ann. tit. 13, § 4054(c)(1).
- 152 Vt. Stat. Ann. tit. 13, § 4053(a).
- 153 Vt. Stat. Ann. tit. 13, § 4053.
- 154 Vt. Stat. Ann. tit. 13, § 4053(e)(2).
- 155 Va. Code Ann. Ann. § 19.2-152.13.
- 156 Va. Code Ann. Ann. § 19.2-152.13(D).
- 157 Va. Code Ann. Ann. § 19.2-152.13(A).
- 158 Va. Code Ann. Ann. §§ 19.2-152.14.
- 159 Va. Code Ann. Ann. § 19.2-152.14(C).
- 160 Wash. Rev. Code Ann. § 7.105.330.
- 161 Wash. Rev. Code Ann. §§ 7.105.100(8); 7.105.330(4).
- 162 Wash. Rev. Code Ann. § 7.105.100(e).
- 163 Wash. Rev. Code Ann. § 7.1052.335.
- 164 Wash. Rev. Code Ann. § 7.105.505(1)
- 165 **California:** Cal. Penal Code § 18125(a); **Florida:** Fla. Stat. Ann. § 790.401(4)(c); **Maryland:** Md. Code Ann., Pub. Safety § 5-604(a)(1); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131T(a); **Washington:** Wash. Rev. Code § 7.105.330(2).
- 166 New Jersey: N.J. Rev. Stat. § 2C:58-23(e).
- 167 **Connecticut:** Conn. Gen. Stat. § 29-38c(a), (b)(3); **District of Columbia:** D.C. Code § 7-2510.04(e); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(f); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/35(f); **Indiana:** Ind. Code Ann. §§ 35-47-14-3(a)-(b), 35-47-14-3(d), 35-47-14-1; **Minnesota:** Minn. Stat. § 624.7174(c); **New Mexico:** N.M. Stat. Ann. § 40-17-6(A); **New York:** N.Y. C.P.L.R. § 6342(1); N.Y. Mental Hyg. Law § 9.39(a); **Rhode Island:** R.I. Gen. Laws § 8-8.3-4(a); R.I. Gen. Laws § 8-8.3-4(a); **Virginia:** Va. Code Ann. § 19.2-152.13(A).
- 168 Cal. Penal Code § 18150(b).
- 169 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-103(3); **Delaware:** Del. Code Ann. tit. 10, § 7703(d); **Nevada:** Nev. Rev. Stat. Ann. § 33.570(1); **Vermont:** Vt. Stat. Ann. tit. 13, § 4054(b)(1)(A), Note: in Vermont, if the Petitioner is a State's Attorney or the Office of the Attorney General, the standard is preponderance-of-the-evidence.
- 170 **Michigan:** Mich. Comp. Laws Serv. § 691.1807(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(6)(a); **Vermont:** Vt. Stat. Ann. tit. 13, § 4054(b)(1)(A), Note: In Vermont, if the Petitioner is a family or household member, the standard is standard if clear-and-convincing.
- 171 Vt. Stat. Ann. tit. 13, § 4054(b)(1)(A).
- 172 Mich. Comp. Laws Serv. §§ 691.1807(2), -(4).
- 173 **District of Columbia:** D.C. Code § 7-2510.03(g); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-65(c); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131S(c); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **New Jersey:** N.J. Rev. Stat. §§ 2C:58- 24(b); **New Mexico:** N.M. Stat. Ann. § 40-17-8(A); **Washington:** Wash. Rev. Code § 7.105.225(1)(e).



- 174 **California:** Cal. Penal Code § 18175(b); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(2); **Connecticut:** Conn. Gen. Stat. § 29-38c(c); -(e); **Delaware:** Del. Code Ann. tit. 10, § 7704(d); **Florida:** Fla. Stat. Ann. § 790.401(3)(b); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(f); **Indiana:** Ind. Code Ann. § 35-47-14-6(c); -1; **Maryland:** Md. Code Ann., Pub. Safety § 5-605(c)(1)(ii); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(a); **Nevada:** Nev. Rev. Stat. Ann. § 33.580(1); **New York:** N.Y. C.P.L.R. § 6343(2); N.Y. Mental Hyg. Law § 9.39(a); **Oregon:** Or. Rev. Stat. Ann. § 166.530(3)(b); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(a); **Vermont:** Vt. Stat. Ann. tit. 13, § 4053(e)(1); **Virginia:** Va. Code Ann. § 19.2-152.14(A).
- 175 See *Addington v. Texas*, 441 U.S. 418 (1979); Cornell Law School Legal Information Institute, “preponderance of the evidence,” [https://www.law.cornell.edu/wex/preponderance\\_of\\_the\\_evidence#:~:text=Preponderance%20of%20the%20evidence%20is,a%C2%A0civil%C2%A0trial](https://www.law.cornell.edu/wex/preponderance_of_the_evidence#:~:text=Preponderance%20of%20the%20evidence%20is,a%C2%A0civil%C2%A0trial), “clear and convincing evidence,” [https://www.law.cornell.edu/wex/clear\\_and\\_convincing\\_evidence](https://www.law.cornell.edu/wex/clear_and_convincing_evidence).
- 176 Cal. Penal Code § 18125(a).
- 177 Cal. Penal Code § 18150(b).
- 178 Cal. Penal Code § 18175(b).
- 179 Colo. Rev. Stat. Ann. § 13-14.5-103(3).
- 180 Colo. Rev. Stat. Ann. § 13-14.5-105(2).
- 181 Conn. Gen. Stat. § 29-38c(b)(2).
- 182 Conn. Gen. Stat. § 29-38c(a), (b)(3)
- 183 Conn. Gen. Stat. § 29-38c(c); -(e).
- 184 Del. Code Ann. tit. 10, § 7703(d).
- 185 Del. Code Ann. tit. 10, § 7704(d).
- 186 D.C. Code § 7-2510.04(e).
- 187 D.C. Code § 7-2510.03(g).
- 188 Fla. Stat. Ann. § 790.401(4)(c).
- 189 Fla. Stat. Ann. § 790.401(3)(b).
- 190 Haw. Rev. Stat. Ann. § 134-64(f).
- 191 Haw. Rev. Stat. Ann. § 134-65(c).
- 192 430 Ill. Comp. Stat. Ann. 67/35(f).
- 193 430 Ill. Comp. Stat. Ann. 67/40(f).
- 194 Ind. Code Ann. §§ 35-47-14-3(a)-(b) (the law enforcement officer’s affidavit must “set forth the quantity and type of each firearm seized from the individual,” in order for the court to find that probable cause exists to believe that warrantless seizure was justified.), Ind. Code Ann. §§ 35-47-14-3 (d), 35-47-14-1.
- 195 Ind. Code Ann. § 35-47-14-2(a)(3), -1.
- 196 Ind. Code Ann. § 35-47-14-6(c); -1.
- 197 Md. Code Ann., Pub. Safety § 5-603(a)(1).
- 198 Md. Code Ann., Pub. Safety § 5-604(a)(1).
- 199 Md. Code Ann., Pub. Safety § 5-605(c)(1)(ii).
- 200 Mass. Ann. Laws ch. 140, § 131T(a).
- 201 Mass. Ann. Laws ch. 140, § 131S(c).
- 202 Mich. Comp. Laws Serv. § 691.1807(2).
- 203 Mich. Comp. Laws Serv. § 691.1807(4).
- 204 Mich. Comp. Laws Serv. § 691.1807(1).
- 205 Minn. Stat. § 624.7174(c).
- 206 Minn. Stat. § 624.7172(Subd. 2)(a).
- 207 Nev. Rev. Stat. Ann. § 33.570(1).
- 208 Nev. Rev. Stat. Ann. § 33.580(1).
- 209 N.J. Rev. Stat. § 2C:58-23(e).
- 210 N.J. Rev. Stat. §§ 2C:58- 24(b).
- 211 N.M. Stat. Ann. § 40-17-6(A).
- 212 N.M. Stat. Ann. § 40-17-8(A).
- 213 N.Y. C.P.L.R. § 6342(1); N.Y. Mental Hyg. Law § 9.39(a).
- 214 N.Y. C.P.L.R. § 6343(2); N.Y. Mental Hyg. Law § 9.39(a).
- 215 Or. Rev. Stat. Ann. § 166.527(6)(a).
- 216 Or. Rev. Stat. Ann. § 166.530(3)(b).

- 217 R.I. Gen. Laws § 8-8.3-4(a).
- 218 R.I. Gen. Laws § 8-8.3-5(a).
- 219 Vt. Stat. Ann. tit. 13, § 4054(b)(1)(A).
- 220 Vt. Stat. Ann. tit. 13, § 4053(e)(1).
- 221 Va. Code Ann. § 19.2-152.13(A)
- 222 Va. Code Ann. § 19.2-152.14(A)
- 223 Wash. Rev. Code § 7.105.330(2)
- 224 Wash. Rev. Code § 7.105.225(1)(e).
- 225 **California:** Cal. Penal Code §§ 18155(b)(1)(A)-(B), (F); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(a)-(b); **Connecticut:** Conn. Gen. Stat. § 29-38c(c); **District of Columbia:** D.C. Code § 7-2510.03(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(d); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(e); **Maryland:** Md. Code Ann., Pub. Safety § 5-602(a)(1)(vi); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **Nevada:** Nev. Rev. Stat. § 33.500(1); **New Jersey:** N.J. Stat. Ann. §§ 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **New York:** N.Y. C.P.L.R. § 6342(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Vermont:** Vt. Stat. Ann. tit. 13, § 4053(c)(2); **Virginia:** Va. Code Ann. § 19.2-152.14(A); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 226 **California:** Cal. Penal Code §§ 18155(b)(1)(C)-(D), -(b)(2)(D)-(F); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(c)-(d); **District of Columbia:** D.C. Code § 7-2510.03(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(d); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(e); **Maryland:** Md. Code Ann., Pub. Safety § 5-602(a)(1)(vi); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **Nevada:** Nev. Rev. Stat. § 33.500(2); **New Jersey:** N.J. Stat. Ann. §§ 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **New York:** N.Y. C.P.L.R. § 6342(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 227 **California:** Cal. Penal Code § 18155(b)(2)(F); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(j); **Connecticut:** Conn. Gen. Stat. § 29-38c(c); **District of Columbia:** D.C. Code § 7-2510.03(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(d); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(e); **Maryland:** Md. Code Ann., Pub. Safety § 5-602(a)(1)(vi); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Nevada:** Nev. Rev. Stat. § 33.500(1); **New Jersey:** N.J. Stat. Ann. §§ 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **New York:** N.Y. C.P.L.R. § 6342(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 228 **California:** Cal. Penal Code § 18155(b)(2)(A); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(g); **Connecticut:** Conn. Gen. Stat. § 29-38c(c); **District of Columbia:** D.C. Code § 7-2510.03(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(d); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(e); **Maryland:** Md. Code Ann., Pub. Safety § 5-602(a)(1)(vi); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **New York:** N.Y. C.P.L.R. § 6342(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b) (includes a provision about brandishing the weapon “through social media”); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 229 **California:** Cal. Penal Code § 18155(b)(2)(G); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(l); **District of Columbia:** D.C. Code § 7-2510.03(e); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-64(d); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Nevada:** Nev. Rev. Stat. § 33.500(1); **New Jersey:** N.J. Stat. Ann. §§ 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **New York:** N.Y. C.P.L.R. § 6342(2); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 230 **Connecticut:** Conn. Gen. Stat. § 29-38c(c); **District of Columbia:** D.C. Code § 7-2510.03(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b)
- 231 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(h); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **New Jersey:** N.J. Stat. Ann. § 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 232 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-105(3)(e); **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **New Jersey:** N.J. Stat. Ann. §§ 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b); **Washington:** Wash. Rev. Code § 7.105.215(3).
- 233 **Connecticut:** Conn. Gen. Stat. § 29-38c(c)(1)-(3); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **New Jersey:** N.J. Stat. Ann. § 2C:58-23(f); **New Mexico:** N.M. Stat. Ann. § 40-17-7; **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b).
- 234 **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Minnesota:** Minn. Stat. § 624.7172(Subd. 2)(b); **New Jersey:** N.J. Stat. Ann. § 2C:58-23(f); **Vermont:** Vt. Stat. Ann. tit. 13, § 4053(c)(3).
- 235 **New Mexico:** N.M. Stat. Ann. § 40-17-7; **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(b).
- 236 **Florida:** Fla. Stat. Ann. § 790.401(3)(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-65(b); **Maryland:** Md. Code Ann., Pub. Safety § 5-605(c)(2)(i); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(1); **Oregon:** Or. Rev. Stat. Ann. § 166.527(4); **Rhode Island:** R.I. Gen. Laws § 8-8.3-5(c); **Virginia:** Va. Code Ann. § 19.2-152.14(A).
- 237 **California:** Cal. Penal Code § 18160(b); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-106(1); **District of Columbia:** D.C. Code §§ 7-2510.05(a)(1), 7-2510.03(b); **Hawai'i:** Haw. Rev. Stat. Ann. §§ 134-63(d), 134-64(h), 134-65(e); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131S(a); **Michigan:** Mich. Comp. Laws Serv. § 691.1813; **Nevada:** Nev. Rev. Stat. Ann. § 33.620; **New Jersey:** N.J. Rev. Stat. § 2C:58-23(i); **New Mexico:** N.M. Stat. Ann. § 40-17-9; **New York:** N.Y. C.P.L.R. §§ 6342(6)-(8), 6343(3); **Rhode Island:** R.I. Gen. Laws §§ 8-8.3-6(a), 8-8.3-4(g); **Washington:** Wash. Rev. Code Ann. §§ 7.105.330(5), 7.105.340.
- 238 N.J. Rev. Stat. § 2C:58-23(i).

- 239 **California:** Cal. Penal Code § 18160(b)(3); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-108(2)(a); **New York:** N.Y. C.P.L.R. § 6342(8); **Washington:** Wash. Rev. Code Ann. § 7.105.340(2).
- 240 **Delaware:** Del. Code Ann. tit. 10, § 7704(g); **Florida:** Fla. Stat. Ann. § 790.401(5); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/30, Ill. Sup. Ct., R11; **Maryland:** Md. Code Ann., Pub. Safety §§ 5-604(b)(2), 5-605(e); **Massachusetts:** Mass. Ann. Laws ch. 140, § 131S(a); **Minnesota:** Minn. Stat. §§ 624.7171(Subd. 4)(h)-(i), 624.7172(d)-(i); **New Jersey:** N.J. Rev. Stat. § 2C:58-23(i); **Rhode Island:** R.I. Gen. Laws §§ 8-8.3-6(b), 8-8.3-4(g); **Washington:** Wash. Rev. Code Ann. § 7.105.340(2).
- 241 Mich. Comp. Laws Serv. § 691.1813.
- 242 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-106(5); **District of Columbia:** D.C. Code § 7-2510.05(b); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-65(e); **Maryland:** Md. Code Ann., Pub. Safety § 5-605(e); **Nevada:** Nev. Rev. Stat. Ann. § 33.620; **Oregon:** Or. Rev. Stat. § 166.535(9)(a); **Vermont:** Vt. Stat. Ann. tit. 13, § 4056(b); **Washington:** Wash. Rev. Code Ann. § 7.105.340.
- 243 Nev. Rev. Stat. Ann. § 33.650(8)
- 244 **California:** Cal. Penal Code § 18120(a); **Connecticut:** Conn. Gen. Stat. § 29-38c; **Delaware:** Del. Code Ann. tit. 10, § 7704(d); **District of Columbia:** D.C. Code § 7-2510.07; **Florida:** Fla. Stat. Ann. § 790.401(b)-(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-67(a); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(g-5)-(i-6); **Maryland:** Md. Code Ann., Pub. Safety § 5-605; **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S; **New Jersey:** N.J. Stat. Ann. § 2C:58-26.
- 245 **Colorado:** Colo. Rev. Stat. § 13-14.5-108. **District of Columbia:** D.C. Code § 7-2510.07; **Florida:** Fla. Stat. Ann. § 790.401(b)-(c); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(g-5)-(i-6); 65/9.5, 66/70; **Michigan:** Mich. Comp. Laws Serv. §§ 691-1809-691.1810; **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S; **New Jersey:** N.J. Stat. Ann. § 2C:58-26; **Oregon:** Or. Rev. Stat. Ann. § 166.537; **Rhode Island:** R. I. Gen. Laws § 8-8.3-5(f)(6); **Virginia:** Va. Code Ann. § 19.2-152.14; **Washington:** Wash. Rev. Code § 7.105.340.
- 246 Del. Code Ann. tit. 10, § 7704(d)
- 247 430 Ill. Comp. Stat. Ann. 67/40(h).
- 248 Vt. Stat. Ann. tit. 13, § 4051.
- 249 **California:** Cal. Penal Code § 18120; **Colorado:** Colo. Rev. Stat. § 13-14.5-108; **Delaware:** Del. Code Ann. tit. 10, § 7704(d); **District of Columbia:** D.C. Code § 7-2510.07; **Florida:** Fla. Stat. Ann. § 790.401(b)-(c); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-67(a); **Maryland:** Md. Code Ann., Pub. Safety § 5-605(c)(3); **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S; **Michigan:** Mich. Comp. Laws Serv. § 691-1809-691.1810; **Minnesota:** Minn. Stat. §§ 624.7172(Subd. 2), 624.7175; **Nevada:** Nev. Rev. Stat. § 33.600; **New Jersey:** N.J. Stat. Ann. § 2C:58-26; **New Mexico:** N.M. Stat. Ann. § 40-17-10; **New York:** N.Y. C.P.L.R. §§ 6343(3)(b)-(4); **Oregon:** Or. Rev. Stat. Ann. § 166.537; **Rhode Island:** R. I. Gen. Laws § 8-8.3-5(f)(6); **Vermont:** Vt. Stat. Ann. tit. 13, § 4058; **Virginia:** Va. Code Ann. § 19.2-152.14; **Washington:** Wash. Rev. Code § 7.105.340.
- 250 Colo. Rev. Stat. § 13-14.5-108; Minn. Stat. § 624.7175.
- 251 **California:** Cal. Penal Code § 18120; **Colorado:** Colo. Rev. Stat. § 13-14.5-108; **Connecticut:** Conn. Gen. Stat. § 29-38c; **Delaware:** Del. Code Ann. tit. 10, § 7704(d); **District of Columbia:** D.C. Code § 7-2510.09; **Florida:** Fla. Stat. Ann. § 790.401(9); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(i-5); **Indiana:** Ind. Code Ann. § 35-47-14-10; **Maryland:** Md. Code Ann., Pub. Safety § 5-608(c)(1)(i); **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S(j); **Michigan:** Mich. Comp. Laws Serv. § 691-1809; **Minnesota:** Minn. Stat. § 624.7175; **Nevada:** Nev. Rev. Stat. § 33.600; **New Jersey:** N.J. Stat. Ann. § 2C:58-26; **New Mexico:** N.M. Stat. Ann. § 40-17-10. **New York:** N.Y. C.P.L.R. § 6344; **Oregon:** Or. Rev. Stat. Ann. § 166.537 **Rhode Island:** R.I. Gen. Laws § 8-8.3-8(c)(1); **Vermont:** Vt. Stat. Ann. tit. 13, § 4058-4059 **Virginia:** Va. Code Ann. § 19.2-152.14(D).
- 252 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-108(4); **Florida:** Fla. Stat. Ann. § 790.401(7)(d); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-67(d); **Maryland:** Md. Code Ann. Pub. Safety § 5-607; **Michigan:** Mich. Comp. Laws Serv. § 691.1810; **Nevada:** Nev. Rev. Stat. § 33.600(3); **New Jersey:** N.J. Stat. Ann. § 2C:58-26; **Virginia:** Va. Code Ann. § 19.2-152.14(B); **Washington:** Wash. Rev. Code § 7.105.340(b)(3)-(4).
- 253 **District of Columbia:** D.C. Code § 7-2510.07a; **Delaware:** Del. Code Ann. tit. 10, § 7704(d); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(g-5); **Minnesota:** Minn. Stat. § 624.7175; **New Jersey:** N.J. Stat. Ann. § 2C:58-26(b); **New York:** N.Y. C.P.L.R. § 6343(3)(d); **Rhode Island:** R.I. Gen. Laws § 8-8.3-4(b)
- 254 Minn. Stat. § 624.7175.
- 255 Conn. Gen. Stat. § 29-38c(a); Ind. Code Ann. § 35-47-14-2.
- 256 Ind. Code Ann. § 35-47-14-3.
- 257 Cal. Penal Code § 18120.
- 258 Colo. Rev. Stat. § 13-14.5-108.
- 259 Colo. Rev. Stat. Ann. § 13-14.5-108(4)
- 260 Conn. Gen. Stat. § 29-38c.
- 261 Conn. Gen. Stat. § 29-38c(a).
- 262 Del. Code Ann. tit. 10, § 7704(d)
- 263 Del. Code Ann. tit. 10, § 7704(d)
- 264 D.C. Code § 7-2510.07.
- 265 D.C. Code § 7-2510.07a.
- 266 Fla. Stat. Ann. § 790.401(b)-(c)
- 267 Fla. Stat. Ann. § 790.401(7)(d).
- 268 Haw. Rev. Stat. Ann. §§ 134-67, 134-7(f).

269	Haw. Rev. Stat. Ann. § 134-67(d).
270	430 Ill. Comp. Stat. Ann. 67/40(g-5)-(i-6); 65/9.5, 66/70.
271	430 Ill. Comp. Stat. Ann. 67/40(g-5).
272	Ind. Code Ann. §§ 35-47-14-2, 35-47-14-3, 35-47-14-6.
273	Ind. Code Ann. § 35-47-14-2.
274	Md. Code Ann., Pub. Safety § 5-605.
275	Md. Code Ann. Pub. Safety § 5-607.
276	Mass. Ann. Laws ch. 140 § 131S.
277	Mich. Comp. Laws Serv. §§ 691.1809-691.1810.
278	Mich. Comp. Laws Serv. § 691.1810.
279	Minn. Stat. §§ 624.7172(Subd. 2), 624.7175.
280	Minn. Stat. § 624.7175.
281	Nev. Rev. Stat. § 33.600.
282	Nev. Rev. Stat. § 33.600(3).
283	N.J. Stat. Ann. § 2C:58-26.
284	N.J. Stat. Ann. § 2C:58-26(b).
285	N.M. Stat. Ann. § 40-17-10.
286	N.Y. C.P.L.R. §§ 6343(3)(b)-(4); 530.14
287	N.Y. C.P.L.R. § 6343(3)(d).
288	Or. Rev. Stat. Ann. § 166.537
289	R. I. Gen. Laws § 8-8.3-5(f)(6).
290	R.I. Gen. Laws § 8-8.3-4(b)
291	Vt. Stat. Ann. tit. 13, § § 4058-4059.
292	Va. Code Ann. § 19.2-152.14.
293	Va. Code Ann. § 19.2-152.14(B).
294	Wash. Rev. Code § 7.105.340.
295	Wash. Rev. Code § 7.105.340(b)(3)-(4).
296	Md. Code Ann., Pub. Safety §§ 5-605(e)(1), 5-606(a)(1).
297	Fla. Stat. Ann. § 790.401(2)(f); 430 Ill. Comp. Stat. Ann. 67/40(b); Wash. Rev. Code § 7.105.110(2)(a).
298	Colo. Rev. Stat. Ann. § 13-14.5-107(2)(a); D.C. Code § 7-2510.06; Mass. Ann. Laws ch. 140 § 131S(d); Wash. Rev. Code § 7.105.410(1).
299	R.I. Gen. Laws § 8-8.3-7(b).
300	N.J.S.A. § 2C:58-26(d).
301	N.Y. C.P.L.R. § 6346.
302	Colo. Rev. Stat. Ann. § 13-14.5-105(13).
303	Colo. Rev. Stat. Ann. § 13-14.5-106.
304	Colo. Rev. Stat. Ann. § 13-14.5-107(2)(a).
305	D.C. Code § 7-2510.06.
306	D.C. Code § 7-2510.05(3).
307	Fla. Stat. Ann. § 790.401(2)(f).
308	Fla. Stat. Ann. § 790.401(6)(b).
309	430 Ill. Comp. Stat. Ann. 67/35(b); 67/40(b).
310	430 Ill. Comp. Stat. Ann. 67/40(i-5).
311	Md. Code Ann. Pub. Safety 5-605(e)(1).
312	Md. Code Ann. Pub. Safety 5-606(a)(1).
313	Mass. Ann. Laws ch. 140 § 131S(d).
314	Mass. Ann. Laws ch. 140 § 131S(i).
315	N.J.S.A. § 2C:58-26(d).
316	N.Y. C.P.L.R. § 6346.
317	R.I. Gen. Laws § 8-8.3-7(b).

- 318 R.I. Gen. Laws § 8-8.3-8(b).
- 319 Wash. Rev. Code § 7.105.110(2)(a).
- 320 Wash. Rev. Code § 7.105.410(1).
- 321 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-107(1)(a); **Delaware:** Del. Code Ann. tit. 10, § 7705(a); **District of Columbia:** D.C. Code § 7-2510.08(a); **Florida:** Fla. Stat. Ann. § 790.401(6)(a); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/45(a); **New York:** N.Y. C.P.L.R. § 6343(6); **Oregon:** Or. Rev. Stat. Ann. § 166.533(1); **Rhode Island:** R. I. Gen. Laws § 8-8.3-7(a); **Vermont:** Vt. Stat. Ann. tit. 13, § 4055(a)(1); **Virginia:** Va. Code Ann. § 19.2-152.14(C); **Washington:** Wash. Rev. Code § 7.105.505.
- 322 Minn. Stat. § 624.7173(b).
- 323 **California:** Cal. Penal Code § 18185(a); **Connecticut:** Conn. Gen. Stat. § 29-38c(f); **Indiana:** Ind. Code Ann. § 35-47-14-8; **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S(d); **Michigan:** Mich. Comp. Laws Serv. § 691.1807(5); **New Jersey:** N.J. Stat. § 2C:58-25; **New Mexico:** N.M. Stat. Ann. § 40-17-8(D).
- 324 **California:** Cal. Penal Code § 18190; **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-107(2)(b); **Minnesota:** Minn. Stat. § 624.7173(a); **Nevada:** Nev. Rev. Stat. Ann. § 33.640(3); **Oregon:** Or. Rev. Stat. Ann. § 166.535(1); **Virginia:** Va. Code Ann. § 19.2-152.14; **Washington:** Wash. Rev. Code § 7.105.410(2).
- 325 Vt. Stat. Ann. tit. 13, § 4055(b)(1).
- 326 Mich. Comp. Laws Serv. § 691.1817.
- 327 Colo. Rev. Stat. Ann. § 13-14.5-107(3); D.C. Code § 7-2510.09(a)(1); Md. Code Ann., Pub. Safety § 5-608(b);
- 328 **California:** Cal. Penal Code § 18120(c)(1); **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-109; **Connecticut:** Conn. Gen. Stat. § 29-38c(e); **Delaware:** Del. Code Ann. tit. 10, § 7706; **District of Columbia:** D.C. Code § 7-2510.09; **Florida:** Fla. Stat. Ann. § 790.401(8)(a); **Hawai'i:** Haw. Rev. Stat. Ann. §§ 134-68(a); **Illinois:** 430 Ill. Comp. Stat. Ann. 67/40(i) (no explicit mention of the return process but does list what happens when items cannot be returned to respondent upon the expiration of the period of safekeeping); **Maryland:** Md. Code Ann., Pub. Safety § 5-608(b); **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S(i); **Michigan:** Mich. Comp. Laws Serv. § 691.1815(7); **Minnesota:** Minn. Stat. § 624.7176; **New Jersey:** N.J.S.A. § 2C:58-26(d); **New Mexico:** N.M. Stat. Ann. § 40-17-13(A)-(C); **Oregon:** Or. Rev. Stat. Ann. § 166.540(1); **Rhode Island:** R.I. Gen. Laws § 8-8.3-8(a); **Virginia:** Va. Code Ann. § 19.2-152.15(A); **Washington:** Wash. Rev. Code § 7.105.345(1).
- 329 **Indiana:** Ind. Code Ann. § 35-47-14-7; **Nevada:** Nev. Rev. Stat. § 33.500(2); **New York:** N.Y. C.P.L.R. § 6346(2); **Vermont:** Vt. Stat. Ann. tit. 13, § 4059(f)(1).
- 330 N.M. Stat. Ann. § 40-17-13(B)
- 331 **California:** Cal. Penal Code § 18190(c)(1); Cal. Penal Code § 34000; **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-109(2); **Connecticut:** Conn. Gen. Stat. § 29-38c(i); **District of Columbia:** D.C. Code § 7-2510.09(c); **Florida:** Fla. Stat. Ann. § 790.401(8)(d); **Hawai'i:** Haw. Rev. Stat. Ann. § 134-68(d); **Indiana:** Ind. Code Ann. § 35-47-14-9; **Maryland:** Md. Code Ann. Pub. Safety § 5-608(c), -(e); **Massachusetts:** Mass. Ann. Laws ch. 140 § 131S(f); **Michigan:** Mich. Comp. Laws Serv. § 691.1815(10); **New Jersey:** N.J. Stat. Ann. § 2C:58-28; **New York:** N.Y. C.P.L.R. § 6344; **Vermont:** Vt. Stat. Ann. tit. 13, § 4059(f)(2); **Virginia:** Va. Code Ann. § 19.2-152.15(B); **Washington:** Wash. Rev. Code § 7.105.345(3)
- 332 430 Ill. Comp. Stat. Ann. 67/40(i); Minn. Stat. § 624.7175(a); Or. Rev. Stat. Ann. § 166.540(3); R.I. Gen. Laws § 8-8.3-8(d); Wash. Rev. Code § 7.105.345(3).
- 333 Colo. Rev. Stat. Ann. § 13-14.5-109(2); Conn. Gen. Stat. § 29-38c(i); Fla. Stat. Ann. § 790.401(8)(d); N.J. Stat. § 2C:58-28.
- 334 NY CLS CPLR § 6344; Vt. Stat. Ann. tit. 13, § 4059(f)(2).
- 335 Md. Code Ann. Pub. Safety § 5-608(c), -(e).
- 336 Mass. Ann. Laws ch. 140 § 131S(f).
- 337 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-113(3); **Delaware:** Del. Code Ann. tit. 10, § 7707(c); **Michigan:** Mich. Comp. Laws Serv. § 691.1815(9); **Minnesota:** Minn. Stat. § 624.7178(Subd.2); **New Jersey:** N.J. Stat. § 2C:58-22(b); **Vermont:** Vt. Stat. Ann. tit. 13, § 4059(g).
- 338 Ind. Code Ann. § 37-47-14-12.
- 339 Cal. Penal Code § 34000(a).
- 340 Colo. Rev. Stat. Ann. § 13-14.5-109(2).
- 341 Conn. Gen. Stat. § 29-38c(i).
- 342 D.C. Code § 7-2510.09(c).
- 343 Fla. Stat. Ann. § 790.401(8)(d).
- 344 Haw. Rev. Stat. Ann. § 134-68(d).
- 345 430 Ill. Comp. Stat. Ann. 67/40(i).
- 346 Ind. Code Ann. § 35-47-14-9.
- 347 Md. Code Ann. Pub. Safety § 5-608(c), -(e).
- 348 Mass. Ann. Laws ch. 140 § 131S(f).
- 349 Mich. Comp. Laws Serv. § 691.1815(10).
- 350 Minn. Stat. § 624.7175(a).
- 351 N.J. Stat. Ann. § 2C:58-28.

- 352 N.Y. C.P.L.R. § 6344.
- 353 Or. Rev. Stat Ann. § 166.540(3).
- 354 R.I. Gen. Laws § 8-8.3-8(d).
- 355 Vt. Stat. Ann. tit. 13, § 4059(f)(2).
- 356 Va. Code Ann. § 19.2-152.15(B).
- 357 Wash. Rev. Code § 7.105.345(3)
- 358 **Colorado:** Colo. Rev. Stat. Ann. § 13-14.5-110(1)-(5); **Connecticut:** Conn. Gen. Stat. § 29-38c(b)(2)-(3), (g); **District of Columbia:** D.C. Code § 7-2510.10; **Hawai'i:** Haw. Rev. Stat. Ann. § 134-69; **Massachusetts:** Mass. Ann. Laws ch. 140 § 131U; **Minnesota:** Minn. Stat. § 624.7171(Subd. 3)(m); **New Mexico:** N.M. Stat. Ann. § 40-17-12; **New York:** N.Y. C.P.L.R. §§ 6342, 6343(4) (although NICS is not explicitly mentioned in the statute, the statute does state that ERPO should be reported to the Federal Bureau of Investigations, who maintains the NICS system) **Oregon:** Or. Rev. Stat. Ann. § 166.527(8)(d); **Rhode Island:** R.I. Gen. Laws § 8-8.3-9(b)(1); **Washington:** Wash. Rev. Code § 7.105.350(2)-(3).
- 359 Conn. Gen. Stat. § 29-38c(b)(2)-(3), (g).
- 360 Cal Penal Code § 18115.
- 361 Colo. Rev. Stat. Ann. § 13-14.5-110(1)-(5).
- 362 Conn. Gen. Stat. § 29-38c(b)(2)-(3), (g).
- 363 D.C. Code § 7-2510.10.
- 364 Fla. Stat. Ann. § 790.401(10)
- 365 Haw. Rev. Stat. Ann. § 134-69.
- 366 430 Ill. Comp. Stat. Ann. 67/55.
- 367 Mass. Ann. Laws ch. 140 § 131U.
- 368 Mich. Comp. Laws Serv. § 691.1815(1), -(8).
- 369 Minn. Stat. § 624.7171(Subd. 3)(m).
- 370 Nev. Rev. Stat. § 33.650
- 371 N.J. Stat. Ann. § 2C:58-30(a).
- 372 N.M. Stat. Ann. § 40-17-12
- 373 N.Y. C.P.L.R. §§ 6342, 6343(4).
- 374 Or. Rev. Stat. Ann. § 166.527(8)(d).
- 375 R.I. Gen. Laws § 8-8.3-9(b)(1).
- 376 Va. Code Ann. § 19.2-152.14(E).
- 377 Wash. Rev. Code § 7.105.350(2)-(3).

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