



THE EXTREME RISK PROTECTION ORDER ACT OF 2019

H.R.1236/S.506

H.R.1236/S.506 would make grants available to state governments that have enacted extreme risk laws to help provide critical funding for implementation, allowing the law to be enforced at its highest potential. This bill provides minimum standards that state-level extreme risk laws must meet in order to be eligible for grant funding while providing enough flexibility for states that do not mirror or that may exceed those standards to remain eligible -- allowing the largest number of states to be eligible for funding.

As of July 2019, seventeen states plus the District of Columbia have an extreme risk law (California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Indiana, Maryland, Massachusetts, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington). Extreme Risk Protection Orders temporarily prohibit the purchase and possession of a firearm and/or requires the removal of firearms from persons demonstrating behavioral risk factors for harming themselves or others. Law enforcement and, in some states, family or household members, among others, may request that a court issue an order.

EXTREME RISK LAWS FOCUS ON RISKY BEHAVIOR -- NOT A MENTAL HEALTH DIAGNOSIS¹

- While dialogue around mass shootings and gun violence often focuses on the relationship between mental illness and violence, research evidence shows that the majority of people with mental illness are not violent, and most violence is caused by factors other than mental illness.
• Policies that focus solely on restricting access to firearms by those diagnosed with mental illness are neither justified nor likely to be effective in reducing gun violence.
• Rather than focusing primarily on people with mental illness -- the majority of whom will never be violent -- extreme risk laws focus on preventing access to firearms by persons exhibiting dangerous behavior. Examples of dangerous behaviors include history or patterns of violence, threats of violence, alcohol or substance misuse, and reckless firearm behavior.
• Extreme risk laws can be used in a multitude of life saving ways; however, research shows that these laws are particularly impactful in preventing suicide. Suicides comprise the majority of gun deaths, and temporarily reducing access to firearms for individuals at risk of suicide is an effective suicide prevention strategy.

EXTREME RISK LAWS IN ACTION

Firearm Suicide:

A bartender in Florida told her co-worker she was suicidal and wanted to die. A Risk Protection Order was issued and law enforcement seized an AR-15.

A woman in Washington had tried to shoot herself in the head, but had gotten scared or startled and ended up shooting herself in the leg. Police responded to a 911 call and found evidence she had practiced firing a recently purchased firearm. An Extreme Risk Protection Order was issued.

Domestic Violence:

A 40-year-old California man told his fiancé by text message that he wanted to shoot her in the head, then visited his fiancé's ex-boyfriend and threatened to kill him while holding a knife behind his back. A Gun Violence Restraining Order was issued and the man surrendered a handgun and an AR-15.

A 35-year-old man in California had a small arsenal and a history of domestic violence. His wife suffered a serious laceration to her forehead and feared he might kill her. A Gun Violence Restraining Order was issued. The man owned a 9mm pistol, a Mosquito semi-automatic pistol, a Ruger .22, a Springfield .40 caliber pistol, a Ruger rifle, a Mossberg shotgun, and an unmarked handgun.

1 Consortium for Risk-Based Firearm Policy. Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy. December 2013. http://efsgv.wpengine.com/wp-content/uploads/2014/10/Final-State-Report.



EXTREME RISK LAWS ARE EVIDENCE-BASED²

The most thorough analysis of an extreme risk law is an evaluation of Connecticut’s risk warrant law. Researchers found that risk-warrants reached individuals who were at a dangerously elevated risk of suicide and prevented additional suicide deaths by intervening in suicidal crises.

In the first 14 years of Connecticut’s law (1999-2013):

- 762 risk-warrants were issued, with increasing frequency after the 2007 Virginia Tech shooting.
- The typical risk-warrant subject was a middle-aged or older man and suicidality or self-injury was listed as a concern in at least 61% of cases where such information was available.
- Police found firearms in 99% of instances when an order was issued, removing an average of seven guns per subject.
- People in Connecticut subject to orders had an annual suicide rate 40 times higher than the general population, showing the increased risk among this population.
- **For every 10-20 orders issued, at least one suicide was prevented.**

FEDERAL FUNDING IS NEEDED FOR IMPLEMENTATION

The extreme risk law model is relatively new and may be unfamiliar to stakeholders and petitioners alike. This includes lack of awareness of its existence, why it is important, how it may be applied, and processes for seeking and enforcing orders.

Federal funding is needed to help develop and implement tailored training, guidance, and resources for a wide variety of stakeholders. This is especially important for law enforcement officers, court clerks, and judges, as well as social services providers who may be working with potential petitioners.

Public education is important for successful implementation of the law when family members can petition. Making funding available for public awareness campaigns will help increase public knowledge of the law, including tools and instructions on the petitioning process— ensuring that if a loved one is behaving dangerously, family members have knowledge of and access to available legal tools.

Furthermore, each state, county, and city is different. Making federal funding available to states is critical to ensure that the law can help address the different nuances and cultural values of that community, therefore allowing states to do what is best for them.

School Shootings:

Two [Vermont](#) middle school students were plotting a school shooting, with one student volunteering to use a relative’s guns, when a separate student overheard the plan and alerted authorities. Prosecutors got an Extreme Risk Order to seize the guns from the student’s home.

A [Maryland](#) student posted Snapchats of him holding a rifle and threatening a school shooting. Police issued a temporary protection order and seized a pair of loaded assault rifles and ammunition.

Interpersonal Violence:

A veteran in [Oregon](#) threatened to shoot people at his church. An Extreme Risk Protection Order was issued.

A man in [Oregon](#) planned to shoot his boss who had just fired him, before being stopped by his sister. An Extreme Risk Protection Order was issued.

A 27-year-old armed security guard in [Florida](#) fired his gun into the air and pulled a knife during two arguments with his neighbors. A judge issued a temporary order.

Harassment:

A man in [Florida](#) confronted Black construction workers with two large knives and yelled racial slurs before slashing their car. A Risk Protection Order was issued and police seized two handguns.

Laws are only as effective as they are implemented, and legislators and law enforcement alike are told to fully enforce existing gun safety laws. The Extreme Risk Protection Order Act of 2019 would help provide critical funding for implementation, allowing extreme risk laws to be enforced at its highest potential.

² Swanson, J. W., Norko, M. A., Lin, H. J., Alanis-Hirsch, K., Frisman, L. K., Baranoski, M. V., et al. (2017). Implementation and effectiveness of Connecticut’s risk-based gun removal law: Does it prevent suicides? Law and Contemporary Problems. 80(2), 101-128.



COMPARISON OF FEDERAL EXTREME RISK LAW GRANT BILLS:

THE EXTREME RISK PROTECTION ORDER ACT OF 2019 (S. 506 & H.R. 1236)

PROTECTING OUR COMMUNITIES AND RIGHTS ACT OF 2019 (H.R. 744)

THE EXTREME RISK PROTECTION ORDER AND VIOLENCE PREVENTION ACT OF 2019 (S. 7)

THE JAKE LAIRD ACT OF 2019 (H.R. 2786)

Currently seventeen states and the District of Columbia have enacted extreme risk laws that allow law enforcement and, in some states, family or household members, among others, may request that a court issue an order prohibiting the purchase and possession of a firearm and/or requiring the removal of firearms from persons determined to be at risk of harming themselves or others.

Though the framework of most extreme risk laws are very similar, the specific provisions of each vary. As noted above, the categories of individuals who may petition for such orders varies from state to state and may include law enforcement, family or household members, health care or medical providers, school administrators or educators, and work colleagues. Burdens of proof for ex parte orders, the length of both ex parte and final orders, and the individuals or entities to whom firearms may be relinquished may also differ from state to state.

The “Extreme Risk Protection Order Act of 2019” (S. 506 and H.R. 1236), the “Protecting Our Communities and Rights Act of 2019” (H.R. 744), the “Extreme Risk Protection Order and Violence Prevention Act of 2019” (S.7), and the “Jake Laird Act of 2019” (H.R. 2786) would each authorize a federal government office or entity to make grants to state governments and, in some cases, tribal and local governments that have enacted extreme risk laws. This document provides a non-exhaustive comparison of the four pieces of legislation, highlighting instances in which state governments that have already enacted extreme risk laws would be ineligible for grants under H.R. 744, S. 7, and H.R. 2786.

S. 506 and H.R. 1236 provide minimum standards that state and tribal extreme risk laws must meet in order to be eligible for grant funding but provide enough flexibility for states that do not mirror or may exceed those standards to remain eligible.

In contrast, H.R. 744, the “Protecting Our Communities and Rights Act of 2019” is not nearly as flexible and would prevent many states that have passed extreme risk laws from being eligible for grant funding. In order to be eligible for grant funding under H.R. 744, for example, a state’s extreme risk laws must allow a judge to issue an ex parte order only upon a finding by a preponderance of the evidence that the respondent poses an imminent, particularized, and substantial risk of unlawfully using a firearm to cause death or serious physical injury to himself, herself, or to another person. Only three of the eighteen extreme risk laws that have been enacted use a preponderance of the evidence standard and require that the respondent pose an imminent risk for the issuance of an ex parte order. **Therefore, 15 of the 18 extreme risk laws enacted would be ineligible for grant funding under H.R. 744.**

In order to be eligible for grant funding under H.R. 744, a state’s ex parte order must *only* prohibit the subject of the order from receiving firearms or transporting or carrying firearms in public. The prohibition may not include possession of firearms. Seventeen of the eighteen extreme risk laws that have been enacted include prohibitions on possession of firearms by persons subject to ex parte orders. **Thus, 17 of the 18 extreme risk laws enacted would be ineligible for grant funding under H.R. 744.**



Additionally, in order to be eligible for grant funding under H.R. 744, a state's extreme risk law may not allow an order to be renewed more than two times. None of the eighteen extreme risk laws that have been enacted impose limitations on the number of times an order may be renewed, **as such, none of the currently enacted extreme risk laws would be eligible for grant funding under H.R. 744.**

Similarly, S. 7, the "Extreme Risk Protection Order and Violence Prevention Act of 2019" is not nearly as flexible as S. 506 and H.R. 1236, "the Extreme Risk Protection Order Act," and would prevent every state except Florida from being eligible for grant funding. To be eligible for grant funding under S. 7, a State or Tribal law must require an individual who petitions for an order "to make a good faith effort to provide notice to other family or household members of the respondent, or to any other known third party, who may be at risk of violence because of the submission of such petition." Only Florida requires a petitioner to make a good faith effort to provide notice of the order petition to a family or household member of the respondent, an intimate partner, or a known third party. **Therefore, 17 of the 18 extreme risk laws enacted would be ineligible for grant funding under S. 7.**

Finally, H.R. 2786, the "Jake Laird Act of 2019" would prevent every state except Indiana from being eligible for grant funding. To be eligible for grant funding under H.R. 2786, a state's extreme risk law must allow the subject of the order to petition the court beginning 180 days after the determination that firearms should not be returned for reversal of the determination and to continue to petition every 180 days until firearms are returned, if they are ever returned. The only state that holds firearms for an indefinite period is Indiana, as such, only Indiana would be eligible for grant funding. **Therefore, 17 of the 18 extreme risk laws enacted would be ineligible for grant funding under H.R. 2786.**

S. 506 and H.R. 1236 would allow the most states with enacted extreme risk laws to be eligible for grant funding to implement those laws. As states and tribes continue to consider passing extreme risk laws, S. 506 and H.R. 1236 will also allow them more flexibility in drafting those policies while still creating a reasonable minimum set of requirements so they remain eligible for grant funding. **Because S. 506 and H.R. 1236 would allow the largest number of states to be eligible for critical funding to implement these life-saving extreme risk laws, the Coalition to Stop Gun Violence supports S. 506 and H.R. 1236.**



**STATES INELIGIBLE FOR FUNDING UNDER THE
“PROTECTING OUR COMMUNITIES AND RIGHTS ACT OF 2019” (H.R. 744)**

Provision of H.R. 744	States ineligible for grant funding		
<p>A state’s extreme risk law must allow a judge to issue an ex parte order only upon a finding by a <i>preponderance of the evidence</i> that the respondent poses an <i>imminent, particularized, and substantial</i> risk of unlawfully using a firearm to cause death or serious physical injury to himself, herself, or to another person.</p>	<p>California Colorado Connecticut District of Columbia Florida</p>	<p>Hawaii Illinois Indiana Maryland Massachusetts</p>	<p>New Jersey New York Oregon Rhode Island Washington</p>
<p>A state’s ex parte extreme risk law must only prohibit the subject of the order from receiving firearms or transporting or carrying firearms in public.</p>	<p>California Colorado Connecticut Delaware District of Columbia Florida</p>	<p>Hawaii Illinois Maryland Massachusetts Nevada New Jersey</p>	<p>New York Oregon Rhode Island Vermont Washington</p>
<p>Not later than 14 days after the date on which a court issues an ex parte order, the issuing court, or another court in the same jurisdiction, shall hold a hearing to determine whether to issue a permanent order.</p>	<p>California Connecticut</p>	<p>Delaware Indiana</p>	<p>New York Oregon</p>
<p>At a hearing on a permanent order, the petitioner shall bear the burden of establishing by <i>clear and convincing evidence</i> that the respondent poses an <i>imminent, particularized, and substantial</i> risk of unlawfully using a firearm to cause death or serious physical injury to himself or herself or to another person.</p>	<p>California Colorado Delaware District of Columbia Florida</p>	<p>Hawaii Illinois Maryland Massachusetts Nevada</p>	<p>New Jersey New York Oregon Vermont Washington</p>
<p>At a hearing to rescind a permanent order, the respondent shall bear the burden of establishing by a <i>preponderance of evidence</i> that his or her possession of a firearm does not pose an <i>imminent, particularized, and substantial</i> risk of death or serious bodily injury to the individual or another person.</p>	<p>California Colorado Delaware District of Columbia Florida Hawaii</p>	<p>Illinois Maryland Massachusetts Nevada New Jersey New York</p>	<p>Oregon Rhode Island Vermont Washington</p>
<p>A state’s extreme risk law must not allow an order to be renewed more than two times.</p>	<p>California Colorado Connecticut Delaware District of Columbia Florida</p>	<p>Hawaii Illinois Indiana Maryland Massachusetts Nevada</p>	<p>New Jersey New York Oregon Rhode Island Vermont Washington</p>



**STATES INELIGIBLE FOR FUNDING UNDER THE
“EXTREME RISK PROTECTION ORDER AND VIOLENCE PREVENTION ACT OF 2019” (S. 7)**

Provision of S. 7	States ineligible for grant funding		
<p>A state or tribal law must require a petitioner to make a good faith effort to provide notice to other family or household members of the respondent, or to any other known third party, who may be at risk of violence because of the submission of the petition.</p>	<p>California Colorado Connecticut Delaware District of Columbia Hawaii</p>	<p>Illinois Indiana Maryland Massachusetts Nevada New Jersey</p>	<p>New York Oregon Rhode Island Vermont Washington</p>
<p>At a hearing on a permanent order, the petitioner shall bear the burden of establishing by <i>clear and convincing evidence</i> that the respondent poses a <i>significant</i> 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 ammunition.</p>	<p>District of Columbia Hawaii</p>	<p>Maryland Nevada</p>	<p>New Jersey Washington</p>
<p>At a hearing on a permanent order, the court must consider whether a mental health evaluation or chemical dependency evaluation is appropriate.</p>	<p>California Delaware District of Columbia Hawaii Illinois</p>	<p>Indiana Massachusetts Nevada New Jersey New York</p>	<p>Oregon Rhode Island Vermont</p>



STATES INELIGIBLE FOR FUNDING UNDER THE "JAKE LAIRD ACT of 2019" (H.R. 2786)

Provision of H.R. 2786	States ineligible for grant funding
<p>At a final hearing, held after a warrant or warrant-less seizure of firearms, the government shall bear the burden of proving by <i>clear and convincing evidence</i> that the individual either (1) presents an <i>imminent risk</i> of injury to self or others <i>or</i> (2) <i>may</i> present a <i>risk</i> of injury to self or others <i>and</i> (a) has a mental illness that may be controlled by medication but has demonstrated a pattern of not voluntarily taking such medication, (b) there is documented evidence that the individual as a propensity for violent or emotionally unstable conduct, or (c) poses a significant danger of personal injury to self or other by possessing a firearm.</p>	<p>District of Columbia New Jersey Washington Hawaii New York Massachusetts Oregon</p>
<p>A state’s law must allow the subject of the order to petition the court for reversal of the order beginning 180 days after the order is entered by the court and the order to remain in effect indefinitely until the court determines the subject of the order is not dangerous.</p>	<p>California Hawaii New York Colorado Illinois Oregon Connecticut Maryland Rhode Island Delaware Massachusetts Vermont District of Columbia Nevada Washington Florida New Jersey</p>



COMPARISON OF STATE EXTREME RISK LAWS

As of July 2019, seventeen states and the District of Columbia have an extreme risk law. The chart below summarizes key components of each state’s laws, including the eligible petitioners, the types of orders available, the length of the orders, and the legal standard for establishing risk of harm to self or others. The term “family or household member” includes petitioners such as parents, spouses, dating partners, and roommates.

STATE <i>Name of Order</i> <i>Citation</i>	PETITIONERS <i>Types of orders</i>	ORDERS AVAILABLE <i>Length of orders</i> <i>Burden of proof</i>
CALIFORNIA <i>Gun Violence Restraining Order</i> <i>Cal. Penal Code §§ 18100-18205</i>	LAW ENFORCEMENT <i>Temporary Emergency, Ex Parte, Final</i> FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i>	TEMPORARY EMERGENCY <i>Up to 21 days after issuance</i> <i>Reasonable cause</i> EX PARTE <i>Up to 21 days after issuance</i> <i>Substantial likelihood</i> FINAL <i>One year</i> <i>Clear and convincing</i>
COLORADO <i>Extreme Risk Protection Order</i> <i>H.R. 19-1177, 72nd Gen. Assemb., Reg. Sess. (Colo. 2019)</i>	LAW ENFORCEMENT <i>Temporary, Final</i> FAMILY OR HOUSEHOLD MEMBER <i>Temporary, Final</i>	TEMPORARY <i>Up to 14 days after issuance</i> <i>Preponderance of the evidence</i> FINAL <i>364 days</i> <i>Clear and convincing</i>
CONNECTICUT <i>Seizure of Firearms (Risk-Warrant)</i> <i>Conn. Gen. Stat. § 29-38c</i>	LAW ENFORCEMENT <i>Warrant, Final</i> [ASSISTANT] STATE’S ATTORNEY <i>Warrant, Final</i>	WARRANT <i>Up to 14 days after execution</i> <i>Probable cause</i> FINAL <i>Up to 1 year</i> <i>Clear and convincing</i>
DELAWARE <i>Lethal Violence Protective Order</i> <i>Del. Code Ann. tit. 10, §§ 7701-7709</i>	LAW ENFORCEMENT <i>Emergency, Final</i> FAMILY MEMBER <i>Final</i>	EMERGENCY <i>Up to 10 days after issuance</i> <i>Preponderance of the evidence</i> FINAL <i>Up to 1 year</i> <i>Clear and convincing</i>
DISTRICT OF COLUMBIA <i>Extreme Risk Protection Order</i> <i>D.C. Code §§ 7-2510.10 to 7-2510.12</i>	LAW ENFORCEMENT <i>Ex Parte, Final</i> FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i> MENTAL HEALTH PROFESSIONAL <i>Ex Parte, Final</i>	EX PARTE <i>Up to 10 days after issuance</i> <i>Probable cause</i> FINAL <i>One year</i> <i>Preponderance of the evidence</i>



THE COALITION TO STOP GUN VIOLENCE

STATE	PETITIONERS	ORDERS AVAILABLE
<p>FLORIDA</p> <p><i>Risk Protection Order</i></p> <p><i>Fla. Stat. Ann. § 790.401</i></p>	<p>LAW ENFORCEMENT <i>Temporary Ex Parte, Final</i></p>	<p>TEMPORARY EX PARTE <i>Up to 14 days after issuance</i> <i>Reasonable cause</i></p> <p>FINAL <i>Up to 1 year</i> <i>Clear and convincing</i></p>
<p>HAWAII</p> <p><i>Gun Violence Protective Order</i></p> <p><i>S. 1466, 2019 Leg., 30th Sess. (HI 2019)</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p> <p>MEDICAL PROFESSIONAL <i>Ex Parte, Final</i></p> <p>EDUCATOR <i>Ex Parte, Final</i></p> <p>WORK COLLEAGUE <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 14 days after petition for a one-year order submitted</i> <i>Probable cause</i></p> <p>FINAL <i>1 year</i> <i>Preponderance of the evidence</i></p>
<p>ILLINOIS</p> <p><i>Firearms Restraining Order</i></p> <p><i>430 Ill. Comp. Stat. Ann. 67/1-67/80</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 14 days after issuance</i> <i>Probable cause</i></p> <p>FINAL <i>6 months</i> <i>Clear and convincing</i></p>
<p>INDIANA</p> <p><i>Seizure and Retention of a Firearm (Risk-Warrant)</i></p> <p><i>Ind. Code Ann. §§ 35-47-14-1 to 35-47-14-10</i></p>	<p>LAW ENFORCEMENT <i>Warrant, Warrantless</i></p>	<p>WARRANT <i>At least 180 days after issuance</i> <i>Probable cause (initial warrant)</i> <i>Clear and convincing (at hearing)</i></p> <p>WARRANTLESS <i>At least 180 days after the court orders law enforcement to retain firearm</i> <i>Probable cause (after firearm seizure)</i> <i>Clear and convincing (at hearing)</i></p>
<p>MARYLAND</p> <p><i>Extreme Risk Protective Order</i></p> <p><i>Md. Code Ann., Pub. Safety §§ 5-601 to 5-610</i></p>	<p>LAW ENFORCEMENT <i>Interim, Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Interim, Ex Parte, Final</i></p> <p>HEALTHCARE PROFESSIONAL <i>Interim, Ex Parte, Final</i></p>	<p>INTERIM <i>Up to 2 business days</i> <i>Reasonable grounds</i></p> <p>EX PARTE <i>Up to 7 days after service</i> <i>Reasonable grounds</i></p> <p>FINAL <i>Up to 1 year</i> <i>Clear and convincing</i></p>



THE COALITION TO STOP GUN VIOLENCE

STATE	PETITIONERS	ORDERS AVAILABLE
<p>MASSACHUSETTS</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>Mass. Gen. Laws Ann. ch. 140, §§131R-131Y</i></p>	<p>LAW ENFORCEMENT <i>Emergency, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Emergency, Final</i></p>	<p>EMERGENCY <i>Up to 10 days after issuance</i> <i>Reasonable cause</i></p> <p>FINAL <i>Up to 1 year</i> <i>Preponderance of the evidence</i></p>
<p>NEVADA</p> <p><i>Order for Protection Against High-Risk Behavior</i></p> <p><i>Assemb. 291, 2019 Leg., 80th Sess. (Nev. 2019)</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 7 calendar days after issuance or until final hearing held</i> <i>Preponderance of the evidence</i></p> <p>FINAL (EXTENDED) <i>Up to 1 year</i> <i>Clear and convincing evidence</i></p>
<p>NEW JERSEY</p> <p><i>Extreme Risk Protective Order</i></p> <p><i>Assemb. 1217, 2018 Leg., 218th Sess. (N.J. 2018)</i></p>	<p>LAW ENFORCEMENT <i>Temporary, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Temporary, Final</i></p>	<p>TEMPORARY <i>Up to 10 days after petition is filed</i> <i>Good cause</i></p> <p>FINAL <i>1 year</i> <i>Preponderance of the evidence</i></p>
<p>NEW YORK</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>S. 2451, 2019 Leg., Reg. Sess. (N.Y. 2019)</i></p>	<p>LAW ENFORCEMENT <i>Temporary, Final</i></p> <p>DISTRICT ATTORNEY <i>Temporary, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Temporary, Final</i></p> <p>SCHOOL ADMINISTRATOR OR DESIGNEE <i>Temporary, Final</i></p>	<p>TEMPORARY <i>Up to 6 days after service</i> <i>Probable cause</i></p> <p>FINAL <i>Up to 1 year</i> <i>Clear and convincing</i></p>
<p>OREGON</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>Or. Rev. Stat. §§ 166.525-166.543</i></p>	<p>LAW ENFORCEMENT <i>Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Final</i></p>	<p>FINAL* <i>1 year</i> <i>Clear and convincing</i></p> <p><i>*Court may issue a final order at an ex parte hearing. Respondent may request a hearing to terminate the order within 30 days of service.</i></p>
<p>RHODE ISLAND</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>R.I. Gen. Laws Ann. §§ 8-8.3-1 - 8-8.3-14</i></p>	<p>LAW ENFORCEMENT <i>Temporary, Final</i></p>	<p>TEMPORARY <i>Up to 14 days after issuance</i> <i>Probable cause</i></p> <p>FINAL <i>1 year</i> <i>Clear and convincing</i></p>



THE COALITION TO STOP GUN VIOLENCE

STATE	PETITIONERS	ORDERS AVAILABLE
<p>VERMONT</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>Vt. Stat. Ann. tit. 13, §§ 4051-4061</i></p>	<p>STATE'S ATTORNEY <i>Temporary Ex Parte, Final</i></p> <p>OFFICE OF THE ATTORNEY GENERAL <i>Temporary Ex Parte, Final</i></p>	<p>TEMPORARY EX PARTE <i>14 days after issuance</i> <i>Preponderance of the evidence</i></p> <p>FINAL <i>Up to 6 months</i> <i>Clear and convincing</i></p>
<p>WASHINGTON</p> <p><i>Extreme Risk Protection Order</i></p> <p><i>Wash. Rev. Code Ann. §§ 7.94.010-7.94.900</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 14 days after issuance</i> <i>Reasonable cause</i></p> <p>FINAL <i>1 year</i> <i>Preponderance of the evidence</i></p>