

Extreme Risk Protection Orders

House and Senate Judiciary Committees

September 26, 2018



TODAY'S FOCUS



State-wide Public Safety Perspective on Training and Practice

Travis Hampton

Oregon State Police Superintendent



Local Public Safety Perspective and Case Example

Michael Reese

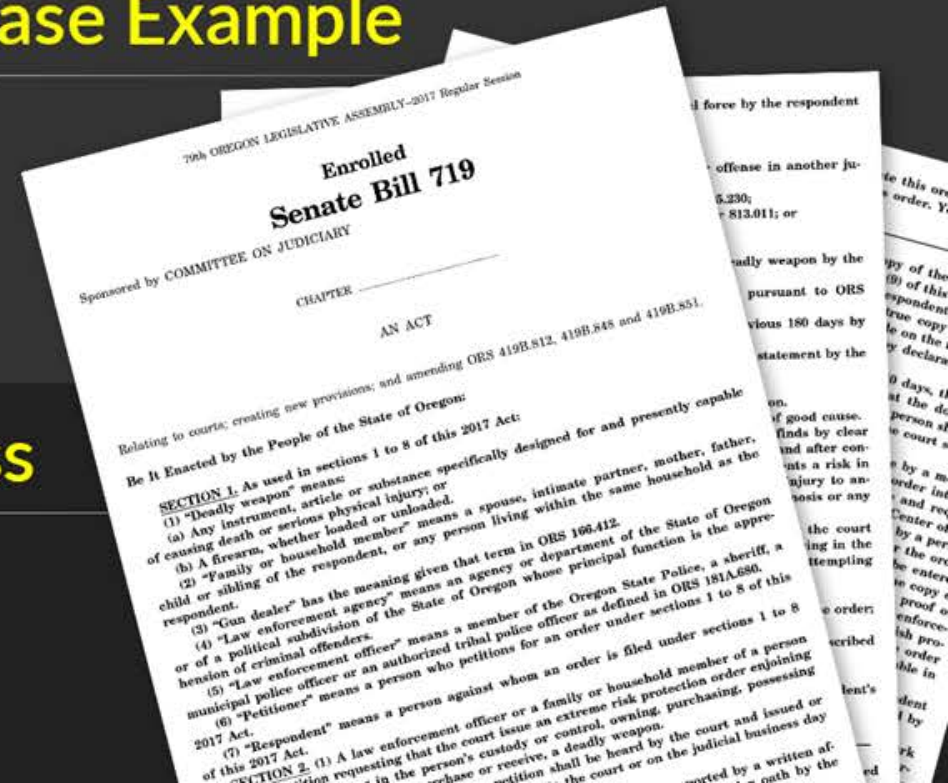
Multnomah County Sheriff



Bench Perspective on Petition Process

Maureen McKnight

Multnomah County Circuit Court Judge





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PATROL SERVICES DIVISION BRIEFING



Extreme Risk Protection Orders

SB 719, now codified as Oregon Laws 2017, Chapter 737, passed into law and becomes effective January 1, 2018. An Extreme Risk Protection Order prohibits a person the court has found to be an immediate risk of harm to themselves or others from possessing a deadly weapon. Respondents are not allowed to possess deadly weapons until the order expires or is terminated by the court. The law establishes strict requirements for both the courts and law enforcement.

LEDS ENTRY



Example ERPO Record:

New
Record
Type: ERP

Specific Extreme Risk
Protection Order
Conditions listed in the
MIS/ field

**** WARNING - THE FOLLOWING IS A LEDS PROTECTION ORDER ****
DO NOT SEARCH, DETAIN, OR ARREST BASED SOLELY
ON THIS RECORD. CONTACT ENTERING AGENCY TO
CONFIRM STATUS AND TERMS.

*** NOT A WARRANT ***
EXTREME RISK PROTECTIVE ORDER (BASED ON DOB,NAM)
EPO OR0370000 NAM/ERPO,LEDS TEST DOB/1969/09/09
SEX/M RAC/W POB/ HGT/600 WGT/175 EYE/BLU HAI/BRO
OCA/ERPTEST-201701

PROTECTIVE ORDER INFORMATION
RTP/ERP PROTECTIVE ORDER NUMBER/ERPTEST-201701 BAL/-00
ISSUE DATE/2017/09/26 EXPIRE DATE/2018/09/26
CRT/OR037012J - LEDSTEST COUNTY CIRCUIT COURT BRADY/NO NOA/NO

MIS/ THE SUBJECT OF THIS RECORD IS PROHIBITED FROM THE PURCHASE OR
POSSESSION OF ANY DEADLY WEAPON
DNA/NO

SUPPLEMENTAL INFORMATION
PCO/08* - SEE THE MISCELLANEOUS FIELD FOR COMMENTS REGARDING THE TERMS
AND CONDITIONS OF THE ORDER.

ENT: 2017/09/26 AT 0954 FROM LE24 BY/LEDSTEST COUNTY SHERIFF (LTS)
PURGE DATE: NOT PURGEABLE
LNU/R093430376 RECORD IN NCIC/NO

Brady will
always be
"NO"

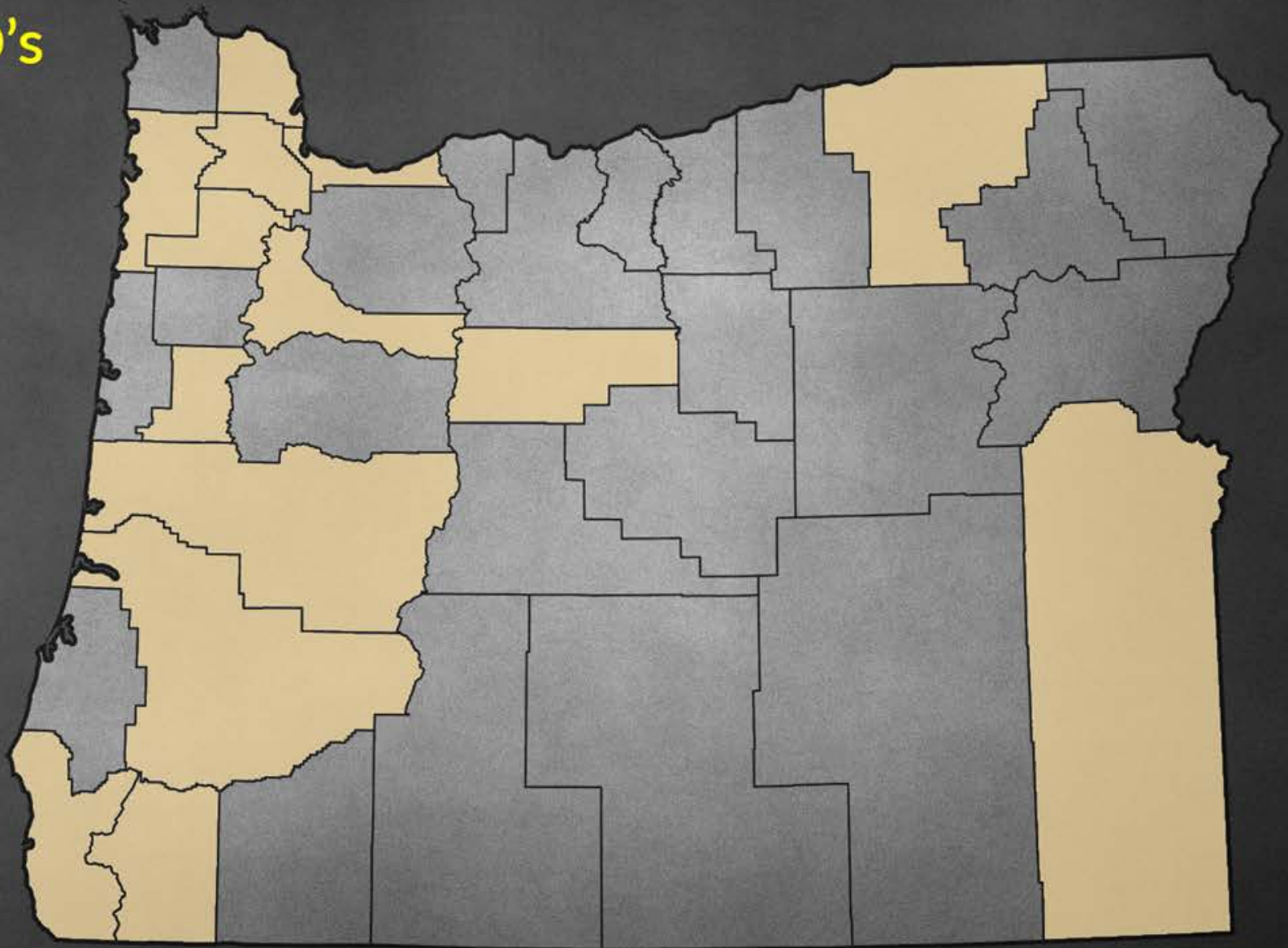
Questions about entering Protection Orders into LEDS? Contact the LEDS Helpdesk at 503-378-5565 or Helpdesk.LEDS@state.or.us, or contact CJIS Training at 503-934-0300, 503-934-2341, or Training.CJIS@state.or.us

ACTIVE ORDERS



Currently 40 Active ERPO's

- 1 - Benton County
- 1 - Columbia County
- 2 - Curry County
- 2 - Douglas County
- 1 - Jefferson County
- 7 - Josephine County
- 1 - Lane County
- 2 - Malheur County
- 3 - Marion County
- 8 - Multnomah County
- 1 - Tillamook County
- 1 - Umatilla County
- 8 - Washington County
- 2 - Yamhill County



QUICK CONTEXT



Priorities:

- Promote responsible gun ownership
- Prevent and reduce gun violence in our community

Firearms in Multnomah County (2017):

24,390 firearms transactions

4,416 concealed handgun licenses issued (*28,062 total*)

520 firearms were reported stolen (*half from residences*)

1,161 criminal incidents involving a firearm

21 arrests for domestic assaults involved a firearm

40% of suicides involved the use of firearms

10 ERPO's filed...*

GUN VIOLENCE REDUCTION



ERPO's Compliment a Comprehensive Approach:

ACQUISITION - Background Checks

PREVENTION - CHL permitting includes storage protocol and mental health education

INTERVENTION - Restraining orders and protective orders

INTELLIGENCE - Threat advisory and ballistic investigation networks

DESTRUCTION - Turn-in programs

FILING FOR AN EXTREME RISK PROTECTION ORDER (ERPO)



WHAT IS AN EXTREME RISK PROTECTION ORDER?
An Extreme Risk Protection Order (ERPO) is a court order that prevents a person who is at risk of hurting another person or of committing suicide from having or getting deadly weapons, including firearms.

Respondents who are subject to these orders must give all of their deadly weapons and their concealed handgun license to a law enforcement agency, gun dealer, or someone else who can lawfully hold them within 24 hours. Respondents are not allowed to possess weapons until the order expires or is cancelled ("terminated" or "dismissed") by a judge. The court will tell Respondents how to surrender their weapons if the order is granted.

WHO CAN APPLY FOR AN ERPO?
Any family member, household member, or intimate partner can apply for an ERPO. Law enforcement officers can also apply.

WHERE DO I FILE FOR AN ERPO?
Respondent lives. File at the Circuit Court courthouse. Go to [http://default.aspx](#) to find court contact information. Different county, and some towns may be different. Be sure where to file.

THE PAPERS?
where to go for your hearing, that the court is open. The judge do not appear at the hearing.

to have one copy of the Order also include the Notice to Sheriff's officer (for no fee), a letter, as long as the server lives in the papers yourself.

THE ORDER?
terminate (dismiss) the Order. You during each 1-year effective period. It may take a few days for law

AN INTERPRETER?
able to speak English and

may be dismissed. You can testify at the hearings. If you cannot go to a hearing It may be helpful to have a lawyer

ORDER LAST?
unless it is terminated (dismissed) by believes Respondent is still at risk. Petition. To renew the order, you ends. Forms to renew an Extreme Order (see below). Mark that the Petition relevant at the time.

ATES (DOES NOT FOLLOW) ER SERVICE?

EXTREME RISK PROTECTION ORDER PETITION AFFIDAVIT IN SUPPORT (Parte if Not Renewal)

Renewal of Order

at risk for suicide or causing an Extreme Risk Protection Order deadly weapons, and to

on. This Petition is to renew of the existing Order.

where Respondent is now facility where Respondent

re because: explain):

ople (explain):

/threats to use physical

Displaying, or brandishing

(FAPA) Restraining

on within the past

(remote appearance) and I

did not pay money to anyone, or reviewing this form review the completed form

t of my knowledge am subject to penalty

Phone

ure of committing suicide or ation that is reliable, including a specific things the judge may

people reckless endangerment, ing under the influence, or any

deadly weapon within the

THE PAPERS?
re to go for your hearing. he court is open. The judge not appear at the hearing.

CASES



10 ERPO Cases (as of August 2018)

8 Public Agency Initiated (MCSO - 3, PSU - 1, PPB - 4)

2 Private Party Initiated

9 Granted

1 Denied

50 Total Weapons Seized

Emerging Issue: Suicidal Threats

GET TRAINED TO HELP
You can get trained to recognize the signs that someone needs help and take action. All you have to do is sign up online. Courses are available for public and private agencies.

HOW TO GET HELP
If you or someone you know is having mental health issues, don't wait. Get help. Multnomah County offers mental health services for all members of the community.

Call the Crisis Line at: (503) 988-4888

We're here to listen. We can help.

- Free, 24/7 mental health support
- Translation services for non-English speakers
- Referral to low-cost agencies
- Help finding mental health providers
- Access to community resources

Visit the the Urgent Walk-In Clinic

Need to see someone face to face? The Urgent Walk-In Clinic is available to all community members.

Get immediate and ongoing mental health support and help.

4212 SE Division St. Portland, OR.
Open 8:00 am to 10:30 pm every day.

FIREARMS and SUICIDE

GET TRAINED TO HELP.COM

Multnomah County Health Department

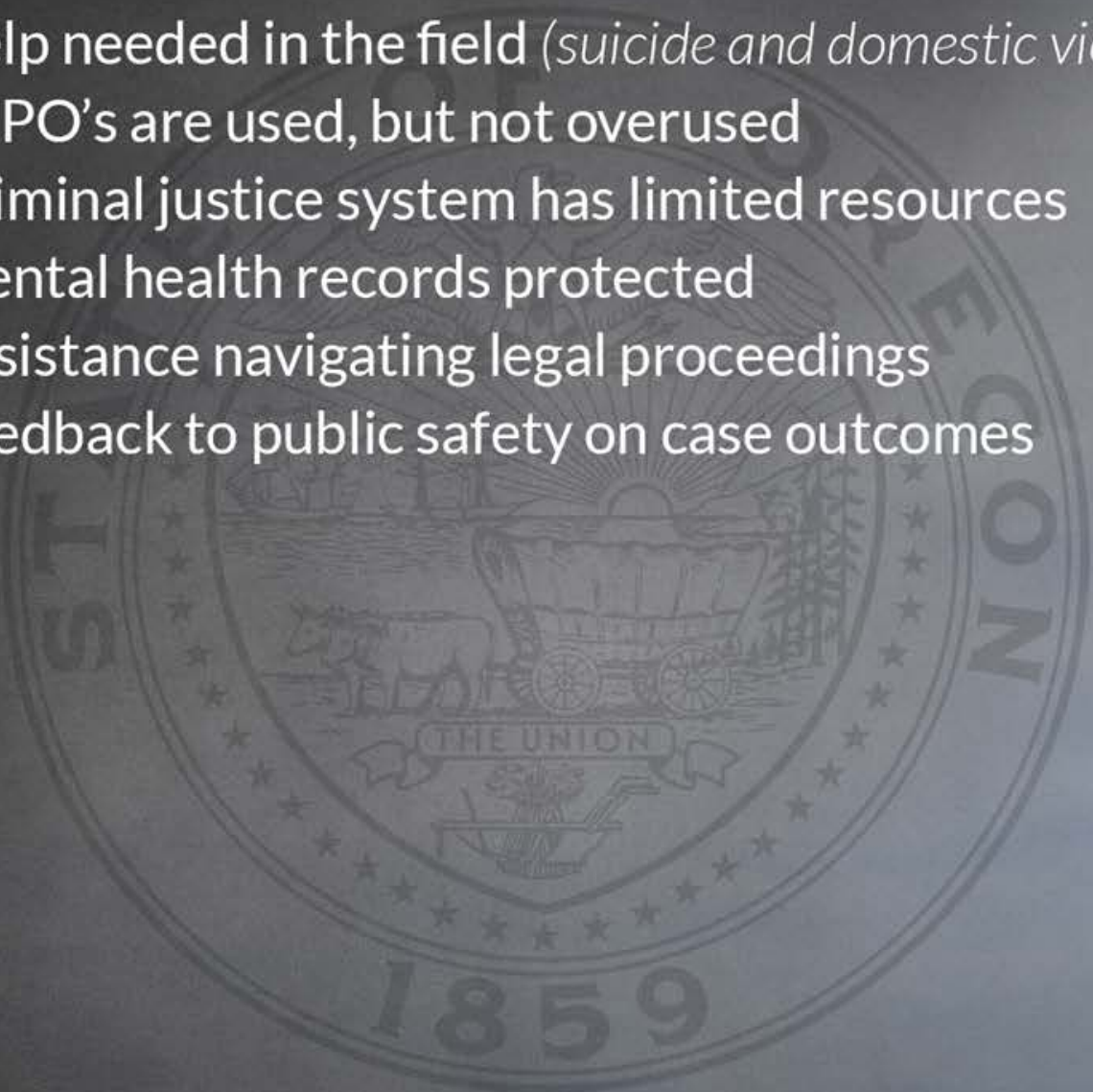


IS YOUR SAFETY ON?

OPPORTUNITIES / CHALLENGES



- Help needed in the field (*suicide and domestic violence*)
- ERPO's are used, but not overused
- Criminal justice system has limited resources
- Mental health records protected
- Assistance navigating legal proceedings
- Feedback to public safety on case outcomes



THANK YOU

