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CONNECTICUT

Risk Protection Order Process

FILE AN APPLICATION FOR A RISK PROTECTION ORDER INVESTIGATION

During court hours, a family or household member or medical professional may apply for a risk protection order investigation, describing why they have a good faith belief that a person poses a risk of imminent personal injury to self or others.

FILE COMPLAINT FOR A RISK PROTECTION ORDER

During court hours, complainant goes to court and files complaint for a risk protection order and warrant, if applicable, describing why there is probable cause to believe the respondent poses a risk of imminent personal injury to self or others and that the respondent already possesses firearms or other deadly weapons and their location.

ASSESS RISK PROTECTION ORDER INVESTIGATION APPLICATION

Upon application, a Superior Court judge decides whether to order a law enforcement agency to conduct a risk protection order investigation.

UPDATE THE BACKGROUND CHECK SYSTEM

If the court orders a risk protection order investigation, the court shall immediately enter into the National Instant Criminal Background Check System a record indicating that the person who is the subject of the investigation is ineligible to purchase or otherwise receive a firearm.

RISK PROTECTION ORDER INVESTIGATION

Upon receipt of an investigation order, the law enforcement agency shall immediately investigate and determine whether there is probable cause to believe that the subject of the investigation poses a risk of imminent personal injury to self or others. If the law enforcement agency determines that such risk exists, it shall seek a risk protection order and warrant, if applicable.

ASSESS RISK PROTECTION ORDER COMPLAINT ON AN EX PARTE BASIS

Upon filing of the complaint, a Superior Court judge decides whether to issue a risk protection order and, if applicable, a warrant for law enforcement to search and remove any firearms, deadly weapons and ammunition in the respondent's possession.

IF A RISK PROTECTION ORDER AND WARRANT (IF APPLICABLE) ARE ISSUED, SERVE THE ORDER AND WARRANT

Within a reasonable time after the issuance of the order, law enforcement serves the respondent with a copy of the order and notice of the respondent's right to a hearing and the right to be represented by counsel at the hearing. If the court issues a warrant, then law enforcement shall serve and execute it within a reasonable amount of time.

Authorized complainants for a risk protection order in Connecticut:

- One state's attorney or assistant state's attorney
- Two law enforcement officers

Authorized applicants for a risk protection order investigation in Connecticut:

- Family or household members
- · Medical professionals

RESPONDENT COMPLIES WITH RISK PROTECTION ORDER AND DISPOSSESSES SELF OF FIREARMS

Within two business days of service of the risk protection order, the respondent must transfer all firearms and ammunition they possess to any person eligible to possess such firearms and ammunition or the Commissioner of Emergency Services and Public Protection in accordance with Connecticut law. A local police department may accept surrender of firearms and ammunition on behalf of the Commissioner.

A person whose firearm(s) and ammunition have been seized may transfer the firearm(s) and ammunition to a federally licensed firearm dealer in accordance with Connecticut law.

PROCEED WITH A HEARING TO DETERMINE WHETHER TO CONTINUE THE RISK PROTECTION ORDER AND CONTINUE TO HOLD FIREARMS, OTHER DEADLY WEAPONS, AND AMMUNITION

Within 14 days of the issuance of the risk protection order or the execution of the warrant, if applicable, the court determines whether to continue the risk protection order and whether the state should continue to hold the firearms, other deadly weapons, and ammunition.

COURT CONTINUES THE RISK PROTECTION ORDER AND HOLD OF FIREARMS, OTHER DEADLY WEAPONS, AND AMMUNITION

The CT Commissioner of Emergency Services and Public Protection revokes the respondent's gun purchaser eligibility certificate and any permit to carry.

The respondent may request law enforcement transfer any firearms, other deadly weapons, and ammunition removed to another person eligible to possess firearms and ammunition

COURT DETERMINES NOT TO CONTINUE RISK PROTECTION ORDER OR HOLD OF FIREARMS, OTHER DEADLY WEAPONS, OR AMMUNITION

The removed firearm(s), other deadly weapon(s), and ammunition are returned to the respondent.

PETITION FOR TERMINATION OF THE RISK PROTECTION ORDER AND WARRANT

No sooner than 180 days after the hearing held to continue the risk protection order, the respondent may petition to terminate the risk protection order. The state must show that the respondent still poses an imminent risk of personal injury to self or others.

UPDATE BACKGROUND CHECK SYSTEM

Upon termination of the order, the court shall remove or cancel any record entered into the National Instant Criminal Background Check System associated with such order.