AR-15, the semi-automatic rifle frequently used by mass shooters. A 23-year-old ex-Marine who had developed a paranoia that all males wanted to harm him. He had walked into an auto parts store with a loaded handgun, but called police before shooting anyone. A 39-year-old man who, while intoxicated (at three times the legal limit), believed he was shooting at raccoons and rats in his backyard. Terrified neighbors called police as bullets flew into their backyards. A 60-year-old man who grabbed a .38 revolver and fled his home after his family discovered he was molesting his grandchild. The man was arrested with the gun in his vehicle. A 38-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. When the Police Department arrived on the scene and searched the car, they found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .380 handgun.

A 33-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. When the Police Department arrived on the scene and searched the car, they found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .380 handgun. When his ex-girlfriend tried to call for help, he grabbed her by her hair, threw her on the ground, and pushed her head into a wall. Police seized two handguns, two rifles, and a shotgun. A 33-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. When the Police Department arrived on the scene and searched the car, they found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .380 handgun. When his ex-girlfriend tried to call for help, he grabbed her by her hair, threw her on the ground, and pushed her head into a wall.

A 28-year-old man who grabbed a gun case and threatened suicide. When his

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WASHINGTON

Extreme Risk Protection Order Process

Authorized petitioners in Washington include:

- Law enforcement officer or agency
- Family or household members (including persons related by blood, marriage, domestic partnership, or adoption; persons who currently or formerly resided together; persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent’s intimate partner and children; and a person who is acting or has acted as a legal guardian)

TEMPORARY ERPO PROCESS

COMPLETE AN ERPO PETITION
May have the option to participate by telephone. Law enforcement may petition outside of normal business hours.

TEMPORARY ERPO HEARING BEFORE A JUDGE

TEMPORARY ERPO ISSUED
Temporary ERPOs last for up to 14 days. The court sets the final ERPO hearing date.

COURT DOES NOT ISSUE ERPO
The petitioner may appeal the court’s decision. If there is no appeal, the process ends.

LAW ENFORCEMENT SERVES THE ERPO
Law enforcement serves the order to the respondent, at which point the respondent surrenders their firearms and concealed pistol license.

SEARCH AND SEIZURE PROCESS
If the court finds probable cause that the respondent failed to surrender all their firearms, then the court shall issue a warrant describing the firearms and authorizing a search of the locations where the firearms are reasonably believed to be. Law enforcement updates the temporary ERPO to the background check system on the same day it was issued.

FINAL ERPO PROCESS

FINAL ERPO HEARING BEFORE A JUDGE

RESPONDENT IS IN COURT
Petitioner presents the petition to the court; other witnesses testify. Respondent responds to the petition in court.

RESPONDENT IS NOT IN COURT
Petitioner presents the petition to the court. A temporary ERPO may be reissued if the respondent does not attend the full hearing and there is no proof of timely and proper service to the respondent about the hearing.

COURT DETERMINES WHETHER TO ISSUE FINAL ERPO

COURT ISSUES FINAL ERPO
An ERPO is active for up to one year, before which the respondent must surrender their firearms and concealed pistol license to law enforcement. Otherwise, law enforcement will seize them pursuant to a lawful search.

COURT DOES NOT ISSUE FINAL ERPO
Petitioner may appeal the court’s decision. If there is no appeal, the process ends. Law enforcement returns firearms to respondent.

FINAL ERPO IS TERMINATED OR RENEWED
The respondent may request a hearing for the early termination of the ERPO once during its one-year duration. A petitioner may request a hearing for the renewal of an ERPO if they request is made within 90 days before the prior ERPO expires.

RETURN FIREARMS
Law enforcement returns surrendered firearms and concealed pistol license after verifying that the former respondent is not otherwise prohibited from possessing firearms. Law enforcement then updates the background check system to expunge the ERPO record.

*Information on this website does not constitute legal advice. Every factual situation is unique; if you want legal advice specific to your particular circumstances, please consult knowledgeable counsel.*