



CONNECTICUT

RISK WARRANTS

A GUIDE TO THE PROCESS



**Bloomberg American
Health Initiative**

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CONNECTICUT

Risk Warrant Process

Authorized petitioners/complainants in Connecticut include:

- One state's attorney
- Two law enforcement officers)

FILE A COMPLAINT FOR THE REMOVAL OF FIREARMS AND AMMUNITION PURSUANT TO A RISK WARRANT

During court hours, complainant goes to court and files a complaint for the removal of firearms and ammunition, describing why there is probable cause to believe the respondent poses a risk of imminent personal injury to self or others and stating that the respondent possesses one or more firearms.

Prior to filing, the complainant must conduct an independent investigation and determine that probable cause exists regarding the respondent's risk, and that there are no reasonable alternatives available to prevent the respondent from causing imminent personal injury to self or to others with a firearm.

ASSESS RISK WARRANT COMPLAINT ON AN EX PARTE BASIS

Upon filing of the complaint, a Superior Court judge decides whether to issue a risk warrant for law enforcement officers to search and remove any and all firearms and ammunition in the respondent's possession.

IF A RISK WARRANT IS ISSUED, SERVE THE WARRANT

Within a reasonable time after issuance of the risk warrant, law enforcement serves the respondent with a copy of the risk warrant and notice of the respondent's right to a hearing and the right to be represented by counsel at such hearing.

COMPLY WITH RISK WARRANT, DISPOSSESS FIREARMS

Respondent dispossesses self of any firearms and ammunition. Law enforcement officers search locations named in the warrant and take into custody any and all firearms and ammunition in the respondent's possession.

PROCEED WITH HEARING TO DETERMINE WHETHER TO CONTINUE TO HOLD FIREARMS AND AMMUNITION FOR UP TO ONE YEAR

Within 14 days of the execution of the risk warrant, the court determines whether the firearms and ammunition removed should be returned to the respondent or continue to be held by the State.

COURT DETERMINES THAT CONTINUING TO HOLD THE FIREARMS AND AMMUNITION IS JUSTIFIED

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

The respondent may request law enforcement transfer any firearms and ammunition removed to another person eligible to possess firearms and ammunition.

State Police update background check system by uploading the state prohibitor to NICS.

If the court finds that the respondent poses a risk of imminent injury to self or to others, the court provides notice to the CT Department of Mental Health and Addiction Services which may take action as it deems appropriate.

COURT DETERMINES THAT CONTINUING TO HOLD THE FIREARMS AND AMMUNITION IS NOT JUSTIFIED

The removed firearm(s) and ammunition are returned to the respondent.

RETURN FIREARMS

Upon expiration of the court's order the respondent may notify the CT Department of Emergency Services and Public Protection of the expiration.

Before reinstating or reissuing the eligibility certificate, the Department verifies that the court's order has expired and the respondent is not otherwise disqualified from holding an eligibility certificate.

Once the eligibility certificate is reinstated or reissued, the respondent may request the return of their firearms.