

## **FIREARMS SURRENDER AND RETURN PROCEDURE FOR RESPONDENTS UNDER RESTRAINING ORDERS**

The restraining order against you may immediately prohibit you from possessing firearms and ammunition and require you to surrender them. Read carefully the firearms section on page 7, paragraphs 18 & 19. Whether or not those paragraphs are checked, the boxed notice on page 7 tells you that state criminal law also prohibits you from possessing firearms as soon as *a hearing is held continuing the restraining order or your hearing right expires*. Read your order carefully to know whether the gun ban is in effect now or will be soon.

**AS SOON AS THE RESTRAINING ORDER PROHIBITS YOU** from possessing firearms and ammunition, **you must do ONE of the following within 24 hours.**

1. Surrender to Law Enforcement or a Licensed Gun Dealer all firearms and/or ammunition in your possession, control, or custody.

If box 18 is checked, you must surrender them at the time you are served with the restraining order. If the firearms or ammunition are not in your custody at that time, you must surrender them to law enforcement (see next page) or a licensed gun dealer within 24 hours of when the gun ban is in effect.

**OR**

2. Have an eligible Third Party take possession of any firearms and/or ammunition in your possession, control, or custody.

You must arrange for an Oregon State Police criminal background check on the third party you select. That Third Party cannot live with you. To get a background check, you must contact a licensed gun dealer. A fee applies. The Third Party must complete the *Third Party Recipient's Declaration* provided to you.

**AND, WITHIN 2 COURT (BUSINESS) DAYS, YOU MUST FILE WITH THE COURT AND DISTRICT ATTORNEYS OFFICE A DECLARATION, WITH PROOF OF TRANSFER.**

These documents will tell the court:

- A. That you have no firearms or ammunition.
- B. The person/agency you gave the guns & ammunition to, and other details of the transfer.
- C. **OR** that you do not want to answer because you do not want to incriminate yourself.

The **Firearms Declaration** is included in your service packet. It is also available in Room 120J of the courthouse or online at: <http://courts.oregon.gov/courts/washington>.

**FAILURE TO COMPLY WITH COURT ORDERED TERMS ABOUT FIREARMS POSSESSION AND SURRENDER MAY SUBJECT YOU TO A CONTEMPT OF COURT CHARGE OR A CRIMINAL CHARGE.**

### **OPTION TO SURRENDER TO LAW ENFORCEMENT**

The Washington County Sheriff's Office and local law enforcement agencies will accept **unloaded** firearms and ammunition of individuals under restraining orders, *regardless of the location of the respondent's residence*.

Below is the contact information for Washington County law enforcement agencies:

Cornelius Police 503-359-1881	Beaverton Police 503-629-0111	Forest Grove Police 503-992-3260
Hillsboro Police 503-681-6190	King City Police 503-620-8851	Oregon State Police 503-378-3720
North Plains Police 503-647-2604	Sherwood Police 503-625-5523	Tigard Police 503-629-0111
Tualatin Police 503-691-4800	Washington County Sheriff 503-846-2537	Wilsonville Police 503-682-1012

- Weapons surrendered to law enforcement must be unloaded.
- Upon arrival at the agency, keep your unloaded weapons locked inside your vehicle (in the trunk if possible), and then contact the agency.
- Give the agency a copy of the court's Order. Inform them that your weapons are in your vehicle.
- Follow the agency's instruction and get a copy of the evidence report that lists the weapons you have surrendered. You will need this as proof to the court.

**RETURN of firearms/ammunition:** The firearm/ammunition ban ends when the restraining order expires or earlier if ended by court order. The law requires another background check on you be done law enforcement, a dealer, or a third party returns your firearms or ammunition to you.