

Firearms Surrender and Return Terms

The protection order against you contains firearm restrictions and may immediately prohibit you from possessing and require you to surrender firearms and ammunition. Additionally, it is a state and federal crime for you to possess firearms or ammunition when a qualifying protective order is in effect against you, or if you have been convicted of a misdemeanor crime of domestic violence.

Read the attached information carefully to know whether the gun restriction is in effect now or will be soon.

Important: Failure to comply with any part of the protection order or firearms surrender procedure can result in contempt charges, criminal penalties, and/or a warrant issued for your arrest without further notice.

WITHIN 24 HOURS of becoming subject to the court's order that prohibits you from possessing firearms and ammunition, **you must do one of the following from the list below:**

1. Transfer all firearms and ammunition in your possession, control, or custody to **law enforcement or a licensed gun dealer** (See Firearms Surrender and Return Terms instructions, pg. 2).
- or**
2. Transfer all firearms and ammunition in your possession, control, or custody to an **eligible third party** (See attached blank forms).

and

Within 2 business days of the court's order, you must file with the Washington County Circuit Court **and** with the Washington County District Attorney's Office located at **150 1st Ave, Hillsboro, OR 97124** the following forms:

- ✓ 'Declaration of Firearms Surrender'
- ✓ 'Proof of Transfer' (if applicable)
- ✓ 'Third Party Recipient's Declaration of Firearms Receipt' (if applicable)

**You are required to appear at the
Washington County Circuit Court*
on the Second Tuesday following service of this
Protection Order** at 1:15pm
in Courtroom 108C.**

*Note: If you have filed the documents listed above, your appearance at the courthouse will not be required.

**If you are unsure what date you are required to appear call 503-846-2857.

Firearms Surrender and Return Terms

You can provide your guns to any Law Enforcement Agency. Firearms must be **unloaded** before transporting and surrendering them. Place the firearm and ammunition in a container or bag.

Call to schedule an appointment to surrender your firearms.

LAW ENFORCEMENT AGENCY CONTACT INFORMATION

Beaverton Police 503-629-0111 Firearms & Ammunition	Cornelius Police 503- 629- 0111 Firearms & Ammunition	Forest Grove Police 503-992-3260 Firearms & Ammunition
Hillsboro Police 503-629-0111 Firearms & Ammunition	King City Police 503-620-8851 Firearms & Ammunition	North Plains Police 503-629-0111 Firearms & Ammunition
Oregon State Police 503-378-3720 Firearms & Ammunition	Sherwood Police 503-629-0111 Firearms & Ammunition	Tigard Police 503-629-0111 Firearms & Ammunition
Tualatin Police 503-691-4800 Firearms & Ammunition	Washington County Sheriff 503-846-2537 Firearms & Ammunition	Wilsonville Police 503-794-8065 Firearms & Ammunition
Portland Police Bureau Central Precinct 1111 SW 2nd Ave. Portland, Oregon 97204 Hours: 24 hours/7 days a week 503- 823-3333	Portland Police Bureau Property & Evidence Division 2619 NW Industrial Way Portland, Oregon 97210 Hours: 9-12; 1-4 M-F 503-823-2179	Multnomah County Sheriff's Office 234 SW Kendall Ct Troutdale, OR 97060 Call 503-988-0373

- ✓ Weapons surrendered to law enforcement must be unloaded.
- ✓ At your appointment, keep your unloaded weapons locked inside your vehicle (in the trunk if possible), and then contact the agency when you arrive.
- ✓ Give the agency a copy of the court's order.
- ✓ 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 submit to the court.

Firearms Surrender and Return Terms

Frequently Asked Questions (FAQ's): Surrender and Return of Firearms

Q: Do I have to surrender (give up) my guns?

A: Yes, but when depends on what the protection order you were served. Review the following:

- Family Abuse Prevention Act Order: Page 7 - Sections 18 & 19
- Elderly Persons & Persons with Disabilities Abuse Prevention Act Order: Page 2-3 - Section 9
- General Judgment re: Stalking Protective Order: Page 2
- Sexual Abuse Prevention Order: Page 3 - Section 7

Q: How much time do I have to turn over/turn-in my guns?

A: "Immediate Firearm Prohibition" if the box is checked on the page number listed above

- Transfer guns and ammunition in your possession or control **within 24 hours**.

"Immediate Firearm Prohibition" if the box is **not** checked on the page number listed above

- **You have 24 hours from the earlier of one of the following:**
 - 30 days passed since you have been served and you have not requested a hearing.
 - If after a hearing is held, the protection order is continued and not dismissed.
 - Withdrawal of the request for a hearing has been filed.
 - If you fail to appear for the contested hearing.

Q: What if I don't have any firearms or ammunition?

A: You must still file the Declaration of Firearms Surrender form ("Declaration") **within 2 business days:**

- File the *Declaration* with the Washington County Circuit Court **and**,
- Take a copy of the *Declaration* to the Washington County District Attorney's Office ("DA").

Q: How much time do I have to file the Declaration(s) and Where do I file?

A: You have **2 business days from the time you become subject to the surrender order, to file the *Declaration of Firearms Surrender* with the Court and DA. Weekend days and holidays are not considered business days. Take the noted documents to:**

Family Law Assistance Program
Justice Services Building, Room 105J
Washington County Circuit Court
150 N. 1st Ave
Hillsboro, Oregon 97124

Washington County District Attorney
Washington County Courthouse
150 N. 1st Ave
Suite 300 / 3rd Floor
Hillsboro, Oregon 97124

Fillable iForm available on court webpage:

<https://www.courts.oregon.gov/courts/washington/programs-services/Pages/FirearmsSurrender.aspx>

Firearms Surrender and Return Terms

Q: What if I want a friend or relative to store my guns while the restraining order is in effect?

A: You can turn your guns over to a friend or relative. **This person cannot live with you.** You must *first* have a criminal background check done on the friend/relative to show that they are legally able to have firearms. **Note:** If you turn your guns over to a friend or relative, that third party must fill out and sign the *Third Party Recipient's Declaration of Firearms Receipt* ("Third Party Declaration"). (See attached blank form.) You must file the *Third Party Declaration* **within 2 business days** with your *Declaration* and the *Proof of Transfer* form showing the criminal background check approval number for the third party.

Q: How do I complete a firearm background check on the person with whom I want to store my guns?

A: The background check is completed through a licensed gun dealer. A fee will be charged, and the dealer will complete the check through the Oregon State Police. If the person with whom you wish to store your guns passes the background check, you will be given an approval number to record on the *Proof of Firearms Transfer*.

The **Firearms Declarations and Proof of Transfer** are included in your service packet and available online at: [Oregon Judicial Department : Firearms Surrender Protocol : Programs & Services : State of Oregon](#)

Q: When can I request the return of my firearms?

A: The firearms/ammunition prohibition order ends when the protection order expires, or earlier if dismissed by a court order. **The law requires that you complete a background check before** law enforcement, a dealer, or a third party returns your firearms or ammunition to you. You must call the police or sheriff's office at the numbers provided above and make arrangement to pick up your firearms and ammunition.

Q: What happens if I don't file the Declaration of Firearms Surrender?

A: If you are required to file the *Declaration of Firearms Surrender* and do not, you are in violation of the court's order. This is a serious matter. A law enforcement officer could contact you or cite you to appear in court. The DA's office could charge you with violating a restraining order (contempt of court). In that case, you will have the right to a court-appointed attorney if you cannot afford to hire an attorney. If after a hearing, the judge determines that you willfully disobeyed the restraining order by not filing the *Declaration*, you could go to jail for up to 6 months, be placed on probation, or be ordered to pay a fine of up to \$500 plus the cost of your state provided attorney.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

Petitioner/Plaintiff

v.

Case No: _____

**RESPONDENT'S/DEFENDANT'S
DECLARATION OF
FIREARMS SURRENDER**

Respondent/Defendant

Declaration

I am the Respondent/Defendant in this case. I am subject to a court order to surrender firearms.

Check one:

- I had no firearms in my possession at the time of the court's order. I do not currently possess any firearms.
- All firearms and ammunition in my possession have been transferred to:
- a law enforcement agency (*name*): _____
- a gun dealer (*name*): _____
- a third party who does not live with me (*name*): _____
- A proof of transfer or receipt is attached (*required*)
- I am asserting my constitutional right against self-incrimination. I decline to make any statement about firearms.
- I HAVE FILED COPIES OF THIS *DECLARATION* (AND THE *DECLARATION* FROM THIRD PARTY RECIPIENTS, IF ANY) WITH THE DISTRICT ATTORNEY (*required*)

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Submitted by Respondent/Defendant

Date

Signature of Respondent/Defendant

Name (printed)

Address

City, State, ZIP

Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

PROOF OF FIREARMS TRANSFER

Complete this form if you have received firearms and ammunition from the respondent/defendant named below¹

Name of person surrendering firearms: _____

Case #: _____

Date of transfer: _____

RECIPIENT'S INFORMATION:

I, (full name) _____ received firearms and/or ammunition from the Respondent/Defendant named above

I am a: third party who does not live with Respondent/Defendant*

*OSP background check number: _____ (*required for third parties*)

licensed gun dealer

law enforcement agency representative (*agency name*): _____

Ammunition was surrendered to me

The following firearms were surrendered to me:

Serial Number	Make and Model (<i>or description, if make/model unavailable</i>)

Additional page attached

Date

Signature of recipient

Name (printed)

¹Law enforcement and gun dealers may have their own proof of transfer or receipt forms. If so, attach that document to the *Respondent's/Defendant's Declaration of Firearms Surrender*.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

Case No: _____

Petitioner/Plaintiff

v.

**THIRD PARTY RECIPIENT'S
DECLARATION OF
FIREARMS RECEIPT**

Respondent/Defendant

NOTICE TO RECIPIENT

You are subject to criminal and/or civil penalties if:

- You allow Respondent/Defendant access to firearms or ammunition during the time they are prohibited from possession
- You are subject to any court order prohibiting you from possessing firearms or ammunition

Declaration

I, (*full name*) _____ received firearms and/or ammunition surrendered by Respondent/Defendant

By my initials here ➤ I swear to the court that all the following statements are true

- I am aware that Respondent/Defendant is subject to a court order to surrender all firearms and ammunition and prohibited from possessing firearms or ammunition
- I am not a law enforcement officer or gun dealer or not acting in my official capacity as a law enforcement officer or gun dealer
- I do not live with Respondent/Defendant
- I completed a Proof of Transfer listing the firearms and/or ammunition Respondent/Defendant surrendered to me
- I passed a background check by a law enforcement agency or gun dealer (*required*)

The OSP background check number is: _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature of Recipient

Name (printed)

Address

City, State, ZIP

Phone