

**FIREARMS SURRENDER AND RETURN TERMS**  
**For RESPONDENTS OF PROTECTION ORDERS**

The restraining order against you may immediately prohibit you from possessing firearms and ammunition and require you to surrender them. Read the firearms section of the Order carefully. Whether or not the immediate prohibition paragraph is checked, the boxed Firearm Notification tells you that state criminal law also prohibits you from possessing firearms as soon as a *hearing is held continuing the protection 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 PROTECTION ORDER PROHIBITS YOU from possessing firearms and ammunition, you must do ONE of the following within 24 HOURS:**

**Transfer all firearms and/or ammunition in your possession, control, or custody to Law Enforcement** (see page 2 for law enforcement agency contact information), **a Licensed Gun Dealer, or an eligible Third Party.**

1. **If transferring to a Law Enforcement Agency or Gun Dealer:** You will be issued a proof of transfer form identifying your name, the date on which firearms were transferred, and the serial number, make and model of each firearm transferred. You will need to file this with your Declaration as directed below.
2. **If transferring to an eligible Third Party:** The third party must not reside with you. You must arrange for an Oregon State Police criminal background check on the third party before you transfer your firearms. To arrange for the background check, you must contact a licensed gun dealer. A fee applies. The third party must complete the *Proof of Firearms Transfer* and the *Third Party Recipient's Declaration* forms provided to you. You will need to file these with your Declaration as directed below.

**AND, WITHIN 2 COURT (BUSINESS) DAYS, YOU MUST FILE A DECLARATION, WITH PROOF OF TRANSFER WITH THE CIRCUIT COURT AND THE DISTRICT ATTORNEY'S OFFICE IN CLACKAMAS COUNTY (located at 807 Main St, Oregon City, OR 97045).**

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 Declarations and Proof of Transfer** are included in your service packet. They are also available at the courthouse Information Center or online at:  
<https://www.courts.oregon.gov/courts/clackamas/help/Pages/firearm-surrender-program.aspx>

**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.**

**OPTIONS TO TRANSFER TO LAW ENFORCEMENT**

These law enforcement agencies will accept your unloaded firearms. Call ahead to receive specific instruction and to find out if they will also accept your ammunition.

<p><b>Canby Police</b> 503-266-1104 Firearms &amp; Ammunition Must live in Canby</p>	<p><b>Gladstone Police</b> 503-557-2760 Call for information</p>	<p><b>Lake Oswego Police</b> 503-635-0250 Firearms only No Ammunition Must live in Lake Oswego</p>
<p><b>Milwaukie Police</b> 503-786-7400 Firearms only No ammunition Must live in Milwaukie</p>	<p><b>Oregon City Police</b> 503-657-4964 Firearms only No ammunition Must live in Oregon City</p>	<p><b>Sandy Police</b> 503-668-5566 Will only take surrendered firearms to be destroyed</p>
<p><b>West Linn Police</b> 503-655-6214 Call for information</p>	<p><b>Clackamas County Sheriff</b> 9101 SE Sunnybrook Blvd 503-655-8211 Firearms &amp; Ammunition</p>	<p><b>Oregon State Police</b> 503-378-3720 Firearms &amp; Ammunition Any office</p>
<p>Portland Police Bureau Central Precinct 1111 SW 2<sup>nd</sup> Ave. Portland, Oregon 97204 Hours: 24 hours/7 days a week 503/823-0097</p>	<p>Portland Police Bureau Property &amp; Evidence Division 2619 NW Industrial Way Portland, Oregon 97210 Hours: 9-12; 1-4 M-F 503/823-2179</p>	<p>Multnomah County Sheriff's Office 234 SW Kendall Ct Troutdale, OR 97060 Mon-Thurs 8- 4PM; Friday 8- 3PM Call 503-988-7300, option #5 to schedule</p>

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**RETURN of firearms/ammunition:**

The firearm/ammunition ban ends when the protection order expires, or earlier if dismissed by court order. The law requires you to have a background check done on yourself before law enforcement, a dealer, or a third party returns your firearms or ammunition to you.

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

Case No: \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Plaintiff

v.

**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 \_\_\_\_\_

**PROOF OF FIREARMS TRANSFER**

*Complete this form if you have received firearms and ammunition  
from the respondent/defendant named below<sup>1</sup>*

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 (or description, if make/model unavailable)

Additional page attached

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of recipient

\_\_\_\_\_  
Name (printed)

<sup>1</sup> Law 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 \_\_\_\_\_

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

Frequently Asked Questions:

**SURRENDER and RETURN OF FIREARMS  
In Clackamas County  
Protection Order Cases**

**1. Do I have to surrender (give up) my guns?**

Yes, but *when* depends on what the restraining order says. Look at the Order carefully (*see question 2 below*).

Whether you must surrender your firearms immediately, or in 30 days, or an earlier hearing date, you must also complete the *Declaration of Firearms Surrender* and file it (*with Proof of Transfer*) at the Courthouse and with the District Attorney’s office. Legal deadlines apply for taking these steps. *See following questions*. The *Declaration w/Proof of Transfer* documents are included with the court papers you received. It is also available at the Information Center of the courthouse or on the court’s website:

<https://www.courts.oregon.gov/courts/clackamas/help/Pages/firearm-surrender-program.aspx>.

**2. How much time do I have to turn over my guns?**

- If the “Immediate Firearm Prohibition” box is checked – you must transfer any guns and ammunition in your possession or control **within 24 hours** to law enforcement, a licensed gun dealer, or a qualified Third Party who doesn’t live with you (who passes a criminal background check).
- If the “Immediate Firearm Prohibition” box is *not* checked – you have **24 hours** from the *earlier* of (1) the passing of the deadline to request a hearing (30 days from service) or (2) a court hearing that you received notice of and at which the restraining order was continued. Even if you withdraw your request for a hearing, or don’t show up at a hearing you requested, the gun ban will be in effect if the judge keeps the restraining order in effect.

**3. How much time do I have to file the Firearms Declaration (and Proof of Transfer)?**

You have **2 court days** from the time you become subject to the surrender order (*see answer to Question #1, above*) to file the Firearms Declaration with the court *and* District Attorney. Weekend days and holidays do not count as court days. Take or mail the documents to:

Civil Cases Unit  
Room 104  
Clackamas County Courthouse  
807 Main St  
Oregon City, Oregon 97045

Clackamas County District Attorney  
Room 7  
Clackamas County Courthouse  
807 Main St  
Oregon City, Oregon 97045

**4. Where can I surrender my guns?**

You may call any agency listed below to verify that they will accept your firearms and ammunition and to arrange how and when you may surrender them. Make sure your firearms are **unloaded** before transporting and surrendering them.

<p><b>Canby Police</b> 503-266-1104 Firearms &amp; Ammunition Must live in Canby</p>	<p><b>Gladstone Police</b> 503-557-2760 Call for information</p>	<p><b>Lake Oswego Police</b> 503-635-0250 Firearms only No Ammunition Must live in Lake Oswego</p>
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<b>Milwaukie Police</b> 503-786-7400 Firearms only No ammunition Must live in Milwaukie	<b>Oregon City Police</b> 503-657-4964 Firearms only No ammunition Must live in Oregon City	<b>Sandy Police</b> 503-668-5566 Will only take surrendered firearms to be destroyed
<b>West Linn Police</b> 503-655-6214 Call for information	<b>Clackamas County Sheriff</b> 9101 SE Sunnybrook Blvd 503-655-8211 Firearms & Ammunition	<b>Oregon State Police</b> 503-378-3720 Firearms & Ammunition Any office
<b>Portland Police Bureau</b> Central Precinct 1111 SW 2nd Ave. Portland, Oregon 97204 Hours: 24 hours/7 days a week 503/823-0097	<b>Portland Police Bureau</b> Property & Evidence Division 2619 NW Industrial Way Portland, Oregon 97210 Hours: 9-12; 1-4 M-F 503/823-2179	<b>Multnomah County Sheriff's Office</b> 234 SW Kendall Ct Troutdale, OR 97060 Mon-Thurs 8- 4PM; Friday 8- 3PM Call 503-988-7300, option #5 to schedule

**5. How do I transport my firearms/ammunition for surrender without breaking the law?**

You will not break the law for Unlawful Possession of a Firearm if:

- You have in your possession a copy of the restraining order against you and it was issued within the last 24 hours,
- The firearm is unloaded, and
- You are transporting it to a law enforcement agency, licensed gun dealer, or third party.

**6. Will I get a receipt from the law enforcement agency that is storing my guns?**

Yes. The agency will give you a receipt. The receipt will list all the guns you turn over and the type/amount of ammunition. The agency can use the *Proof of Transfer* that is part of your *Firearms Declaration* that you file. The agency can also use their own form for this proof of transfer.

**7. Can I leave my guns and ammunition with a gun dealer?**

Yes, if the licensed gun dealer agrees to storage firearms and ammunition for you. The dealer will likely charge you a storage fee for this service. You must get a *Proof of Transfer* from the dealer that lists the date of transfer and the serial #, make, and model of each transferred firearm.

**8. What if I want a friend or relative (instead of law enforcement or a gun dealer) to store my guns while the restraining order is in effect?**

If your guns were not given to law enforcement or a dealer, you can turn your guns over to a friend or relative. This person cannot live with you. You must first get a criminal background check done on this friend/relative to show that he or she is legally able to have firearms. See *Question 9, below*. If you decide to 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*.

**9. How do I get a firearms background check done on the person I want to store my guns?**

The background check is done through a licensed gun dealer. A small fee will be charged, and the dealer will do the check through the Oregon State Police. If the person passes the background check, you will be given an approval number to record on the *Proof of Transfer*.

**10. What if I don't have any firearms?**

You still need to complete and file the *Firearms Declaration*. The *Declaration* sets out three choices (boxes) for your response and the first box applies in this situation. This section states that you do not own or possess any firearms. Remember -- you must file the *Declaration* at the Courthouse within 2 court (business) days of the date you become subject to the surrender order. See answer to Question #1 for the date you become subject to the surrender order.

**11. What happens if I don't file the Firearms Declaration?**

If you are required to file the *Firearms Declaration* and do not, you are disobeying the court's order. This is a serious matter. A law enforcement officer could contact you for questioning or cite you to appear in court. The District Attorney's (DA) office could charge you with violating a restraining order (contempt of court). In that case, you will have the right to a court-appointed lawyer if you cannot afford to hire a lawyer. If the judge decides after a hearing 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.

**12. How do I get my firearms back from the *police or sheriff* when the restraining order no longer exists?**

You must call the police or sheriff's office at the numbers provided in the *Firearms Surrender and Return Terms* and make arrangements to pick up your guns and ammunition. The police or sheriff's office will do a background check on you to be sure you are legally able to possess firearms before returning your guns and ammunition. Take photo identification when you go to pick them up.

**13. How do I get my firearms back from *a friend or relative* storing them when the restraining order no longer exists?**

The person storing them can return them to you. But the law requires a background check *first* to make sure you are otherwise eligible to possess firearms. See question 9 above for information about getting this background check done. A dealer or the Oregon State Police will do the check when someone is requesting the check on himself or herself.