

OREGON'S GUN SAFETY LAWS



What You Need to Know to Keep Your Family and Loved Ones Safe



From the Office of Oregon Attorney General Dan Rayfield:

Gun violence impacts every community in every corner of this state. It destroys lives, devastates families, and threatens the safety of our neighborhoods. We've made real progress in strengthening our gun safety laws, and there's more work ahead. This is the first in a series of one-pagers to help you better understand updates to Oregon's firearm protection laws.

We're starting with Oregon's Extreme Risk Protection Order – often called the Red Flag Law – which gives courts the authority to temporarily remove weapons from people who are a danger to themselves or others. We want every Oregonian to understand how this law works, because these protections save lives.

- Oregon Attorney General Dan Rayfield



Oregon's Red Flag law requires a fairly simple process. The first step is for a concerned family member, household member, or law enforcement officer to ask the court for an Extreme Risk Protection Order (ERPO), which will remove a weapon, or a concealed handgun license, from an individual who is at risk for suicide or is a danger to others. An Order also prevents the person from buying additional guns for a one year period.

The law is nicknamed the "Red Flag Law" for when a person exhibits a 'red flag' or other indicator that they may be a harm to themselves, or others. It is one of the few tools that family and household members have to quickly remove a weapon from somebody who is at risk.



How it works:

A family member, household member, or law enforcement officer may petition your county Circuit Court for an Order by filling out a notarized petition with facts showing that the person is in danger to themselves or to others. The court will then hold a hearing typically within 24-hours. If the judge agrees, all weapons and concealed handgun permits must be surrendered within 24-hours of issuing the Order.



Who can request:

- A law enforcement officer
- Family member
- Spouse
- Intimate partner
- Parent
- Child
- Sibling
- Any person living in the household of the person they are concerned about can request an Order from the court.



Timeline:

The court must hold a hearing typically the same day or within 24-hours. The person who requests the petition must appear in person or by video at the hearing. If the person who is at risk requests a hearing, then the court must hold an additional hearing within 21 days. If approved, the Order is usually effective for one year.