

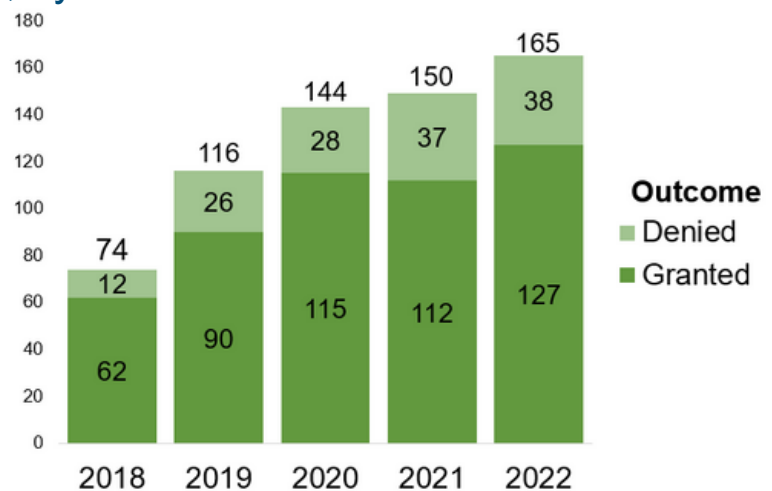
# Use of Oregon's Extreme Risk Protection Order Law to Prevent Firearm Injury and Violence

Findings suggest that Oregon's ERPO law is being used to try to prevent self-harm, assault, and mass violence by firearm, but that increased public awareness about the law is needed throughout the state as is more assistance for the public in petitioning effectively.

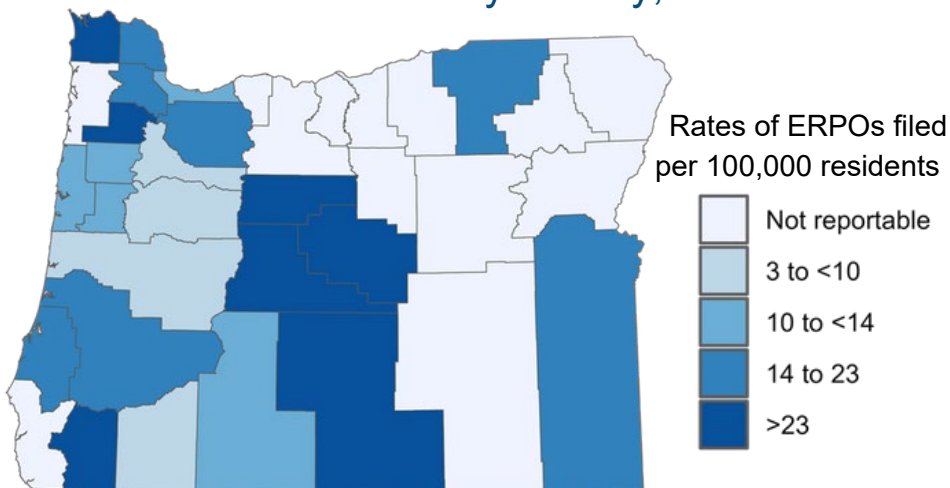
Oregon's Extreme Risk Protection Order (ERPO) law went into effect on January 1, 2018. <sup>1</sup> The law allows family or household members or a law enforcement officer to petition a civil court for an order to temporarily restrict a person's access to firearms if the court determines that the person is at imminent risk of causing harm to themselves or others. <sup>2</sup> The petitioner must meet a burden of proof requiring "clear and convincing evidence" for the petition to be approved. An ERPO typically extends for 1 year.

## Petitions filed, by Year and Outcome after Initial Hearing

- 649 ERPO petitions <sup>3</sup> were filed from 2018 through 2022; 506 (78%) were approved at the initial hearing held when the petition was filed.
- Number of petitions increased each year, while the proportions approved were similar (84%, 78%, 80%, 75%, and 77%; 2018 to 2022 respectively).



## Rate of Petitions Filed by County, 2018 -2022 \*



- Of Oregon's 36 counties, 29 (81%) had at least 1 ERPO petition filed.
- The number of petitions filed per county ranged from 0 to 105 (median rate = 13.9/100,000 residents).

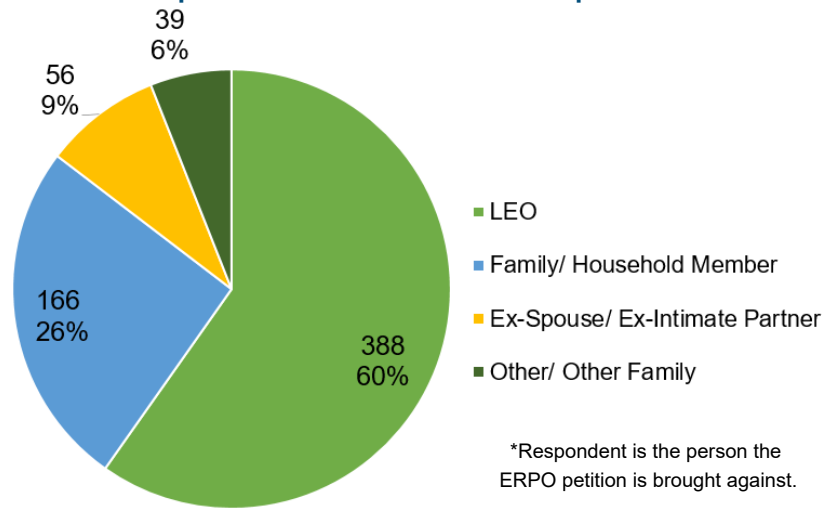
\* The median rate is the rate in the middle of the data set among counties with at least one ERPO filed, meaning 50% of the rates of petitions filed are above that rate and 50% are below.

\*In this map, counties with a total count of <5 petitions filed are "not reportable" because those counts are too small for meaningful county-level rate calculations.

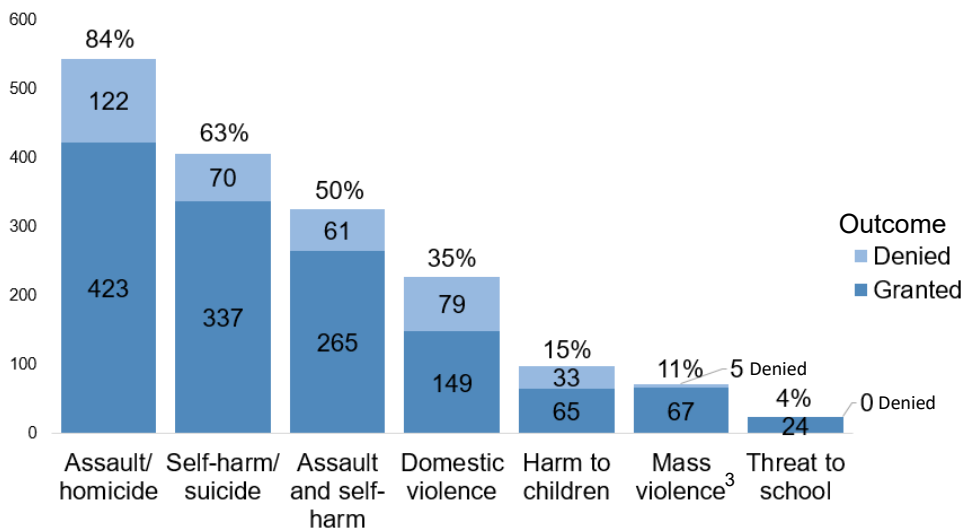
1. ORS §§ 166.525 to 166.543 . Extreme Risk Protection Orders . Available at: [https://oregon.public.law/statutes/ors\\_166.525](https://oregon.public.law/statutes/ors_166.525)  
 2. ERPO laws are not specific to firearms, but rather require the removal of any deadly weapon .  
 3. Data were extracted from court records provided by the Oregon Judicial Department .

## Relationship of Petitioner to Respondent \*

- Most petitioners were law enforcement officers (LEOs) (388 [60%] of all petitioners), followed by family/household members (166; 26%).
- Petitions filed by LEOs were the most likely to be approved (96% approval rate).



## Threats Cited in ERPO Petitions \*



- The largest percentage (84%) of petitions cited assault, followed by the threat of self-harm (63%).
- Threats of harm to children were mentioned in 98 petitions (15%); of these, 65 (66%) were approved.
- Of the 72 (11%) petitions citing a threat of mass violence, 67 (93%) were approved.

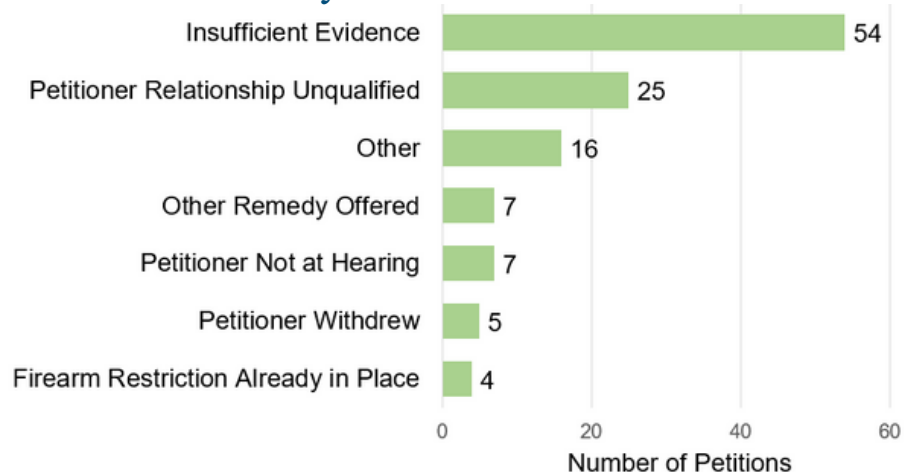
\*A petition might fall into more than one threat category.

3. ERPO petition cites concern that the respondent intends to harm four or more people, other than themselves.

- The most frequent reason given for petition denial was insufficient evidence (54; 50%), followed by the petitioner not having a qualified relationship (25; 23%).

\*Among ERPOs with a reason for denial provided

## Primary Reason for ERPO Denial\*



## Hearings

In 111 (22%) of the 506 petitions approved, a hearing to contest the ERPO was requested by the respondent. Of those cases, 49 (44%) were dismissed after the hearing was held.