

JACKSON COUNTY
Frequently Asked Questions:
Extreme Risk Protection Order (ERPO)
WEAPONS SURRENDER AND RETURN PROCEDURE

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

If the judge granted the Extreme Risk Protection Order (ERPO), the “Weapons Surrender and Return Terms” attached to the order apply to you. This means that **if you have guns, concealed weapons permit or ammunition, you must turn them over:**

- to a law enforcement officer who serves the extreme risk protection order on you in Jackson County, if you have the weapons/ammunition in your possession at that time, or
- to the Oregon State Police, Jackson County Sheriff’s Office, or to your local city police department or
- to someone you know who is willing to store them while the restraining order is in place and who passes a firearms background check.

You must then complete and file the Firearms Affidavit at the Courthouse. The Firearms Affidavit is included with the court papers you received. It is also available on the court’s website.

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

If you have guns in your possession or control when you are served with the extreme risk protection order by law enforcement, you must turn them over right then. Otherwise, you have 24 hours to turn over your guns to law enforcement or a qualified friend or relative. If you are served in jail, you must turn them over within 24 hours of being released.

3. How much time do I have to file the Firearms Affidavit?

You have 3 court days from the time you were served with the extreme risk protection order to file the Firearms Affidavit with the court. (Weekend days and holidays do not count as court days). If you were served in jail, you have 3 court days from your release to file the Affidavit. You must sign the Affidavit in front of a notary and can mail or take the Affidavit to: **Jackson County Circuit Court, Civil Department, 100 South Oakdale, Medford, Oregon 97501**

4. Where can I surrender my guns?

You can surrender (give) your guns to the Oregon State Police (OSP), Medford Police Department, Jackson County Sheriff’s Office or your local police department. Locations of OSP, Medford Police and Jackson County Sheriff’s Office listed below. To turn them over to an office, you **must call** first to schedule an appointment. **Do not bring your guns to the police agency unless you have made prior arrangements with police personnel.**

Medford Police Department
219 S. Ivy Street
Medford, OR 97501
541-774-2250

Oregon State Police
4500 Rogue Valley Hwy
Central Point, Or 97502
541-276-2121

Jackson County Sheriff’s Office
5179 Crater Lake Hwy
Central Point, Or 97502
541-774-6800

5. 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. You must attach a copy of the receipt to the Firearms Affidavit that you file with the court.

6. What if I want a friend or relative (instead of law enforcement) to store my guns while the extreme risk protection order is in effect?

If your guns were not given to law enforcement when you were served, you can turn your guns over to a friend or relative. However, you must first get an ID Services Firearms Background Check done on the friend or relative to show that he or she is legally able to have firearms. The background check is done through a gun dealer. If you decide to turn your guns over to a friend or relative, you will fill out paragraph 2 on page 1 of the Firearms Affidavit. Your friend or relative will fill out paragraph 4 on page 2 of the Affidavit. Each of you must sign the Affidavit in front of a notary or the court clerk.

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

The background check is done by an Oregon gun dealer who contacts the Oregon State Police. A fee is charged. If the person passes the background check, you will be given a number to record on the Firearms Affidavit. This number goes in the space provided on page 2 of the Firearms Affidavit, before the person signs the form in front of a notary or the court clerk.

8. What if I don't have any firearms?

You still need to complete and file the Firearms Affidavit. Paragraph 3 on page 1 applies in this situation. This section states that you do not own or possess any firearms. You must sign the Affidavit in front of a notary and file it at the Circuit Court within 3 court days of being served or released from jail.

9. What if I think my answer on the Affidavit may incriminate me?

You still need to complete and file the Firearms Affidavit. Paragraph 4 on page 1 applies in this situation. This section states that you are declining to answer so no self-incrimination can happen. You must sign the Affidavit in front of a notary or the court clerk and file it at the circuit court within 3 court days of being served or released from jail. Choosing this option does not change in any way the court's order prohibiting you from possessing weapons and ammunition.

10. What happens if I don't file the Firearms Affidavit?

If you are required to file the Firearms Affidavit 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 an extreme risk protection order.

11. How do I get my weapons back from the police or sheriff when the extreme risk protection order no longer exists?

You must call the police or sheriff's office at the numbers provided above 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 weapons before returning your guns and ammunition. Take photo identification when you go to pick them up.

12. How do I get my weapons back from the person storing them when the extreme risk protection order no longer exists?

The person storing them can return them to you after obtaining an ID Services Firearms Background Check on you. See question 7 above for information about what the person needs to do to get this check done.

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

In the Matter of:

Case No.

Respondent

**SURRENDER OF WEAPONS AFFIDAVIT
FOR EXTREME RISK PROTECTION ORDER**

I am _____ (your name), the
Respondent in this Extreme Risk Protection Order case. Being sworn, I state that:

1. Surrender of Weapons, Firearms and Ammunition to Law Enforcement

I have surrendered my firearms and ammunition to the law enforcement agency named on the attached receipt. *Attach copy of the receipt.*

2. Third Party Possession of Weapons, Firearms and Ammunition

The Third Party named on page 2 has taken possession of my weapons, firearms and ammunition. A gun dealer has conducted a background check on this Third Party and the Oregon State Police have approved the transfer. The Third Party may legally possess firearms. The affidavit of the Third Party is set out on Page 2. *Third Party must sign affidavit on Page 2 and include background check number from Oregon State Police.*

3. No Firearms or Ammunition

I have not surrendered any weapons, firearms or ammunition because I do not own any firearms or ammunition. I do not have any weapons, firearms or ammunition in my custody, control, or possession.

I do do not have a concealed handgun license.

4. Decline to Answer

I decline to choose one of the options listed above because that may tend to incriminate me.

Signature of Respondent

Print Name

Address or Contact Address

City, State, Zip Telephone /Contact Telephone #

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public/Court Clerk/Judge

If notary, my commission expires:_____

THIRD PARTY'S AFFIDAVIT ABOUT TAKING POSSESSION

I am _____ . *(Name of Third Party who has received the weapons, firearms/ammunition)*. Being sworn, I state that:

I am aware of the Court's order prohibiting Respondent from possessing weapons, firearms and ammunition. I agree to receive and store for Respondent the following weapons, firearms and/or ammunition while s/he is prohibited by the court order from possessing them.

(Set out the make, model, caliber, and serial numbers. Attach extra sheets if needed).

Firearm Make	Model	Caliber	Serial Number

Ammunition: *Describe type and amount:*

Initial each item listed below to show your indicate acknowledgment

_____ **I do not live in the same residence as Respondent.**

_____ **I am not prohibited from owning or possessing firearms under state or federal laws.**

The respondent has obtained an Oregon State Police background check to verify that I am not prohibited from owning or possessing firearms. The Oregon State Police ID Services Firearms Background Check Number for me is: _____

_____ **I agree not to return, loan, or otherwise transfer firearms to Respondent** unless I have completed an ID Services Firearms Background check on Respondent to make sure that I may return the weapons and ammunition to him/her.

_____ **I understand that violation of these terms may result in the filing of criminal charges against me.** This can include federal charges if I transfer a firearm to a person who is subject to federal firearm prohibitions.

_____	_____
Signature of Third Party	Print Name of Third Party
_____	_____
Address (or Contact Address) Street/City/State/Zip	Phone or Contact Phone #

Subscribed and sworn to before me by _____ this _____ day of _____, 20_____.

Notary Public/Court Clerk/Judge
If notary, my commission expires: _____