



# Risk-Based Firearm Policy Recommendations for Oregon

Prepared by:  
The Educational Fund to Stop Gun Violence



# **Risk-Based Firearm Policy Recommendations for Oregon**

**Educational Fund to Stop Gun Violence  
July 2016**

## ***Additional Resources:***

Consortium for Risk-Based Firearm Policy State Report:  
*Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy*  
<http://www.efsgv.org/wp-content/uploads/2014/10/Final-State-Report.pdf>

Educational Fund to Stop Gun Violence: <http://www.efsgv.org/>

Oregon Alliance for Gun Safety: <http://www.oregonallianceforgunsafety.org/>

Americans for Responsible Solutions: <http://americansforresponsiblesolutions.org/>

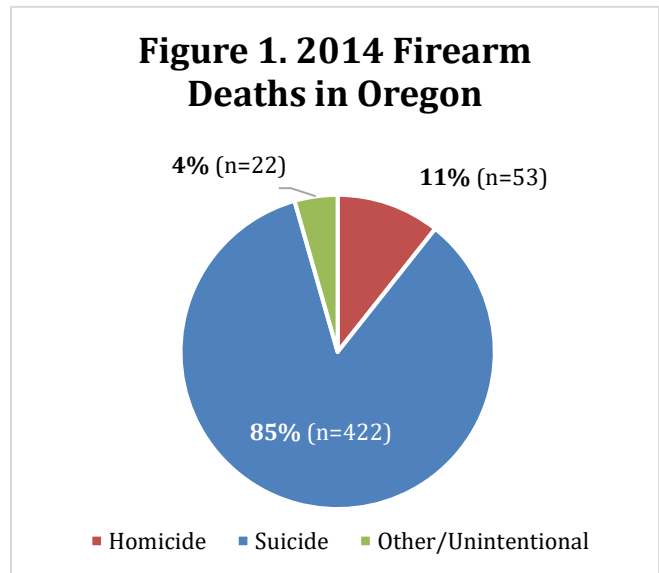
## INTRODUCTION

Firearm violence takes a tragic toll on society. Recent data shows there are more than 81,000 nonfatal firearm injuries<sup>1</sup> and 33,000 deaths<sup>2</sup>—nearly two-thirds of which are suicides<sup>3</sup>—per year in the United States. Effective solutions to reduce gun violence demand a comprehensive, evidence-based strategy. The Consortium for Risk-Based Firearm Policy (Consortium), a group of the nation’s leading experts in public health, mental health, and gun violence prevention, came together in March 2013 to address this complex issue. These esteemed researchers, practitioners, and advocates developed evidence-based gun violence prevention policy recommendations to reduce access to firearms by people who are at an increased risk of dangerous behavior.

This analysis from the Educational Fund to Stop Gun Violence (Ed Fund) examines how Oregon law compares to the Consortium’s recommendations and outlines steps Oregon should take immediately to prohibit individuals at increased risk of dangerous behavior from accessing firearms. The evidence supporting these recommendations is presented in the full Consortium Report: *Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy*.<sup>4</sup>

### I. THE PROBLEM: FIREARM DEATHS IN OREGON

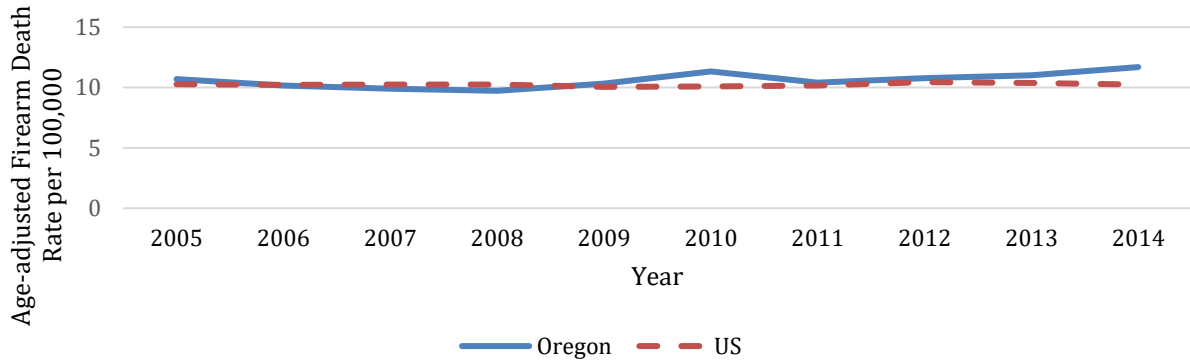
In 2014, more people died from firearm-related injuries in Oregon (497 total deaths)<sup>5</sup> than from motor vehicles crashes (380 total deaths).<sup>6</sup> Similar to national data, the majority of gun deaths in Oregon are suicides<sup>7</sup> (Figure 1), which accounted for 85% of all firearm deaths in Oregon in 2014.<sup>8</sup> However, the age-adjusted rate of firearm suicide in Oregon is significantly higher than the United States (9.79 and 6.34 deaths per 100,000, respectively; Figure 3).



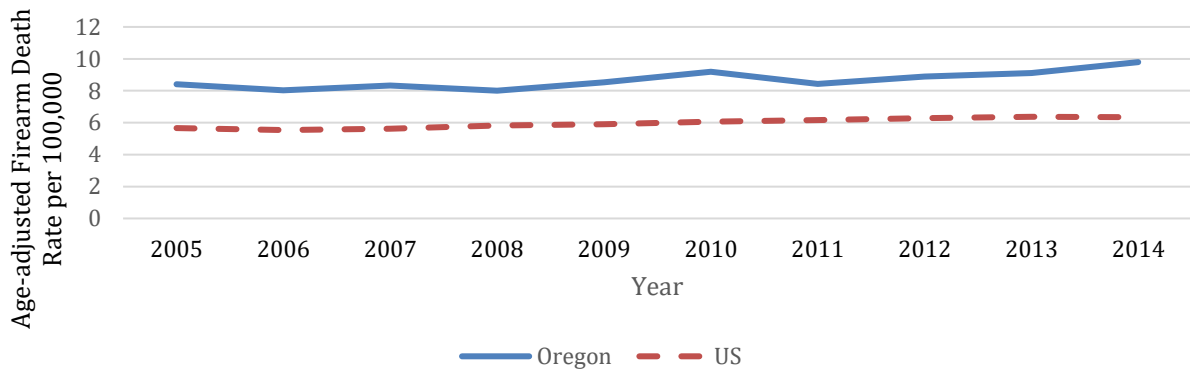
Source: CDC’s WISQARS™ (Web-based Injury Statistics Query and Reporting System).

*In 2014, more people died from firearm-related injuries in Oregon than motor vehicle crashes.*

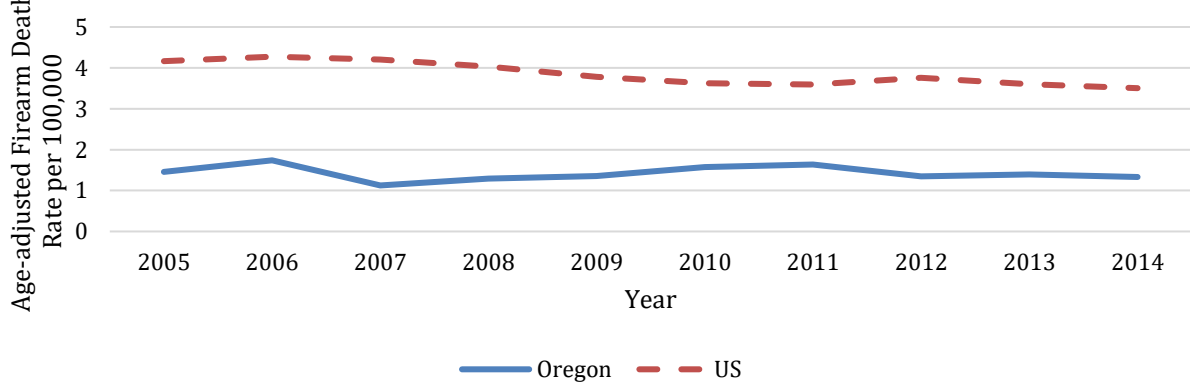
**Figure 2. All Intentions Age-Adjusted Firearm Death Rate**



**Figure 3. Suicide Age-Adjusted Firearm Death Rate**



**Figure 4. Homicide Age-Adjusted Firearm Death Rate**



Source: CDC's WISQARS™ (Web-based Injury Statistics Query and Reporting System). Fatal Injury Reports, 1999-2014, for National, Regional, and States

## II. CONSORTIUM RECOMMENDATIONS & POLICY OPPORTUNITIES FOR OREGON

The discourse after horrific mass shootings, such as the Umpqua Community College shooting in Roseburg, Oregon, often centers on the link between gun violence and mental illness. While research shows mental illness is strongly associated with suicide,<sup>9, 10</sup> the majority of individuals with mental illness will never be violent toward others.<sup>11-13</sup> There are certain times when persons with mental illness are at increased risk of interpersonal violence, such as the time period surrounding an involuntary hospitalization,<sup>14, 15</sup> but most people with common mental illnesses are not more violent than the general population without mental illness.<sup>16</sup> Mental illness alone accounts for a very small proportion of societal violence (about 4%);<sup>17</sup> therefore, policies must address other risk factors for dangerousness in order to reduce overall violence in society.<sup>18, 19</sup> Aside from mental illness on its own, stronger predictors for interpersonal violence—including homicide—are a history of violence (violent misdemeanor crime convictions<sup>20</sup> and domestic violence<sup>21-23</sup>), drug abuse,<sup>24</sup> and alcohol abuse.<sup>25,26</sup>

The Consortium recommends states expand current federal firearm prohibitions to include broader risk factors for dangerousness. Policies addressing risk factors for dangerousness provide a comprehensive, evidence-based approach to gun violence prevention that does not stigmatize mental illness alone as the root cause of violence.

### 1

#### MENTAL HEALTH RISK FACTORS FOR DANGEROUSNESS

Evidence shows that while mental illness on its own is not a strong predictor for violent behavior toward others, there are circumstances when mental illness makes an individual more prone to violence. For example, one such circumstance is the first episode of psychosis and the time periods just before and after an involuntary hospitalization.<sup>27, 28</sup> Mental illness *is* strongly associated with self-harm, and common mental illnesses such as depression can increase risk of suicide.<sup>29, 30</sup> Risk of suicide and access to firearms is particularly dangerous; 90% of attempted suicides by firearm are fatal.<sup>31</sup> See the following for the Consortium's recommendation regarding mental health risk factors for dangerousness.

**Recommendation #1: Current state law should be strengthened to temporarily prohibit individuals from purchasing or possessing firearms after a short-term involuntary hospitalization. Concurrently, the process for restoring firearm rights should be clarified and improved.**

- 1.1 States should enact new legislation temporarily prohibiting individuals from purchasing or possessing firearms after a short-term involuntary hospitalization. This prohibition should be predicated on a clinical finding of danger to self or danger to others.
- 1.2 Restoration of an individual’s ability to purchase or possess a firearm following a firearm disqualification due to mental illness should be based on an evaluation by a qualified clinician and a finding that the petitioner is unlikely to relapse and present a danger to self or others in the foreseeable future.

**How does Oregon law compare to Consortium Recommendation #1?**

Oregon law does not prohibit persons after a short-term involuntary hospitalization (12-hour hold) from purchasing or possessing firearms.<sup>32</sup> However, Oregon may prohibit persons from purchasing or possessing firearms when undergoing court-ordered assisted outpatient treatment.<sup>33</sup> Oregon law does not base restoration of an individual’s ability to purchase or possess a firearm following a firearm disqualification due to mental illness on an evaluation by a qualified clinician and a finding that the petitioner is unlikely to relapse and present a danger to self or others in the foreseeable future.

**Closing the Gap**

**Oregon** should temporarily prohibit persons who have been involuntarily hospitalized from purchasing or possessing firearms and refine the restoration process to include a clinical evaluation and risk assessment.

## 2

## OTHER RISK FACTORS FOR DANGEROUSNESS

As the majority of violence is related to factors other than mental illness alone, the Consortium recommends a risk-based approach to reducing violence, looking at other risk factors for dangerousness. A history of violence,<sup>34, 35</sup> including violent misdemeanor convictions<sup>36</sup> and perpetration of domestic violence,<sup>37-39</sup> is the strongest predictor of violence toward others. Individuals who abuse alcohol are at increased risk of homicide and suicide,<sup>40</sup> and research also shows that firearm owners are more likely to abuse alcohol.<sup>41-44</sup> Studies also show that illegal use of controlled substances is related to an increased risk of violence.<sup>45-49</sup> The cognitive impairment associated with drug use also makes it difficult to avoid violent conflict.<sup>50-52</sup> See below for the Consortium's recommendations regarding these other risk factors for dangerousness.

### **Recommendation #2: States should enact new prohibitions on individuals' ability to purchase or possess a firearm that reflect evidence-based risk of dangerousness.**

- 2.1 Individuals convicted of a violent misdemeanor should be prohibited from purchasing or possessing firearms for at least ten years.
- 2.2 Individuals who are subject to temporary domestic violence restraining orders should be prohibited from purchasing and possessing firearms for the duration of the temporary order.
  - 2.2-A. Individuals who are subject to domestic violence restraining orders of any kind should have firearms removed.
- 2.3 Individuals convicted of two or more DWI or DUIs in a period of five years should be prohibited from purchasing and possessing firearms for at least five years.
- 2.4 Individuals convicted of two or more misdemeanor crimes involving controlled substances in a five-year period should be prohibited from purchasing or possessing firearms for at least five years.

### **How does Oregon law compare to Consortium Recommendation #2?**

Oregon law prohibits possession of firearms by persons who, while a minor were "found to be within the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute ... a misdemeanor involving violence ..." and was discharged within four years of being charged with unlawful possession.<sup>53</sup> Additionally, Oregon prohibits a person from selling, delivering, or transferring a firearm to a person



convicted of a misdemeanor crime of violence in the last four years.<sup>54</sup> Finally, Oregon prohibits possession of firearms by persons convicted of a domestic violence misdemeanor.<sup>55</sup>

Oregon law does not prohibit purchase or possession of firearms by persons subject to temporary domestic violence restraining orders. Oregon law also does not require the removal of firearms from persons subject to domestic violence restraining orders.

Oregon does not have any alcohol-related or drug-related firearm purchase or possession prohibitions.

## Closing the Gap

**Oregon** should extend the prohibition on possession of firearms by minors convicted of crimes that would have been a misdemeanor involving violence if committed by an adult and extend the prohibition on selling, delivering, or transferring a firearm to a person convicted of a misdemeanor crime of violence in the last four years to at least 10 years.

Oregon should prohibit purchase and possession of firearms by persons subjects to temporary domestic violence restraining orders for the duration of the order. Oregon should require the removal of firearms from persons subject to domestic violence restraining orders.

Oregon should prohibit the purchase and possession of firearms by individuals convicted of two or more DWI or DUIs in a period of five years and by individuals convicted of two or more misdemeanor crimes involving controlled substances in a five-year period.

# 3

## PERIODS OF CRISIS

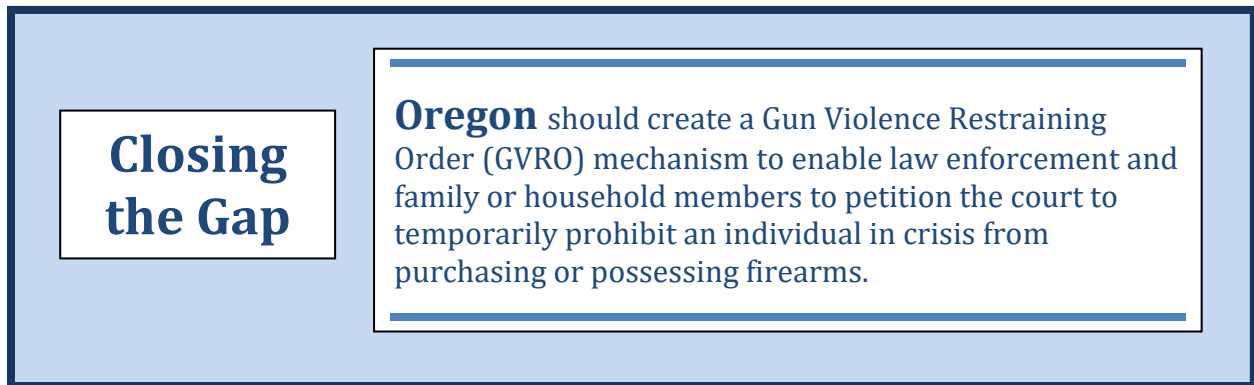
Law enforcement and concerned family members need tools to temporarily suspend firearms access during periods of crisis. Connecticut<sup>56</sup> and Indiana<sup>57</sup> have discretionary gun-removal tools for law enforcement, and California<sup>58</sup> became the first state in the country to pass a law providing family members with a similar option. See below for the Consortium's recommendations regarding these periods of crisis.

**Recommendation #3: Develop a mechanism to authorize law enforcement officers to remove firearms when they identify someone who poses an immediate threat of harm to self or others. States should also provide law enforcement with a mechanism to request a warrant authorizing gun removal when the risk of harm to self or others is credible, but not immediate. In addition, states should create a new civil restraining order process to allow family members and intimate partners to petition the court to authorize removal of firearms and temporarily prohibit firearm purchase and possession based on a credible risk of physical harm to self or others, even when domestic violence is not an issue.**

- 3.1 Authorize law enforcement to remove guns from any individual who poses an immediate threat of harm to self or others.
- 3.2 Create a new civil restraining order process to allow private citizens to petition the court to request that guns be temporarily removed from a family member or intimate partner who poses a credible risk of harm to self or others. This process should mirror the restraining order process in most states and include a temporary *ex parte* order as well as a long-term order issued after a hearing in which the respondent had an opportunity to participate. Respondents to an order issued through this process (Gun Violence Restraining Order or GVRO) will be prohibited from purchasing and possessing guns for the duration of the order and required to relinquish all firearms in their possession for the duration of the order. Law enforcement officers should be able to request a warrant through this process to remove guns when there is a credible risk of harm that is not immediate.
- 3.3 Include due process protections for affected individuals. Specifically, provide respondents with an opportunity to participate in a hearing after having their guns removed by law enforcement (3.1) or through the GVRO process (3.2) and assure processes are in place for returning all removed guns at the conclusion of the temporary prohibition.

### How does Oregon law compare to Consortium Recommendation #3?

Oregon law does not provide for the temporary removal of firearms from persons deemed by a court to be dangerous to themselves or others as provided in legislation like California's GVRO.



**Closing the Gap**

**Oregon** should create a Gun Violence Restraining Order (GVRO) mechanism to enable law enforcement and family or household members to petition the court to temporarily prohibit an individual in crisis from purchasing or possessing firearms.

### III. CONCLUSION

While Oregon state law exceeds federal firearm prohibitions in some ways,<sup>59</sup> Oregon does not meet all the Consortium's risk-based firearm prohibitions. To meet the first Consortium recommendation, Oregon should temporarily prohibit individuals who have been involuntarily hospitalized from possessing firearms and refine the restoration process to include a clinical evaluation and risk assessment. To meet the second Consortium recommendation, Oregon should prohibit all individuals convicted of misdemeanor crimes of violence from purchasing and possessing firearms for at least ten years, prohibit persons subject to temporary domestic violence restraining orders from purchasing and possessing firearms, require the removal of firearms from persons subject to domestic violence restraining orders, and prohibit individuals convicted of two or more DUI/DWI offenses or two or more drug misdemeanor convictions within a five-year period from purchasing or possessing a firearm for five years. Finally, Oregon should create a GVRO mechanism in accordance with the third Consortium recommendation. The recommendations in this report provide a blueprint for strengthening Oregon state firearm policies by 1) expanding firearm prohibitions to encompass groups the research evidence shows are at heightened risk of committing violence and 2) developing mechanisms to allow for firearms to be removed from individuals who are at a serious risk of harm to self or others.

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<sup>58</sup> *Assembly Bill No. 1014*. (2014). Retrieved from California Legislative Information AB-1014 Gun violence restraining orders: [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB1014](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1014)

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## Appendix I.

An analysis of current Oregon law and the corresponding Consortium recommendations is provided in the table below.

<b>Consortium Recommendation #1: Mental Health Risk Factors for Dangerousness</b>	
<b>1.1: Prohibit individuals following a short-term involuntary hospitalization from purchasing or possessing a firearm.</b>	
<b>Summary of Current Statute &amp; Recommendation</b>	
<ul style="list-style-type: none"><li>• Oregon does not prohibit persons who have been involuntarily hospitalized from purchasing or possessing firearms. However, Oregon may prohibit persons from purchasing or possessing firearms when undergoing court-ordered assisted outpatient treatment.</li><li>• <b>Recommendation:</b> Oregon should prohibit persons who have been involuntarily hospitalized from purchasing or possessing firearms.</li></ul>	
<b>Current Statute</b>	
<p>See Or. Rev. Stat. Ann. §§ 181A.290; 426.228 (West)</p>	
<p><b>426.133. Persons with mental illness; order requiring assisted outpatient treatment; grounds; considerations</b> <i>Or. Rev. Stat. Ann. § 426.133 (West)</i></p>	
<p>(1) As used in ORS 426.005 to 426.390, “assisted outpatient treatment” may not be construed to be a commitment under ORS 426.130 and does not include taking a person into custody or the forced medication of a person.</p> <p>(2) A court may issue an order requiring a person to participate in assisted outpatient treatment if the court finds that the person:</p> <ul style="list-style-type: none"><li>(a)(A) Is 18 years of age or older;</li><li>(B) Has a mental disorder;</li><li>(C) Will not obtain treatment in the community voluntarily; and</li><li>(D) Is unable to make an informed decision to seek or to comply with voluntary treatment; and</li></ul> <p>(b) As a result of being a person described in paragraph (a) of this subsection:</p> <ul style="list-style-type: none"><li>(A) Is incapable of surviving safely in the community without treatment; and</li><li>(B) Requires treatment to prevent a deterioration in the person's condition that will predictably result in the person becoming a person with mental illness.</li></ul> <p>...</p> <p>(5) As part of the order under subsection (2) of this section, the court may prohibit the person from purchasing or possessing a firearm during the period of assisted outpatient treatment if, in the opinion of the court, there is a reasonable likelihood the person would constitute a danger to self or others or to the community at large as a result of the person’s mental or psychological state, as demonstrated by past behavior or participation in incidents involving unlawful violence or threats of unlawful violence, or by reason of a single incident of extreme, violent, unlawful conduct. When a court adds a firearm prohibition to an order under subsection (2) of this section, the court shall cause a copy of the order to be delivered to the sheriff of the county, who shall enter the information into the Law Enforcement Data System.</p>	
<b>1.2: Refine the restoration process to include evidence from a clinician that the petitioner is unlikely to be a danger to themselves or others in the foreseeable future.</b>	
<b>Summary of Current Statute &amp; Recommendation</b>	
<ul style="list-style-type: none"><li>• Oregon does not require that a petitioner seeking relief from disability to undergo a clinical evaluation and risk assessment.</li><li>• <b>Recommendation:</b> Oregon should refine the restoration process to include a clinical evaluation and risk assessment.</li></ul>	

## Current Statute

### **166.273. Firearm prohibitions related to mental health; petition for relief from bar**

*Or. Rev. Stat. Ann. § 166.273 (West)*

- (1) A person barred from transporting, shipping, possessing or receiving a firearm may file a petition with the Psychiatric Security Review Board for relief from the bar if:
- (a) The person is barred from possessing a firearm under ORS 166.250 (1)(c)(D) or (E);
  - (b) The person is barred from receiving a firearm under ORS 166.470 (1)(e) or (f) or, if the person has been found guilty except for insanity of a misdemeanor involving violence, ORS 166.470 (1)(g); or
  - (c) The person is barred from possessing, receiving, shipping or transporting a firearm under 18 U.S.C. 922(d)(4) or (g)(4) as the result of a state mental health determination.
- (2) The petitioner shall serve a copy of the petition on:
- (a) The Department of Human Services and the Oregon Health Authority; and
  - (b) The district attorney in each county in which:
    - (A) The person was committed by a court to the Oregon Health Authority, or adjudicated by a court as a person with mental illness, under ORS 426.130;
    - (B) The person was committed by a court to the Department of Human Services, or adjudicated by a court as in need of commitment for residential care, treatment and training, under ORS 427.290;
    - (C) The person was found guilty except for insanity under ORS 161.295;
    - (D) The person was found responsible except for insanity under ORS 419C.411; or
    - (E) The person was found by a court to lack fitness to proceed under ORS 161.370.
- (3) Following receipt of the petition, the board shall conduct a contested case hearing, make written findings of fact and conclusions of law on the issues before the board and issue a final order. Board members from the adult panel, the juvenile panel or a combination of both panels of the board may conduct the hearings described in this section.
- (4) The state and any person or entity described in subsection (2) of this section may appear and object to and present evidence relevant to the relief sought by the petitioner.
- (5) The board shall grant the relief requested in the petition if the petitioner demonstrates, based on the petitioner's reputation, the petitioner's record, the circumstances surrounding the firearm disability and any other evidence in the record, that the petitioner will not be likely to act in a manner that is dangerous to public safety and that granting the relief would not be contrary to the public interest.
- (6) If the board grants the relief requested in the petition, the board shall provide to the Department of State Police the minimum information necessary, as defined in ORS 181A.290, to enable the department to:
- (a) Maintain the information and transmit the information to the federal government as required under federal law; and
  - (b) Maintain a record of the person's relief from the disqualification to possess or receive a firearm under ORS 166.250 (1)(c)(D) or (E) or 166.470 (1)(e), (f) or (g).
- (7) The petitioner may petition for judicial review of a final order of the board. The petition shall be filed in the circuit court of a county described in subsection (2)(b) of this section. The review shall be conducted de novo and without a jury.
- (8) A petitioner may take an appeal from the circuit court to the Court of Appeals. Review by the Court of Appeals shall be conducted in accordance with ORS 183.500.
- (9) A person may file a petition for relief under this section no more than once every two years.
- (10) The board shall adopt procedural rules to carry out the provisions of this section.
- (11) As used in this section, "state mental health determination" means:
- (a) A finding by a court that a person lacks fitness to proceed under ORS 161.370;
  - (b) A finding that a person is guilty except for insanity of a crime under ORS 161.295 or responsible except for insanity of an act under ORS 419C.411 or any determination by the Psychiatric Security Review Board thereafter;
  - (c) A commitment by a court to the Oregon Health Authority, or an adjudication by a court that a person is a person with mental illness, under ORS 426.130; or
  - (d) A commitment by a court to the Department of Human Services, or an adjudication by a court that a person is in need of commitment for residential care, treatment and training, under ORS 427.290.



## Consortium Recommendation #2: Other Risk Factors for Dangerousness

### 2.1: Prohibit individuals convicted of a violent misdemeanor from purchasing or possessing a firearm for at least ten years.

#### Summary of Current Statute & Recommendation

- Oregon prohibits possession of firearms by a person who, “[w]hile a minor, was found to be within the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute ... a misdemeanor involving violence ...” and was discharged within four years of being charged with unlawful possession. Oregon also prohibits possession of firearms by persons convicted of a domestic violence misdemeanor.
- Oregon also prohibits persons from selling, delivering, or otherwise transferring a firearm to a person when the transferor knows or reasonably should know that the recipient has been convicted of a misdemeanor involving violence or found guilty except for insanity of a misdemeanor involving violence within the previous four years.
- **Recommendation:** Oregon should prohibit individuals convicted of any violent misdemeanor from purchasing or possessing a firearm for at least ten years.

#### Current Statute

##### 166.250. Unlawful possession of firearms

*Or. Rev. Stat. Ann. § 166.250 (West)*

(1) Except as otherwise provided in this section or ORS 166.260, 166.270, 166.273, 166.274, 166.291, 166.292 or 166.410 to 166.470, a person commits the crime of unlawful possession of a firearm if the person knowingly:

(c) Possesses a firearm and:

(B)(i) While a minor, was found to be within the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined in ORS 166.470; and

(ii) Was discharged from the jurisdiction of the juvenile court within four years prior to being charged under this section;

##### 166.255. Unlawful possession of firearm or ammunition

*Or. Rev. Stat. Ann. § 166.255 (West)*

(1) It is unlawful for a person to knowingly possess a firearm or ammunition if: ...

(b) The person has been convicted of a qualifying misdemeanor and, at the time of the offense, the person was a family member of the victim of the offense.

(3) As used in this section:

(a) “Convicted” means:

(A) The person was represented by counsel or knowingly and intelligently waived the right to counsel;

(B) The case was tried to a jury, if the crime was one for which the person was entitled to a jury trial, or the person knowingly and intelligently waived the person's right to a jury trial; and

(C) The conviction has not been set aside or expunged, and the person has not been pardoned ...

(c) “Family member” means, with respect to the victim, the victim's spouse, the victim's former spouse, a person with whom the victim shares a child in common, the victim's parent or guardian, a person cohabiting with or who has cohabited with the victim as a spouse, parent or guardian or a person similarly situated to a spouse, parent or guardian of the victim.

(d) “Intimate partner” means, with respect to a person, the person's spouse, the person's former spouse, a parent of the person's child or another person who has cohabited or is cohabiting with the person in a relationship akin to a spouse.

(e) “Possess” has the meaning given that term in [ORS 161.015](#).

(f) “Qualifying misdemeanor” means a misdemeanor that has, as an element of the offense, the use or attempted use of physical force or the threatened use of a deadly weapon.

**166.470. Limitations on sale of firearms**

*Or. Rev. Stat. Ann. § 166.470 (West)*

(1) Unless relief has been granted under ORS 166.273 or 166.274 or 18 U.S.C. 925(c) or the expunction laws of this state or an equivalent law of another jurisdiction, a person may not intentionally sell, deliver or otherwise transfer any firearm when the transferor knows or reasonably should know that the recipient:

...

(g) Has been convicted of a misdemeanor involving violence or found guilty except for insanity under ORS 161.295 of a misdemeanor involving violence within the previous four years. As used in this paragraph, "misdemeanor involving violence" means a misdemeanor described in ORS 163.160, 163.187, 163.190, 163.195 or 166.155 (1)(b);

**2.2: Prohibit individuals subject to a temporary domestic violence restraining order from purchasing or possessing a firearm for the duration of the order.**

**Summary of Current Statute & Recommendation**

- Oregon does not prohibit purchase and possession of firearms by individuals subject to a temporary domestic violence restraining order.
- **Recommendation:** Oregon should implement recommendation 2.2 to prohibit purchase and possession of firearms by individuals subject to a temporary domestic violence restraining order.

**Current Statute**

N/A

**2.2-A: Remove firearms from persons subject to any type of domestic violence restraining order.**

**Summary of Current Statute & Recommendation**

- Oregon law does not require the removal of firearms from persons subject to domestic violence restraining orders.
- **Recommendation:** Oregon should require the removal of firearms from persons subject to domestic violence restraining orders.

**Current Statute**

N/A

**2.3: Prohibit individuals convicted of two or more DUI or DWIs within a five-year period from purchasing or possessing firearms for at least five years.**

**Summary of Current Statute & Recommendation**

- Oregon has no alcohol-related prohibitions on firearm purchase or possession.
- **Recommendation:** Recommend implementing Consortium recommendation 2.3 to prohibit individuals convicted of two or more DUI/DWI offenses within a five-year period from purchasing or possessing a firearm for at least five years.

**Current Statute**

N/A

**2.4: Prohibit individuals convicted of two or more misdemeanor drug crimes within a five- year period from purchasing or possessing firearms for at least five years.**

**Summary of Current Statute & Recommendation**

- Oregon has no drug-related prohibitions on firearm purchase or possession.
- **Recommendation:** Recommend implementing Consortium recommendation 2.3 to prohibit individuals convicted of two or more misdemeanor drug crimes within a five-year period from purchasing or possessing a firearm for at least five years.

**Current Statute**

N/A

**Consortium Recommendation #3: Periods of Crisis**

**3.1-3.3: Create a Gun Violence Restraining Order (GVRO) mechanism to enable law enforcement, family members, and intimate partners to petition the court to temporarily prohibit an individual in crisis from purchasing or possessing firearms.**

**Summary of Current Statute & Recommendation**

- There is no mechanism for law enforcement to apply for a warrant to remove firearms in Oregon based on risk of dangerousness.
- There is no civil mechanism for private citizens to petition the court to remove firearms. Nor is there a mechanism for private citizens to contact law enforcement to petition the removal of guns for the broader dangerous behaviors we identify in the state report.
- **Recommendation:** Recommend implementing Consortium recommendations 3.1, 3.2, and 3.3 to create a Gun Violence Restraining Order (GVRO) mechanism to enable law enforcement and family or household members to petition the court to temporarily prohibit an individual in crisis from purchasing or possessing firearms, while providing due process protections for affected individuals and a mechanism for returning all removed guns at the conclusion of the temporary prohibition.

**Current Statute**

N/A