













COMPARISON OF EXTREME RISK LAWS

Twelve states have an extreme risk law. However, these laws vary. The chart below gives a brief overview of the different states' laws, including the eligible petitioners, the orders available, the length of the orders, and the legal standard petitioners must meet to prove that the subject of the order is at an elevated risk of harming themselves or others. While each state may use different names for the orders, for simplicity we classify all "emergency", "ex parte", or "temporary" orders issued without notice and hearing as "Ex Parte" orders, and all orders issued after notice and hearing as "Final" orders.

STATE	PETITIONERS	ORDERS AVAILABLE
CALIFORNIA  <i>Gun Violence Restraining Order</i>	LAW ENFORCEMENT <i>Temporary Emergency, Ex Parte, Final</i> FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i>	TEMPORARY EMERGENCY <i>21 days</i> <i>Reasonable cause</i> EX PARTE <i>Up to 21 days</i> <i>Substantial likelihood</i> FINAL <i>One year</i> <i>Clear and convincing</i>
CONNECTICUT  <i>Seizure of Firearms (Risk-Warrant)</i>	LAW ENFORCEMENT <i>Warrant</i> [ASSISTANT] STATE'S ATTORNEY <i>Warrant</i>	WARRANT <i>Up to 1 year</i> <i>Probable cause (initial warrant)</i> <i>Clear and convincing (at hearing)</i>
DELAWARE  <i>Lethal Violence Protective Order</i>	LAW ENFORCEMENT <i>Emergency, Final</i> FAMILY MEMBER <i>Final</i>	EX PARTE <i>Up to 15 days</i> <i>Preponderance of the evidence</i> FINAL <i>Up to 1 year</i> <i>Clear and convincing</i>
FLORIDA  <i>Risk Protection Order</i>	LAW ENFORCEMENT <i>Ex Parte, Final</i>	EX PARTE <i>Up to 14 days</i> <i>Reasonable cause</i> FINAL <i>Up to 1 year</i> <i>Clear and convincing</i>
INDIANA  <i>Seizure and Retention of a Firearm (Risk-Warrant)</i>	LAW ENFORCEMENT <i>Warrant, Warrantless</i>	WARRANT <i>At least 180 days</i> <i>Probable cause (initial warrant)</i> <i>Clear and convincing (at hearing)</i> WARRANTLESS <i>At least 180 days</i> <i>Probable cause (after firearm seizure)</i> <i>Clear and convincing (at hearing)</i>

<p>MARYLAND</p>  <p><i>Extreme Risk Protective Order</i></p>	<p>LAW ENFORCEMENT <i>Interim, Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Interim, Ex Parte, Final</i></p> <p>HEALTH CARE PROFESSIONAL <i>Interim, Ex Parte, Final</i></p>	<p>INTERIM <i>Expires/terminates on the first or second day court is in session Reasonable grounds</i></p> <p>EX PARTE <i>Up to 7 days Reasonable grounds</i></p> <p>FINAL <i>Up to 1 year Clear and convincing</i></p>
<p>MASSACHUSETTS</p>  <p><i>Extreme Risk Protection Order</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 10 days Reasonable cause</i></p> <p>FINAL <i>Up to 1 year Preponderance of the evidence</i></p>
<p>NEW JERSEY</p>  <p><i>Extreme Risk Protective Order</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 10 days Good cause</i></p> <p>FINAL <i>1 year Preponderance of the evidence</i></p>
<p>OREGON</p>  <p><i>Extreme Risk Protection Order</i></p>	<p>LAW ENFORCEMENT <i>Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Final</i></p>	<p>FINAL* <i>1 year Clear and convincing</i></p> <p><i>*Court may issue an order at an ex parte hearing</i></p>
<p>RHODE ISLAND</p>  <p><i>Extreme Risk Protection Order</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 14 days Probable cause</i></p> <p>FINAL <i>1 year Clear and convincing</i></p>
<p>VERMONT</p>  <p><i>Extreme Risk Protection Order</i></p>	<p>STATE'S ATTORNEY <i>Ex Parte, Final</i></p> <p>OFFICE OF THE ATTORNEY GENERAL <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>14 days Preponderance of the evidence</i></p> <p>FINAL <i>Up to 6 months Clear and convincing</i></p>
<p>WASHINGTON</p>  <p><i>Extreme Risk Protection Order</i></p>	<p>LAW ENFORCEMENT <i>Ex Parte, Final</i></p> <p>FAMILY OR HOUSEHOLD MEMBER <i>Ex Parte, Final</i></p>	<p>EX PARTE <i>Up to 14 days Reasonable cause</i></p> <p>FINAL <i>1 year Preponderance of the evidence</i></p>