

When does Washington law require surrender of firearms with a protection order or restraining order?

Applies to any court order issued under RCW 7.90, 7.92, 9A.46, 10.14, 10.99, 26.09, 26.10, 26.26, or 26.50, including a civil or criminal DV PO or NCO; Sexual Assault PO or NCO; Stalking PO or NCO; Anti-Harassment PO or NCO; Vulnerable Adult PO; or civil Restraining Order in a family law action.

Are ALL of these true of the court order?

- Protected person is the respondent's intimate partner or child of an intimate partner.
- The order was issued after a hearing, of which the restrained person had actual notice and opportunity to participate.
- The order restrains the person from harassing, stalking, or threatening.
- The order prohibits the use, attempted use or threatened use of physical force.
- The court finds that the restrained person represents a credible threat to the physical safety of the intimate partner or child.

YES

The court SHALL

- require surrender of firearm & concealed pistol license
- prohibit from obtaining or possessing a firearm or concealed pistol license

NO

by clear and convincing evidence

YES

by preponderance of the evidence

The court MAY

- require surrender of firearm & concealed pistol license
- prohibit from obtaining or possessing a firearm or concealed pistol license

NO

YES

NO

NO basis for prohibiting weapons under RCW 9.41.800

Did any court make AT LEAST ONE of these findings in a court order?

- The restrained person has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony.
- The restrained person has committed an offense that would make him/her ineligible to possess a firearm under RCW 9.41.040.

Did the court find that possession of a firearm by the restrained person presents a serious and imminent threat to public health or safety, or the health or safety of any individual?

Source: [RCW 9.41.800](#)