

Process from Issuance of Firearm Surrender Order to Enforcement

Process	Authority	Steps	Responsible for Step	Notes
Court Issues a Domestic Violence Protection Order and Criminal No-Contact Order or Extreme Risk Protection Order	RCW 10.99 12A.06.035, 12A.06.035, 12A.06.130, 12A.06.165 12A.06.170 or RCW 26.50	Court issues order to surrender firearms when issuing a domestic violence protection order (DVPO), domestic violence no-contact order (DVNCO) and/or extreme risk protection order (ERPO)	Superior Court for DVPOs; Seattle Municipal Court for DVNCOs and Superior Court and Seattle Municipal Court for ERPOs	Temporary ERPOs may be issued in Seattle Municipal Courts, but full hearing will be held in Superior Court.
Monitor and Tracking Compliance with Firearm Surrender Orders	RCW 9.41.800 SMC 12A.06.195(G)	Review hearing set to monitor compliance with the firearm surrender order .	Superior Court for DVPOs; Seattle Municipal Court for DVNCOs and Superior Court and Seattle Municipal Court for ERPOs, Court Coordinator , and Assistant City Prosecutor .	Court Coordinator will provide information on firearms from the following databases: 1) Department of Licensing, 2) National Crime Information Center, 3) National Instant Criminal Background Check System, 4) Prior criminal and order history, 5) Washington State Criminal Information Center. ¹
	RCW 9.41.800 SMC 12A.06.195(G)	Finding of Non-Compliance with firearm surrender order	Superior Court for DVPOs; Seattle Municipal Court for DVNCOs and Superior Court and Seattle Municipal Court for ERPOs.	.
	RCW 9.41.800 SMC 12A.06.195(G)	Refer and provide proof of non-compliance with surrender orders to Seattle Police Department for investigation of non-compliance.	Court Coordinator , Seattle Police Department Domestic Violence Unit.	

¹ Currently the courts do not have access to 1-3 and limited access to 4-5.

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	RCW 9.41.800 SMC 12A.06.195(G)	Investigate and refer charges to the Seattle City Attorney's Office for criminal charges.	Seattle Police Department Domestic Violence Unit.	
Monitoring and Tracking Compliance with Firearm Surrender Orders with High Risk Offenders	RCW 9.41.040 SMC 12A.06.195(G)	Review high-risk cases for direct referral to the High-Risk Prosecutor to facilitate immediate surrender of firearms.	Court Coordinator, High Risk Firearms Prosecutor and Seattle Police Department Domestic Violence Unit.	High risk cases will be identified on validated risk factors non-exclusive factors will include criminal history, facts of the underlying offence or petition, available information regarding possession of firearms.
	RCW 66.32 SMC 12A.06.195(G) RCW 9.41.040 RCW 6.17	Draft search warrants and or writs to recover firearms.	High Risk Firearms Prosecutor and Seattle Police Department Domestic Violence Unit and/or King County Sheriff's Office	
	RCW 66.32 SMC 12A.06.195(G) RCW 9.41.040 RCW 6.17	Coordinate with local law enforcement where firearms are located to facilitate surrender if outside of the City of Seattle.	Seattle Police Department Domestic Violence Unit and Local Law Enforcement Agency	
Enforcement and Prosecution of Non-Compliance Firearm Surrender Order	RCW 9.41.040 SMC 12A.06.195(G)	File criminal charges for non-compliance of surrender orders	High-Risk Firearms Prosecutor and Seattle Police Department Domestic Violence Unit.	
	RCW 66.32 SMC 12A.06.195(G) RCW 9.41.040 RCW 6.17	Execute warrants and writs on high risk cases to recover firearms from prohibited possessors	Seattle Police Department Domestic Violence Unit.	
	SMC 12A.06.195(G) RCW 9.41.040	Prosecute Non-Compliance in Seattle Municipal Court	High-Risk Firearms Prosecutor	The prosecutor will set bail contingent upon surrender of firearms to facilitate the surrender and compliance.