



# High Risk Protection Orders in Nevada

When a person with access to firearms is making threats or behaving in a manner that creates a risk of harm to self or others, consider filing for a **high risk protection order**, which is a civil court order that temporarily prohibits a person from possessing or purchasing firearms.

- Law enforcement officers and family/household members may file an application for a high risk protection order.
- A high risk protection order will require an individual to temporarily surrender any guns in their possession or control and prohibit them from purchasing guns.
- It is not required that the individual currently own firearms before a high risk protection order may be sought or issued.
- A high risk protection order may be issued for up to one year.

High risk protection orders are temporary and are a civil process distinct from arrests and prosecutions, mental health commitments, and other civil or criminal restraining orders. A high risk protection order may be requested on its own or alongside another type of intervention.

**High risk protection orders may be an appropriate intervention in the following circumstances:**

- Threats of self harm/suicide
- Threats of harm to others, including domestic/family violence
- Threats of mass harm, including school shootings

**If there is probable cause to believe that a person poses a risk of causing a self-inflicted injury or a personal injury to another person by possessing, controlling, purchasing or otherwise acquiring any firearm and has engaged in high risk behavior, consider filing an application for a high risk protection order.** When the application is filed, the court will schedule a hearing and require notice to the individual.

If there is evidence that this risk is imminent, consider requesting an **emergency order**, which may be issued prior to notice and a hearing and lasts for up to 7 days.

**High risk behavior is defined in the statute to include:**

- Use, attempted use, or threatened use of physical force against another person
- Communicating a threat of imminent violence toward oneself or against another person
- Committing an act of violence directed toward oneself or another person
- Engaging in a pattern of threats or acts of violence against oneself or another person, including those that have caused another person to be in reasonable fear of physical harm
- Exhibiting conduct which a law enforcement officer reasonably determines would present a serious and imminent threat to public safety
- Engaging in conduct which presents a danger to oneself or others while in possession of or while purchasing or otherwise acquiring a firearm
- Abusing a controlled substance or alcohol while engaging in high risk behavior
- Acquiring a firearm or other deadly weapon within the immediately preceding 6 months before otherwise engaging in high risk behavior
- Previous convictions for violating an order for protection against domestic violence, violating an order for protection against sexual assault, or a crime of violence

A law enforcement officer serving a high risk protection order should request that all firearms be immediately surrendered to the officer.

**To effectuate safe service of orders and relinquishment of firearms:**

- Conduct a threat assessment prior to service, including coordinating with the individual's family/friends when appropriate to identify the safest options for service.
- Clearly explain the terms of the order, including what the individual must do to comply and that noncompliance is a crime.
- Provide a receipt for any guns surrendered.

**Warrants:**

If there is probable cause to believe that the individual has not surrendered a firearm that is in their possession or control, a law enforcement officer may apply to the court for a search warrant which authorizes the officer to enter and search any place where there is probable cause to believe any such firearm is located and seize the firearm.