

ONE THING YOU CAN DO.

Hawaii

When someone you love is showing warning signs that they might try to harm themselves, it can feel like there is nothing you can do in such a high-stakes and emotional situation.

But there is one thing you *can do*: you can request a gun violence protective order to temporarily remove guns from the situation and help keep your loved one safe.

In a moment of crisis, access to a gun can be the difference between life and death. If you're seeing signs that someone you love is considering harming themselves, you can seek a firearm search and seizure order to temporarily suspend their access to firearms, which are the most lethal form of suicide—until the crisis passes.

Access to a gun can be the difference between life and death in a moment of crisis. Keep your loved one safe with a gun violence protective order.

What does Hawaii's gun violence protective order do?

A gun violence protective order is a court order that enables courts to temporarily restrict a person's access to guns when a person presents a risk to themselves or others.

Gun violence protective orders are designed to help law enforcement, concerned family members, medical professionals, educators, or colleagues intervene quickly in dangerous situations.

Who can request a gun violence protective order in Hawaii?

Under Hawaii law, a law enforcement officer, medical professional, educator, or colleague, or a person's family or household member may file a petition for an gun violence protective order.

A family or household member is defined as:

- Parent
- Child
- Current or former spouse
- Intimate partner
- Someone who has a child in common with the person
- Legal guardian
- A person living in the same household.

How do I request a gun violence protective order?

To seek a gun violence protective order, a family or household member can fill out and file the application directly with the court. Family or household members can also contact a member of law enforcement, such as a police officer or district Attorney to discuss any concerns. Family members can also work with medical professionals, educators, or colleagues when a person in crisis presents warning signs. Law enforcement, educators, medical professionals, or colleagues can then investigate these concerns and request the gun violence protective order from the court.

What if I am not able to request a gun violence protective order myself? Is there anything I can do?

Even if you don't fall into any of the categories mentioned above, you can still take action in moments of crisis. If you are worried about someone who is showing warning signs of being at risk of self-harm or harming someone else, you can contact a law enforcement officers and ask that they seek an extreme risk protection order. What happens after the request for a gun violence protective order has been filed? The court will hear a request (called a "petition") for a temporary gun violence protective order on the day the petition is filed.

If the court grants the order, it will notify the person. The court will then schedule a hearing no later than fourteen days after the order is granted, at which the court determines whether to end the order or continue the order for one year.

At the hearing, if the court finds that a person is likely to engage in conduct that would result in serious harm to himself, herself or others, the judge can issue a court order that requires the person's firearms to be held by law enforcement for as long as the order is in effect. Also, the person will not be able to purchase new firearms while the order is in effect.

Will the person be able to access guns before the hearing?

If a court issues a temporary gun violence protective order, the person's access to firearms will be restricted until the hearing is held. If the court does not issue a temporary order, the person's access to firearms will not be affected unless and until the court issues a final order after the hearing.

Because the person who is subject to a temporary order is entitled to a hearing no later than 14 days after the order is issued, these orders balance the urgent need for

public safety with the due process rights of all involved.

How long does a gun violence protective order last?

A temporary gun violence protective order lasts up to 14 days. A final gun violence protective order lasts for one year. At the end of that year, law enforcement, the person's family or household member, an educator, a colleague, or a medical professional may ask the court to renew the order. The order can only be extended after a court hearing.

Will a gun violence protective order go on someone's criminal record?

No. A gun violence protective order is a civil court order. Its sole purpose is to remove firearms from a person who is at high risk of causing harm to themselves or to others. The court's decision to issue the order does not cause the person to have a criminal record.

If you have immediate safety concerns, call 911 for emergency assistance.

If you believe that a loved one is a risk to their own safety, you may wish to encourage them to seek expert help. The National Suicide Prevention Lifeline is a national network of local crisis centers that provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, seven days a week at:

**www.suicidepreventionlifeline.org
1-800-273-TALK (8255)
text HOME to 741741**