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Risk Warrants and Risk Warrant Investigations for Children under 18

Information about the process to remove firearms, deadly weapons, and ammunition from children under the age of 18 who are at immediate risk of harming another person.



What can I do if I believe a child under 18 poses a risk to another person?

If you believe that a child under the age of 18 is at immediate risk of harming another person and has one or more firearms or deadly weapons, you have 2 options to get a court order that will get those weapons away from the child:

- A Risk Warrant for a Child under 18
- A Risk Warrant Investigation for a Child under 18

If you are concerned about an adult over the age of 18 posing a risk to themselves or another person, please see the *Risk Protection Orders and Risk Protection Order Investigations* publication, form JDP-CL-140.

What is a Risk Warrant for a child under 18?

A Risk Warrant for Children under the age of 18 is an order of the Juvenile Court. It directs the police to search for and seize (take away) any firearms, deadly weapons, or ammunition that a child under the age of 18 may have. The court will only order a Risk Warrant when the child is at immediate risk of harming another person and there is no reasonable alternative to prevent the child from causing harm to others with the any firearms or deadly weapons the child has.

What is a Risk Warrant Investigation for a child under 18?

A Risk Warrant Investigation for a child under the age of 18 is an order that a family or household member or a medical professional can ask the Juvenile Court to issue. It directs the police to investigate whether the child:

- Is at immediate risk of harming another person; and
- Has one or more firearms, deadly weapons, or ammunition

If the police find evidence to support both of those things, they will ask the court for a Risk Warrant for the child. If the police do not find enough evidence, they will tell you and the Juvenile Court.

How do I get a Risk Warrant or a Risk Warrant Investigation for a child under 18?

If you want someone to start investigating whether the child is a risk right away, you can contact any police officer or State’s Attorney’s Office. You should ask them to investigate whether there is enough evidence to ask the court for a Risk Warrant. Anyone concerned about the child harming another person can ask the police or a State’s Attorney to investigate whether a Risk Warrant is appropriate.

If you don’t want to go to the police or a State’s Attorney directly, and you’re a family or household member or a medical professional, you can apply to the Juvenile Court for a Risk Warrant Investigation. You can go to any Juvenile Court to apply. You will need to prove to the court that you have a good faith belief that the child:

- Is at immediate risk of harming another person; and
- Has one or more firearms or deadly weapons

And, you will need to file an:

- *Application for Risk Warrant Investigation for A Child Under Eighteen Years of Age, Order, Return*, form JD-JM-220, and
- *Affidavit for Risk Warrant Investigation for A Child Under Eighteen Years of Age*, form JD-JM-221

Please note:

- Only family or household members and medical professionals can apply for a Risk Warrant Investigation
- You can only file these applications during normal court hours. So, if you have a concern about a child when the court is closed, you should contact a police officer.
- The police may contact you as part of any investigation the court orders to get more information about the situation.
- Going directly to the police or a State’s Attorney directly will likely allow the court to issue a Risk Warrant faster than asking for a Risk Warrant Investigation first.

What do the police look for when they investigate?

The police will look for information about whether the child has:

- Committed any recent threats or acts of violence directed toward another person
- Committed any recent acts of cruelty to animals
- Recklessly used, displayed, or brandished (waved around) a firearm or deadly weapon
- A history of the use, attempted use, or threatened use of physical force against anyone else

- Any history of involuntary confinement in a hospital for children with psychiatric disabilities
- Any illegal use of controlled substances or any abuse of alcohol

What happens when a court issues a Risk Warrant for a child under 18?

The Risk Warrant for a child under the age of 18 will direct the police to search for and seize (take away) any firearms, deadly weapons, or ammunition that they find. Some common areas that get searched include the child’s or the child’s parent or guardian’s:

- House, apartment, or other dwelling
- Workplace or place of business
- Car, truck, boat, or other vessel

What happens at the Juvenile Court hearing?

The child to whom the order applies has the right to a hearing in Juvenile Court within 14 days of when the police served the Risk Warrant. They also have the right to have an attorney at this hearing. If the child’s parent or guardian cannot afford an attorney, the court may appoint a Public Defender to represent the child. The person who asked for the Risk Warrant or Risk Warrant Investigation usually does not need to attend this hearing. And, the court may keep anyone whose presence is not necessary out of the hearing.

At the hearing, the court will decide whether the child is at immediate risk of harming another person.

If the court does not find that the child is at immediate risk of harming another person, the court will order any firearms and ammunition seized to be returned to the rightful owner, as long as the rightful owner is legally allowed to possess those items.

If the court does find that the child poses at immediate risk of harming another person, it may order that any firearms and ammunition seized continue to be held by the state. That order will stay in effect until the court orders otherwise.

Important contact information

For information on mental health treatment and substance use prevention and treatment available in Connecticut, visit the Department of Mental Health and Addiction Services website at www.ct.gov/dmhas and follow the link for **Finding services**.

If you suspect that child abuse or neglect has played a role in the situation that justifies a Risk Warrant or a Risk Warrant Investigation you can also contact the Department of Children and Families (DCF) by calling Careline (24/7) at 1-800-842-2288, TDD: 1-800-624-5518. Or visit the DCF website at: https://portal.ct.gov/dcf/supports-for-children-and-families/child-abuse-and-neglect?language=en_US

For more information about Risk Warrants and Risk Warrant Investigations for children under 18, contact:

- Your local police department
- Any State’s Attorney’s office
- Any Juvenile Court Clerk’s Office
- The Department of Emergency Services and Public Protection at 860-685-8400

Firearm transfers

The owner of any firearm, deadly weapon, or ammunition seized (taken away) as part of a Risk Warrant is allowed to sell or transfer those items if the Department of Emergency Services and Public Protect approves of the sale or transfer. For more information about selling or transferring these items, you can contact the Department of Emergency Services and Public Protection at (860) 685-8400.