

OREGON COURT OF APPEALS

State v. P. F.

350 Or. App. 390 (2026) · No. A187241; No. 515 · Decided June 10, 2026

SUMMARY

The Oregon Court of Appeals held that a person alleged to have mental illness has a federal due process right to be free from physical restraints during a civil commitment hearing unless the state shows an immediate and serious risk of dangerous or disruptive behavior. The court concluded that the trial court abused its discretion by ordering full restraints based primarily on historical information and a sheriff’s report, and that the error was not harmless. The court reversed the civil commitment judgment and the order prohibiting the purchase or possession of firearms.

CASE DETAILS

COURT	Oregon Court of Appeals
WRITING FOR THE COURT	Tookey, Presiding Judge; Kamins, Judge; Jacquot, Judge
JURISDICTION	Oregon Court of Appeals
DECIDED	June 10, 2026
DOCKET	A187241; No. 515
DISPOSITION	reversed
PROCEDURAL POSTURE	P. F. appealed a judgment of civil commitment and an order prohibiting the purchase or possession of firearms, challenging the trial court's decision to require him to remain in full physical restraints during the civil commitment hearing.
STANDARD OF REVIEW	Orders requiring physical restraints are reviewed for abuse of discretion. The court held that the same standard applies in civil commitment proceedings because restraint decisions derive from the trial court's authority to control the proceedings.
PRECEDENTIAL VALUE	Published Oregon Court of Appeals opinion
PARTIES	P. F. v. State of Oregon

TOPICS

- procedural due process
- due process
- health law
- standard of review
- appellate procedure

PRACTICE AREAS

constitutional law

civil commitment

mental health law

appellate procedure

QUESTIONS PRESENTED

1. Whether a person alleged to be mentally ill has a federal due process right to appear free from physical restraints during a civil commitment hearing absent a showing of an immediate and serious risk of dangerous or disruptive behavior.
2. Whether the trial court abused its discretion by requiring P. F. to remain in full restraints during the civil commitment hearing.
3. Whether the restraint error was harmless.

HOLDINGS

1. A person alleged to be mentally ill has a federal due process right to be free from physical restraints during a civil commitment hearing unless the state shows that the person presents an immediate and serious risk of dangerous or disruptive behavior.
2. The trial court abused its discretion by ordering P. F. to remain in full restraints during the civil commitment hearing because the record did not establish an immediate and serious risk of dangerous or disruptive behavior during the hearing.
3. The error was not harmless because requiring full restraints without the required showing violated P. F.'s federal due process right and substantially affected his rights.

KEY QUOTATIONS

“persons alleged to be mentally ill have a due process right to be free from physical restraints during civil commitment hearings absent a showing that they present an immediate and serious risk of danger or disruption.” (391)

“before the court can require a person alleged to be mentally ill to be physically restrained at the civil commitment hearing, due process requires a showing of an immediate and serious risk of dangerous or disruptive behavior.” (399)

“We therefore reverse the judgment of civil commitment and the order prohibiting the purchase or possession of firearms.” (403)

FACTUAL BACKGROUND

P. F., age 72, was placed on an emergency hold after reports of psychosis, threats, posturing toward staff, breaking objects, medication refusal, and other conduct suggesting dangerousness and inability to meet basic needs. At the civil commitment hearing, sheriff's deputies brought him in leg chains, handcuffs, and a belly chain or waistband restraint. Despite counsel's request for removal or reduction of the restraints, the trial court ordered that he remain fully restrained. The record also indicated that his prior convictions were likely more than 20 years old and that nursing staff had reported that he was taking medication and his behavior was improving.

PROCEDURAL HISTORY

P. F. was placed on an emergency hold, a notice of mental illness was completed, and a certified mental health investigator found probable cause to believe that he was mentally ill, dangerous to others, and unable to meet his basic needs. At the civil commitment hearing, the trial court denied counsel's request to remove or reduce P. F.'s restraints, ordered him to remain fully restrained, committed him for up to 180 days, and prohibited firearm purchase or possession. The Oregon Court of Appeals reversed both orders, concluding that the restraint error violated due process and was not harmless.

DISPOSITION

reversed

CASES CITED

- State v. Mayo, 303 Or. App. 525, 531 n. 3, 465 P.3d 267 (2020)
- Ray v. Bachik, 101 Or. App. 507, 509, 791 P.2d 150, rev. denied, 310 Or. 281 (1990)
- State v. Washington, 355 Or. 612, 628-29, 330 P.3d 596 (2014)
- State v. O'Neill, 274 Or. 59, 70-72, 545 P.2d 97 (1976)
- State v. Merrell, 170 Or. App. 400, 403, 12 P.3d 556 (2000), rev. denied, 331 Or. 674 (2001)
- State v. T. C., 327 Or. App. 558, 562, 536 P.3d 591 (2023), rev. denied, 371 Or. 825 (2024)
- State v. Allison, 129 Or. App. 47, 49-50, 877 P.2d 660 (1994)
- Addington v. Texas, 441 U.S. 418, 425-26, 99 S. Ct. 1804, 60 L. Ed. 2d 323 (1979)
- State v. Matthews, 46 Or. App. 757, 762, 613 P.2d 88, rev. denied, 289 Or. 588 (1980), cert. denied, 450 U.S. 1040 (1981)
- State v. A. M., 333 Or. App. 453, 462, 553 P.3d 593, adh'd to on recons., 335 Or. App. 320, 558 P.3d 75 (2024)
- State v. Kessler, 57 Or. App. 469, 474, 645 P.2d 1070 (1982)
- Larsen v. Nooth, 292 Or. App. 524, 531, 425 P.3d 484 (2018), rev. denied, 364 Or. 749 (2019)
- Mesch v. Unity Center for Behavioral Health, 349 Or. App. 463, 487, ___ P.3d ___ (2026)
- State v. T. L. B., 335 Or. App. 225, 229, 558 P.3d 861 (2024), rev. allowed, 373 Or. 556 (2025)
- Deck v. Missouri, 544 U.S. 622, 631, 125 S. Ct. 2007, 161 L. Ed. 2d 953 (2005)
- State v. Bates, 203 Or. App. 245, 251, 125 P.3d 42, rev. denied, 340 Or. 483 (2006)
- Trujillo v. Pacific Safety Supply, 181 Or. App. 302, 309-10, 45 P.3d 1017 (2002), aff'd, 336 Or. 349, 84 P.3d 119 (2004)
- Koskela v. Willamette Industries, Inc., 331 Or. 362, 382, 15 P.3d 548 (2000)
- State v. Rogers, 330 Or. 282, 300, 4 P.3d 1261 (2000)
- Department of Human Services v. T. S. M., 322 Or. App. 424, 425, 519 P.3d 897 (2022), rev. denied, 370 Or. 740 (2023)
- State v. Hayter, 303 Or. App. 235, 238, 463 P.3d 33 (2020), rev. dismissed, 369 Or. 705 (2022)
- State v. T. W. W., 289 Or. App. 724, 727 n. 1, 410 P.3d 1032 (2018)

- State v. Perez, 325 Or. App. 64, 69, 528 P.3d 318 (2023)
- State v. J. J. S., 337 Or. App. 5, 10-11, 13, 563 P.3d 382 (2024)
- State v. Mills, 36 Or. App. 727, 729-30, 585 P.2d 1143, rev. denied, 285 Or. 195 (1978)

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