



Make Extreme Risk Protection Orders Available in Every State

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What is an extreme risk protection order (ERPO)? An extreme risk protection order is a civil remedy that allows family members or law enforcement to petition a court to temporarily remove firearms from a person who poses an imminent risk of harm to themselves or others. For the duration of the protection order, the individual is also prohibited from buying new guns.

- ERPO laws include robust due process protections—including notice to the respondent and an opportunity to be heard and present evidence—as well as the requirement of a judicial finding of risk prior to the issuance of an order.¹

ERPO laws are designed to provide a legal tool to intervene when there are warning signs that an individual is experiencing a temporary crisis, poses a risk of harm to self or others, and possesses a gun.

- Individuals contemplating suicide often exhibit warning signs, providing an opportunity to intervene and ensure that they do not have access to lethal means, such as firearms.²

In states that have not enacted this legislation, there are few options available for concerned family members and local law enforcement to prevent individuals demonstrating such signs from having access to a gun.

States that have enacted ERPO laws have seen positive results.

- An analysis of Connecticut's ERPO-style law—called risk warrants—found that it was highly effective at identifying individuals who were at the highest risk for suicide and had access to guns. Researchers found that individuals subject to risk warrants were 40 times more likely to die by suicide and that for every 10 to 20 orders issued, one life is saved. In 99 percent of cases where a risk warrant was issued, police officers found at least one gun and removed an average of seven guns per individual.³

Endnotes

- 1 Educational Fund to Stop Gun Violence, "Extreme Risk Protection Order: Empowering Families and Law Enforcement to Prevent Gun Tragedies" (2017), available at <http://efsgv.org/wp-content/uploads/2018/01/ERPO-One-Pager-December-2017.pdf>.
- 2 Mental Health America, "Suicide," available at <http://www.mentalhealthamerica.net/suicide> (last accessed March 2018).
- 3 Educational Fund to Stop Gun Violence, "Data behind Extreme Risk Protective Order Policies" (2017), available at <http://efsgv.org/wp-content/uploads/2017/09/CT-Risk-Warrant-Data-One-pager-ERPO-9-15-17-FINAL.pdf>; Jeffrey W. Swanson and others, "Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does it Prevent Suicides?" *Law and Contemporary Problems* 80 (2) (2017): 179–208, available at <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=4830&context=lcp>.