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Overview

Many people believe suicide and firearm tragedies are not preventable. However, this is not the case. Oregon has a vital tool to help when people we care about may be at risk for firearm suicide: **Extreme Risk Protection Orders (ERPOs)**. These civil court orders, sometimes called red-flag laws, allow for temporary removal of firearms when a person is showing signs they may harm themselves or others. ERPOs are a proven way to prevent suicide, self-harm, and violence—because helping someone through a dangerous moment can save their life.

Unfortunately, this tool remains underused because too few people know about it, even among those it was designed to support—family, household members and law enforcement.

This toolkit will help you reach out to local health departments and healthcare professionals, community and city leaders, and law enforcement to raise awareness and increase usage of ERPOs. Whether you are a public health advocate, community leader, healthcare provider, or concerned citizen, you can help ensure that this potentially lifesaving tool reaches those who need it.

Suicide can be prevented, and ERPOs are a key tool in prevention.

Content warning: This document mentions suicide, gun violence, and other difficult topics. If you need mental health or emotional support, please call or text 988. If you are experiencing an emergency, call 911.

Legal Disclaimer

The purpose of this toolkit is to provide general information on Extreme Risk Protection Orders and support for someone who may be living in a situation where an ERPO may be considered. It is not intended to present legal advice. Rather, it is designed to help organizations and community members better understand what ERPOs are and how they are used.

Introduction to ERPOs

Full text of Oregon's ERPO law: ORS 166.525-166.543

What are ERPOs? Sometimes called *red-flag laws*, ERPOs are civil court orders that temporarily remove firearms from individuals who demonstrate a threat of imminent harm to themselves or another person, helping prevent suicide, self-harm, or violence toward others. *Imminent* means something likely to happen soon, while *immediate* means something happening now. For immediate threats, call 911.

Who can file an ERPO? Only law enforcement officers, family, or household members may file an ERPO petition. Family refers to a current spouse or intimate partner, parent, child, or sibling. Household members are those who currently live with the individual at risk and may include a spouse, intimate partner, parents, children, siblings, roommates, and other cohabitants.

How does the process work? The person filing an ERPO (called a petitioner) must have clear evidence of an imminent threat of harm and file an ERPO petition in their local court. The judge will then decide if the evidence meets the legal requirements to justify an ERPO. If so, an ERPO will be issued. In most cases, a law enforcement officer will serve the ERPO to the individual showing an imminent threat of harm (called the respondent). The respondent then has 24 hours to relinquish their firearms and other deadly weapons. The respondent is legally allowed to challenge the order before the judge, ensuring due process. ERPOs generally last for one year but can be extended if needed. For more details on ERPOs, please see the <u>FAQs</u>.

Do ERPOs save lives? Research shows that ERPOs are an important tool in helping reduce firearm tragedies, including homicides and suicides. You can help us save lives by increasing awareness of ERPOs.

My roommate—who is a dear friend of mine—was showing increasing signs of risk. I talked to him about it, and he told me he was thinking about suicide. I knew he had several guns, and I was deeply concerned about his safety. I tried to talk to him about having his dad store his guns, but he didn't want to tell his dad what was going on. I decided to apply for an ERPO. Of course, he was upset at first, but a year later, he came back and told me that the ERPO saved his life. Once he was doing better, he got his firearms back. Just a few weeks ago, I went to his wedding, and he again told me how grateful he was to be here. Without the ERPO, I don't think he would be here today.

—Oregon ERPO petitioner from OHSU study

ERPOs are backed by research and have been used successfully in Oregon to save lives. On average, for every 17–23 ERPOs filed, one suicide death is prevented. ERPOs save lives without infringing on Second Amendment rights.

Quick Facts on Suicide and ERPOs in Oregon (OHA, 2024)²

- Oregon's ERPO law went into effect in 2018.
- 888 Oregonians died by suicide in 2023, 489 by firearm (55%).
- Between 2018 and 2022, 649 ERPO petitions were filed, with 506
 (78%) of them approved.
- Petitions have been filed in 29 of Oregon's 36 counties (81%).
- Most petitioners are law enforcement officers (60%), followed by family/household members (26%). Law enforcement officer petitions have a 96% approval rate.
- Threat of assault (84%) and self-harm (63%) are the most common threats cited in petitions.

ERPOs and Best Practices in Suicide Prevention

Mental health and gun tragedies are interconnected issues. Across the United States and in Oregon, the majority of firearm-related deaths are suicides, and the majority of suicide deaths are caused by firearms.³

However, there are still many myths and misunderstandings around suicide, so it is important for all of us to be aware and able to apply best practices. **ERPOs are just one of many tools on the suicide prevention spectrum.**

MYTH: Interventions, such as secure firearm storage, don't work.

FACT: Numerous studies show that increasing time and distance between an individual experiencing suicidal ideation and a lethal means is the most effective way of saving a life. Firearms are by far the most lethal means.⁴

MYTH: Talking about suicide or asking someone directly if they are thinking about suicide increases the chance that an individual will act on it.

FACT: Suicidal feelings are very isolating, so asking someone directly often provides a sense of relief to individuals experiencing suicidal ideation and shows that you care for their well-being. Asking does not increase their risk.

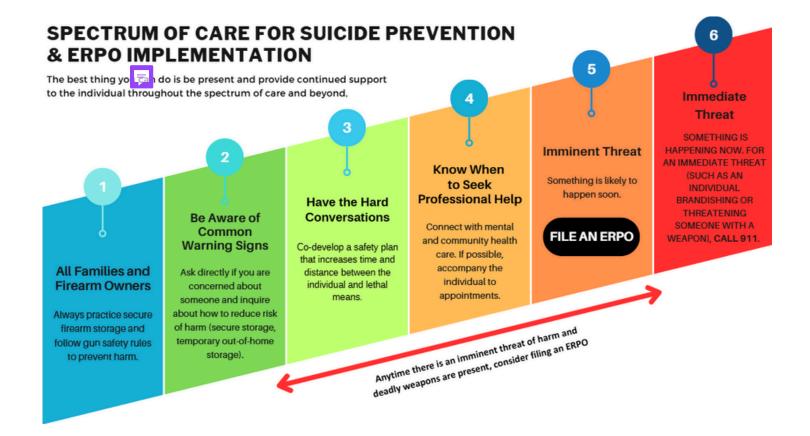
MYTH: Suicide cannot be prevented.

FACT: Suicide attempts are often impulsive but statistically are considered one of the most preventable forms of death. Providing support, resources, and a safe environment for someone in crisis saves lives.⁶

MYTH: Individuals who want to take their lives will do so regardless.

FACT: Studies show that more than 75% of individuals who survive a suicide attempt do not go on to attempt again.⁷

ERPOs and the Suicide Prevention Spectrum



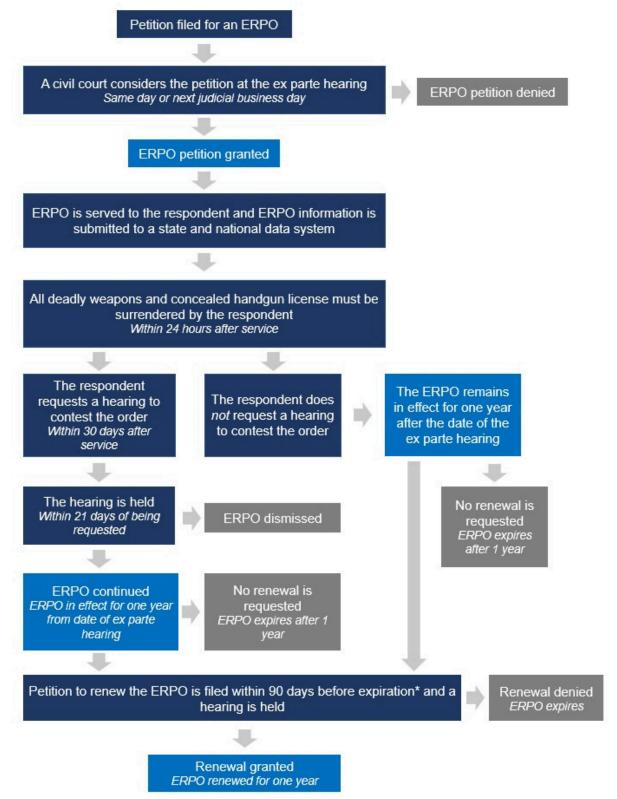
While there are best practices in suicide prevention, it is critical to meet someone where they are on the spectrum of care. Suicide attempts can be very impulsive, so reducing access to lethal means is key.

If an individual is showing imminent signs of harm to themselves or another, then it may be appropriate to file an ERPO regardless of where they are on the spectrum of care.

After a suicide attempt, it is crucial to provide follow-up care (postvention) for the individual to support their well-being and resilience.

For more information about suicide prevention best practices and how to find support, visit the <u>American Foundation for Suicide Prevention</u>.

ERPO Process Flowchart



^{*} The renewal petition must be filed with enough time before the expiration of the current ERPO to schedule a hearing and provide both the petitioner and the respondent with 14 days' notice of the hearing.





Frequently Asked Questions

about Oregon's Extreme Risk Protection Order (ERPO)

What is the primary goal of an ERPO?

An ERPO provides a legal, constitutional pathway to temporarily remove deadly weapons, including firearms, from an individual who is showing clear and convincing signs (defined on p. 8) of being an imminent threat to themselves or others. The purpose is to reduce the risk of harm or death to self or others with a deadly weapon, especially a firearm. ERPOs have proven effective in preventing mass shootings, suicides, and homicides.⁸

What is considered a deadly weapon?

Deadly weapon refers to any instrument, article, or substance specifically designed for and presently capable of causing death or serious physical injury, including a firearm, whether loaded or unloaded. An ERPO is designed to reduce and/or prevent the imminent risk of harm to self or others from any deadly weapon, especially firearms.

Who can file an ERPO?

Only law enforcement officers, family, or household members may file an ERPO petition. *Family* refers to a current spouse or intimate partner, parent, child, or sibling. *Household members* are those who currently live with the individual at risk, and may include a spouse, intimate partner, parents, children, siblings, roommates, and other cohabitants.

Can a minor file an ERPO?

A minor can file an ERPO, but an ERPO cannot be filed against a minor, since they are not legally allowed to purchase or own firearms under age 18. For all households with minors, it is Oregon state law to keep all firearms secure from unauthorized access.

How long does an ERPO last?

Typically, one year. The petitioner may file a written ERPO renewal request with the court. The petitioner or the respondent may submit a written request for a hearing to terminate the ERPO once while it is in effect and once during any period of a renewed ERPO.

What is required to show clear and convincing evidence that an ERPO is necessary?

The petitioner must provide evidence that the respondent (individual being petitioned) poses an imminent risk of harming others or themselves. Evidence may include the following:

- History of violence or threats of violence against people or animals
- History of suicidality, including attempts or threats to attempt suicide
- Recent unlawful and concerning substance use or abuse
- Previous use, display, or brandishing of a deadly weapon in an unlawful or harmful manner, or recent acquisition of a deadly weapon to do so
- Restraining orders, including previous violations of a restraining order
- Mental health concerns, including unaddressed or worsening mental health concerns
- Concerning or threatening behaviors, including verbal, written, or online

What is the difference between an imminent threat and an immediate threat?

ERPOs are intended to reduce the risk of harm from firearms by someone who is demonstrating an imminent threat. *Imminent* means waiting for something likely to happen, while *immediate* means something happening now. For an immediate threat (such as someone brandishing, threatening, or attacking someone with a weapon), call 911.

Can someone file an ERPO against someone to harass or retaliate against them?

No. It is a misdemeanor to file for an ERPO intending to harass or harm the respondent or knowing that the information in the petition is false. In order to protect against this, Oregon follows due process rights, and a judge must approve every ERPO. An ERPO cannot be filed without legal due process.

What is the timeline for implementing an ERPO?

Once an ERPO petition is filed, the court must hold a hearing, typically the same day or within 24 hours. The person who requests the ERPO petition must appear in person or by video at the hearing. If the person being petitioned (the respondent) requests a hearing within 30 days of being served, then the court must hold an additional hearing within 21 days.

Does an ERPO show up on a background check?

Yes. The county sheriff enters the ERPO into the Law Enforcement Data System (LEDS) maintained by the Oregon State Police and requests the entrance of the ERPO into the databases of the National Crime Information Center (NCIC) of the United States Department of Justice (US DOJ).

Does an ERPO stay on a background check indefinitely?

No. An ERPO only appears on a background check during the period of time that the order is in effect. Upon termination of the ERPO, the county sheriff promptly removes the original ERPO from the LEDS and requests the removal of the ERPO from the US DOJ NCIC.

What happens to the firearms?

The respondent can surrender their weapons to a law enforcement agency, gun dealer, or someone else who can lawfully hold them. They can also transfer their firearms to a family member who can legally possess them without a background check.

How does the respondent learn of the ERPO order?

The respondent is personally served with a copy of the ERPO and a hearing request form, usually by a law enforcement officer.

How does an ERPO respect due process rights?

ERPOs follow the legal precedent of emergency protective orders. ERPOs are meant to address an imminent and credible threat. In those cases, moving quickly saves lives. Due process is protected in this situation, as the respondent is given the opportunity to request a hearing. Within 30 days of service of the ERPO, the respondent may request a court hearing to contest the ERPO. If the respondent requests a hearing, the clerk of the court provides the respondent and the petitioner with a hearing notice and the petitioner with a copy of the hearing request.

How long has this law been in effect?

In July 2017, Governor Kate Brown signed Senate Bill 719, creating Oregon's Extreme Risk Protection Order law. The law went into effect on January 1, 2018. This bipartisan bill was sponsored by Senator Brian Boquist (R-Dallas), whose stepson, a US Navy Veteran, died by suicide with a firearm, and Senate Majority Leader Ginny Burdick (D-Portland), a longtime gun tragedy prevention advocate.

Are ERPOs constitutional?

The ERPO filing process was designed to ensure due process and to protect the rights of both the petitioner and the respondent. ERPOs are modeled after domestic violence orders that exist in all 50 states. Multiple courts have upheld their legality. Unlawfully or unconstitutionally "taking away" guns from people is not the intent. The purpose is to save lives and protect people from preventable harm, not to harm anyone or take their rights away. Examples of the ways in which the ERPO filing process protects the rights of the respondent:

- The process provides a notice and an opportunity to request a hearing for respondents to present their defense.
- There are strict limitations on the evidence allowed for a petition to be considered, and there are consequences for filing a fraudulent petition.
- ERPOs are temporary restrictions, allowing for the respondent to receive their weapons once the order expires.

How is an ERPO different from a restraining order?

To file for a restraining order against someone, that person must have physically injured you, attempted to physically injure you, forced you to have sexual relations, or made you feel under imminent threat of physical injury. There are similar restrictions on the nature of the relationship between the party subject to the restraining order and the person seeking the restraining order (visit the <u>Oregon Department of Justice website</u> for more details). If a judge rules that a restraining order is appropriate to keep the petitioner safe, the person subject to the restraining order is prohibited from owning or purchasing a weapon during the duration of the restraining order. Both orders last for one year, and both are eligible for renewal. The mental wellness of the person under a restraining order is not questioned, as it is under an ERPO.

How to Use This Toolkit

1. Learn about ERPOs

Read the Overview, Introduction to ERPOs, ERPOS and Suicide, and FAQ sections. Understand who can file an ERPO and how the process works.

2. Identify key websites and contacts

Research local government, health, or nonprofit websites that should include ERPO information. Use our <u>outreach tracker</u> to organize your efforts.

3. Start outreach

Use the provided email templates to contact local leaders. Suggest sample ERPO content for their websites and attach helpful materials like this ERPO guide or flyers found in the Visual and Print Materials at the end of this guide.

★ Make a clear ask: Request that ERPO information be posted on a specific webpage.

4. Request training or support

Need help or a guest speaker?
Contact Steve Schneider: steve@oralliance.org.

5. Follow up

Circle back to your contacts—check in, offer help, and track progress. Consider timing your outreach with specific events or themes like Suicide Prevention Month in September.

Need help? You're not alone. This toolkit is here to support you—and so are we. Reach out to our team if you have questions or want to get more involved: info@oralliance.org.

Together, we can save lives.



Outreach Templates

Email 1: Website Content Request

Subject: Help prevent firearm suicide—request to add ERPO info to your website

Dear [Name],

I'm reaching out to raise awareness about a critical tool we have in Oregon to prevent firearm-related tragedies: the Extreme Risk Protection Order (ERPO). Despite its potential to prevent suicide and other firearm-related tragedies, many community members are unaware that this option exists. I believe it's essential for our community to better understand this lifesaving tool, especially with regard to suicide.

These key reasons underscore the need for more awareness and usage of this tool:

- Oregon's rate of firearm suicide is much higher than the national average. Suicide by firearm accounts for over 80% of total gun deaths in Oregon, compared with 60% nationally. In Oregon, 77% of all suicides involve a gun.
- Among youth in Oregon, 61% of suicides are by firearm, compared to the national average of nearly 50%.¹⁰ Of youth suicides, 79% percent used a firearm that belonged to a family member—most often a parent.¹¹
- From 2014 to 2023, the national firearm suicide rate tripled among Black youth, and doubled among Hispanic/Latinx youth.
- The rate of suicide for Oregon veterans is over 40% higher than the national average and has been for two decades. A firearm is used in 75% of veteran suicides in Oregon.¹³

We need to work together to ensure that more people in our community know that they have this vital option when faced with a potentially tragic situation. Public awareness and assistance with filing petitions are crucial to making this law as effective as it can be.

ERPOs allow family, household members, or law enforcement to petition a civil court to temporarily remove firearms from someone at risk of harming

Outreach Templates (Email 1 cont.)

themselves or others. The law respects due process and allows for firearms to be returned once the crisis has passed.

By increasing awareness of this law, we can make a meaningful impact on reducing gun tragedies and saving lives in our community.

We are asking for your help: Would you consider adding ERPO information to your website? We've included sample content and flyers to make this easy.

Thank you for your time and for being a leader in our shared mission to keep Oregon safe.

Respectfully, [Your name]

Email 2: Suicide Awareness and Prevention Month

Subject: Help raise awareness for Suicide Prevention Month

Dear [Name],

September is suicide prevention month—a powerful opportunity to raise awareness about Oregon's Extreme Risk Protection Order (ERPO) law. ERPOs give loved ones a way to act when someone is at risk, and they have already helped save lives across the state.

We've attached:

- A one-page ERPO flyer
- Sample social media posts and graphics
- Suggested website content

Let's work together to spread the word. Thank you for your support.

[Your name]

Outreach Templates (cont.)

Sample text for social media posts

- Mental health and gun tragedy prevention go hand in hand. Learn how Oregon's ERPO law can save lives. https://www.alliancesafeoregon.org/erpo #MentalHealthMatters #OregonERPO
- Did you know that Oregon's ERPO law helps prevent firearm suicides?
 Learn more about how to protect your loved ones:
 https://erpo.org/state/oregon/ #OregonERPO #SuicidePrevention
- Oregon has a powerful tool to reduce firearm suicides: Extreme Risk Protection Orders (ERPOs). Learn more: https://www.courts.oregon.gov/forms/Documents/ERPOPacket.pdf #MentalHealthAwareness #SuicidePrevention #OregonERPO
- What is an Extreme Risk Protection Order (ERPO)? It's a lifesaving tool that lets families and law enforcement temporarily remove firearms from someone who poses a risk to themselves or others.

It's about prevention. It's about protection. And it's already saving lives in Oregon.

Learn more about how it works. [<u>Link in bio:</u> <u>https://www.courts.oregon.gov/forms/Documents/ERPOPacket.pdf</u>]

Sample website content for city, county, and nonprofit websites

Please see the Alliance for a Safe Oregon's webpage on ERPOs and Firearm Suicide Prevention here: https://www.alliancesafeoregon.org/erpo.

Oregon's Extreme Risk Protection Order (ERPO)

A Lifesaving Tool to Prevent Suicide by Temporarily Removing Firearms

If someone you care about is showing signs of suicidal thoughts or behaviors, you are not alone, and help is available. Oregon's Extreme Risk Protection Order (ERPO) law provides a way to keep loved ones safe during a crisis.

Outreach Templates (Sample web content cont.)

Why It Matters

When a person is experiencing a crisis, especially with access to firearms, the risk of suicide is much higher. Many families have had personal experiences where they have found that temporarily removing firearms saves lives.

Once the person is doing better, their firearms can be returned. This ensures people's rights are protected, while also keeping them safe during a critical time.

How to Know When to Act

It's natural to feel unsure or overwhelmed if someone you love seems to be in danger of harming themselves. ERPOs are meant to be a last resort when someone poses a serious threat, and other support options—like secure storage of firearms or mental health support —may not be enough on their own.

Taking action can feel uncomfortable, but your care and concern can be the turning point toward healing.

It was incredibly difficult, but I knew the best thing I could do was take my friend seriously when they told me they were having suicidal thoughts. —Oregon ERPO petitioner from OHSU study

Who Can Request an ERPO?

You can request an ERPO if you have one of the following relationships with the person at risk of harming themselves or others:

- A family member
- A roommate/housemate
- An intimate partner

If you don't meet these criteria, you can still ask local law enforcement to file an ERPO on your behalf. Sometimes, people will choose to have law enforcement file the ERPO on their behalf because it can make it easier for them to focus on caring for their loved one.

How It Works

To get an ERPO, you must file a form in court with evidence that shows the person is at imminent risk of harming themselves or others. When people

Outreach Templates (Sample web content cont.)

are at high risk of suicide, they may be acting in unusual ways and may be threatening to harm others as well.

A judge will then review the case—typically within 24 hours—and determine if an ERPO is the best way to protect that person. There is no cost to file an ERPO. An ERPO can only be issued if there is sufficient evidence for the judge to approve it. It can't be used against others without legal evidence. There are legal consequences for false filings.

If granted, law enforcement serves the order and safely removes firearms for one year.

I have had people that have had ERPOs contact me and tell me that it was the right thing to do.... I know that it has saved lives.

—Jake Chandler, former Bend police officer

How to File an ERPO in Oregon:

Directions and links to official information from the state on how to file

ERPO Information and Filing Guide Oregon ERPO Petition Form

Background information

How and When Is the Order Served?

A county sheriff's deputy is most often the person to serve the ERPO in order to safely remove and store the firearms. Sheriffs are trained to do this and are able to interact calmly with the person. You can also advocate to have a mental health worker or peer support worker present to support your loved one. NAMI Oregon may be able to help: https://namior.org/. For veterans, a veteran peer support specialist from 988 might be able to help (call 988, choose option 1). After the firearms are removed, it is important to support the respondent in getting the mental and medical help they need.

Legal and Safe

ERPOs respect due process and the Second Amendment. They are temporary civil orders (not criminal) that require sufficient evidence and can be challenged in court. ERPOs prioritize safety and recovery, giving the person the option to have their firearms returned once they are safe.

Outreach Templates (Sample web content cont.)

What Happens to the Weapons?

The person can surrender their weapons to a law enforcement agency, gun dealer, or someone who can lawfully hold them. A family member can also temporarily hold firearms for suicide prevention, as long as that person isn't otherwise prohibited.

When Are Firearms Returned?

After one year, firearms can be returned. If needed, an ERPO can be extended to keep a person safe. A person can also request to have a judge review their case and end the order before one year has passed.

Support Is Available

Having this conversation can be hard—but taking action can save a life. If you need help navigating the process or supporting a loved one, organizations like the Oregon Alliance to Prevent Suicide and NAMI Oregon can provide support and peer resources.

Support resources

- 988 Suicide and Crisis Lifeline: Call or text 988
- National Crisis Lines
 - Veterans: Call 988 and press 1, or text to 838255
 - LGBTQIA+: <u>The Trevor Project</u>
 - Call (866) 488-7386
 - Text START to 678678
 - Trans Lifeline Hotline: (877) 565-8860
 - Youthline: Call (877) 968-8491, or text Teen2Teen to 839863
- One Thing You Can Do: ERPO information for Oregonians
- Oregon Alliance to Prevent Suicide: support, peer resources, and guidance
- NAMI Oregon: support, peer resources, and guidance
- One-page Oregon ERPO flier

Informational resources

- OHSU Research: Multiple resources available under "Evaluating the Implementation and Utilization of Oregon's ERPO Law"
- Johns Hopkins: National ERPO Resource Center Oregon

Visual and Print Materials

Downloadable fliers

Alliance for a Safe Oregon

- <u>Toolkit Overview</u>
- ERPO Quick Facts
- ERPOs & Best Practices in Suicide Prevention (Toolkit p. 4)
- ERPOs & the Suicide Prevention Spectrum (Toolkit p. 5)
- Oregon ERPO FAQ

OHSU

- OHSU-PSU Oregon ERPO Flow Chart
- Use of ERPO in Oregon
- OHSU-PSU Fact Sheet for Clinicians
- Research Brief: Oregon ERPO
- Research Brief: ERPO Interviews with Professionals
- <u>Use of Oregon's ERPO Law to Address Suicide Risk</u>

Johns Hopkins

- ERPO Fact Sheet
- ERPO/Domestic Violence Protection Orders Comparison

One Thing You Can Do

Información de ERPO en español

Visuals for social media

- 3 Important Things to Know for Preventing Suicide: PNG <u>1 2 3 4</u>
- Myth vs. Fact PNG <u>1 2 3 4</u>

Additional ERPO Resources

Suicide and Crisis Lifeline Call or Text: 988

OHSU ERPO Research

https://ohsu-psu-sph.org/gun-violence-prevention-research/research-activities/

Johns Hopkins ERPO Research americanhealth.jhu.edu/erpo-state/oregon

Oregon Alliance to Prevent Suicide

https://oregonalliancetopreventsuicide.org/
contact-us/

NAMI Oregon namior.org

SOURCES

- 1. https://injuryprevention.bmj.com/content/early/2025/03/22/ip-2024-045581
- 2. <u>https://www.ohsu.edu/sites/default/files/2024-03/Oregon-ERPO-Findings-Fact-Sheet-Feb2024.pdf</u>
- 3. Centers for Disease Control and Prevention, National Center for Health Statistics. National Vital Statistics System, Mortality 2018-2023 on CDC WONDER Online Database. Accessed July 2024. https://wonder.cdc.gov/
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- 8. https://publichealth.jhu.edu/sites/default/files/2023-02/research-on-extreme-risk-protection-orders.pdf
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- 11. https://hsph.harvard.edu/research/means-matter/means-matter-basics/youth-access-to-firearms/
- 12. <u>https://publichealth.jhu.edu/2025/new-report-highlights-us-2023-gun-deaths-suicide-by-firearm-at-record-levels-for-third-straight-year</u>
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