

# Extreme Risk Protection Order (ERPO)

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## *What are they?*

**Extreme Risk Protection Orders** - also known as Red Flag Laws, Gun Violence Restraining Orders (GVRO), among other names - are a **temporary measure to reduce gun violence** by removing lethal means from someone who is exhibiting dangerous behaviors toward themselves (i.e. suicide) or others (i.e. domestic violence). Who can petition the court to remove firearms depends on the state, but includes law enforcement officers, family members, intimate partners, and healthcare workers.

These laws have been implemented with success to prevent mass shootings, hate crimes, homicides, and suicides.

## **21 states and the District of Columbia have enacted ERPO laws.**

Of these, only Colorado, Connecticut, Hawaii, Maryland, Michigan, New York, and the District of Columbia grant authority for licensed healthcare workers to petition for an ERPO.

## What is the process? (check your state-specific laws)

1

File a petition to the court

2

Court will approve or reject the ERPO petition. If approved...

3

Law enforcement serves the ERPO and notifies the person of the final hearing. All firearms are temporarily handed over and no firearm purchases can be made (may vary state to state)

4

Final hearing is held with both parties present; respondent may challenge the petition at this time

5

If court issues final order, person is prohibited from possessing or purchasing firearms for set period of time  
  
If final order denied, all firearms returned immediately

<sup>1</sup> Swanson, J.W., Norko, M.A., Lin, H., Alanis-Hirsch, K., Frisman, L.K., Baranoski, M.V., Easter, M.M., Robertso, A.G., Swartz, M.S., Bonnie, R.J. (2017). Implementation and Effectiveness of Connecticut's Risk-based Gun Removal Law: Does it Prevent Suicides? Law and Contemporary Problems, 80. Retrieved from: <http://scholarship.law.duke.edu/lcp/vol80/iss2/8>.

<sup>2</sup> Extreme Risk Protection Orders: A Guide to the Process. (n.d.) Retrieved from: [https://americanhealth.jhu.edu/sites/default/files/website-media/high-impact/ERPO/resources/ERPO\\_A\\_Guide\\_To\\_The\\_Process\\_FINAL.pdf](https://americanhealth.jhu.edu/sites/default/files/website-media/high-impact/ERPO/resources/ERPO_A_Guide_To_The_Process_FINAL.pdf)

# SELECTED RESOURCES

## ERPO Laws

- [National ERPO Resource Center](#)
- [National ERPO Resource Center - State-by-State](#)
- [Extreme Risk Protection Orders: A Guide to the Process](#)
- [U.S. Department of Justice Extreme Risk Protection Order Model Legislation](#)

## Information for Physicians

- [National ERPO Resource Center - Clinicians](#)
- [Extreme Risk Protection Orders: What Clinicians Need to Know](#)
- [U.S. Extreme Risk Protection Orders to Prevent Firearm Injury: The Clinician's Role](#)
- [BulletPoints Project - Civil Protective Orders](#)
- [HIPAA Privacy Rule and Disclosures of PHI for ERPOs](#)

## Specialty-specific Resources

- [American Psychiatric Association \(APA\)](#)
- [American Academy of Pediatrics \(AAP\)](#)
- [American College of Surgeons \(ACS\)](#)
- [American College of Physicians \(ACP\)](#)

## Research Publications

- [Updated Estimate on the Number of Extreme Risk Protection Orders Needed to Prevent 1 Suicide](#)
- [Consensus-Driven Priorities for Firearm Injury Education Among Medical Professionals](#)
- [Integration of extreme risk protection orders into the clinical workflow: Qualitative comparison of clinician perspectives](#)
- [Assessment of Physician Self-reported Knowledge and Use of Maryland's Extreme Risk Protection Order Law](#)

## Physician Perspectives

- [Physicians' perspectives on Extreme Risk Protection Orders \(ERPOs\) in the clinical setting: Challenges and opportunities for gun violence prevention](#)