

# EXTREME RISK PROTECTIVE ORDERS

## A SUICIDE PREVENTION TOOL

Suicide is preventable. ERPO is an evidence-based policy to save lives.

## WHAT IS AN EXTREME RISK PROTECTIVE ORDER (ERPO)?

Extreme Risk Protective Orders are emergency civil court orders that give family members and law enforcement the ability to petition a judge to temporarily remove firearms from an individual who poses an immediate and dangerous threat to themselves or others.

## DO THEY WORK? YES. ERPO'S HAVE BEEN SHOWN TO:

- Significantly reduce firearm suicides and save lives.
- Serve as pathway to connect at-risk individuals with mental health and/or substance abuse services and resources.

## WHO CAN FILE FOR AN ERPO?

Family members and law enforcement officers - those in the best position to intervene when a person is in crisis - can file for an ERPO. Family members often recognize warning signs when a loved one begins to exhibit erratic, suicidal, violent, or dangerous behavior. In many incidents of firearm suicide, individuals exhibit observable behavioral warning signals of suicidality prior to taking their lives. In these cases, ERPOs allow family members and law enforcement to take action to prevent tragedies.

### HOW CAN ERPOS HELP PREVENT FIREARM SUICIDES?

- Firearms are the most lethal form of self-harm in Utah with a case fatality rate of **87%**.
- ERPOs are a legal mechanism for lethal means reduction that respects gun rights.
- Over **90%** of people who attempt suicide and survive do NOT go on to take their lives.
- Many families have serious concerns about their loved ones, and ERPOs offer critical opportunities for families to intervene in these cases.

### NOTABLE SUPPORTERS OF ERPO

American Medical Association  
American College of Physicians  
American Bar Association  
American Federation of Teachers  
American Psychological Association  
National Education Association  
and many more

## Key Features of ERPO Law:

- Concerned family members or law enforcement officers can file for the order, initiating the process.
- If the court determines that the respondent poses imminent threat of harm to self or others, a judge can issue an emergency *ex parte* order, which authorizes immediate, temporary removal of firearms from the individual.
- A full hearing for the respondent must then occur within 14 days.
- A judge will determine if the emergency order will terminate and firearms be returned, or if evidence justifies extending the ERPO order for a longer period of time.
- A judge can recommend mental health or substance abuse treatment for the respondent.
- Strict penalties are in place for a petitioner who provides false information to the judge or for a respondent who violates the order.

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**STATES HAVE ALREADY PASSED AN ERPO LAW, WHILE 18 OTHERS ARE CONSIDERING ERPO LAWS**



**STATES WITH ERPOS HAVE SEEN A REDUCTION IN FIREARM SUICIDES**

**78%**

**OF PEOPLE NATIONWIDE SUPPORT ERPO LAWS**

**44%**

**OF ERPOS LED TO RESPONDENTS RECEIVING PSYCHIATRIC TREATMENT THEY MAY NOT HAVE OTHERWISE RECEIVED**

## Strong Due Process Safeguards:

- High evidentiary standards
- Limited petitioners who can file
- Judicial discretion based on evidence
- Full hearing for the respondent
- Penalties for false claims and order violations
- Ability to terminate or extend depending on evidentiary need
- Judge's decision can be appealed
- Clear processes for return of firearms upon expiration or termination of an ERPO