

# Create a process for Extreme Risk Protection Orders

Extreme Risk Protection Orders (ERPOs) are civil, not criminal, court orders that **temporarily** remove firearms from individuals during suicidal crises and intense periods of high risk, presenting an effective tool to save lives.

## The Facts



Firearms account for **over half** of suicide deaths<sup>1</sup>



**85-90%** of suicide attempts with a firearm are fatal<sup>2, 3</sup>



For every **22 ERPOs issued**, one suicide is prevented<sup>4</sup>

## AFSP Recommendations

- **Establish a process for ERPOs, including emergency orders to immediately remove the firearm from an individual at risk**
- **Set a high standard for securing an order and provide for due process protections, including penalties for violations**
- **Include requirements for public awareness and education**

## Background

- Putting time and distance between a person at risk and lethal means allows time for the suicidal risk to subside and for someone to intervene with support and resources<sup>5</sup>
- Most individuals who are prevented from making a suicide attempt via one method typically do not go on to attempt with another method; if they do substitute with another method, it will likely be less lethal<sup>6</sup>
- Suicide risk is exacerbated by ready access to firearms or other lethal means<sup>7, 8</sup>
- Suicide is a concern in the majority (~3/5) of ERPO cases, and the individuals issued ERPOs have an estimated risk of suicide 40x higher than the general population<sup>9</sup>
- ERPO policies are positively viewed among the public and interest in utilizing ERPOs has been indicated by physicians and law enforcement; however, many report a lack of understanding of how to initiate the order, suggesting the importance of public education<sup>10, 11, 12</sup>
- A case study found less than 4% of filed petitions were found to violate the appropriate use of ERPOs, and all were successfully denied by the courts<sup>13</sup>

**ERPOs fill an existing gap for families who want to protect a loved one who may be unable or unwilling to take the necessary steps to ensure their own safety during a suicidal crisis.**



<sup>1</sup> Centers for Disease Control and Prevention, National Center for Health Statistics. National Vital Statistics System, Mortality 2018-2022 on CDC WONDER Online Database, released in 2024. Data are from the Multiple Cause of Death Files, 2018-2022, as compiled from data provided by the 57 vital statistics jurisdictions through the Vital Statistics Cooperative Program. Accessed at <http://wonder.cdc.gov/ucd-icd10-expanded.html>.

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<sup>2</sup> American Foundation for Suicide Prevention. (2023). Understanding firearms and suicide prevention. <https://afsp.org/an-introduction-to-firearms-and-suicide-prevention>.

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<sup>3</sup> Conner, A., Azrael, D., & Miller, M. (2019). Suicide Case-Fatality Rates in the United States, 2007 to 2014. *Annals of Internal Medicine*, 171(12), 885-895.

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<sup>4</sup> Miller, M., Zhang, Y., Studdert, D.M., & Swanson, S. (2024). Updated Estimate of the Number of Extreme Risk Protection Orders Needed to Prevent 1 Suicide. *JAMA Network Open*, 7(6), e2414864.

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<sup>5</sup> Barber, C.W., & Miller, M.J. (2014). Reducing a Suicidal Person's Access to Lethal Means of Suicide: A Research Agenda. *American Journal of Preventive Medicine*, 47(3), S264-S272.

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<sup>6</sup> Daigle, M.S. (2005). Suicide prevention through means restriction: Assessing the risk of substitution: A critical review and synthesis. *Accident Analysis & Prevention*, 27(4), 625-632.

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<sup>7</sup> Miller, M.J., Barber, C.W., White, R.A., & Azrael, D. (2013). Firearms and Suicide in the United States: Is Risk Independent of Underlying Suicidal Behavior? *American Journal of Epidemiology*, 178(6), 946-55.

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<sup>8</sup> Houtsma, C., Butterworth, S. E., & Anestis, M. D. (2018). Firearm suicide: Pathways to risk and methods of prevention. *Current Opinion in Psychology*, 22, 7-11.

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<sup>9</sup> Swanson, J.W., Norko, M. A., Lin, H., Alanis-Hirsch, K., Frisman L.K., Baranoski, M.V., Easter, M.M., Robertson, 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(2), 179-208.

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<sup>10</sup> Feldmann, D., Hillman, M., Patrick, R., Baum, A., Hill, R., Thompson-Kuhn C., Dorf, B., Lushin, H., & Hansen. T. (2023). ERPOs: Understanding Public Knowledge & Attitudes Toward Extreme Risk Protection Orders. Ad Council Research Institute & The Joyce Foundation. p. 25, 26, 43, 47.

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<sup>11</sup> Rowhani-Rahbar, A., Bellenger, M.A., Gibb, L., Chesnut, H., Lowry-Schiller M., Gause E., Haviland, M.J., Rivara F.P. (2020). Extreme Risk Protection Orders in Washington: A Statewide Descriptive Study. *Annals of Internal Medicine*, 173(5), 342-349. [Epub 30 June 2020]. doi:10.7326/M20-0594

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<sup>12</sup> Martin, D.D., Wyatt, K.L., & Shanahan, S.B. (2020). Practitioners' Perspective on Extreme Risk Protection Orders. *JAMA Network Open*, 3(6):e208021. doi:10.1001/jamanetworkopen.2020.8021

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<sup>13</sup> Kaur, H., Udall, T., & Rice, A. (2021). First -Year Implementation of Colorado's Violence Prevention Act: Reflections on its Impact & Opportunities for Improvement. Colorado Office of the Attorney General. <https://coag.gov/app/uploads/2021/08/First-year-implementation-of-Colorado-violence-prevention-act.pdf>