A 39-year-old man who, while intoxicated (at three times the legal limit), believed he was shooting at raccoons and rats in his backyard. Terrified neighbors called police as bullets flew into their backyards. A 60-year-old man who grabbed a .38 revolver and fled his home after his family discovered he was molesting his grandchild. The man was arrested with the gun in his vehicle. A 35-year-old man with a small arsenal and a history of domestic violence, whose wife suffered a serious laceration to her forehead and feared he might kill her. The man owned a 9mm pistol, a Mosquito semi-automatic pistol, a Ruger .22, a Springfield .40 caliber pistol, a Ruger rifle, a Mossberg shotgun, and an unmarked handgun. A 33-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. When the Police Department arrived on the scene and searched the car, they found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .380 handgun. A 35-year-old man who threatened to kill himself, his wife, and their young child if she left him. His wife had overheard him distraught and crying in the bathroom, and cocking his .40 caliber pistol. A 28-year-old man who grabbed a gun case and threatened suicide. When his ex-girlfriend tried to call for help, he grabbed her by her hair, threw her on the ground, and pushed her head into a wall. Police seized two handguns, two rifles, and a shotgun. A 23-year-old ex-Marine who had developed a paranoia that all males wanted to harm him. He had walked into an auto parts store with a loaded handgun, but called police before shooting anyone. A 39-year-old man who, while intoxicated (at three times the legal limit), believed he was shooting at raccoons and rats in his backyard. A 39-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. 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FILE A TEMPORARY EXTREME RISK PROTECTION ORDER (ERPO) PETITION
Petitioner goes to the district or county court where the respondent resides and files a petition for a temporary ERPO during court hours. If the petitioner is a law enforcement officer or agency, they concurrently file for a search warrant to search for any firearms in the respondent’s possession should the court grant the order.

ASSESS TEMPORARY ERPO PETITION
The court considers all relevant evidence and decide whether to issue a temporary ERPO. The court shall hold a temporary ERPO hearing in person or by telephone on the day the petition is filed or on the court day immediately following the day the petition is filed.

IF A TEMPORARY ERPO IS ISSUED, SERVE THE ORDER
When a temporary ERPO is issued, law enforcement serves the temporary ERPO. If the respondent is present at the hearing, they are served in court. If the respondent is not present in court, law enforcement serves respondent with notice of the hearing date, a copy of the ERPO petition, a copy of the temporary ERPO and referrals to appropriate resources, including domestic violence, behavioral health, and counseling services.

RESPONDENT COMPLIES WITH TEMPORARY ERPO & DISPOSSESSES FIREARMS
When the temporary ERPO is served, respondent temporarily turns over to law enforcement any firearms and concealed carry permit in their possession.

UPDATE BACKGROUND CHECK SYSTEM
On the same day the order is issued, the court clerk enters the temporary ERPO into a statewide judicial information system and forwards a copy to the Colorado Bureau of Investigation and the law enforcement agency specified in the order. The Colorado Bureau of Investigation enters the order into the national instant criminal background check system, any other federal or state systems used to identify prohibited purchasers of firearms, and any criminal intelligence information system used by law enforcement agencies.

Within three court days, the court forwards all identifying information about the respondent, along with the date the ERPO was issued, to the county sheriff in the jurisdiction where the respondent resides.

The county sheriff determines if the respondent has a concealed carry permit and, if so, the sheriff immediately revokes the permit.

PROCEED WITH FINAL ERPO HEARING
Within 14 days after issuance of the temporary ERPO, a hearing is held where the respondent has an opportunity to be heard, and the petitioner must prove that the respondent poses a significant risk of injury to self or others by having in their custody or control, purchasing, possessing, or receiving a firearm.

FINAL ERPO IS ISSUED
If a final ERPO is issued, the order is served. If the respondent is present at the hearing, they receive the final ERPO, other forms, and referrals while in court. If the respondent is not present in court, law enforcement serves respondent with a copy of the ERPO and referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources.

A final ERPO is in effect for up to 364 days.

(IF the court issues an ERPO and the petitioner is a law enforcement officer or agency, the petitioner shall make a good-faith effort to provide notice of the order to a family or household member of the respondent and to any known third party who may be at direct risk of violence.)

TERMINATE OR RENEW ERPO
The respondent may submit one written request for a hearing to terminate an ERPO, while the order is in effect.

The court will notify the petitioner within 63 days of expiration that the petitioner may request a hearing for renewal.

UPDATE THE BACKGROUND CHECK SYSTEM
When a temporary or final ERPO expires or is terminated, the court clerk forwards a copy of the termination order to the Colorado Bureau of Investigation and the appropriate law enforcement agency. The Colorado Bureau of Investigation and the law enforcement agency promptly removes the ERPO from any system in which it was entered.

RETURN FIREARMS
If the final ERPO is terminated or expires, any firearms are returned to the respondent within 3 days of the respondent’s request for return, if respondent is lawfully qualified to possess a firearm. The respondent may reapply for a concealed carry permit after the final ERPO is no longer in effect.

Authorized petitioners in Colorado include:
- Family or household members, including persons related by blood, marriage, or adoption, persons with a child in common, persons who regularly reside or regularly resided with the respondent in the last six months, domestic partners, parents, children, stepparents, stepchildren, grandparents, grandchildren, legal guardians, current or former unmarried couples
- Law enforcement

*Information on this website does not constitute legal advice. Every factual situation is unique; if you want legal advice specific to your particular circumstances, please consult knowledgeable counsel.