s and rats in his backyard. Terrified neighbors called police as bullets flew into the backyards. A 60-yeer-old man who grabbed a .38 revol his home after his family discovered he was molesting his grandchild. The man was arrested with the gun in his vehicle. A 38-year-old man wh atened to kill himself, his wife, and their young child if she left him. His wife had overheard him distraught and crying in the bathroom, an ing 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, h bed 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 33-yee 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 th found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .386 handgun. A 35-yeara small arsenal and a history of domestic violence, whose wife suffered a serious laceration to her forehead and feared he might kill her. T d a 9mm pistol, a Mosquito semi-automatic pistol, a Ruger .22, a Springfield .40 caliber pistol, a Ruger rifle, a Mossberg shotgun, and an un gun. A 40-yeer-old man who told his fiancé by text message that he wanted to shoot her in the head, then visited his fiancé's ex-boyrfriend an atened to kill him while holding a knife behind his back. The man surrendered a handgun and an AR-15, the semi-automatic rifle frequently use shoters. 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 wit ed handgun, but called police before shooting anyone. A 39-year-old man who, while intoxicated (at three times the legal limit), believed he ting at raccoons and rats in his backyard. Terrified neighbors called police as bullets flew into their backyards. A 60-year-old man who grab revolver and fled his home after his family discovered he was mo

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### HOW DO THEY DIFFER?

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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.

Bloomberg American Health Initiative



# ERPOs temporarily remove firearms from individuals at risk of harming themselves or others.

# **DVROs** offer multiple protections for individuals experiencing domestic violence.

It is critical for family members, advocates, domestic violence survivors, and law enforcement to work together to decide the best course of action given the tools available to reduce the risk of violence.

# WHAT IS AN EXTREME RISK PROTECTION ORDER?

An Extreme Risk Protection Order (ERPO) ERPO (also known as a Gun Violence Restraining Order, Lethal Violence Protection Order, among other terms) is a civil order that temporarily prohibits individuals who pose a danger to self or others from purchasing and possessing firearms. Depending on the state, a law enforcement officer, state's attorney, family or household member, school administrator, and/or health professional may petition a court for an ERPO. As of May 2019, fifteen states and the District of Columbia have enacted an extreme risk law: California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Maryland, Massachusetts, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington. ERPOs are based on the well-established system of Domestic Violence Restraining Orders.

#### **HOW ARE ERPOs DIFFERENT?**

#### Petitioners

Law enforcement can petition for ERPOs, and in most states with ERPO laws family and intimate partners can also petition. A few states also authorize clinicians and school administrators to petition.

#### Protections

Extreme risk laws offer one type of protection – they address access to firearms for individuals at risk of violence to self or others.

#### WHAT IS A DOMESTIC VIOLENCE RESTRAINING ORDER?

Domestic Violence Restraining Orders (DVROs) (also known as protection orders and no contact orders) can be a civil or criminal orders (depending on state law and the nature of the abuse) and are designed to protect survivors of domestic violence from further abuse. Through DVROs, the court may order the respondent/defendant not to have contact with the petitioner, to stay away from the petitioner, to move out from a shared home, to participate in counseling, or prohibit firearm purchase and possession for the duration of the order, among other provisions.

#### HOW ARE DVROs DIFFERENT?

#### Petitioners

Intimate partners can petition for DVROs; law enforcement, for the most part, cannot.

#### Protections

These laws offer multiple protections through provisions that order no contact, to stay away, move out, counseling, and firearms prohibitions, among others.

## **ABOUT THIS PROJECT**

In 2013, following the Sandy Hook massacre, the Consortium for Risk-Based Firearm Policy published evidence-based recommendations to address all forms of gun violence. Among the recommendations was a call for states to pass a new policy called Extreme Risk Protection Orders. As of April 16, 2020, seven years since the Consortium released its report, 19 states and the District of Columbia have passed new ERPO laws. Dozens more states have introduced ERPO bills.

With many laws in place, and several additional states poised to enact ERPO laws, there is a need for information, technical assistance, and support for implementing ERPO laws. This project was created to address that need. Please visit the central resource for ERPO implementers at <u>americanhealth, jhu.edu/implementERPO</u>.