



# Research on Extreme Risk Protection Orders

## *An Evidence-Based Policy That Saves Lives*

***Extreme Risk Protection Orders (ERPOs), sometimes referred to as Red Flag laws, empower law enforcement, family members, and others to work with courts to temporarily remove firearms from those who pose a danger to themselves or others. Research suggests that ERPOs are a valuable gun violence prevention tool that can save lives.***

### Extreme Risk Protection Orders Prevent Suicides

- Swanson et al. (2017) examined 762 ERPO-style orders issued in Connecticut from 1999–2013. They found that ERPOs were used to prevent suicides among a population that had an annual suicide rate 40 times higher than the general public. In 99% of cases, police recovered firearms removing an average of seven guns per subject. The researchers calculated that for every 10–20 orders issued, one suicide was prevented.<sup>i</sup>
- Kivisto & Phalen (2018) evaluated the state-level impact of Indiana’s and Connecticut’s extreme risk laws on suicides. They found that Indiana’s extreme risk law was associated with a 7.5% reduction in firearm suicides, while Connecticut’s extreme risk law was associated with a 13.7% reduction in firearm suicides.<sup>ii</sup>
- Swanson et al. (2019) studied Indiana’s extreme risk law from 2006–2013 and found that 395 firearm removal orders were issued, and 1,079 firearms were temporarily removed. Suicidal ideation was cited as a reason for issuing the order in nearly 70% of these cases. Individuals in Indiana subject to orders had an annual suicide rate 31 times higher than the general population, showing the increased risk among this population. One suicide was prevented for every 10 firearm removal orders issued.<sup>iii</sup>
- In Zeoli et al. (2021), researchers examined 93 ERPO orders in Oregon filed within the first 15 months after implementation. Most extreme risk laws were issued for interpersonal violence (75%) or suicidality (73%). In 53% of the cases, the respondent had a history of both suicidality and interpersonal violence.<sup>iv</sup>

### ERPOs Are Used in Efforts to Prevent Mass Shootings

- In Wintemute et al. (2019), researchers studied California’s extreme risk law by examining the court records of 159 orders issued from 2016 to 2018. They found that extreme risk laws may play a role in efforts to prevent mass shootings. In 21 orders, the subject showed clear signs that they intended to commit a mass shooting and after the orders were issued, no mass shootings, suicides, or homicides occurred.<sup>v</sup>
- Zeoli et al. (2022) analyzed nearly 6,800 cases from six states (CA, CO, CT, FL, MD, WA) to see how ERPOs are used to address mass shooting threats. They found that 662 or 10% of ERPO cases involved the threat of killing at least three people. Judges graded 84% of final orders issued for threats of mass violence.<sup>vi</sup>

## ERPOs Are Used in a Wide Range of Circumstances

- In Pallin et al. (2020), researchers studied 1,076 ERPO records in California from 2016 to 2019. The respondent was male in 92% of orders, and the average age of the respondent was 43 years old. The racial/ethnic distribution of respondents roughly matched that of firearm owners in California. Fifty-nine percent of respondents were white, 21% were Latinx, 9% were Black, and 7% were Asian. Law enforcement officers were petitioners in nearly all cases (97%).<sup>vii</sup>
- Frattaroli et al. (2020) examined 238 orders of Washington’s extreme risk law from 2016–2019. Researchers found that the law was appropriately applied by law enforcement to prevent self-harm, harm to others, and harm to self and others.<sup>viii</sup>
- Prater et al. (2020) studied nine orders filed between 2016–2019 in Washington highlighting that ERPOs were used by petitioners to protect persons with dementia.<sup>ix</sup>
- In Zeoli et al. (2021), researchers analyzed 93 petitions from 2018–2019 in Oregon. Nearly one-third of petitioners were intimate partners or family members. Often, the petitions were filed within days of a threat of violence. This study also found that extreme risk laws are being used to temporarily prevent non-gun owners at risk of harm from acquiring guns.<sup>x</sup>
- In Pear et al. (2022), researchers analyzed 201 ERPO records in California. They found that 54% of cases involved potential interpersonal violence, 15% included potential harm to self, and 25% involved both. The authors also found that 29% of cases involved mass shooting threats.<sup>xi</sup>

## Increased Awareness of ERPOs Is Critical

- Frattaroli et al. (2019) found most physicians in Maryland were unfamiliar with the state’s ERPO law. After being informed about the law, they showed a willingness to use it.<sup>xii</sup>
- In Pallin et al. (2020), authors found the uptake of California’s GVRO law was slow but increased considerably in 2018 and again in 2019. The increase in use was driven by a few counties and suggests the importance of local leadership and law enforcement training to increase use of this policy.<sup>xiii</sup>
- Frattaroli et al. (2020) highlights how orders can help individuals gain access to mental health care, though it is critical to note that ERPOs are not intended to solely be used as a mental health tool.<sup>xiv</sup>
- Swanson (2020) highlighted the need for future ERPO research to investigate whether extreme risk laws exacerbate racial disparities within the criminal legal system.<sup>xv</sup>
- Pear et al. (2021) conducted 27 semi-structured interviews with key ERPO implementers to discuss their experiences with California’s law. Researchers found inconsistent practices and widespread confusion about the law and its intended implementation process. They noted that improvements to the implementation process are possible with advanced planning and collaboration among local leaders, and statewide education through effective training.<sup>xvi</sup>
- Prater et al. (2022) completed 15 semi-structured interviews with civilian petitioners in Washington. Researchers found there were barriers to filing an ERPO. Better educational resources and advocacy programs, and simplifications to filing steps could improve the process and make ERPOs more accessible for civilians.<sup>xvii</sup>

***Grounded in evidence and based on risk of violence toward self or others, extreme risk protection orders are helping to prevent gun deaths and protect communities from tragedy.***

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- <sup>i</sup> Swanson JW, et al. (2017). Implementation and effectiveness of Connecticut's risk-based gun removal law: Does it prevent suicides? *Law and Contemporary Problems*.
- <sup>ii</sup> Kivisto AJ & Phalen PL. (2018). Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981–2015. *Psychiatric Services*.
- <sup>iii</sup> Swanson JW, et al. (2019). Criminal justice and suicide outcomes with Indiana's risk-based gun seizure law. *Journal of the American Academy of Psychiatry and the Law*.
- <sup>iv</sup> Zeoli AM, Paruk J, Branas CC, Carter PM, Cunningham R, Heinze J, & Webster DW. (2021). Use of extreme risk protection orders to reduce gun violence in Oregon. *Criminology & Public Policy*.
- <sup>v</sup> Wintemute GJ, Pear VA, Schleimer JP, Pallin R, Sohl S, Kravitz-Wirtz N, et al. (2019). Extreme Risk Protection Orders Intended to Prevent Mass Shootings: A Case Series. *Annals of Internal Medicine*.
- <sup>vi</sup> Zeoli AM, Frattaroli S, Barnard L, Bowen A, Christy A, Easter M, Kapoor R, Knoepke C, Ma W, Molocznik A, Norko M, Omaki E, Paruk JK, Pear VA, Rowhani-Rahbar A, Schleimer JP, Swanson JW, & Wintemute GJ. (2022). Extreme risk protection orders in response to threats of multiple victim/mass shooting in six U.S. states: A descriptive study. *Preventive Medicine*.
- <sup>vii</sup> Pallin R, Schleimer JP, Pear VA, & Wintemute GJ. (2020). Assessment of Extreme Risk Protection Order Use in California From 2016 to 2019. *JAMA Network Open*.
- <sup>viii</sup> Frattaroli S, Omaki E, Molocznik A, Allchin A, Hopkins R, Shanahan S, & Levinson A. (2020). Extreme risk protection orders in King County, Washington: the epidemiology of dangerous behaviors and an intervention response. *Injury Epidemiology*.
- <sup>ix</sup> Prater LC, Haviland MJ, Rivara FP, Bellenger MA, Gibb L, & Rowhani-Rahbar A. (2020). Extreme Risk Protection Orders and Persons with Dementia in the State of Washington. *Journal of General Internal Medicine*.
- <sup>x</sup> Zeoli AM, Paruk J, Branas CC, Carter PM, Cunningham R, Heinze J, & Webster DW. (2021). Use of extreme risk protection orders to reduce gun violence in Oregon. *Criminology & Public Policy*.
- <sup>xi</sup> Pear VA, Pallin R, Schleimer JP, Tomsich E, Kravitz-Wirtz N, Shev AB, ... & Wintemute GJ. (2022). Gun violence restraining orders in California, 2016–2018: case details and respondent mortality. *Injury Prevention*.
- <sup>xii</sup> Frattaroli S, Hoops K, Irvin NA, et al. (2019). Assessment of Physician Self-reported Knowledge and Use of Maryland's Extreme Risk Protection Order Law. *JAMA Network Open*.
- <sup>xiii</sup> Pallin R, Schleimer JP, Pear VA, & Wintemute GJ. (2020). Assessment of Extreme Risk Protection Order Use in California From 2016 to 2019. *JAMA Network Open*.
- <sup>xiv</sup> Frattaroli S, Omaki E, Molocznik A, Allchin A, Hopkins R, Shanahan S, & Levinson A. (2020). Extreme risk protection orders in King County, Washington: the epidemiology of dangerous behaviors and an intervention response. *Injury Epidemiology*.
- <sup>xv</sup> Swanson JW. (2020). The color of risk protection orders: gun violence, gun laws, and racial justice. *Injury Epidemiology*.
- <sup>xvi</sup> Pear VA, Schleimer JP, Tomsich E, Pallin R, Charbonneau A, Wintemute GJ, & Knoepke CE. (2021). Implementation and perceived effectiveness of gun violence restraining orders in California: A qualitative evaluation. *PLOS ONE*.
- <sup>xvii</sup> Prater L, Rooney L, Bowen AG, Conrick K, Mustafa A, Moore M, Rivara FP, & Rowhani-Rahbar A. (2022). Civilian Petitioners and Extreme Risk Protection Orders in the State of Washington. *Psychiatric Services*.