JOHNS HOPKINS BLOOMBERG SCHOOL of PUBLIC HEALTH | Center for Gun Violence Solutions

Extreme Risk Protection Order Model Policy Guide

EXECUTIVE SUMMARY

This Model Policy Guide is designed to inform advocates and policymakers about important elements to include in evidence-informed public health policy. The guidance in this report is structured to be applied in any state across the country, regardless of jurisdictional differences. While some of the recommendations contained herein are necessary for the law to function properly, variations in the law are naturally going to occur due to local practice. Readers should ensure that the essential elements are in place and strive to incorporate other promising practices to improve the life-saving potential of this policy.

ERPOs

Extreme Risk Protection Orders (ERPOs) are civil court orders that temporarily prohibit the possession and purchase of firearms by people adjudicated by a court to pose a danger to themselves and/or others. These laws are currently implemented in 21 states and the District of Columbia and show promise in addressing risks of suicide and mass violence. As further research continues to shed light on the life-saving effects of ERPO laws, this report details essential elements and promising practices to make ERPO laws function the best they can based on the evidence available to us.

*This report contains **58 recommendations** reaching across 22 subcategories:*

LEGAL STRUCTURES

- Petitioners and Respondents
- Minor Respondents
- Venue
- ERPO Types and Hearings
- Due Process Protections
- Burdens of Proof
- Standards of Proof

PETITION PROCESS

- Factors to Consider When Issuing an ERPO
- Fees
- What ERPO Prohibits
- Duration of Orders
- ERPO Document Information

ERPO ENFORCEMENT

- Service of Orders
- Searches Pursuant to ERPOs
- Firearm Removal
- Compliance Hearings
- Third Party/Joint Occupancy Clauses
- Entry Into Federal and State Background Check Systems

CONCLUSION OF ORDERS

- Extension and Early Termination of Orders
- Return of Firearms

DATA AND ACCOUNTABILITY

- Penalties
- Data Collection

Read the full guide

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