

## THE FACTS

- Firearms are the leading cause of death for US youth ages 0-24.
- A victim of domestic violence is **11 times** more likely to be killed when an abuser has access to a gun.
- Guns are used in approximately 50% of suicide deaths in the United States and in Colorado.
- Access to a gun triples the risk of death by suicide.
- Firearms are the most lethal of the commonly available means of suicide in the U.S. — 85% of suicide attempts using guns end in death, while less than 8% of non-firearm suicide attempts result in death.
- For every 10-20 ERPOs granted, one suicide is prevented.

Visit [Coloradoceasefire.org/ERPO](https://coloradoceasefire.org/ERPO) for sources and more information.



## ERPO: READ THE BILL

### SB23-170 - Extreme Risk Protection Orders

Read a summary or the entire text:

<https://leg.colorado.gov/bills/sb23-170>

### Questions about ERPO?

**Call the ERPO Hotline at 855-999-3776**

**Or consult the self-help centers (sherlocks) that are at each of the courts.**

Colorado Ceasefire offers free trainings to professionals, community members, and youth on ERPO and other gun violence prevention tools.

Email us at [info@coloradoceasefire.org](mailto:info@coloradoceasefire.org) to learn more.

ERPOs in Denver are heard in the Denver Probate Court, Room 230, Denver City and County Building, 1437 Bannock Street.

For all other counties, locate the court by going to: <https://www.courts.state.co.us/Courts/County/Choose.cfm>

Colorado Ceasefire is committed to educating the public and other stakeholders about Colorado's Extreme Risk Protection law.

Disclaimer: This is intended for informational purposes only. If you are seeking legal assistance, please consult an attorney.



# EXTREME RISK PROTECTION ORDERS (ERPO)

A VIOLENCE PREVENTION TOOL FOR COLORADO



## WHAT IS AN ERPO?

An ERPO (also known as the "red flag law") is a civil court order issued by a judge that temporarily prohibits a person in crisis from possessing or purchasing firearms. ERPOs provide a select group of people with a formal legal process to temporarily remove an individual's firearms and reduce any further access to firearms if they pose a danger to themselves or to others.



[ColoradoCeasefire.org](https://coloradoceasefire.org)

## HOW CAN AN ERPO HELP PEOPLE IN CRISIS STAY SAFE?

An ERPO requires temporary removal of firearms from the subject of the order and prohibits new firearm purchases for the duration of the order. A temporary ERPO can last up to 14 days, while a full ERPO is one-year, and can be renewed beyond that.

## DEFINITIONS

ERPOs are civil, not criminal, matters.

**PETITIONER:** Person who files the petition.

**RESPONDENT:** Person who is believed to be dangerous to self or others.

### HOUSEHOLD MEMBERS:

- Related by blood, marriage or adoption
- Have a child in common
- Resided with respondent in last six months
- Domestic partners
- Step-parents, step-children
- Grandparents, grandchildren
- Legal guardians
- Past or present married or unmarried couples

**IMMUNITY:** There is no criminal or civil liability for filing or failing to file an ERPO.

### WHO CAN PETITION FOR AN ERPO:

- Household Members
- Law Enforcement
- Health Care Professionals
- Mental Health Professionals
- Educators and School Administrators

## STEPS TO OBTAINING AN ERPO

- STEP 1** **Get the Form:** Ask your local court or download the petition form from [https://www.courts.state.co.us/Self\\_Help/Index.cfm](https://www.courts.state.co.us/Self_Help/Index.cfm).
- STEP 2** **Submit the Form:** Household members can submit the form to the District or County court in the county where either they or the respondent lives or works or the county where the reported activities took place. All other petitioners must file in the county where the respondent lives.
- STEP 3** **Court Hearings:** In an emergency, request a Temporary Extreme Risk Protection Order. TERPO hearings take place within one court day without informing the respondent. The petitioner must attend unless exceptional circumstances allow a phone hearing. If approved, a TERPO lasts for 14 days, by the end of which the court will hold a full year ERPO hearing with the respondent present.
- STEP 4** **Issued ERPO:** If the court approves an ERPO, the respondent must promptly surrender their firearms and concealed carry permit to local law enforcement. They cannot buy more firearms during the term of the ERPO. With a year-long ERPO, they can appeal once.

## WHAT HAPPENS WHEN AN ERPO EXPIRES OR IS TERMINATED?

Within 3 days after a respondent requests, firearms are returned to the respondent and the background check database is updated. The respondent may reapply for a concealed carry permit.

## GET INVOLVED

- **Attorneys** — Advise or assist a client in obtaining an ERPO if that's the best fit for their situation.
- **Eldercare** — As a caregiver, home visitor, or other elder care worker, you have an opportunity to advise a client or client's family if a client's gun ownership has become unsafe.
- **Faith-Based** — You may have an opportunity to connect with a fellow community member or congregation member if they are in crisis, or if someone in their family or household is in crisis or behaving violently.
- **Fiduciaries** — You have an opportunity to inform a client's family or law enforcement if a client's gun ownership has become unsafe.
- **Physical and Mental Health Care Professionals** — Talking to patients about safe gun ownership and storage is a potentially life-saving action. You can also file an ERPO if your patient is at risk of hurting themselves or others.
- **Educators and School Administrators** — Talking to students and parents about safe gun ownership and storage is a potentially life-saving action. You can also file an ERPO if your student is at risk of hurting themselves or others.
- **Public Health Professionals** — If you are concerned that someone's firearm ownership may lead to violence or danger in the immediate future, you may be able to go directly to law enforcement and they may obtain an ERPO if they deem it necessary.
- **Veterans** — As someone working with veterans, you have an opportunity to help educate veterans and families about the life-saving potential of the ERPO when someone's gun ownership has become unsafe.
- **Anyone** — Even if you don't qualify as a petitioner, if you observe dangerous behaviors by a friend, neighbor, coworker or other, you can alert law enforcement officials or other valid petitioners of your concerns. Remember, an ERPO is a civil, not a criminal, procedure.