

## EXTREME RISK PROTECTION ORDERS

### THE PROBLEM

In 2017, 39,773 people died by gun violence. Of these deaths, 23,854 were suicides – more than 65 a day. There are mechanisms by which individuals at heightened risk of harming themselves or others can be temporarily prevented from accessing a firearm, but less than 1/2 of U.S. states have them in place.

### THE FACTS

- In 2017, 60% of deaths by firearms were the result of suicide.
- The availability of firearms greatly increases the risk of a fatal outcome during a suicide attempt. 85% of firearm suicide attempts end in death – a far higher rate than other means.
- Family members are often the first to see the warning signs of potential acts of violence, and ERPOs would give them the opportunity to seek help from the courts.

### THE HUMAN RIGHTS FRAMEWORK

#### RIGHT TO LIFE

THIS BILL WILL  
HELP PROTECT  
EVERY INDIVIDUAL'S  
RIGHT TO LIFE.

WHILE PERSONAL AUTONOMY IS CENTRAL TO  
HUMAN DIGNITY, INDIVIDUALS ATTEMPTING  
SUICIDE MAY BE DOING SO BECAUSE THEY  
ARE IN A MOMENTARY ACUTE CRISIS WHICH  
MAY AFFECT THEIR ABILITY TO MAKE AN  
IRREVERSIBLE DECISION TO END THEIR LIFE.

GOVERNMENTS HAVE  
AN OBLIGATION TO  
RESPECT, PROTECT AND  
FULFILL ALL HUMAN  
RIGHTS, INCLUDING  
THE RIGHT TO LIFE.

IN THIS CONTEXT, IT IS  
VITAL THAT GOVERNMENTS  
TAKE MEASURES TO KEEP  
PEOPLE SAFE AND PREVENT  
SUICIDE, INCLUDING THROUGH  
MEASURES LIKE THIS BILL.

How do Extreme Risk Protection Orders work?

- If the court determines that there is *reasonable cause* to believe that the individual poses a significant risk of hurting themselves or others, the protection order is granted to temporarily transfer their firearms and prevent them from acquiring new firearms during this period of time.
- Extreme risk protection orders may only last up to one year. When an ERPO expires, the person may regain access to their firearms, so long as they are able to pass a background check and are not otherwise prohibited from purchasing or possessing firearms.

### AIUSA'S RECOMMENDATION

- States should take action to prevent access to firearms for individuals who may present a recognizable risk of harm to themselves or others, including through Extreme Risk Protection Orders. It's vital that the government supports family members and law enforcement to intervene in situations where lives are on the line. These types of temporary measure could have a significant impact on reducing gun deaths in the United States.

HOWEVER:

- Any procedure through which a firearm is temporarily removed from an individual at risk of harming themselves or others must be implemented in a human rights compliant manner.
- Correlations shouldn't be drawn between gun violence and mental health. Persons with mental health conditions are not automatically prone to violence. In fact, research shows that less than 5% of firearm-related killings between 2001 – 2010 were carried out by people with a diagnosed mental illness.

Please contact [egv@aiusa.org](mailto:egv@aiusa.org) with any questions or to request citations behind any of this information.