

Help Families & Law Enforcement Prevent
Acts of Gun Violence and Protect People in Crisis
Pass the Zackari Parrish III Violence Prevention Act
HB 19-1177 - Extreme Risk Protection Orders

Top Line Message

- **Extreme Risk Protection Orders (ERPOs) save lives.**
- **An ERPO is a tool to remove guns from a person who a judge determines is a threat to themselves or others.**
- Tragic acts of gun violence, including mass shootings and gun suicides, are often preceded by threats of violence, dangerous behavior, and other indications. ERPOs enable family members and law enforcement officers—the people most likely to see these warning signs—to seek a court order temporarily removing guns from a person in crisis. ERPOs save lives by creating a way to act before warning signs escalate into tragedies.
- We can do more to keep guns out of the hands of dangerous people while supporting the second amendment.
- The bill is named after Douglas County Deputy Sheriff **Zackari Parrish**, who was killed in the line of duty while responding to a call.

Colorado communities and law enforcement need an effective tool to help ensure public safety when a person poses a threat to themselves or others.

- When a person is in crisis, loved ones and law enforcement are often the first to see signs that they pose a threat to themselves or others. HB19-XXXX would empower them to petition a court for an Extreme Risk Protection Order to temporarily remove guns from dangerous people.
- If the court finds that a person poses a significant risk of injuring themselves or others with a firearm, that person would be temporarily prohibited from purchasing or possessing guns while the order is in effect.

Thirteen states have enacted bipartisan ERPO laws.

- California, Connecticut, Delaware, Florida, Illinois, Indiana, Maryland, Massachusetts, New Jersey, Oregon, Rhode Island, Vermont and Washington have enacted.¹
- At least 29 states² and D.C. considered ERPO legislation in 2018.

Colorado is suffering from a suicide epidemic. Preventing a person in crisis from accessing a firearm can save their life.

- Between 2013 and 2017, more than 5,500 Colorado residents died by suicide and half of all suicide deaths were carried out with a gun, killing more than 2,700 Coloradoans.³
- On average, one Colorado resident dies by suicide by gun every 16 hours.⁴

Evidence shows this legislation can help prevent firearm suicides.

- Indiana's firearm suicide rate decreased by 7.5 percent in the ten years after their ERPO law passed.⁵ In Connecticut, the law was associated with a 14 percent reduction in firearm suicide since 2007.⁶ Another study in Connecticut found that approximately one suicide was averted for approximately every 11 gun removals carried out under the law.⁷
- Reducing a suicidal person's access to firearms can reduce the risk of suicide by three times. Amongst commonly used methods of self-harm, firearms are by far the most lethal, with a fatality rate of approximately 85 percent.⁹ Conversely, less than 5 percent of people who attempt suicide using other methods will die,¹⁰ and the vast majority of all those who survive do not go on to die by suicide.¹¹

Shooters often display warning signs before committing violent acts. An ERPO law would empower family members and law enforcement officers to act before a tragedy occurs.

- A nationwide study showed that in half of all mass shootings between 2009 and 2017, the shooter exhibited at least one previous threatening or dangerous behavior before the shooting.¹²
- The mass shooter who shot and killed 17 people and injured 17 others at a high school in Parkland, Florida on February 14, 2018 displayed warning signs and threatening behavior prior to the shooting. He was expelled from school, his mother contacted law enforcement on multiple occasions regarding his behavior, and he was known to possess firearms. Unfortunately, Florida had not yet enacted ERPO legislation that could have helped prevent the shooting.

HB 1177 would create a fair process to obtain an Extreme Risk Protection Order.

- A judge can issue a temporary ERPO for a maximum of 14 days.
- To receive an Extreme Risk Protection Order for a maximum of 364 days, a petitioner needs to prove to a judge by the clear and convincing evidence standard that the respondent poses a significant risk of causing personal injury to themselves or others.
- To ensure due process, respondents will be provided legal counsel at the hearing for the ERPO, and will have at least one opportunity to terminate the ERPO before the order expires.

In a recent statewide survey, 87% of Coloradans support ERPOs including 78% of Trump voters

1. Cal. Penal Code § 18125; 18150; 18175; Conn. Gen. Stat. § 29-38c; 2017 DE HB 222; Fla. Stat. § 790.401; 2017 IL H 2354; Ind. Code § 35-47-14-1; 35-47-14-2; 35-47-14-5; 35-47-14-6; 35-47-14-8; 2018 MD HB 1302; 2017 MA HB 4670; 2018 NJ A 1217; 2017 Ore. SB 719; 13 VSA 4051, et seq.; RI Gen Laws 8-8.3-1, et seq.; Wash. Rev. Code § 7.94.030; 7.94.040; 7.94.050; 7.94.080.
2. AL, AK, AZ, CO, DE, FL, HI, IA, IL, KS, KY, LA, ME, MA, MI, MN, MO, NJ, NY, NC, OH, PA, RI, TN, UT, VA, VE, WI
3. Everytown for Gun Safety analysis; Centers for Disease Control and Prevention, National Centers for Health Statistics. Underlying Cause of Death 1999-2017 on CDC Wonder Online Database, released December 2018. A yearly average was developed using five years of most recent available data: 2013-2017
4. Id.
5. Kivisto AJ, Phalen PL. Effects of risk-based firearm seizure laws in Connecticut and Indiana on Suicide Rates, 1981-2015. *Psychiatric Services*. 2018; 69(8): 855-862.
6. Id.
7. Swanson JW, Norko M, Lin H, et al. *Implementation and effectiveness of Connecticut's risk-based gun removal law: Does it prevent suicides? Law and Contemporary Problems*. 2017; 80: 179-208.
8. Anglemeyer A, Horvath T, Rutherford G. The accessibility of firearms and risk for suicide and homicide victimization among household members: A systematic review and meta-analysis. *Annals of Internal Medicine*. 2014; 160: 101-110.
9. Miller M, Azrael D, Hemenway D. *The epidemiology of case fatality rates for suicide in the northeast. Annals of Emergency Medicine*. 2004; 43(6): 723-30; Vyrostek SB, Annett JL, Ryan GW. *Surveillance for fatal and nonfatal injuries - United States, 2001. Morbidity and Mortality Weekly Report. Surveillance Summaries*. 2004; 53(7): 1-57.
10. Vyrostek SB, Annett JL, Ryan GW. *Surveillance for fatal and nonfatal injuries - United States, 2001. Morbidity and Mortality Weekly Report. Surveillance Summaries*. 2004; 53(7): 1-57; Miller M, Azrael D, Barber C. Suicide mortality in the United States: The importance of attending to method in understanding population-level disparities in the burden of suicide. *Annual Review of Public Health*. 2012; 33: 393-408
11. Owens D, Horrocks J, House A. Fatal and non-fatal repetition of self-harm: Systematic review. *British Journal of Psychiatry*. 2002; 181: 193-199.
12. Everytown for Gun Safety, *Mass Shootings in the United States: 2009-2017, 2018*. Available at: everytownresearch.org/reports/mass-shootings-analysis.