



## Data Behind Extreme Risk Laws

### A Look at Connecticut's Risk-Warrant Law

Law enforcement and families are in desperate need of tools to temporarily suspend firearms access for at-risk individuals during periods of crisis. *Extreme Risk Laws* fill this need.

#### Risk-Warrant in Connecticut

In 1999, Connecticut became the first state to pass a law granting law enforcement the clear legal authority to temporarily remove firearms from individuals when there is probable cause to believe they are at a significant risk of harm to self or others (called a *risk-warrant*).

A dozen more states now have similar laws, though some also allow family members to petition for these orders.

A recent analysis of Connecticut's risk-warrant law by Dr. Jeffrey Swanson of Duke University, with a team of nine other researchers, adds to the evidence for risk-based firearms removal laws by demonstrating that such policies are promising and effective tools to save lives. Their findings are detailed below.<sup>2</sup>

#### Reaching high-risk people and saving lives

In the first 14 years of Connecticut's risk-warrant law (1999-2013):

- 762 risk-warrants were issued, with increasing frequency after the 2007 Virginia Tech shooting.<sup>3,4</sup>
- Police found firearms in 99% of cases.
- Police removed an average of seven guns per subject.

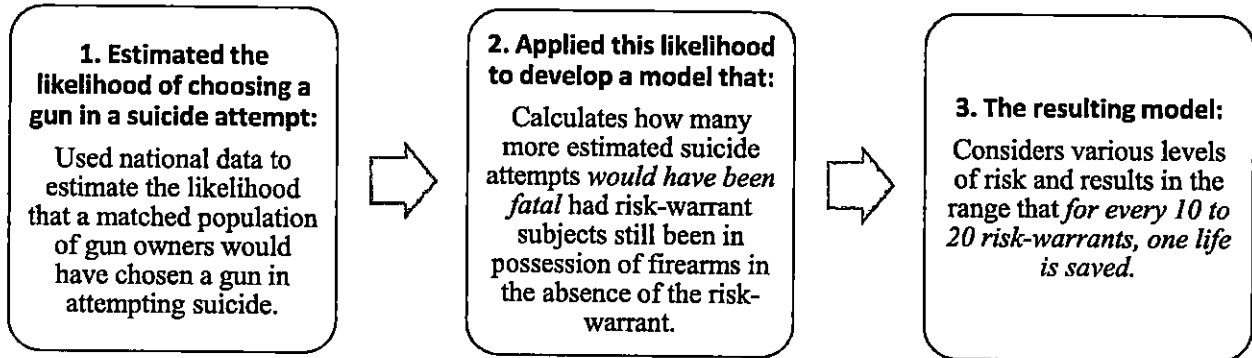
#### Suicide Prevention

- Typical risk-warrant subject was a middle-aged or older man - the same demographic that, nationwide, is most at risk for firearm suicide.<sup>5</sup>
- Suicidality or self-injury was a listed concern in ≥61% of cases where such material was available.
- 21 risk-warrant subjects went on to die by suicide, a rate about 40 times higher than the adult suicide rate in Connecticut.
- 6 of 21 suicides were by firearm. Known case fatality rates<sup>6</sup> of suicide methods were used to estimate that the 21 suicides likely represent 142 attempts, mostly by means less lethal than guns.
- **In the absence of a risk-warrant and if firearms had been available and used in more of the risk-warrant subjects' attempts, more would have died by suicide.**

States with Extreme Risk Laws <sup>1</sup>	
California	Gun Violence Restraining Order
Connecticut	Risk-warrant
Delaware	Lethal Violence Protection Order
Florida	Risk Protection Order
Illinois	Firearms Restraining Order
Indiana	Proceedings for the Seizure and Retention of a Firearm
Maryland	Extreme Risk Protective Order
Massachusetts	Extreme Risk Protection Order
New Jersey	Extreme Risk Protective Order
Oregon	Extreme Risk Protection Order
Rhode Island	Extreme Risk Protection Order
Vermont	Extreme Risk Protection Order
Washington	Extreme Risk Protection Order

### How did the researchers reach this conclusion?

Since attempted suicide with a firearm has such a high case fatality rate, reducing the percentage of suicide attempts with a firearm saves lives. The researchers developed a model to estimate how many suicides would likely be averted by limiting access to guns through risk-warrants.



### Access to Health Care

- *Before risk-warrant:* Most risk-warrant subjects (88%) were not known to Connecticut’s public behavioral health system when the warrants were served – despite their elevated risk of self-harm.
- *After risk-warrant:* Nearly one-third (29%)<sup>7</sup> of subjects received treatment in the state system
- *Significance:* Risk-warrants provided a portal to critical mental health and substance abuse services.

### Conclusion

This analysis by Swanson and colleagues shows that risk-warrants:

- Reached individuals who were at a dangerously elevated risk of suicide.
- Prevented additional suicide deaths by intervening in crises.
- Provided safe periods for subjects to obtain much-needed treatment services.
- Saved lives by shifting suicide attempt methods from firearms to less lethal means.

**Research estimates for every 10-20 risk-warrants issued, one life is saved.**

<sup>1</sup> Cal. Penal Code § 18100 et seq.; Conn. Gen. Stat. § 29-38C; H.R. 222, 149th Gen. Assemb., Reg. Sess. (Del. 2018); Fla. Stat. Ann. § 790.401; H.R. 2354, 100th Gen. Assemb., Reg. Sess. (Ill. 2018); Ind. Code Ann. § 35-47-14; Md. Code Ann. §§ 5-601 - 5-610; H.R. 4670, 190th Gen. Ct., Reg. Sess. (Mass. 2018); Assemb. 1217, 218th Leg., Reg. Sess. (N.J. 2018); Or. Rev. Stat. §§ 166.525-166.543; R.I. Gen. Laws Ann. §§ 8-8.3-1 - 8-8.3-14; Vt. Stat. Ann. tit. 13, §§ 4051-4063; Wash. Rev. Code Ann. § 7.94.010 et seq.

<sup>2</sup> Swanson, J. W., Norko, M. A., Lin, H. J., Alanis-Hirsch, K., Frisman, L. K., Baranoski, M. V., et al. (2017). Implementation and effectiveness of Connecticut’s risk-based gun removal law: Does it prevent suicides? *Law and Contemporary Problems*. 80(2), 101-128.

<sup>3</sup> Norko, M., & Baranoski, M. "Gun Control Legislation in Connecticut: Effects on Persons with Mental Illness." *Connecticut Law Review* 46.4 (2014): 1609-631.

<sup>4</sup> Friedman, D. "Laws That Allow for Temporarily Removing Guns from High-Risk People Linked to a Reduction in Suicides." *The Trace*. 08 Sept. 2016. <<https://www.thetrace.org/2016/09/gun-violence-restraining-order-suicide-reduction-connecticut/>>.

<sup>5</sup> National Center for Injury Prevention and Control, CDC. 2015 United States Suicide Firearm Deaths and Rates per 100,000. *Fatal Injury Reports 1999-2015, for National, Regional, and States (RESTRICTED)*. Retrieved April 4, 2017, from [http://www.cdc.gov/injury/wisqars/fatal\\_injury\\_reports.html](http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html)

<sup>6</sup> Case fatality rates (or ratios) represent the percent of people who die in a suicide attempt, in this case by specific methods.

<sup>7</sup> 29% is a conservative estimate; it is likely that additional risk warrant subjects sought private mental health and substance use treatment services that are not included in this figure.

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Testimony of Ari Davis, Public Health Fellow, Educational Fund to Stop Gun Violence.

**SUPPORT OF HOUSE BILL 19-1177: AN ACT CONCERNING CREATION OF AN EXTREME RISK PROTECTIVE ORDER.**

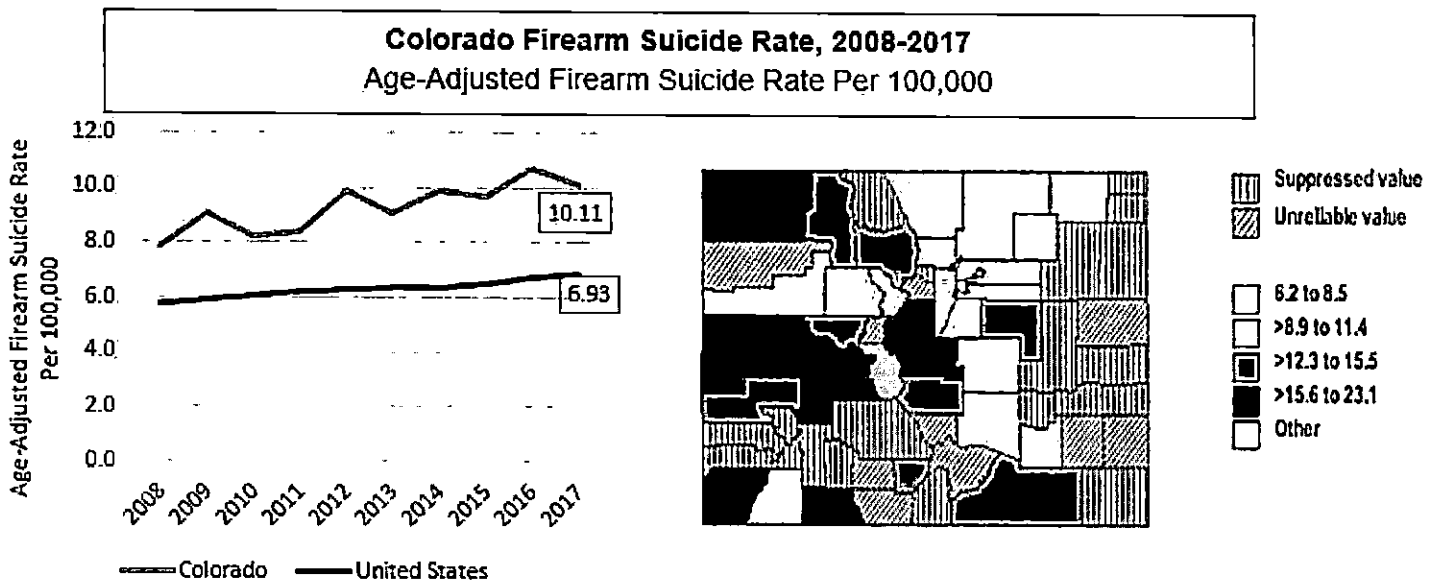
Before the Colorado House Judiciary Committee.  
 February 21, 2019.

As a Public Health Fellow at the Educational Fund to Stop Gun Violence and native of Boulder, Colorado I am writing today in support of House Bill 19-1177: An act concerning the creation of an Extreme Risk Protective Order (ERPO).

I ask the House Judiciary Committee to consider the following points in their decision whether to support HB19-1177: (1) suicides are increasing in Colorado, and firearms are a key contributing factor; (2) rigorous research suggests that Extreme Risk laws reduce suicides; and (3) similar legislation was passed with bipartisan support in a wide range of states.

***Suicides Are Increasing in Colorado, And Firearms Are A Key Contributing Factor***

Over the last decade (2008-2017) Colorado’s suicide rate increased by 28%, and suicides accounted for 1,181 deaths in 2017. Half of these individuals used a firearm.<sup>1</sup> A Coloradan is nearly 1.5 times more likely to die by firearm suicide than the average American. Within 15 counties - most of which are rural—the firearm suicide death rate is more than twice as high as the national average, and in Moffat, Teller, and Gunnison counties, individuals are over three times more likely to die by firearm suicide than the average American.



Note: Age-adjusted rates were used to allow for accurate comparisons between populations with differing age distribution

Source: Centers for Disease Control and Prevention, National Center for Health Statistics. Available: <http://wonder.cdc.gov/ucd-icd10.html>

### *Backed by Rigorous Data and Research*

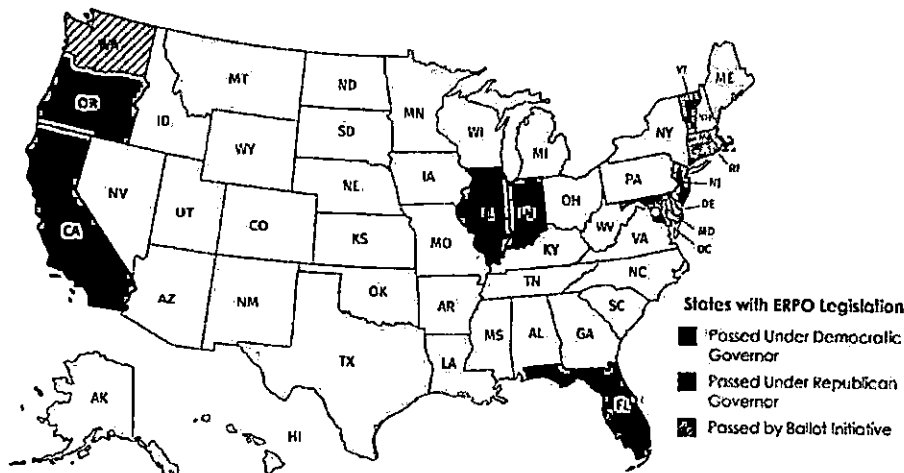
Research suggests that HB19-1177 will help address the crisis of suicide in Colorado. Peer-reviewed studies consistently show that easy access to firearms increases the risk of dying by suicide.<sup>ii</sup> Eighty-five percent of suicide attempts using firearms are lethal, whereas by comparison, suicide attempts by poisoning and overdose are lethal only 2% of the time.<sup>iii</sup> Approximately seventy-percent of individuals who survive suicide will not try again, and will often seek support.<sup>iv</sup> Therefore, temporarily limiting access to firearms is a crucial element of suicide prevention because it increases the probability that an individual will survive a suicide attempt.

Research also shows that Extreme Risk laws which temporarily reduce access to firearms for individuals at a high risk of harm to self or others is effective policy. Notably, an evaluation of Connecticut's risk-warrant law, a law that is similar to HB19-1177, estimated that for every 10 to 20 risk-warrants issued, one life is saved.<sup>v</sup>

**Researchers estimated that a similar Extreme Risk law in Connecticut saved one life for every 10 to 20 risk warrants issued.**

### *Similar ERPO Legislation Passed with Bipartisan Support in A Wide Range of States*

Extreme Risk laws have gained support from prominent Republican and Democratic policymakers alike. Lawmakers in thirteen states have passed Extreme Risk laws. Within these states, over 150 Republican state legislators voted in favor of Extreme Risk laws. Likewise, in 2018 alone, five Republican Governors signed Extreme Risk legislation into law.<sup>vi</sup>



Source: data attained from state legislative databases; data is also available [here](#).<sup>vi</sup>

Extreme Risk laws have also gained bipartisan support at the federal level. The 2018 Federal Commission on School Safety, commissioned by the Trump Administration, dedicated an entire chapter towards Extreme Risk Laws, with recommendations “encouraging states to adopt laws permitting extreme risk protection orders (ERPO’s)”<sup>viii</sup> Prominent Republican Senators, such as Marco Rubio,<sup>ix</sup> and Lindsey Graham,<sup>x</sup> have introduced bills promoting Extreme Risk laws; and legislators from both sides of the aisle support such bills.<sup>xi</sup>

### ***Conclusion***

With the passage of HB19-1177 Colorado lawmakers would provide law enforcement and those closest to individuals at risk of harming themselves or others the tools they need to save lives. The evidence is clear: temporarily removing firearms from those at a high risk of committing violence will prevent suicides and make communities safer.

As a public health fellow at the Educational Fund to Stop Gun Violence and as a native Coloradan who cares deeply about my state, I urge you to support this evidence-backed, bipartisan policy which saves lives.

Sincerely,  
Ari Adam Davis, MPP  
Public Health Fellow  
Educational Fund to Stop Gun Violence

### ***References***

- <sup>i</sup> Centers for Disease Control and Prevention, National Center for Health Statistics. Suicide Deaths and Rates per 100,000. WONDER Online Database, 1999-2017. Available: <http://wonder.cdc.gov/ucd-icd10.html>
- <sup>ii</sup> Miller, M., Barber, C., White, R. A., & Azrael, D. (2013). Firearms and suicide in the United States: Is risk independent of underlying suicidal behavior?. *American journal of epidemiology*, 178(6), 946-955.
- <sup>iii</sup> Miller, M., Azrael, D., & Barber, C. (2012). 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*, 33, 393-408.
- <sup>iv</sup> Owens D, Horrocks J, and House A. Fatal and non-fatal repetition of self-harm: systematic review. *British Journal of Psychiatry*. 2002;181:193-199.
- <sup>v</sup> Swanson, JW, Norko, M, Lin, HJ, Alanis-Hirsch, K, Frisman, L, Baranoski, M, Easter, M, Gilbert, A, Swartz, M, & Bonnie, RJ. Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does it Prevent Suicides? (August 24, 2016). *Law and Contemporary Problems*. Available at SSRN: <http://ssrn.com/abstract=2828847>
- <sup>vi</sup> Campbell S., Yablon A. Red flag laws: where the bills stand in each state. The Trace. Last updated January 10, 2019. Available: <https://www.thetrace.org/2018/03/red-flag-laws-pending-bills-tracker-nra/>
- <sup>vii</sup> Campbell S., Yablon A. Red flag laws: where the bills stand in each state. The Trace. Last updated January 10, 2019. Available: <https://www.thetrace.org/2018/03/red-flag-laws-pending-bills-tracker-nra/>
- <sup>viii</sup> Final Report of the Federal Commission on School Safety. Presented to the President of the United States. December 18, 2018. Available: <https://www2.ed.gov/documents/school-safety/school-safety-report.pdf>
- <sup>ix</sup> S.2607 Extreme Risk Protection Order and Violence Prevention Act of 2018. Available: <https://www.congress.gov/bill/115th-congress/senate-bill/2607/cosponsors>
- <sup>x</sup> S.2521 Federal Extreme Risk Protection Order Act of 2018. Available: <https://www.congress.gov/bill/115th-congress/senate-bill/2521/cosponsors>
- <sup>xi</sup> H.R.6747 Protecting Our Communities and Rights Act 2018. Available: <https://www.congress.gov/bill/115th-congress/house-bill/6747/cosponsors>