

Preventing Suicide Through Sensible Policy

Extreme Risk Protective Orders (ERPO) Save Lives

What is ERPO?

Extreme Risk Protective Orders (ERPO), sometimes referred to as “red flag laws,” are a mechanism allowing for the **temporary** removal of guns when individuals are in imminent danger of harming themselves or others. A growing number of states have recently passed ERPO laws with bipartisan support.

How does ERPO work?

ERPO gives families and law enforcement officers a way to ask a judge to temporarily prohibit an at-risk person from purchasing or possessing a gun. ERPO is a non-criminal process that involves a court hearing and **clearly defined due process protections**.

How can ERPO help save lives?

- ERPO is effective because **guns present a uniquely lethal risk in cases of attempted suicide**
 - ◊ **90%** of suicide attempts using a gun are fatal, compared to 5% of most common alternative methods (Azrael, Miller)
- Suicidal acts are often impulsive and fleeting and, thus, preventing access to the most lethal means is crucial
- Saving someone’s life in the near-term will likely save that person’s life in the long-term
 - ◊ Just 10% of those who survive a suicide attempt go on to die from suicide later (Owens, et al)



Illustration by Brian Stauffer for *Rolling Stone*

How are suicide and gun violence related?

- Every day 65 Americans commit suicide using a gun (CDC)
- In 2017 nearly half (47%) of all suicide deaths in Wisconsin involved guns (CDC)
- Over 75% of all gun deaths in Wisconsin are deaths due to suicide (Giffords Law Center)

Is suicide a unique problem in Wisconsin?

- The suicide rate in Wisconsin was higher than the national average in 2017 (15.45 people vs 14 people per 100,000 people) (AFSP)
- 926 people in Wisconsin died from suicide in 2017 (AFSP)
- Teen suicide in Wisconsin has almost doubled since 2007 (CDC)

Does ERPO violate our Constitutional Rights (2nd Amendment, Due Process)

No. The Supreme Court ruled in *D.C. vs Heller* that the 2nd Amendment allows for firearm restrictions that are “presumptively lawful.” Moreover, ERPO follows due process through the court system by allowing a judge to make an informed decision to temporarily remove firearms from people posing an imminent threat.

Isn't law enforcement already removing firearms from people posing a threat?

Sometimes; but municipalities have been sued for this because they do not have the legal backing that ERPO provides. Meanwhile, Chapter 51, which is sometimes invoked by law enforcement, is more complex than ERPO and is often inadequate for providing safety to someone who is suicidal.

Preventing Suicide Through Sensible Policy

Extreme Risk Protective Orders (ERPO) Save Lives

Sources:

The epidemiology of case fatality rates for suicide in the northeast.

Matthew J. Miller, Deborah Azrael, David Hemenway. 2004

<https://www.ncbi.nlm.nih.gov/pubmed/15159703>

Fatal and non-fatal repetition of self-harm. Systematic review.

David Owens, Judith Horrocks, Allan House. 2002

<https://www.ncbi.nlm.nih.gov/pubmed/12204922>

Suicide Statistics

American Society for Suicide Prevention (AFSP)

<https://afsp.org/about-suicide/suicide-statistics/>

Fatal Injury Reports, National, Regional and State, 1981 - 2017

Centers for Disease Control and Prevention

<https://webappa.cdc.gov/sasweb/ncipc/mortrate.html>

Photo Credit: Illustration by Brian Stauffer for *Rolling Stone*