



Extreme Risk Protection Order Overview: An Intervention Tool for Educators



This ERPO tip sheet is meant as a quick reference guide about extreme risk protection orders (ERPOs) and how educators can play a proactive role in promoting safety.

What is an ERPO?

An ERPO, often referred to as a "red flag law," is a civil legal tool designed to prevent harm by temporarily restricting a person's (known as the "respondent's") access to firearms.

Purpose: To reduce risks of self-harm or violence toward others

Type of Order: Civil, not criminal

Duration: While the ERPO is in place, the respondent must give up any firearms they have and are prevented from purchasing any additional firearms.

- ➔ Temporary ERPOs (TERPOs): Up to 14 days
- ➔ Full ERPOs: Up to 364 days, renewable

Who Can File for an ERPO?

In Colorado, the following individuals are eligible to petition for an ERPO:

1



Family or household members

2



Law enforcement officers

3



Educators, counselors, and administrators

4



Licensed medical and mental health professionals

When Are ERPOs Appropriate?

An ERPO is appropriate when the following conditions are met:

1. Significant Risk Behaviors: These may include:

- ➔ Threats of self-harm or harm to others
- ➔ A history of reckless actions, stalking, or domestic violence
- ➔ Misuse or threats of using firearms

2. Access to Firearms

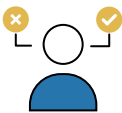
- ➔ Evidence of firearm possession or intent to purchase firearms is a key consideration.
- ➔ Access to unsecured firearms owned by family or household members may apply, particularly for minors.

Important: Significant risk behaviors *must* be combined with access to firearms for an ERPO to be considered.

Key Insights



ERPOs Are Preventive: They are not punitive measures but are designed to reduce harm during a period of crisis.



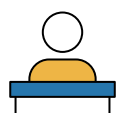
Civil, Not Criminal: ERPOs do not appear on a respondent's criminal record. They are civil orders intended to prevent harm, not punish individuals.



Applicable to Minors: Even if minors cannot legally own firearms, ERPOs can restrict access to unsecured firearms in the home or elsewhere. They may also be a preventative measure for youth who are about to turn 18.



Educators Play a Vital Role: Documenting behaviors, collaborating with threat assessment teams and law enforcement, and contributing evidence are crucial to the ERPO process.



Petitioners Attend the TERPO Hearing: Petitioners are typically required to attend TERPO hearings unless an exception is granted due to safety concerns or other circumstances. Attendance may be in person or virtual.



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