



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, schools, districts, and other institutions are eligible to petition for an ERPO:

<p>1</p>  <p>Family or household members</p>	<p>2</p>  <p>Law enforcement officers</p>	<p>3</p>  <p>Educators, counselors, and administrators</p>	<p>4</p>  <p>Licensed medical and mental health professionals</p>
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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

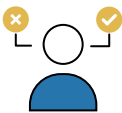
- ➔ Evidence of firearm possession or intent to purchase firearms is a key consideration.
- ➔ Access to unsecured firearms owned by family or household members may apply, particularly for minors.

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.



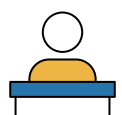
Civil, Not Criminal: ERPOs do not appear on a respondent's criminal record. They are civil orders intended to prevent harm, not punish individuals.



Applicable to Minors: Even though they cannot legally own firearms, ERPOs may be filed in cases involving minors. ERPOs may remove the minor's firearm access or 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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