



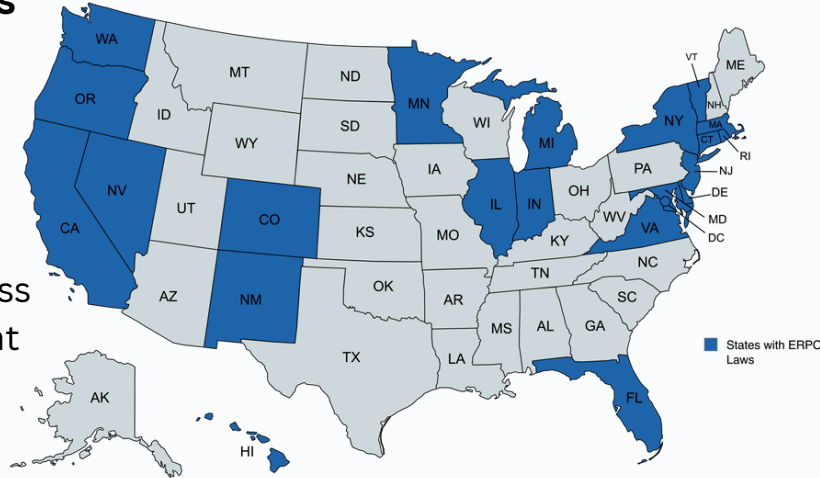
## What are ERPOs?

An Extreme Risk Protection Order (ERPO) is a civil court order that temporarily removes firearms from individuals who pose a significant risk of harming themselves or others. It is a preventive tool designed to reduce gun violence and save lives.

## Law Enforcement Promising Practices

*In every state with an ERPO law, law enforcement plays a central role:*

- **Petitioning:** File for an ERPO when credible threats or risky behavior are identified.
- **Investigation:** Interview witnesses, assess risk, determine whether a search warrant is necessary, and gather evidence.
- **Service:** Serve ERPOs on respondents and provide required court documentation.
- **Search Warrants:** Execute search warrants for firearms when ordered by the court.
- **Firearm Removal:** Remove firearms and, if applicable, firearm licenses and ammunition.
- **Storage:** Store firearms securely until the ERPO expires or is terminated.
- **Compliance Monitoring:** Ensure respondents comply with the ERPO.
- **Court Appearances:** Testify at hearings and request extensions if needed.
- **NICS Reporting:** Enter ERPOs into the National Instant Criminal Background Check System.
- **Coordination:** Work with mental health providers, social services, and families to support safe outcomes.



## Safety During ERPO Service

*Violent incidents during ERPO service are rare. Safety and compliance are enhanced through clear communication and respectful procedures, including:*

- **Pre-service prep:** Conduct background checks and safety planning.
- **De-escalation:** Avoid tactical teams unless necessary; engage calmly.
- **Third-party involvement:** Work with family or trusted individuals to support compliance.
- **Alternate location:** If it is practically and logistically safe to do so, consider serving the individual away from their home.

*For questions or to find out how NSA can support your agency with ERPO implementation, please contact **Jessica Vanderpool** at **[jessica@sheriffs.org](mailto:jessica@sheriffs.org)**.*



# Extreme Risk Protection Order (ERPO) Facts for Sheriffs



## ERPO Process Overview

1. **Petition Filed** – Law enforcement or an eligible party, often family or household members, submits a request to the court.
2. **Temporary ERPO Issued** – Court evaluates evidence and may issue a short-term order.
3. **Service and Enforcement** – Law enforcement serves the order and enforces any seizure warrants for firearms.
4. **Hearing Held** – Both parties present evidence. The court decides on a final ERPO.
5. **Final ERPO Issued** – If granted, the order typically lasts up to 1 year (varies by state).
6. **Expiration or Renewal** – Respondent can get their firearm back unless a renewal is filed and granted or they are otherwise still prohibited.

“After witnessing how ERPOs can prevent tragedies such as suicides and violence, I’ve come to view them as an essential, lawful tool that allows timely intervention in crises—without infringing on the rights of responsible gun owners.”

Sheriff James Quattrone, Chautauqua County, NY

## Key Risk Indicators for Petitioning

*Non-exhaustive list and varies by state.  
Reference your state law for which factors to consider.*

- Threats or acts of violence (recent or repeated)
- Firearm brandishing or reckless use
- Violations of protective orders
- Mental health crises or substance misuse
- History of domestic violence, stalking, or animal cruelty
- Involuntary psychiatric hospitalization

## Effective ERPO Use Involves Collaboration Between:

- Prosecutors
- Courts & Clerks
- Domestic violence advocates
- Crisis teams & mental health co-responders
- Family/household members
- Health care providers
- Other law enforcement
- Social service providers