

SUPPORTING FAMILY AND HOUSEHOLD MEMBERS WHO PETITION FOR EXTREME RISK PROTECTION ORDERS (ERPOs) IN OREGON

Lessons from Interviews with Prior ERPO Civilian Petitioners

INTRODUCTION

[Oregon's Extreme Risk Protection Order \(ERPO\) law](#) allows family/household members ("civilian petitioners") or law enforcement officers (LEOs) to petition a civil court for an order to temporarily restrict a person's ("respondent") access to firearms when at imminent risk of harming themselves or others. In Oregon, [family/household members petitioned less frequently](#) than LEOs and were less likely to have their ERPO granted. Through 23 interviews, civilian ERPO petitioners highlighted the emotional and logistical challenges they faced as petitioners and suggested ways to support future petitioners. This work was funded by the Oregon Health Authority through a grant provided by the U.S. Centers for Disease Control and Prevention Comprehensive Suicide Prevention Program. A full report on the key takeaways from these interviews may be found [here](#).

INTERVIEWEES DESCRIBED SIGNIFICANT BARRIERS AND CHALLENGES FACED BY CIVILIAN PETITIONERS

The process is emotionally difficult for petitioners already facing crisis situations

"It's not easy even for the person that's filing...These are things you don't believe you'll have to deal with in your life."

Petitioners need more resources or supports to help navigate the process

"If someone really needed this, they need an advocate...to walk them through this...I can't imagine somebody doing this on their own."

While most interviewees said the ERPO was served quickly, some reported days or weeks before service, raising serious safety concerns

"How is he being held liable for that [the ERPO] if he doesn't even have [the ERPO served to him]? ...I mean, then he's still driving around with guns trying to, like, shoot me."

Interviewees expressed concerns related to compliance with firearm surrender and a lack of enforcement of the ERPO

"There was really no policing of the order once it was issued...As far as follow up and the actual execution of obtaining the firearms, it just doesn't exist."

"You're serving someone with an ERPO and you're concerned that they may hurt themselves or someone else...and yet you're allowing them 24 hours to determine what they're going to do...I feel this procedurally is so detrimental as to not remove the firearms at the moment...it absolutely made no sense to me."

DESPITE THESE CHALLENGES, INTERVIEWEES PRIMARILY DESCRIBED BENEFICIAL IMPACTS OF THE ERPO AND POSITIVE VIEWS ON ERPO LAWS

Most interviewees described feeling a sense of relief after the ERPO took effect, saying it provided “breathing room”

“[The ERPO] provided a huge sense of relief...some may view the ERPO as taking something away, but in our situation, it gave a sense of relief...it gave them time to get well and not be hyper-focused on ‘how am I going to find that source [of a firearm]?’”

A few interviewees noted concerns of continued risk, particularly given limitations to enforcement and firearm surrender

“I think it took about four months for [the respondent] to surrender one firearm, so it didn't really ease the situation. If anything, I mean you can understand people who are in abusive relationships, you just think this is going to ignite things further.”

While interviewees noted that respondents may use other means, they expressed relief that firearms would be less likely to be an option

“There's still other problems as far as physical violence...You know, you have knives in the house, you have other types of weapons...The ERPO helped to de-escalate the situation because guns are significantly more difficult to defend yourself against or control.”

Most interviewees acknowledged the limitations of ERPOs, but still viewed ERPOs as a beneficial, potentially life-saving tool

“I'm sure they are [effective at saving lives]. And I'm sure at times, even despite having one, other people still get hurt. But at least you are trying to work within the law and what tools you have at your disposal to try to protect yourself.”

INTERVIEWEES SHARED SUGGESTIONS FOR IMPROVING THE ERPO PROCESS

- **Increase public education and awareness of ERPOs** through public education campaigns and social media. Include scenarios for which ERPOs have been used in these education materials.
- **Provide ERPO training to crisis line workers, healthcare providers, LEOs, and other relevant professionals** so that they can provide advice on ERPOs when encountering a person in crisis.
- **Create online and printed resources for civilian petitioners**, including step-by-step, locally-specific instructions on how to navigate the process.
- **Provide advocates or peer support specialists to support civilian petitioners.** These individuals can provide guidance on the petitioning forms, attend court hearings with petitioners, and provide follow up support.
- **Require firearm surrender immediately upon ERPO service** to decrease risks of escalation or retaliation.
- **Notify petitioners prior to ERPO expiration** so petitioners can consider filing for renewal if needed.