

The Basics of Extreme Risk Protection Orders in Colorado

Gun violence is a significant and growing issue in the United States. Fortunately, many states, including Colorado, have implemented Extreme Risk Protection Orders (ERPOs) as another effective tool to reduce gun violence. But what is an Extreme Risk Protection Order? Who can file one? And when should you or someone you know consider filing for an ERPO?

Let's dive into the basics.

What is an Extreme Risk Protection Order?

An Extreme Risk Protection Order is a temporary civil court order issued by a judge that removes firearms from the individual's possession and restricts their ability to purchase new ones. Commonly referred to as "red flag laws," these orders are safe, legal measures that can save lives.

When an individual poses a threat to themselves or others by having access to a firearm, an Extreme Risk Protection Order can help. These orders are designed to prevent gun violence and suicides by temporarily restricting an individual's access to firearms during a time of crisis when they may pose a safety risk to themselves or others.

In Colorado, filing for an Extreme Risk Protection Order (ERPO) begins with a Temporary ERPO (TERPO), which is requested when there is an immediate risk. If the judge grants the TERPO, it provides short-term protection for up to 14 days. A hearing is then scheduled within that timeframe to determine whether a full ERPO, lasting up to 364 days, should be issued.

Who Can File an ERPO?

There are strict limitations on who can file an ERPO. Under Colorado law, only four groups of people can file an Extreme Risk Protection Order for another individual. These include:

1. Family and Household Members
2. Mental Health and Health Care Professionals
3. Educators and School Administrators
4. Law Enforcement and District Attorneys

When Would an ERPO Help?

Individuals should consider filing an Extreme Risk Protection Order if another person seems to be in crisis and has access to firearms. Risk factors include:

- Suicidal ideation

- Threats of violence
- Previous violent criminal offenses
- Misuse of drugs or alcohol
- Signs of domestic violence

If you believe someone is in crisis and may be a risk to themselves or others, talk to them about your concerns and ask if they would voluntarily remove their access to firearms. In some cases, an individual may recognize they are a risk to themselves or others and voluntarily put their firearms into safe storage spaces until the crisis has passed.

When voluntary methods have failed or when they do not apply, consider filing an Extreme Risk Protection Order.

What's the Process for Filing an ERPO?

Filing an Extreme Risk Protection Order is a relatively straightforward process. There are five simple steps petitioners must work through:

1. Gather Initial Documentation and Decide if an ERPO is Needed – These can include health documents that highlight troubling behaviors, statements from family, colleagues, and health professionals who have observed similar behaviors, and more.
2. Fill out the Necessary Forms – For a TERPO, you'll need to complete the [JDF 573](#) and [577 forms](#) to initiate the court process.
3. File the Petition at the Courthouse – Submit your forms and any necessary documentation at a courthouse in the county where the respondent resides.
4. Attend the TERPO Hearing – Within 24 hours, you must attend (in-person) the TERPO hearing. You'll have an opportunity to present documentation, describe specific risks, and respond to questions from the court.
5. Attend the ERPO Hearing – If the initial 14-day TERPO is granted, a 364-day ERPO hearing will be scheduled within 14 days to assess if the longer-term ERPO is needed.

Keep ERPOs in Mind

Every Coloradan plays a role in preventing gun violence. If you are concerned that a friend, family member, or colleague may be experiencing a crisis and could be a safety risk to themselves or others, an Extreme Risk Protection Order could be your best bet to prevent violence and save lives. Your decision to act could make all the difference for your safety and the safety of others.

If you would like to learn more about Extreme Risk Protection Orders in Colorado, visit the Let's Talk Guns Colorado [ERPO information page](#).