

ERPO

Let's Talk Guns
COLORADO

Extreme Risk Protection Orders

When an individual poses a threat to themselves or others and has access to a firearm, an Extreme Risk Protection Order, or ERPO, can help. It's a safe, legal measure that can save lives.

WHAT IS AN ERPO?

Commonly known as "red flag laws," these orders are designed to prevent gun violence and suicides by **temporarily** restricting an individual's access to firearms, or restricting their ability to purchase new ones, during a time of crisis when they may pose a safety risk to themselves or others.

THERE ARE TWO TYPES:

TERPO

A Temporary Extreme Risk Protection Order (TERPO) can be filed if there is an immediate risk and will last for up to 14 days.

ERPO

An Extreme Risk Protection Order (ERPO) is issued after a full hearing and can extend firearm restrictions for up to 364 days.



ERPOs are preventative; they are not punitive measures but are designed to reduce harm during a period of crisis. ERPOs do not appear on a respondent's criminal record.

WHO CAN FILE FOR AN ERPO?



MENTAL HEALTH & HEALTH CARE PROFESSIONALS



FAMILY & HOUSEHOLD MEMBERS



EDUCATORS & SCHOOL ADMINISTRATORS



LAW ENFORCEMENT & DISTRICT ATTORNEYS

WHEN SHOULD YOU CONSIDER FILING FOR AN ERPO?



SIGNS OF DOMESTIC VIOLENCE



SUICIDAL IDEATION



THREATS OF VIOLENCE



PREVIOUS VIOLENT CRIMINAL OFFENSES



MISUSE OF DRUGS OR ALCOHOL



ACCESS TO FIREARMS

HOW TO PETITION - THE ERPO PROCESS IN 5 STEPS

Gather Information

1

Complete the Paperwork

2

File at the Courthouse

3

Attend the First Hearing (TERPO)

4

Attend the Final Hearing (ERPO)

5

STEP 1: GATHER INFORMATION

Document specific statements, behaviors, known access to firearms, or incidents that suggest significant risk. If possible, gather statements from your colleagues who also observed concerning behavior. Your employer may already have established internal protocols when someone is at risk of harming themselves or others. In some cases, your organization's administration may serve as a co-petitioner and take lead on filing the paperwork.

STEP 2: COMPLETE THE PAPERWORK

Fill out the Temporary ERPO Petition (JDF 573) and the ERPO Information Sheet (JDF 577). The forms are available at any courthouse in Colorado or online at coloradojudicial.gov. You are legally allowed to disclose Protected Health Information, including health records typically covered by HIPAA, when filing for an ERPO in good faith.

STEP 3: FILE AT THE COURTHOUSE

Submit the petition paperwork and any supporting documentation in person at the courthouse in the county

where the respondent resides. If you are unsure which court to contact, you can find it using the courts locator tool at www.coloradojudicial.gov.

STEP 4: ATTEND THE FIRST HEARING

(Temporary Extreme Risk Protection Order or TERPO)

During this hearing, the judge reviews the evidence to determine if a TERPO should be issued. You will present your concerns and supporting documents. This hearing usually happens within 24 hours. The respondent will not be present at this hearing. If the TERPO is granted, law enforcement will serve the order on the respondent and confiscate firearms as where appropriate. They will also notify the relevant federal and state agencies to prevent further firearm purchases.

STEP 5: ATTEND THE FINAL HEARING

(Extreme Risk Protection Order or ERPO)

If the initial 14-day TERPO is granted, a 364-day ERPO hearing will be scheduled within 14 days to assess if the ERPO should be granted. Each side will have an opportunity to present their evidence and call witnesses.

AFTER THE ORDER IS FILED

During that time when you know firearm access is restricted, you can identify new intervention options, reassess the patient's current treatment plan, or refine any existing approaches without the risks associated with firearm possession.

POTENTIAL OUTCOMES

- » If an ERPO is denied, no restrictions apply, but you can refile if new concerns arise.
- » If an ERPO is granted, but the respondent fails to comply, law enforcement may document the noncompliance.

RENEWING OR ENDING THE ERPO

- » Once an Extreme Risk Protection Order expires, the respondent is legally allowed to purchase or possess firearms again.
- » If the risk remains, you may submit a renewal request form Motion to Continue an ERPO (JDF 587) approximately 63 days before the order expires.
- » An additional hearing is required with updated information for ongoing firearm restrictions.
- » The respondent can request the termination of the EPRO, but they must demonstrate that they no longer pose a risk.

NEED HELP OR WANT TO LEARN MORE?

Visit LetsTalkGunsColorado.com | Contact the Colorado ERPO Hotline: 855-999-3776