



THE EDUCATIONAL FUND
TO STOP GUN VIOLENCE

PREVENTING FIREARM SUICIDE

DAKOTA JABLON, MHS | DJABLON@CSGV.ORG

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RISK FACTORS FOR SUICIDE

- Mental illness (i.e. clinical depression)
- Family history of suicide
- Family history of child maltreatment
- Previous suicide attempt(s)
- Alcohol or substance misuse
- Feelings of hopelessness
- Impulsive or aggressive tendencies
- Local epidemics of suicide
- Feelings of isolation
- Barriers to accessing mental health treatment
- Loss (relational, social, work, or financial)
- Physical illness
- Easy access to lethal methods
- Unwillingness to seek help because of stigma

Access to a gun in the home increased the odds of suicide more than three-fold.

Anglemyer et al (2014)

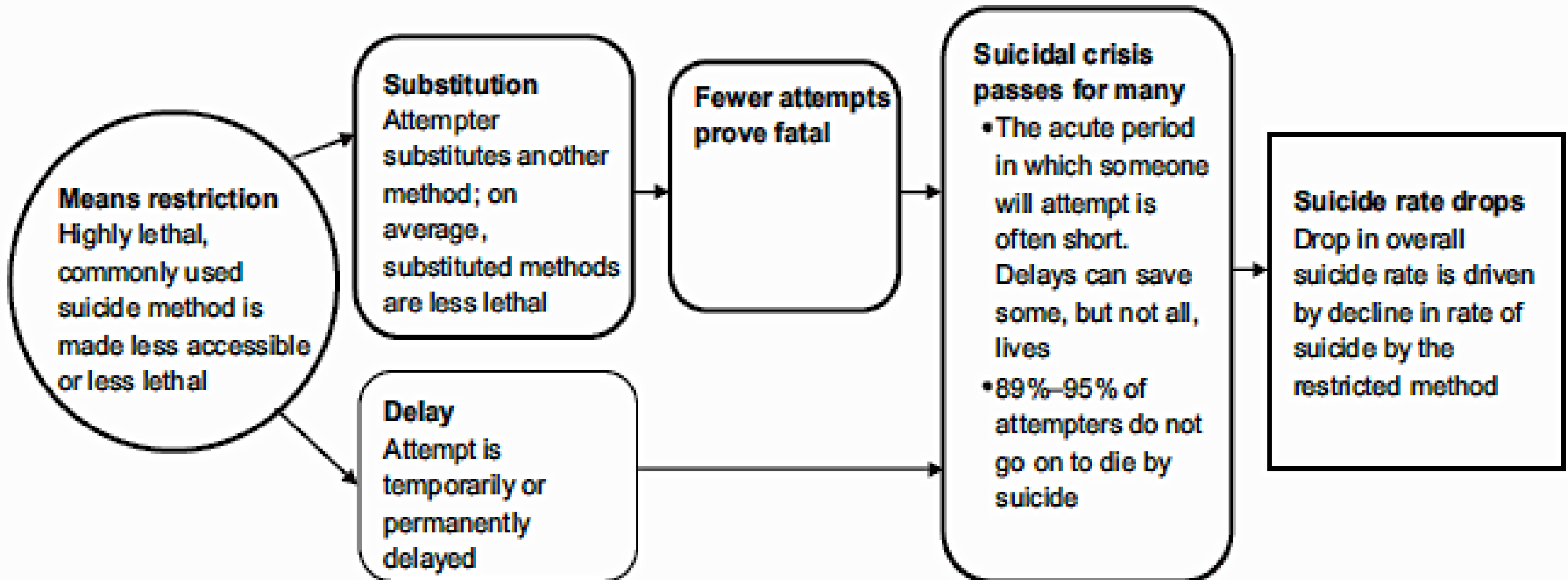
REDUCING ACCESS TO LETHAL MEANS

Suicide attempt outcomes are related to chosen means

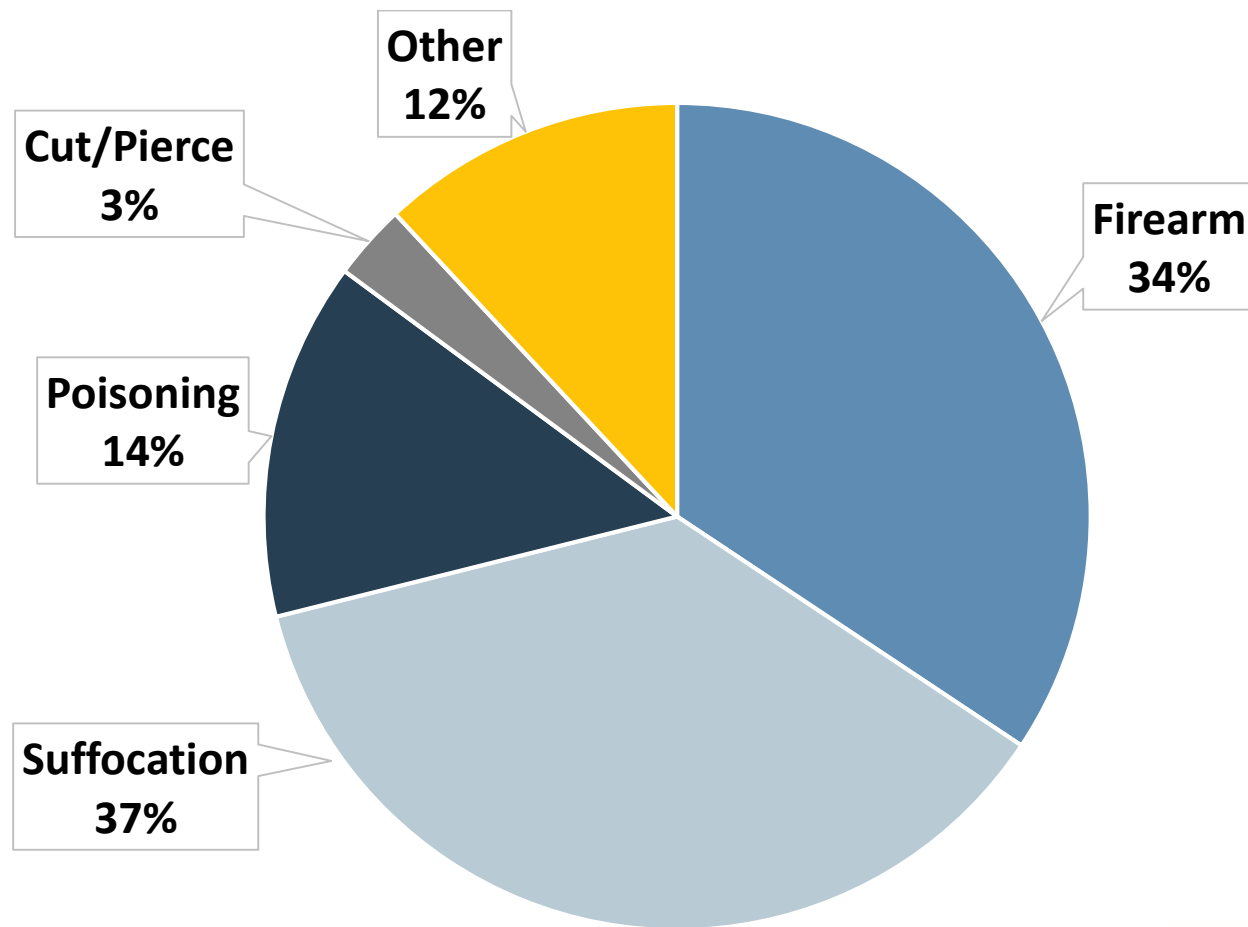
- Firearms are highly lethal, especially compared to other methods
 - 9 in 10 suicide attempts using firearms result in death
 - Cut/pierce and overdose attempts are fatal less than 3% of the time
- Means substitution is uncommon
- 9 in 10 attempt survivors do *not* go on to die by suicide

Placing **time** and **space** between at-risk individuals and firearms is increasingly recognized as a crucial firearm suicide prevention strategy.

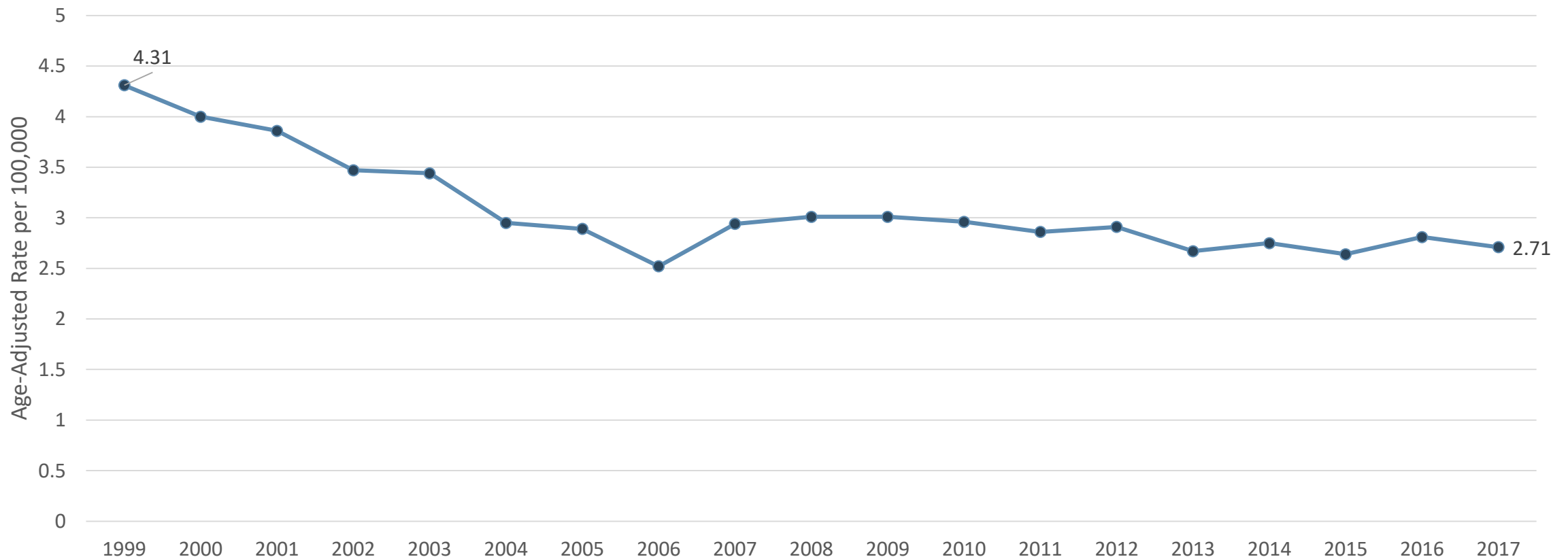
CONCEPTUAL MODEL, BARBER & MILLER (2014)



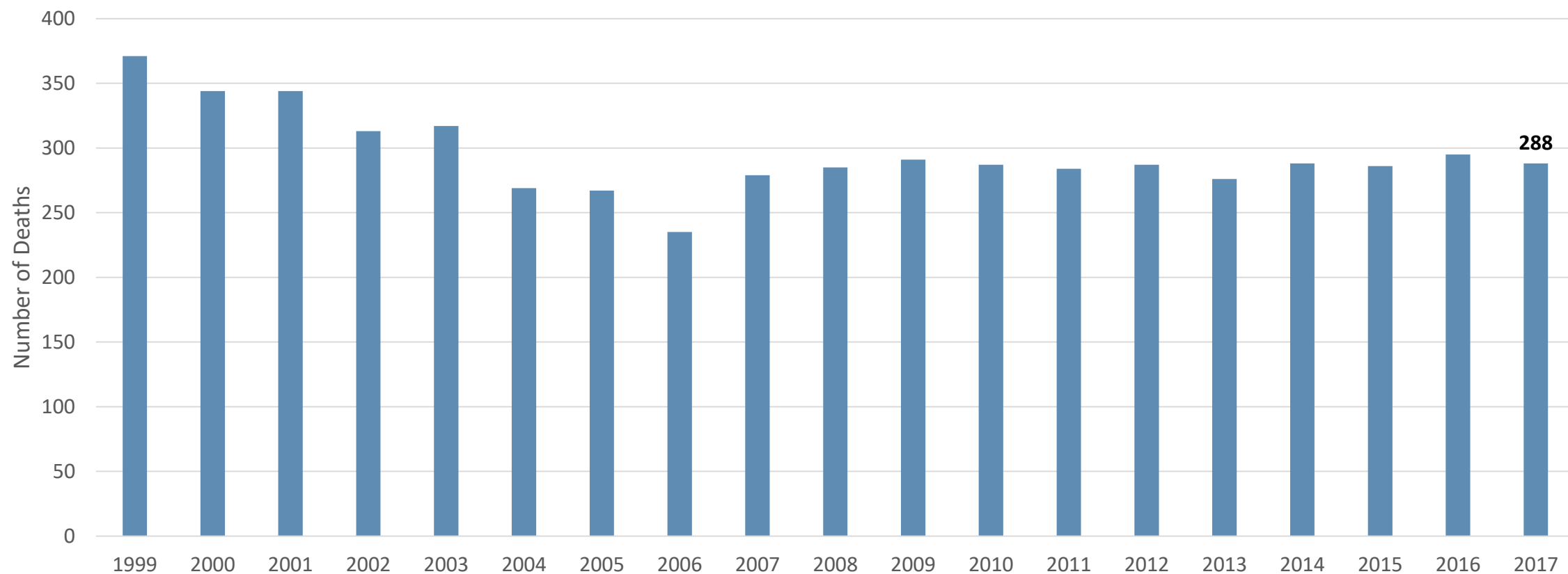
LA COUNTY, SUICIDE BY METHOD, 2013-2017



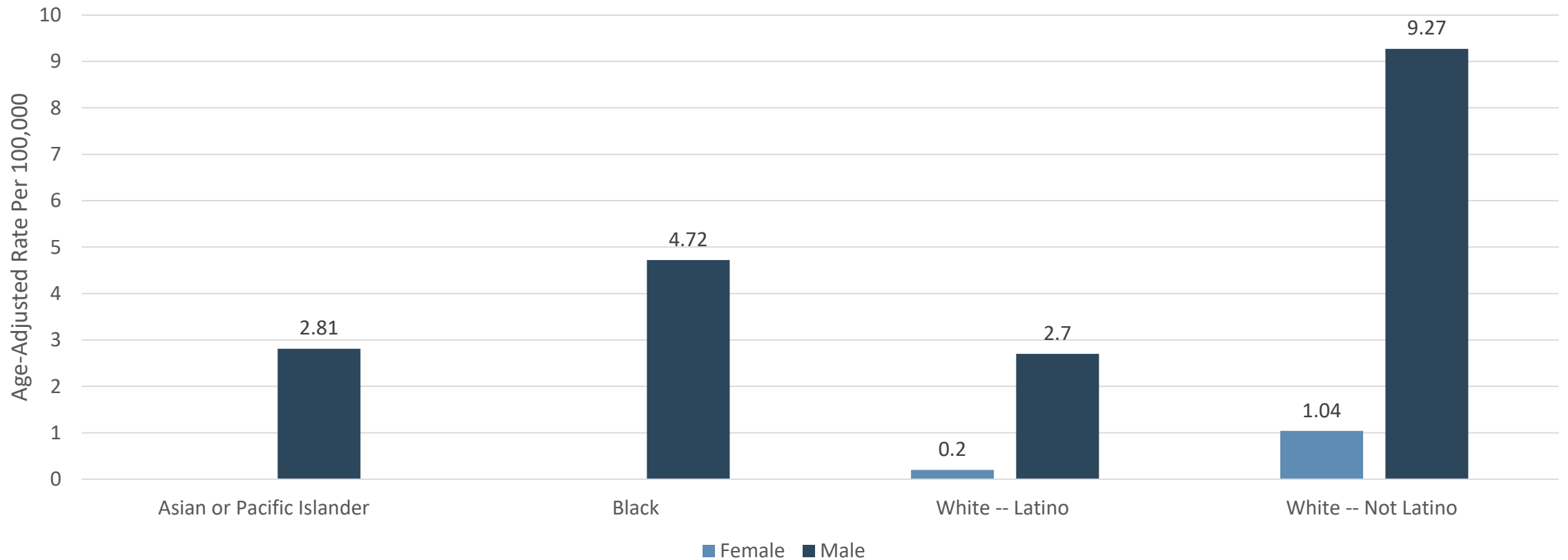
LA COUNTY, FIREARM SUICIDE DEATH RATE, 1999-2017



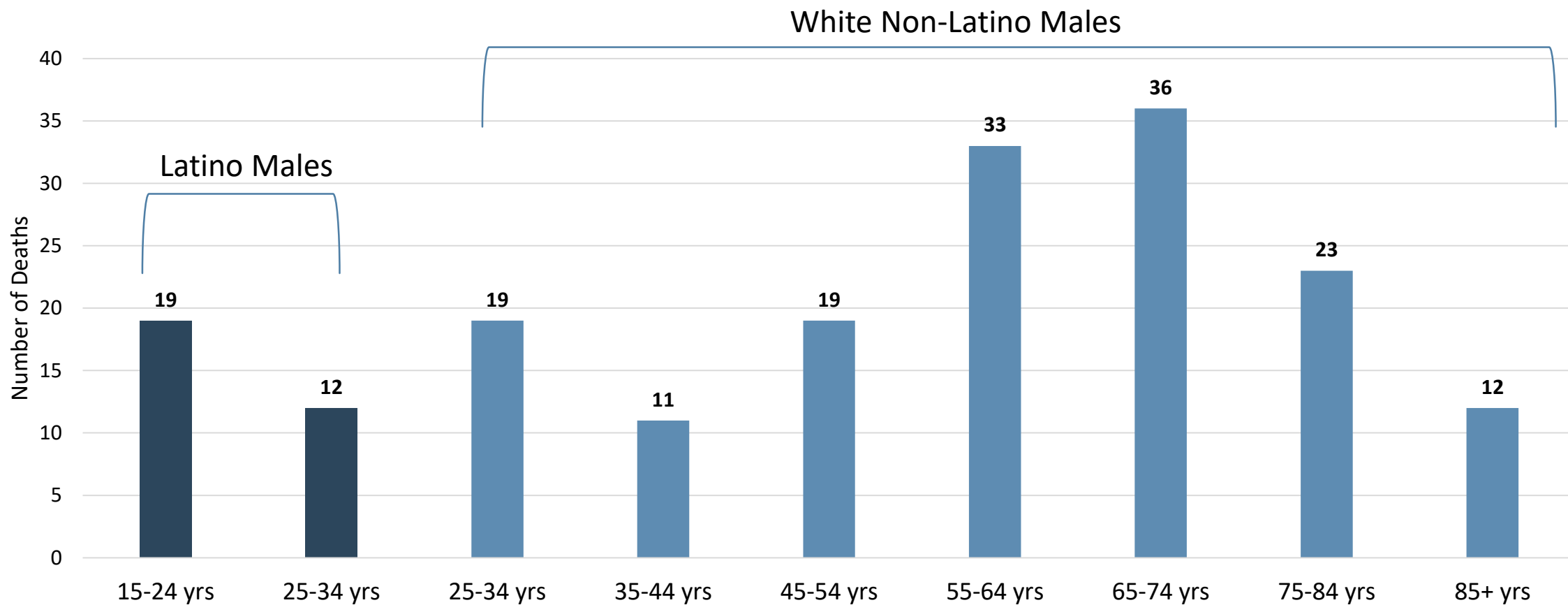
LA COUNTY, FIREARM SUICIDE DEATHS, 1999-2017



LA COUNTY, FIREARM SUICIDE RATE, 2013-2017



LA COUNTY, FIREARM SUICIDE DEATHS, 2017



SOCIAL ECOLOGICAL MODEL: LIMITING ACCESS TO LETHAL MEANS

Firearm Suicide Prevention Interventions	
<i>Level</i>	<i>Intervention</i>
Societal (Policy)	Extreme risks laws
	Voluntary self-prohibitions
	Policies that reduce availability of firearms
Community	Gun shop projects
Relationship	Family/friends holding onto firearms
	Lethal means safety counseling
Individual	Safer storage

Allchin A, Chaplin C, Horwitz J. (2018).
**Limiting access to lethal means:
 applying the social ecological model
 for firearm suicide prevention.**
 Injury Prevention.

GUN VIOLENCE RESTRAINING ORDER

- Gun Violence Restraining Orders **temporarily prohibit access to firearms (purchase or possession) among individuals demonstrating behavioral risk factors for harming themselves or others**
- Enables law enforcement and families to proactively intervene and remove firearms from individuals who are suicidal or behaving dangerously
- 3 types of GVROs:
 - Temporary (Emergency) GVRO
 - Ex Parte GVRO
 - Final GVRO

TEMPORARY EMERGENCY GVRO

- **Petitioner:** Law enforcement officer only
- **Standard:** **Reasonable cause** to believe that the person presents an **immediate and present danger** of injury to self or others by having a firearm in his or her possession AND less restrictive alternatives have been ineffective, inadequate, or inappropriate
- **Duration:** 21 days
- **Served:** On scene

EX PARTE GVRO

- **Petitioner:** Law enforcement officer or family member
- **Standard:** **Substantial likelihood** that the subject of the petitioner poses a **significant danger in the near future** of personal injury to himself, herself, or another by having a firearm in his or her possession AND an ex parte order is necessary to prevent personal injury and less restrictive alternatives have been ineffective, inadequate, or inappropriate
- **Duration:** Up to 21 days
 - Terminates unless permanent GVRO is ordered
- **Served:** After order is grant; more than 5 days before permanent GVRO hearing

FINAL GVRO

- **Petitioner:** Law enforcement officer or family member
- **Standard:** The petitioner bears the burden of proving by **clear and convincing evidence** that the subject of the petition poses a **significant danger** of personal injury to himself, herself, or another by having possession of a firearm and that a GVRO is necessary to prevent personal injury AND less restrictive alternatives have been ineffective, inadequate, or inappropriate
- **Duration:** 1 year – subject to renewal or termination
- **Served:** in Court or after order is granted

CA GVRO – FACTORS COURTS SHALL CONSIDER

- A recent threat of violence or act of violence by the subject of the petition directed toward another, himself, or herself.
- A recent threat of violence or act of violence by the subject of the petition directed toward himself or herself.
- A recent violation of a protective order of any kind.
- A conviction of a violent offense.
- A pattern of violent acts or violent threats within the past 12 months, including, but not limited to, threats of violence or acts of violence by the subject of the petition directed toward himself, herself, or another.



CA GVRO – FACTORS COURTS MAY CONSIDER

- The unlawful and reckless use, display, or brandishing of a firearm by the subject of the petition.
- The history of use, attempted use, or threatened use of physical force by the subject of the petition against another person.
- Any prior arrest of the subject of the petition for a felony offense.
- Any violation of a protective order of any kind.
- Documentary evidence, including, but not limited to, police reports and records of convictions, of either recent criminal offenses by the subject of the petition that involve controlled substances or alcohol or ongoing abuse of controlled substances or alcohol by the subject of the petition.
- Evidence of recent acquisition of firearms, ammunition, or other deadly weapons.

HOW TO OBTAIN A GVRO

- STEP 1: **Request a petition** from your local Superior Court or [download online](#).
- STEP 2: **Complete and submit the petition** and other necessary paperwork.
- STEP 3: **A judge issues an initial hearing.** If the judge issues a GVRO, ask a law enforcement officer to serve the order on the subject of the petition.
- STEP 4: **Attend the hearing scheduled by the court.** The hearing will be scheduled 21 days from the date the judge issues or denies the order.

TERMINATION

A respondent may petition for termination of a one-year GVRO one time while the order is in effect. If the court finds, after a hearing, that there is **no longer clear and convincing evidence that the subject poses a significant danger** to themselves or others, or that less restrictive alternatives are effective, adequate, or appropriate, the court shall terminate the order.

RENEWAL

A law enforcement officer or immediate family member of the respondent may request the renewal of a one year GVRO any time within 3 months of the expiration of a GVRO. Evidentiary requirements and standard of review are the same as those of an initial one-year GVRO.



SURRENDER OF FIREARMS

- A GVRO requires that respondents surrender firearms and ammunition.
- A law enforcement officer serving an order shall request immediate surrender of firearms and ammunition.
- If no request is made, the respondent must surrender, within 24 hours of service, to a local law enforcement agency, surrender to a licensed firearms dealer, or sell to a licensed firearms dealer.
- The law enforcement agency or licensed firearms dealer taking possession shall issue a receipt to the respondent.
- Within 48 hours of service of the order, the respondent shall file the original receipt with the court that issued the GVRO and a copy of the receipt to the law enforcement agency that served the order.
- If the respondent fails to surrender within the provided time frame, the court may issue a search warrant.

OFFENSES

- Possession of a firearm or ammunition in violation of a GVRO is a misdemeanor crime and such person shall be prohibited from purchasing or possessing a firearm or ammunition for five years.
- Persons filing a petition for a GVRO, knowing the information in the petition to be false or with the intent to harass, is guilty of a misdemeanor.

GVRO AT WORK



San Diego City Attorney Mara W. Elliott

“In January of 2016, Deputies obtained an Emergency Protective Order to remove firearms owned by a 34-year old Goleta woman who was in temporary crisis and had made suicidal statements.”

communities. The City of San Diego will not tolerate federal inaction. We're doing everything in our power to respond to this epidemic of senseless killing by removing guns from the hands of unstable and irresponsible gun owners,” City Attorney Mara W. Elliott said. **“We are proud to partner with the San Diego Police Department in this effort and to lead the way for all California.”**

The first 10 Gun Violence Restraining Orders obtained by the City Attorney's Office were against the following gun owners:



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GVRO vs. 5150

	Gun Violence Restraining Orders (GVRO)	Dangerous or gravely disabled person Cal. Welf. & Inst. Code § 5150
Who initiates the process?	Emergency: Law enforcement officer only	Peace officer in most cases. The professional person in charge of a facility designated by the county for evaluation and treatment, member of the attending staff, as defined by regulation, of a facility designated by the county for evaluation and treatment, designated members of a mobile crisis team, or professional person designated by the county, are also authorized to initiate.
	Ex Parte: Law enforcement officer or family member	
	Final Order: Law enforcement or family member	
To whom does the order apply?	An individuals who is at risk of dangerous behavior, but not due to a mental health disorder.	An individual subject to a 5150 hold must be dangerous to themselves or another <u>BECAUSE OF</u> a mental disorder. A 5150 would not apply to a person who is dangerous because of other reasons.
Can the order be issued based on a suicide threat?	Yes	Yes, but only if the person is a suicide threat because of a mental disorder.
What is the burden of proof?	Emergency GVRO: Reasonable cause	Probable cause
	Ex Parte: Substantial likelihood	
	Final Order: Clear and convincing evidence	
What must be proved?	Emergency: (1)The subject of the petition poses an immediate and present danger of causing personal injury to himself, herself, or another AND (2) Less restrictive alternatives have been ineffective, or are inappropriate for the situation	A person, as a result of a mental health disorder, is a danger to others, or to himself or herself, or gravely disabled
	Ex Parte: (1) The subject of the petition poses a significant danger in the near future, of personal injury to himself, herself, or another AND (2) Less restrictive alternatives have been ineffective, or are inappropriate for the sit	
	Final Order: (1) The subject of the petition, or person subject to an ex-parte GVRO, poses a significant danger of personal injury to himself, herself, or another AND (2) Less restrictive alternatives have been ineffective, or are inappropriate for the situation	

	GVRO	5150
Is the person taken into custody?	No	Yes, for up to 72 hours
Is court review or approval required prior to it taking effect?	Yes	No
What is the effect on the affected person's gun rights?	Emergency GVRO: 21 days or less (expires)	Five year prohibition
	Ex Parte: 21 days or less (until hearing)	
	Final Order: one year	
Can the person's firearms be seized without a warrant?	No	Yes

	GVRO	5150
Is a hearing automatically scheduled to provide an opportunity to challenge it?	Emergency GVRO: no	No. There is no hearing unless the person requests a hearing.
	Ex Parte: yes	
	Final Order: yes	
When is the hearing held?	Emergency GVRO: N/A	"The court shall set the hearing within 30 days of receipt of the request for a hearing. Upon showing good cause, the district attorney shall be entitled to a continuance not to exceed 14 days after the district attorney was notified of the hearing date by the clerk of the court."
	Ex Parte: 21 days or less	
	Final Order: 21 days or less	

A Study on Connecticut's Risk-Based Warrants

Forthcoming in *LAW AND CONTEMPORARY PROBLEMS* [Submitted: August 24, 2016]

IMPLEMENTATION AND EFFECTIVENESS OF CONNECTICUT'S RISK-BASED GUN REMOVAL LAW: DOES IT PREVENT SUICIDES?

JEFFREY W. SWANSON, PHD*
MICHAEL A. NORKO, MD, MAR
HSIU-JU LIN, PHD
KELLY ALANIS-HIRSCH, PHD
LINDA K. FRISMAN, PHD
MADELON V. BARANOSKI, PHD, MSN
MICHELE M. EASTER, PHD
ALLISON G. ROBERTSON, PHD, MPH
MARVIN S. SWARTZ, MD
RICHARD J. BONNIE, LLB

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INTRODUCTION

Developing practical, effective, and legally sustainable policies to separate firearms from people at risk of harming themselves or others represents a potentially important, but challenging public health opportunity for gun violence prevention in the United States. Risk-based, time-limited, preemptive gun removal is a type of legal tool that three states—Connecticut, Indiana, and California—have adopted, and which has recently attracted considerable interest among policymakers in other jurisdictions. To date, there has been little empirical scrutiny of these laws in practice, and there are important unanswered questions about how they work: What are the legal and logistical barriers to implementing risk-based gun removal laws? Do they tend to target the right people, and are the laws fair? Do they actually help reduce gun deaths?

In 1999, following a highly publicized mass shooting,¹ Connecticut became the first state to pass a law authorizing police to temporarily remove guns from individuals

KEY FINDINGS

- Police found **firearms in 99% of instances** when a risk-warrant was issued, removing an average of seven guns per warrant.
- People in Connecticut subject to risk-warrants had an **annual suicide rate 40 times higher than the general population**, showing the increased risk among this population.
- Nearly one-third of all risk-warrant subjects received mental health and substance abuse treatment after a risk-warrant was issued.
- **For every 10-20 warrants issued – at least 1 life is saved.**

RESOURCES

- <http://www.courts.ca.gov/forms.htm?filter=GVP>
 - Forms for the GVROs.
- <https://speakforsafety.org/>
 - A campaign to raise awareness of California's GVRO.
- <https://americanhealth.jhu.edu/implementERPO>
 - Created by the Johns Hopkins Bloomberg American Health Initiative & the Educational Fund to Stop Gun Violence. The website was designed to be a central resource for implementers of the GVRO/ERPO.
- PreventFirearmSuicide.EFSGV.org
 - COMING SOON! A website dedicated to firearm suicide prevention from the Educational Fund to Stop Gun Violence/