

RED FLAG LAWS AND FIREARM SUICIDE PREVENTION

BOTTOM LINE: WHEN A PERSON IS IN CRISIS AND CONSIDERING SUICIDE, FAMILY MEMBERS AND LAW ENFORCEMENT OFFICERS ARE OFTEN THE FIRST TO SEE THE WARNING SIGNS. RED FLAG LAWS EMPOWER THOSE WHO RECOGNIZE THESE WARNING SIGNS TO INTERVENE TO PREVENT PEOPLE IN CRISIS FROM ACCESSING FIREARMS, DEESCALATING CRISIS SITUATIONS AND HELPING PEOPLE GET THE HELP THEY NEED. THESE LAWS CREATE A NEW COURT ORDER – OFTEN CALLED AN EXTREME RISK PROTECTION ORDER (ERPO) – THAT TEMPORARILY RESTRICTS A PERSON’S ACCESS TO GUNS IF THE COURT FINDS THAT THEY POSE A SERIOUS RISK OF USING THEM TO HARM THEMSELVES OR OTHERS.

Firearms are an especially lethal means of self-harm. Temporarily preventing a person in crisis from accessing firearms can mean the difference between life and death.

NEARLY TWO-THIRDS OF ALL GUN DEATHS IN THE U.S. ARE SUICIDES: AN AVERAGE OF 61 DEATHS A DAY.

- Claiming the lives of over 22,000 Americans every year, including over 1,000 children and teens,¹ firearm suicide is a significant public health crisis in the U.S.² Nearly two-thirds of all gun deaths in the U.S. are suicides: an average of 61 deaths a day.³
- A meta-analysis of 14 different scientific studies concluded that having access to a firearm triples one’s risk of death by suicide. This elevated risk applies not only to the gun owner, but everyone in the household.⁴
- Among commonly used methods of self-harm, firearms are by far the most lethal, with a fatality rate of approximately 85 percent.⁵ Conversely, death occurs in less than 5 percent of cases where people attempt suicide using other methods,⁶ and the vast majority of all those who survive do not go on to die by suicide.⁷ While firearms are used in less than 6 percent of suicide attempts, over half of suicide deaths are with firearms.⁸

Red Flag laws reduce the risk of firearm suicide by temporarily removing guns from dangerous situations.

RED FLAG LAWS EMPOWER THOSE WHO RECOGNIZE SIGNS OF DANGER TO PETITION FOR A COURT ORDER THAT TEMPORARILY REMOVES A PERSON’S ACCESS TO GUNS IF THEY ARE LIKELY TO USE THEM TO HARM THEMSELVES OR OTHERS.

- When a person is in crisis, loved ones and law enforcement are often the first to see the warning signs. Red Flag laws empower those who recognize these signs to petition for a court order that temporarily removes a person’s access to guns if there is a serious risk that they will use them to harm themselves or others.
- Under current federal law, a person is only barred from having guns if they fall into one of several categories of prohibited persons – such as those who have been convicted of certain crimes, adjudicated as mentally ill or committed to a psychiatric hospital, or who are subject to a domestic violence restraining order.⁹
- A person in crisis may display warning signs that they’re considering suicide. But unless that person has been involuntarily committed, convicted of a serious crime, or is otherwise prohibited under current law, they would still be able to buy and possess guns legally. Red Flag laws provide those who recognize warning signs a way to take action to prevent access to firearms, the most lethal means of suicide, in these times of high-risk.
- Those who request an ERPO must present evidence to a judge demonstrating the risk of harm a person poses by having access to firearms. If the judge finds the person poses a significant danger of injuring themselves or others with a firearm, the judge can issue an ERPO, prohibiting the subject of the order from purchasing and possessing guns and requiring them to turn in their guns to have them held while the order remains in effect. Emergency orders can be issued before a hearing is held if necessary to prevent imminent harm. These orders generally last between fourteen and 21 days. Final orders, which can only be issued after a full hearing, generally last up to one year.

RED FLAG LAWS REDUCE FIREARM SUICIDES

INDIANA SAW A 7.5% REDUCTION IN THE FIREARM SUICIDE RATE

CONNECTICUT SAW A 14% REDUCTION IN THE FIREARM SUICIDE RATE

Red Flag laws have been shown to help prevent firearm suicides, and states across the country are embracing this life-saving policy.

- Following Connecticut's increased enforcement of its Red Flag law,¹⁰ the law was associated with a 14 percent reduction in the state's firearm suicide rate.¹¹ Another study in Connecticut found that one suicide was averted for approximately every 11 gun removals carried out under the law.¹²
- In Indiana, in the ten years after the state passed its Red Flag law in 2005,¹³ the state's firearm suicide rate decreased by 7.5 percent.¹⁴
- In response to the tragic shooting in Isla Vista, California enacted its Red Flag Law in 2014. Washington State created a Red Flag Law by ballot initiative in 2016, followed by the passage of Oregon's law in 2017.¹⁵
- Since the mass shooting¹⁶ in Parkland, FL in February of 2018, nine additional states and D.C. have passed Red Flag laws, more than doubling the number of laws nationally.¹⁷ There are now 14 states with Red Flag laws on the books.¹⁸

If you or someone you know is in crisis, please contact the National Suicide Prevention Lifeline, a national network of local crisis centers that provides free and confidential emotional support to people in suicidal crisis or emotional distress 24/7. 1-800-273-TALK (8255) [suicidepreventionlifeline.org](https://www.suicidepreventionlifeline.org)

You may also contact the Crisis Text Line, which provides trained crisis counseling services over text 24/7. Text HOME to 741741 for free from anywhere in the U.S. [crisistextline.org](https://www.crisistextline.org)

1. Centers for Disease Control and Prevention. National Centers for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (WISQARS) Fatal Injury Reports. A yearly average was developed using five years of most recent available data: 2013 to 2017. Children and teens defined as 0 to 19.
2. For more information on firearm suicide, see: everytownresearch.org/disrupting-access.
3. Centers for Disease Control and Prevention. National Centers for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (WISQARS) Fatal Injury Reports. Firearm suicide to total suicide ratio and daily average developed using five years of most recent available data: 2013 to 2017.
4. Anglemeyer A, Horvath T, Rutherford G. The accessibility of firearms and risk for suicide and homicide victimization among household members: A systematic review and meta-analysis. *Annals of Internal Medicine*. 2014; 160: 101-110.
5. Miller M, Azrael D, Barber C. Suicide mortality in the United States: The importance of attending to method in understanding population-level disparities in the burden of suicide. *Annual Review of Public Health*. 2012; 33: 393-408.
6. Ibid.
7. Owens D, Horrocks J, House A. Fatal and non-fatal repetition of self-harm: Systematic review. *British Journal of Psychiatry*. 2002; 181: 193-199.
8. Miller M, Azrael D, Barber C. Suicide mortality in the United States: The importance of attending to method in understanding population-level disparities in the burden of suicide. *Annual Review of Public Health*. 2012; 33: 393-408.
9. 18 U.S.C. § 922(d), (g).
10. See; Conn. Gen. Stat. § 29-38c.
11. Kivisto AJ, Phalen PL. Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981-2015. *Psychiatric Services*. 2018; 69(8): 855-862.
12. Swanson JW, Norko M, Lin H, et al. Implementation and effectiveness of Connecticut's risk-based gun removal law: Does it prevent suicides? *Law and Contemporary Problems*. 2017; 80: 179-208.
13. Ind. Code § 35-47-14-1, et seq.
14. Kivisto AJ, Phalen PL. Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981-2015. *Psychiatric Services*. 2018; 69(8): 855-862.
15. See 2017 OR S 719; Wash. Rev. Code § 7.94.010, et seq.; Cal. Penal Code §§ 18125, 18150, 18175.
16. For more information on Red Flag laws and preventing mass shooting, see: everytownresearch.org/red-flag-laws-helping-prevent-mass-shooting.
17. DE, FL, IL, MD, MA, NY, NJ, RI, VT.
18. Cal. Penal Code § 18125; Cal. Penal Code § 18175; Conn. Gen. Stat. § 29-38c; 10 Del. C. 7701, et. seq.; 2018 D.C. Act 22-629; Fla. Stat. § 790.401; 430 ILCS 67/1, et seq.; Ind. Code § 35-47-14-1; Ind. Code § 35-47-14-2; Ind. Code § 35-47-14-5; Ind. Code § 35-47-14-6; Ind. Code § 35-47-14-8; Md Public Safety Code 5-601, et seq; Mass. Gen. Laws ch. 140, § 121; Mass. Gen. Laws ch. 140, § 129B(C); Mass. Gen. Laws ch. 140, § 131(C); Mass. Gen. Laws ch. 140, § 131R-Z; 2019 NY SB 2451; 2018 NJ A 1217; ORS 166.525, et seq.; 13 VSA 4051, et seq.; RI Gen Laws 8-8.3-1, et seq.; Wash. Rev. Code § 7.94.030; Wash. Rev. Code § 7.94.040; Wash. Rev. Code § 7.94.050; Wash. Rev. Code § 7.94.080.