

WHEN MUST THE RESPONDENT SURRENDER FIREARMS AND CONCEALED CARRY WEAPONS PERMIT (CCW)?

The law enforcement officer serving the order shall request that respondent instantly surrender all firearms and CCW to the Officer during the service of temporary ERPO and if service is required for the full ERPO.

If not surrendered immediately due to the respondent appearing in court, the respondent must surrender them within 24 hours of receiving the order at the hearing.

TERMINATING ORDERS

The respondent may file a motion to terminate the Extreme Risk Protection Order only one time during the 364 day period the order is in effect.

WHERE CAN I GET FORMS?

You can download all of the forms relating to ERPO's at the Colorado Judicial Branch website or get them from any of the court clerk's office.

<https://www.courts.state.co.us/>

METRO AREA RESOURCES

Life-Threatening Situation - 911

Police Non-Emergency
303.438.6400

BASIC NEEDS

Division of Criminal Justice
303.239.5719
700 Kipling St, Ste. 1000
Denver, CO 80215
1.800.282.1080 (toll free)

MENTAL/BEHAVIORAL HEALTH

Colorado Crisis Services
844.493.8255

DOMESTIC VIOLENCE

Broomfield Victim Services
303.438.6429 or 303.438.6471

Project Safeguard
303.637.7761

Family Tree Legal Advocacy
303.271.6559

The Broomfield Police
Department

EXTREME RISK PROTECTION ORDER (E.R.P.O)



BROOMFIELD POLICE

INFORMATIONAL RESOURCE GUIDE

This protection order cannot restrain the respondent from contacting a person, nor can it order the respondent to stay away from an person or place.

BROOMFIELD POLICE DEPARTMENT

7 Descombes Drive
Broomfield, CO 80020
303.438.6400

BROOMFIELD COMBINED COURTS

17 Descombes Drive
Broomfield, CO 80020
720.887.2100



WHAT IS AN EXTREME RISK PROTECTION ORDER?

An Extreme Risk Protection Order (ERPO) is designed to temporarily prevent individuals, who are at high risk of harming themselves or others, from possessing firearms. The ERPO directs a person to surrender their firearms and CCW permit for a period of 364 days. During that time, it would be illegal to purchase or have control of firearms. Factors that demonstrate such a risk can include violent behavior, threats of self-harm, dangerous mental health crisis, and abuse of drugs and/or alcohol. The person who is alleged to be dangerous is called the respondent.

HOW TO APPLY FOR AN EXTREME RISK PROTECTION ORDER

WHO CAN REQUEST THE ORDER?

A petition can be filed by a family or household member of the respondent, a law enforcement agency/officer, a licensed medical care provider, a licensed mental health-care provider, licensed educators, or district attorneys. The agency or person filing the case is called the petitioner. Family or household members include:

- Persons related by blood, marriage or adoption
- Dating partners
- Persons who have a child in common

- Persons who reside or have resided with the respondent within the past six months
- Domestic partners
- Persons who have a biological or legal parent-child relationship including step-parents, step-children, grandparents, and grandchildren
- A person who is acting, or has acted, as the respondent's legal guardian

STEP 1: PETITION THE COURT

You may petition on your own or hire a lawyer to represent you. You must swear under oath that the things you write in the petition are true. In the petition you must state in writing the specific actions, statement, and facts that show the respondent is a high risk for harming themselves and/or another person. Information the court may look for includes (but is not limited to):

- The types of firearms the respondent has and where they are
- Any other protection orders or court cases involving the respondent
- Medical or police records if you have them

STEP 2: FILE THE PETITION

The case must be filed in the county where the respondent resides. The case must be filed in the appropriate county or district court.

STEP 3: APPEAR FOR A TEMPORARY HEARING

After you file the petition a judge will decide whether or not to give you a temporary order. You may need to talk with the judge in a courtroom. The judge will ask you questions and you will need to answer them truthfully under oath. If the judge grants your petition,

you will get a Temporary Extreme Risk Protection Order for 14 days. The court papers will state the time and date of the next hearing, which you must also attend.

STEP 4: NOTICE TO THE RESPONDENT

A copy of your petition, the temporary order, and notice of the hearing must be served to the respondent by a law enforcement officer. You must provide the court copy of the order to the police department for service. You must also provide the best available address for the respondent. If the respondent lives in the City and County of Broomfield, the Broomfield Police Department will serve the order/notice/petition to the respondent within five days of receiving them.

STEP 5: APPEAR FOR A FULL HEARING

You will come back to court for the hearing. You can hire a lawyer to represent you at this hearing (you are NOT required to have one). The respondent will likely be at this hearing and will have a court appointed lawyer. You should come to this hearing, whether the respondent has been served or not. If you do not come, the court will dismiss the case and will not sign an order. At the full hearing be prepared to explain your request to the judge. Both you and the respondent may be asked questions by the judge and lawyers about your request and your statement. The judge will decide whether or not to sign an Extreme Risk Protection Order.

If granted the ERPO lasts 364 days. It can be renewed for an additional 364 days if a motion (request) to renew is filed within the 63 days before the order expires.