

EXTREME RISK PROTECTION ORDER (ERPO)

In January 2018, Governor Phil Murphy signed a package of gun safety bills.

https://nj.gov/governor/news/news/562018/approved/20180613b_gun_laws.shtml)

One of those bills was the *Extreme Risk Protective Order Act of 2018* (N.J.S.A. 2C:58-20 to -32). The Act's goal is to save lives in New Jersey, including the lives of the respondents and those around them.

The Act provides procedures through which a family or household member (the petitioner) can apply for an *Extreme Risk Protective Order* against a person (the respondent) who poses a danger of causing bodily injury to self or others by possessing or purchasing a firearm.

An *Extreme Risk Protective Order* prohibits the respondent from possessing or purchasing a firearm or ammunition and from holding a firearms purchaser identification card, permit to purchase a handgun, and permit to carry a handgun. An *Extreme Risk Protective Order* is a civil court order that is issued by a judge upon consideration of the evidence related to a number of factors, prompted by a petition by a family or household member or law enforcement officer.

Under the *Extreme Risk Protective Order Act of 2018*, a court would consider evidence presented whether the respondent has a history of threats or acts of violence; has a history of use (including attempted and threatened use) of physical force; is subject to or violated any protective orders; has been arrested, charged, or convicted of any violent indictable crime or disorderly-persons offense, stalking offense, or domestic violence offense; has been charged with crimes of animal cruelty; has a history of substance abuse; or has recently acquired a firearm or ammunition.

A family or household member may file a petition for a *Temporary Extreme Risk Protective Order* at the superior court, or at a state, county, or municipal law enforcement agency. The *Temporary Extreme Risk Protective Order* petition must be filed in the same county where the respondent resides.

For any questions relating to an *Extreme Risk Protective Order* contact the Summit Police Department at (908) 273-0051 or, if it is an emergency, contact 9-1-1.