

# ONE THING YOU CAN DO.

## Indiana

When someone you love is showing warning signs that they might try to harm themselves, it can feel like there there is nothing you can do in such a high-stakes and emotional situation.

**But there is one thing you *can do*: you can request a firearm search and seizure order to temporarily remove guns from the situation and help keep your loved one safe.**

In a moment of crisis, access to a gun can be the difference between life and death. If you're seeing signs that someone you love is considering harming themselves, you can seek a firearm search and seizure order to temporarily suspend their access to firearms, which are the most lethal form of suicide - until the crisis passes.

# Access to a gun can be the difference between life and death in a moment of crisis. Keep your loved one safe with a firearm search and seizure order.

## What does Indiana's firearm search and seizure order do?

A firearm search and seizure order, also known as a Red Flag order, is a court order that enables law enforcement to temporarily take possession of a person's guns when that person poses a risk to themselves or others.

Firearm search and seizure orders are designed to help police officers intervene quickly in dangerous situations.

## Who can request a firearm search and seizure order in Indiana?

Under Indiana law, only law enforcement officers may file a petition for a firearm search and seizure order.

## What can I do to seek a firearm search and seizure order?

If you are concerned that someone you know is at risk of harming them self or others, your first step should be to contact a member of a police department and discuss your concerns with them. Police officers can then investigate your concerns and request the firearm search and seizure order from the court.

## What happens after a firearm search and seizure order is requested?

In requesting a firearm search and seizure order, a law enforcement officer must make a sworn statement to a court that a person presents an imminent risk of injury to themselves or others, and that the person possesses a firearm. If the judge determines that a person is dangerous and possess firearms, they will order a police officer to search for and take possession of that person's firearms.

The court must then hold a hearing within 14 days to decide whether to hold the firearms, or to return them to the person.

## How long does a firearm search and seizure order last?

The initial seizure period only lasts until the court hearing, at which the court will decide whether the firearms should be held by law enforcement or whether they should be returned to the person. At the hearing, the person has the opportunity to contest the order.

Because the initial seizure period lasts for a limited time – up to 14 days – search and seizure orders balance the urgent need for public safety with the due process rights of all involved.

If, after the hearing, the court doesn't return the guns to the person, the guns will be held for at least six months. After six months, the person can request that they be returned. If the person does not make that request, their guns are held indefinitely.

## Will a firearm search and seizure order go on someone's criminal record?

No. A firearm search and seizure order is a civil court order. Its sole purpose is to remove firearms from a person who is at high risk of causing harm to themselves or to others. The court's decision to issue the order does not cause the person to have a criminal record.

**If you have immediate safety concerns, call 911 for emergency assistance.**

If you believe that a loved one is a risk to their own safety, you may wish to encourage them to seek expert help. The National Suicide Prevention Lifeline is a national network of local crisis centers that provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, seven days a week at:

**[www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)  
1-800-273-TALK (8255)  
text HOME to 741741**