

ONE THING YOU CAN DO.

Maryland

When someone you love is showing warning signs that they might try to harm themselves, it can feel like 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 an extreme risk protective 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 an extreme risk protective 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 an extreme risk protective order.

What does Maryland's extreme risk protective order do?

An extreme risk protective order is a court order that temporarily restricts a person's access to guns when a person poses a risk to themselves or others.

Extreme risk protective orders are designed to help law enforcement and concerned family members intervene quickly in dangerous situations.

Who can request an extreme risk protective order in Maryland?

Under Maryland law, a person's family or household member or dating partner, a law enforcement officer, or a doctor or mental health professional who has examined the person may file a petition for an extreme risk protective order.

A family or household member is defined as:

- Spouse,
- A person related by blood, marriage, or adoption
- Someone who has a child in common with the person
- Current or former legal guardian, or
- A person who lives in the same dwelling

How do I request an extreme risk protective order?

To seek an extreme risk protective order, a family or household member can fill out and file the application directly with the court, or they can contact a member of law enforcement. Law enforcement can then investigate the concerns and request the extreme risk protection order from the court.

What happens after an extreme risk protective order has been requested?

When the court receives a request (called

a "petition") for an extreme risk protection order it will hold a hearing to decide whether to issue a **temporary extreme risk protective order**.

The temporary order restricts a person's access to firearms before the person has been notified of the petition, and before a full hearing is held. If court is not in session, a court commissioner can issue an **interim protective order**. When a commissioner receives a petition, whether or not they issue an interim order, the court must hear the petition the next day that it is open.

After a court reviews a petition, it will schedule a hearing to determine whether to issue a **final extreme risk protective order**. If a court finds that a person poses a danger of causing injury to themselves or others with a firearm, the judge will issue a court order that requires the person's firearms to be held by law enforcement for as long as the order is in effect. Under certain circumstances, the person may choose to transfer their guns that are being held by law enforcement to a firearms dealer or a third party who is legally allowed to own them.

When considering a petition, a judge can also issue an order referring the person for an emergency mental health evaluation.

Also, the person will not be able to purchase new firearms while the order is in effect.

How long does a temporary extreme risk protective order last?

A temporary order only lasts until the court hearing on a final extreme risk protection order. Because temporary orders only stay in place for a short period of time – generally up to 7 days – these orders

balance the urgent need for public safety with the due process rights of all involved.

How long does a final extreme risk protective order last?

A final extreme risk protective order can remain in effect for up to a year.

At the end of an order, a petitioner may ask the court to renew the order for an additional six months. The order can only be extended after a court hearing.

Does an extreme risk protective order go on someone's criminal record?

No. An extreme risk protective 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
1-800-273-TALK (8255)
text HOME to 741741