

Data Behind Extreme Risk Laws

A Look at Connecticut's Risk-Warrant Law

Law enforcement and families are in desperate need of tools to temporarily suspend firearms access for at-risk individuals during periods of crisis. *Extreme Risk Laws* fill this need.

Risk-Warrant in Connecticut

In 1999, Connecticut became the first state to pass a law granting law enforcement the clear legal authority to temporarily remove firearms from individuals when there is probable cause to believe they are at a significant risk of harm to self or others (called a *risk-warrant*).

A dozen more states now have similar laws, though some also allow family members to petition for these orders.

A recent analysis of Connecticut's risk-warrant law by Dr. Jeffrey Swanson of Duke University, with a team of nine other researchers, adds to the evidence for risk-based firearms removal laws by demonstrating that such policies are promising and effective tools to save lives. Their findings are detailed below.²

Reaching high-risk people and saving lives

In the first 14 years of Connecticut's risk-warrant law (1999-2013):

- 762 risk-warrants were issued, with increasing frequency after the 2007 Virginia Tech shooting.^{3,4}
- Police found firearms in 99% of cases.
- Police removed an average of seven guns per subject.

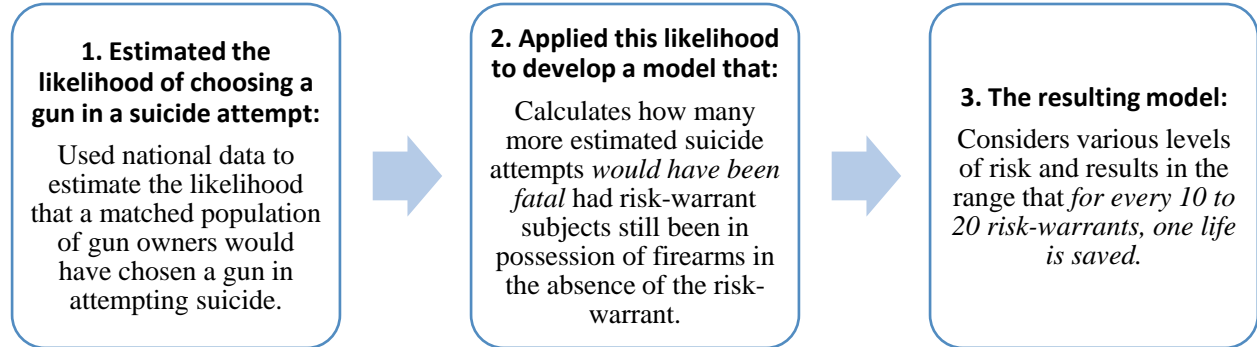
Suicide Prevention

- Typical risk-warrant subject was a middle-aged or older man - the same demographic that, nationwide, is most at risk for firearm suicide.⁵
- Suicidality or self-injury was a listed concern in $\geq 61\%$ of cases where such material was available.
- 21 risk-warrant subjects went on to die by suicide, a rate about 40 times higher than the adult suicide rate in Connecticut.
- 6 of 21 suicides were by firearm. Known case fatality rates⁶ of suicide methods were used to estimate that the 21 suicides likely represent 142 attempts, mostly by means less lethal than guns.
- **In the absence of a risk-warrant and if firearms had been available and used in more of the risk-warrant subjects' attempts, more would have died by suicide.**

States with Extreme Risk Laws ¹	
California	Gun Violence Restraining Order
Connecticut	Risk-warrant
Delaware	Lethal Violence Protection Order
Florida	Risk Protection Order
Illinois	Firearms Restraining Order
Indiana	Proceedings for the Seizure and Retention of a Firearm
Maryland	Extreme Risk Protective Order
Massachusetts	Extreme Risk Protection Order
New Jersey	Extreme Risk Protective Order
Oregon	Extreme Risk Protection Order
Rhode Island	Extreme Risk Protection Order
Vermont	Extreme Risk Protection Order
Washington	Extreme Risk Protection Order

How did the researchers reach this conclusion?

Since attempted suicide with a firearm has such a high case fatality rate, reducing the percentage of suicide attempts with a firearm saves lives. The researchers developed a model to estimate how many suicides would likely be averted by limiting access to guns through risk-warrants.



Access to Health Care

- *Before risk-warrant:* Most risk-warrant subjects (88%) were not known to Connecticut's public behavioral health system when the warrants were served – despite their elevated risk of self-harm.
- *After risk-warrant:* Nearly one-third (29%)⁷ of subjects received treatment in the state system
- *Significance:* Risk-warrants provided a portal to critical mental health and substance abuse services.

Conclusion

This analysis by Swanson and colleagues shows that risk-warrants:

- Reached individuals who were at a dangerously elevated risk of suicide.
- Prevented additional suicide deaths by intervening in crises.
- Provided safe periods for subjects to obtain much-needed treatment services.
- Saved lives by shifting suicide attempt methods from firearms to less lethal means.

Research estimates for every 10-20 risk-warrants issued, one life is saved.

¹ Cal. Penal Code § 18100 et seq.; Conn. Gen. Stat. § 29-38C; H.R. 222, 149th Gen. Assemb., Reg. Sess. (Del. 2018); Fla. Stat. Ann. § 790.401; H.R. 2354, 100th Gen. Assemb., Reg. Sess. (Ill. 2018); Ind. Code Ann. § 35-47-14; Md. Code Ann. §§ 5-601 - 5-610; H.R. 4670, 190th Gen. Ct., Reg. Sess. (Mass. 2018); Assemb. 1217, 218th Leg., Reg. Sess. (N.J. 2018); Or. Rev. Stat. §§ 166.525-166.543; R.I. Gen. Laws Ann. §§ 8-8.3-1 - 8-8.3-14; Vt. Stat. Ann. tit. 13, §§ 4051-4063; Wash. Rev. Code Ann. § 7.94.010 et seq.

² Swanson, J. W., Norko, M. A., Lin, H. J., Alanis-Hirsch, K., Frisman, L. K., Baranoski, M. V., et al. (2017). Implementation and effectiveness of Connecticut's risk-based gun removal law: Does it prevent suicides? *Law and Contemporary Problems*, 80(2), 101-128.

³ Norko, M., & Baranoski, M. "Gun Control Legislation in Connecticut: Effects on Persons with Mental Illness." *Connecticut Law Review* 46.4 (2014): 1609-631.

⁴ Friedman, D. "Laws That Allow for Temporarily Removing Guns from High-Risk People Linked to a Reduction in Suicides." *The Trace*. 08 Sept. 2016. <<https://www.thetrace.org/2016/09/gun-violence-restraining-order-suicide-reduction-connecticut/>>.

⁵ National Center for Injury Prevention and Control, CDC. 2015 United States Suicide Firearm Deaths and Rates per 100,000. *Fatal Injury Reports 1999-2015, for National, Regional, and States (RESTRICTED)*. Retrieved April 4, 2017, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

⁶ Case fatality rates (or ratios) represent the percent of people who die in a suicide attempt, in this case by specific methods.

⁷ 29% is a conservative estimate; it is likely that additional risk warrant subjects sought private mental health and substance use treatment services that are not included in this figure.