ERPOs
Understanding Public Knowledge & Attitudes Toward Extreme Risk Protection Orders

Research By:

In Partnership With:
Executive Summary

In June 2022, Congress passed and President Biden signed into law the Bipartisan Safer Communities Act, which was the first major gun reform legislation in decades. Among provisions addressing mental health and school safety, the bill made a number of reforms to the current process for the purchase and access of a firearm. Within this area were incentives for states to develop and implement extreme risk protection order programs (ERPOs).

This bipartisan bill generated a new, national focus on extreme risk protection orders. The Ad Council and The Joyce Foundation recognize this focus as an opportunity to raise awareness related to these laws among both gun owners and non-gun owners in the 19 states and Washington, D.C. with existing ERPOs, specifically about:

- How the laws work; and
- How they can be used to keep communities safe from gun-related tragedies.

The study was also designed to capture feedback and opinions from the frontline first responders who will be most involved in petitioning and/or enforcing them at the local level.

Commissioned by The Joyce Foundation, the Ad Council Research Institute (ACRI) is conducting a mixed-methods research study to understand current knowledge of and attitudes toward ERPOs by the general public and identify the most effective way(s) to discuss these laws. In addition to respondents from the general population (within the 19 states and D.C.), law enforcement officials were also part of the study—both to gather supporting details and opinions on ERPOs, and for their opinion on how the general public would best respond to information about these laws.
Key insights from the study include the following:

1. The majority of respondents are aware of ERPOs; initial reaction toward the laws and their ability to keep people safe was positive.

Based on the law description, two-thirds (65%) of respondents claimed to be aware of ERPOs, with a third (30%) saying they’re familiar with them. Initially, respondents tended to see these laws in a positive light and support them as a means to keep people safe—though positivity for ERPOs waned somewhat as respondents moved through the survey (as is detailed in the report).

Highlighting specific situations (suicide, mass shootings) and how ERPOs prevent them (firearm removal) resonated with respondents—and it’s information that law enforcement want to highlight to the public as well. Law enforcement officials also think it’s important to highlight that these are temporary laws, though a quarter of respondents disliked that factor—either because they want laws to be permanent (primarily non-gun owners) or because they’re concerned of the laws being misused/violating one’s rights (primarily gun owners).

2. With more details on the implementation and impact of ERPOs, respondents’ concerns became more apparent.

As respondents continued through the survey to more detailed information on the ERPO process, implementation and impact, positive reactions began to wane.

Most respondents agree that ERPOs are part of a larger crisis response (67%) and see them as efforts to keep their communities safe (66%) from mass shootings (59%) and individuals safe from suicide (63%). However, while most say they’re open to using ERPOs in the future, there are some potential barriers or concerns among general population respondents:

- They’re unsure about the law’s temporary nature (50%).
- They’re concerned law enforcement could use them unfairly toward some races/ethnicities (45%).
- They think the legal system could apply the law incorrectly (45%).
- They’re concerned about Second Amendment violations (52%).
- They feel ERPOs don’t help with the bigger issue of illegal guns (68%).

And in addition to hesitancy about how the law is applied, respondents aren’t sure if it would be easy to enact in a crisis or even fast enough to prevent a tragedy.

While law enforcement is more positive about ERPOs, they recognize it’s hard for the general public to believe it’s really only temporary. And while it does help the individual in crisis, there is concern that people could use it inappropriately (revenge) or that they’ll negatively impact someone’s future.
3. **Respondents need more information and resources to fully grasp the benefits of ERPOs.**

As noted, overall sentiment toward ERPOs by respondents started out strong in the survey, but positivity began to fade as they were told (and asked) more about the process, implementation and impact of ERPO laws. Thus to truly understand how ERPOs benefit the general public and the individuals on which they’re enacted, more information and resources will be critical.

Respondents recognize that additional information is needed across all areas of ERPOs (the overall process, when they can/should be used, the impact on an individual, etc.), a fact law enforcement feels even more strongly about. In addition to information about ERPOs, respondents would also find crisis resources helpful—such as who to contact, how to identify if an ERPO is needed and more.

In general, law enforcement officials don’t overwhelmingly think that ERPOs put too much responsibility on the general public. However, they are even more likely to say the public needs additional information on these laws, along with resources to help in a crisis situation.

4. **There is no general consensus on what these laws should be called.**

Currently, ERPOs are known by a variety of names depending on the state. From the survey, there is not yet a clear consensus—among general population respondents or within law enforcement—on an ideal name for these laws. However, wording like “crisis intervention” and “temporary” rose to the top for both groups. Conversely, “red flag” was toward the bottom.
5. Further testing is needed to determine the messaging that’s most helpful for the general public.

Overall, the messages (particularly those tested in the quantitative survey) all performed similarly among general population respondents. Though none of the frames by themselves stood out as being overly informative, motivating or relevant, many key phrases and language in each was received positively by respondents. Feedback on these frames point to a desire for additional, deeper information on the process of ERPO laws—especially by state. This feedback will be used as the research team continues to hone the message frames for further testing and examines how to provide the depth of information respondents are craving.

This report provides a deeper look into ERPOs, how to effectively speak about these laws with the American public, and how to drive more awareness and understanding of ERPOs across the country. Download it here.