

HOW DOES A FRO HELP PEOPLE IN CRISIS STAY SAFE?

The FRO requires temporary removal of guns from the subject of the order and prohibits new purchases for the duration of the order. This creates safer circumstances for the individual to seek treatment, stabilize their behavior, or access resources to address the underlying causes of their dangerous behaviors. An Emergency FRO can last up to 14 days, while a Six-Month FRO can last up to six months (and can be renewed beyond that) after a court hearing is held.

STEPS TO OBTAINING A FRO

Stage 1: Request a petition from your local Superior Court or download one online at SpeakforsafetyIL.org

Stage 2: Complete and submit the petition to the Circuit Court in the county where the respondent (the person to be served with the FRO) lives. **Note:** *Circuit Court Clerks are required to assist you with this process, free of charge.* Check out [How To File a FRO at SpeakforsafetyIL.org](http://HowToFileaFROatSpeakforsafetyIL.org) for more information.

Stage 3: If the judge issues a FRO, local law enforcement will serve the order. In the case someone files directly for a Six-Month FRO, then the a notice for the hearing can be served by either local law enforcement or a special process server.

Stage 4: Attend the hearing scheduled by the Court. A hearing will be scheduled within 14 of the issuance of an Emergency FRO or within 30 days of filing a petition for a Six-month FRO.

SPEAK FOR SAFETY

ILLINOIS

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¹ National Center for Injury Prevention and Control, CDC. 2007-2016, United States Firearm Deaths and Rates per 100,000. Fatal Injury Reports 1999-2016, for National, Regional, and States (RESTRICTED). Retrieved July 5, 2018, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

² National Center for Injury Prevention and Control, CDC. 2007-2016, Overall Firearm Gunshot Nonfatal Injuries and Rates per 100,000. Nonfatal Injury Reports, 2001-2016. Retrieved July 5, 2018, from <http://www.cdc.gov/injury/wisqars/nonfatal.html>.

³ Swanson JW, Norko MA, Lin HJ, Alanis-Hirsch K, Frisman LK, Baranoski MV, Easter MM, Robertson AG, Swartz MS, Bonnie RJ. (2017). Implementation and effectiveness of Connecticut's risk-based gun removal law: Does it prevent suicides? *Law & Contemp. Probs.* 80, 179.

⁴ <http://efsgv.org/wp-content/uploads/2016/09/FINAL-ER-PO-complete-091916-1.pdf>

⁵ National Center for Injury Prevention and Control, CDC. 2015, United States Firearm Deaths and Rates per 100,000. Fatal Injury Reports 1999-2015, for National, Regional, and States (RESTRICTED). Retrieved January 24, 2017, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

⁶ Miller, M., Azrael, D., & Barber, C. (2012). Suicide mortality in the United States: the importance of attending to method in understanding population-level disparities in the burden of suicide. *Annual review of public health*, 33, 393-40

Disclaimer: This document does not provide legal advice and information is intended for general informational purposes only. If you need legal advice, please contact an attorney directly.

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The Firearm Restraining Order

A VIOLENCE PREVENTION TOOL FOR ILLINOIS

WHAT IS A FIREARM RESTRAINING ORDER?

A Firearm Restraining Order is a civil court order issued by a judge that temporarily prohibits a person in crisis from possessing or purchasing firearms. Firearm Restraining Orders provide families and law enforcement officers with a formal legal process to temporarily reduce an individual's access to firearms if they pose a danger to themselves or others.

EMERGENCY FRO

An **emergency FRO** is a type of order available to law enforcement and family members, and may be obtained with the oral approval of a judge on the same day it was filed.

- A hearing for an emergency order will be held on an “ex-parte” basis (without notice to the respondent) on the same day the order was filed.
- If a circuit or associate judge finds probable cause to believe that the respondent poses an immediate and present danger of causing personal injury to themselves or another person by having access to a firearm, the circuit or associate judge shall issue an emergency order.

DID YOU KNOW?

155,000 Americans were shot in 2016 alone—over one million in the last decade.^{1,2}

Research estimates one death is prevented for every 10- 20 risk-warrants issued. (Connecticut’s extreme risk law).^{3,4}

60% of gun deaths are suicides.⁵

85% of suicide attempts with a firearm are fatal, making firearms the most lethal suicide attempt method that is commonly available. Temporarily reducing access to guns significantly increases the likelihood of surviving a suicidal crisis.⁶

WHO CAN PETITION:

- **Families/Households** - If you think there is a strong likelihood that a family member or roommate, would harm themselves or others, petitioning for a FRO can be an important first step to reduce the risk of harm. If a loved one is experiencing an emotional crisis or is demonstrating signs of being dangerous such as suicidal thoughts, aggression, public threats of violence, or unsafe behavior with firearms, you can petition for a FRO. You may also contact your local sheriff or police department to inform them of an unsafe situation.
- **Law Enforcement** - Obtaining a FRO can be a proactive way to prevent violence and protect yourself and your fellow officers if someone is demonstrating signs of being dangerous such as suicidal thoughts, aggression, public threats of violence, or other unsafe behavior with firearms. As a law enforcement officer you can obtain an emergency FRO, or a Six-Month FRO that can be renewed beyond six months.

GET INVOLVED:

- **Attorneys** - While only law enforcement and family members may petition for a FRO directly, as an attorney, you have an opportunity to advise or assist a client in obtaining a FRO.
- **Eldercare** - As a caregiver, home visitor, or other elder care worker, you have an opportunity to advise a client or client’s family if a client’s usage has become unsafe.
- **Faith Based** - You may have an opportunity to connect with a fellow community member or congregation member if they are in crisis, or if someone in their family or household is in crisis or behaving violently.
- **Fiduciaries** - You have an opportunity to inform a client’s family or law enforcement if a client’s gun usage has become unsafe. Doing so can help prevent gun violence.
- **Health Care** - Talking to patients about safe gun ownership and storage is a potentially life-saving action that can help keep patients safe.
- **Mental Health** - As a mental health professional you have an opportunity to talk to a patient, patient’s family, or law enforcement if a patient’s firearm usage has become unsafe.
- **Public Health** - If you are concerned that a someone’s firearm usage may become violent or dangerous in the immediate future you may be able to go directly to law enforcement and they may obtain a FRO if they find it necessary to do so.
- **Veterans** - As a someone working with veterans you have an opportunity to help educate veterans and families about the life-saving potential of the FRO when someone’s gun ownership has become unsafe.