

U.S. Rep. Moore: Backs legislation that would create tool for federal, state, local courts to use to help prevent gun violence

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The Federal Extreme Risk Protection Order Act of 2021 (HR 2377) authorizes and establishes procedures for federal courts to issue extreme risk protection orders. Additionally, this legislation would allow family members and law enforcement officers to petition a federal court for an extreme risk protection order to temporarily remove access to firearms for an individual who is deemed a danger to themselves or others by the court. The bill also encourages states to adopt extreme risk protection order laws using a new grant through the Department of Justice. Congresswoman Moore released the following statement:

“When family members, a domestic violence survivor, or law enforcement have knowledge or information that an individual may pose a threat to others and has access to guns, we need to give them tools to be able to act to help prevent a tragedy. That’s where red flag laws can help by providing a mechanism by which loved ones or law enforcement can go to a court to help get dangerous weapons, including assault rifles, away from those individuals.

Often, it isn’t until after a tragedy occurs that we learn that loved ones were concerned and sounded the alarm to authorities, but current laws made it difficult to intervene.

“Right now, 19 states across the political spectrum and the District of Columbia have red flag laws and the Federal Extreme Risk Protection Order Act would fill in the gap by creating a similar process at the national level. It would also provide

grants to encourage states and local red flag laws as well to help ensure that guns don't end up in the wrong hands while ensuring due process. It will provide an opportunity for law enforcement and loved ones to intervene before a tragedy takes place.

This is a good step forward, but more can be done. I have legislation to help improve oversight of bad actor gun dealers whose guns often end up at crime scenes. I also have a bill that would help protect domestic violence survivors by incentivizing state and local courts to implement procedures to remove guns owned by abusers. According to research from Everytown, access to a gun makes domestic abuse situations five times deadlier for victims. Their research also revealed that an estimated 4.5 million women have been threatened with a gun by an intimate partner, showing how pervasive the intersection of domestic abuse and gun violence is.

We must continue building on these life-saving efforts to ensure children feel safe at school, worshippers feel safe at their places of worship and people no longer have to worry about the threat of gun violence in their daily lives.”

The Extreme Risk Protection Order Act will:

- Extreme risk protection orders allow for the temporary removal of firearms from a person who has been deemed by a court to be dangerous to themselves or to others.
- This important legislation is designed to create incentives for more states to adopt extreme risk protection order laws. Specifically, the bill creates a new grant program at the U.S. Department of Justice, with the grants to be used to encourage more states to adopt these protection order laws and to support the 19 states that have already implemented them.
- This bill also authorizes and establishes procedures for federal courts to issue extreme risk protection orders.
- According to a study done by the gun safety organization Everytown, in 51 percent of mass shootings from 2005 to 2017, the attacker exhibited warning signs.
- For example, before killing six people in Isla Vista, California in May 2014, the shooter made homicidal and suicidal threats and his parents alerted law enforcement. However, back in 2014, there was nothing the parents could legally do to remove firearms because California did not yet have an extreme risk protection order law.