

ONE THING YOU CAN DO.

New Mexico

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 protection 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 protection 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 protection order.

What does New Mexico's *extreme risk protection order* do?

An extreme risk protection order is a court order that enables courts to temporarily restrict a person's access to guns when a person presents a risk to themselves or others.

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

Who can request an extreme risk protection order in New Mexico?

Under New Mexico law, a law enforcement officer may file a petition for an extreme risk protection order. However, a "reporting party" may request that law enforcement file a petition.

A reporting party includes the following:

- Spouse/former spouse
- Intimate partner
- Parent/former stepparent/present or former parent-in-law
- Parent
- Child
- Grandparent/grandparent-in-law
- Employer or public or private school administrator

How do I request an extreme risk protection order?

To seek an extreme risk protection order, a reporting party can contact a member of law enforcement to discuss any concerns. Law enforcement can then investigate these concerns and request the extreme risk protection order from the court.

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

The court will hear a request (called a "petition") for an extreme risk protection order on the day the petition is filed or on the next day the court is open.

If the court grants the order, it will notify the person. The person will then have 30 days to request a court hearing, at which the court determines whether to end the order or continue the order for one year.

If a hearing is requested, it will occur within 10 days. At the hearing, if the court finds that a person presents a risk in the near future of suicide or of causing physical injury to another person, the judge can issue a court order that requires the person's firearms to be held by law enforcement or a federally licensed firearms dealer for as long as the order is in effect.

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

Will the person be able to access guns before the hearing?

No. If a court issues the extreme risk protection order, the person's access to firearms will be restricted until the hearing is held. Because the person is entitled to a hearing within 10 days of the request, these orders balance the urgent need for public safety with the due process rights of all involved.

How long does an extreme risk protection order last?

A final extreme risk protection order lasts for up to one year. At the end of the order, law enforcement either on their own or through a reporting party may ask the court to renew the order. The order can only be extended after a court hearing.

Will an extreme risk protection order go on someone's criminal record?

No. An extreme risk protection 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**