

Florida's Risk Protection Order: A Vital Tool for Safety

A risk protection order is a measure designed to help an individual in crisis, and the people around them, to stay safe from gun violence.

A risk protection order, also called an RPO, is a court order that temporarily restricts a person's access to guns when they pose a significant danger to themselves or others. It is designed to help law enforcement intervene quickly in dangerous situations.

FAQs

How do I request a risk protection order?

If you are concerned that someone you know is at risk of harming themselves or others, your first step should be to contact a member of law enforcement and discuss your concerns with them. Law enforcement can then investigate your concerns and request a risk protection order from the court.

Who can request a risk protection order in Florida?

Under Florida law, only a law enforcement officer or agency may file a petition for a risk protection order.

What happens after the request for a risk protection order has been filed?

Once the court receives a request (called a "petition") for a risk protection order, the court will notify the person and schedule a court hearing about whether the order should be issued.

If, at the hearing, a court finds that a person poses a significant danger of causing injury to themselves or others by having access to firearms or ammunition, the judge can issue a court order that requires the person's firearms to be held by law enforcement for as long as the order is in effect. Under certain

circumstances, the person may choose to transfer their guns being held by law enforcement to a third party who is legally allowed to hold them.

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

I'm afraid to wait until a court hearing is scheduled. What if the person is in immediate danger of harming themselves or someone else?

Concern for the safety of the person, or of the public, may demand that action be taken before the scheduled hearing date, to prevent immediate danger.

To protect a person or public safety during this time, a judge may issue a temporary risk protection order that restricts a person's access to firearms before the person has been notified of the petition, and before a full hearing is held.

How long does an emergency risk protection order last?

In Florida, an emergency risk protection order is called a temporary order and only lasts until the court hearing on a final risk protection order.

Because temporary orders only stay in place for a short period of time—up to 14 days—these orders balance the urgent need for public safety with the due process rights of all involved.

How long does a final risk protection order last?

A final risk protection order lasts for a period of up to one year. At the end of the year, law enforcement may ask the court to renew the order. The order can only be extended after a court hearing.

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

No. A 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.

What if I am not able to request a risk protection order myself? Is there anything I can do?

Even if you don't fall into any of the categories mentioned above, you can still take action in moments of crisis. If you are worried about someone who is showing warning signs of being at risk of self-harm

or harming someone else, you can contact a law enforcement officer and ask that they seek a risk protection order.

If you or someone you know is in crisis, **text or call 988** for 24/7 connection to free, confidential support. If you have immediate safety concerns, **call 911**.