

# DC'S RED FLAG LAW: REMOVING GUNS FROM POTENTIALLY DANGEROUS PERSONS



*Are you concerned about a friend or family member who owns a gun and could be a danger to themselves or others? Learn how you can use the District's "Red Flag Law" to remove a firearm from a potentially dangerous individual.*

## How the Red Flag Law Works

In December 2018, a new law was passed in the District of Columbia to help keep the District and its residents safe by quickly removing guns from people who are considered a danger to themselves or others. This "Red Flag" law allows certain District residents to petition the D.C. Superior Court to issue Extreme Risk Protection Orders (ERPOs), which requires the temporary removal of firearms and ammunition from potentially dangerous persons.



### Who can seek an ERPO:

- Family Members
- Guardians
- Domestic Partners
- Romantic Partners or Dates
- Parent of a Child in Common
- Roommates
- Police Officers
- Mental Health Professionals



### How to seek an ERPO:

Fill out a FREE form called a "petition" at [www.dccourts.gov/ERPO](http://www.dccourts.gov/ERPO) and file it with the D.C. Superior Court. The petition must include facts supporting the claim that the person in possession of firearms or ammunition is a danger to themselves or others.

The requester can seek a **temporary order** and see a judge within one business day even before the person at risk knows about the case. The emergency order may last up to 14 days until a final order is issued.

The requester can seek a **final order** and see a judge within 14 business days where both the requestor and person at risk are given the chance to present their evidence to the court. The final order can be in effect up to one year and can be renewed.



### What happens if an ERPO is granted:

Police will contact the person who is the subject of the ERPO to retrieve any firearms and ammunition.

A search warrant can be issued, if necessary.

Anyone who peaceably surrenders any firearms or ammunition in response to an ERPO cannot be arrested or prosecuted for unlawfully possessing or carrying the firearms or ammunition.

## How to petition for an ERPO:

- 1) Fill out a petition form found here: [www.dccourts.gov/ERPO](http://www.dccourts.gov/ERPO)
- 2) File the petition form in person with the D.C. Superior Court at:

D.C. Superior Court  
500 Indiana Ave. NW, Room 4510  
Washington, DC 20001

United Medical Center  
1328 Southern Ave. SE, Room 311  
Washington, DC 20032



Karl A. Racine  
Attorney General  
for the District of Columbia  
[oag.dc.gov](http://oag.dc.gov)