

Summary

There are racial and ethnic differences in public attitudes towards and use of California's extreme risk protection order (ERPO) law. These findings indicate potential inequities in the policy's implementation and suggest opportunities for improvement in states with ERPO laws.

Background

ERPOs temporarily prohibit the purchase and possession of firearms from people judged to be at particularly high risk of harming themselves or others. Due to the long history of the criminal legal system being used to perpetuate racist policies, it is imperative that firearm violence prevention policies and their implementation are not further entrenching racial disparities.

This study asked: *Are there differences in ERPO perceptions and use across racial/ethnic groups?*

Methods

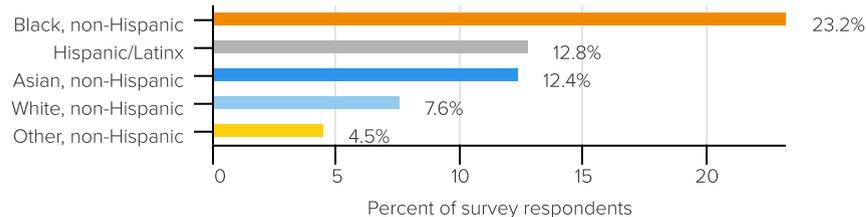
This two-part study included a state-representative survey of adults in California in 2020 (the California Safety and Wellbeing Survey, CSaWS) and abstracted ERPO court case files from 2016-2018. Data were analyzed by race/ethnicity.

Findings

Across racial and ethnic groups, Californians generally consider ERPOs appropriate in a range of scenarios and many would be willing to use them with a few caveats.

However, Black and Hispanic/Latinx Californians see ERPOs as less appropriate and are less willing to petition for an ERPO for a family member compared with most other groups.

Percent of survey respondents "not at all willing" to ask a judge for an ERPO for a family member in any of 5 risk scenarios, by race/ethnicity



Court Case Review

Of the 194 California ERPO cases analyzed:

- 0 Black or Hispanic/Latinx respondents had family/household members as petitioners.
- 0 Black respondents had legal representation at the hearing for the final order.

Black respondents were

- **more likely to not have known firearm access** and
 - **less likely to be issued an order after a hearing**
- than respondents of other racial/ethnic groups.

The bar for issuing temporary or emergency ERPOs to Black respondents may have been lower than for other racial/ethnic groups.

Big Picture

This study: The first to explore attitudes towards and use of ERPOs through a racial equity lens, this study highlights a need to increase equity in ERPO implementation.

Results provide the basis for further investigation into racial/ethnic disparities in perceptions and use of ERPOs nationwide.

Looking ahead: Future work should directly engage members of marginalized communities to inform policy and other efforts to promote equitable access to and implementation of ERPOs.