

April 2, 2024

Re: LD 2283

To Senator Carney, Representative Moonen, and the honorable members of the Joint Standing Committee on the Judiciary:

I am offering written testimony in support of passage of LD 2283. I am a community psychiatrist, practicing in Knox County for 23 years, intimately acquainted with suicide, violence risk assessment, and the law enforcement/mental health interface.

While I am glad that we have a yellow flag law, I think a “Crisis Intervention Order Act” or true Extreme Risk Protection Order (ERPO) would be a crucial enhancement in the following ways:

First, it gives law enforcement another tool that does not require taking the person at risk into custody. In my experience, law enforcement has often been reluctant to take patients into protective custody for transport and further assessment, regardless of a conscientious physician’s assessment.

Second, a true ERPO does not require mental illness as a prerequisite for removal of firearms. This is particularly important as most externally directed violence is perpetrated by those without mental illness. To implicitly assume all violence is caused by the mentally ill, as our yellow flag process does, is also unnecessarily stigmatizing.

Third, a true ERPO gives families a way to safeguard their loved ones; family members often recognize first and most clearly when dangerous situations are developing.

Finally, it is my understanding that there is significant evidence that ERPOs can save lives and be justly administered. For instance, Connecticut’s ERPO law is associated with a 13.7 % reduction in suicides (Kivisto AJ, Phalen PL, Effects of risk-based firearm seizure laws in Connecticut and Indiana on suicide rates, 1981– 2015. Psychiatric Services, 2018.). A study of California’s experience with its ERPO suggests it has been successful in preventing multiple mass shootings (Annals of Internal Medicine Volume 171, number 9). And, a follow up study of Oregon’s ERPO law found it was being administered appropriately, without evidence of manipulation (Criminology & Public Policy, 2021;20:243–261.).

I strongly urge you to vote “ought to pass” on LD 2283.

Very truly yours,

Harold Van Lonkhuyzen, MD

Rockport