



NASW WI TESTIMONY BEFORE THE SPEAKERS TASK FORCE ON SUICIDE PREVENTION ON MONDAY SEPTEMBER 9, 2019

“Whoever saves a life, it is considered as if he saved the entire world”¹

Chairperson Ballweg, thank you for this opportunity to speak at the final hearing of the Speakers’ Task Force on Suicide Prevention. I really appreciate the time and commitment committee members have made to understand this issue, hear from Wisconsin residents and develop recommendations for legislation action.

Since this issue is complex and has many causes I would expect you would develop a wide ranging series of legislative initiatives to reduce the prevalence of suicide in our state.

I am speaking here to urge you to include in your legislative package a proposal that been shown in other states to reduce suicides. In fact in the state of Indiana a ten year study estimated that this law saved between 350 and 400 lives from suicide.²

The law I am discussing is the Extreme Risk Protection Order (ERPO). This law allows family members and police officers to petition the court to temporarily remove a gun from a home for an individual who is in imminent danger to him/herself or others. ERPO has passed in 17 states. The state of Indiana has had this law in effect for 14 years. A study conducted by Dr. Aaron Kivisto of Indiana University said that Indiana’s Extreme Risk Protection Order was associated with a 7.5% reduction in firearm suicides in the ten years following its enactment. This would translate into around 383 firearm suicides being prevented over the ten year period as a result of the law.³

Why would ERPO reduce suicides? One of the biggest risk factors to a suicide is the presence of a firearm. Suicide attempts with a firearm are 90% fatal, compared to 5% with non- firearm means⁴ 80% of people considering suicide give some sign of their intentions.⁵ Family members are often very aware that their loved one is suicidal but do not know what to do about it. This law gives family members and police officers, whose hands are often tied in these types of situations, a tool to use in a crisis situation that can save a life. This type of intervention can not only save a life but also persuade the affected family member to get the help they need. One study showed that almost half of the affected individuals obtained mental health counseling as a result of this intervention.⁶

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ERPO provides for due process as a family member or police officer must go to court to get the gun temporarily out of the home. No court has ever ruled that this law violated the Second Amendment. In fact in a major legal challenge, the Connecticut Appellate Court found in 2016 that the state's law "does not implicate the second amendment as it does not restrict the "right of law abiding responsible citizens to use arms in defense of their own home".⁷

The latest Marquette University Law School Poll, showed that 81% of Wisconsin residents support this law compared to 13% who oppose the law.⁸ There is also bipartisan support on the national level with South Carolina Republican Senator Lindsey Graham leading efforts in the Senate to pass an ERPO type bill that would provide financial incentives for states to pass their own ERPO laws.

Thanks again for your time, energy and commitment to reduce suicides in Wisconsin. Please include in your package of legislation, the Extreme Risk Protection Order bill, which will reduce suicides and therefore save lives in Wisconsin.

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1. Mishnah Sanhedrin 4:5; Yerushalmi Talmud 4:9, Babylonian Talmud Sanhedrin 37a
2. "Effects of Risk-Based Firearm Seizure Laws in Connecticut and Indiana on Suicide Rates, 1981-2015", Dr. Aaron J. Kivisto and Peter Lee Phalen, MS in ps.psychiatryonline.org
3. Kivisto and Phalen, Ibid
4. The epidemiology of case fatality rates for suicide in the northeast. Matthew J. Miller, Deborah Azrael, David Hemenway. 2004 <https://www.ncbi.nlm.nih.gov/pubmed/15159703>,
5. <http://www.mhawisconsin.org/suicide.aspx>; <https://crisiscentre.bc.ca/frequently-asked-questions-about-suicide/>; <https://lawcenter.giffords.org/wp-content/uploads/2019/08/Giffords-Law-Center-Extreme-Risk-Protection-Orders.pdf>
6. Swanson, Jeffrey, Dr, et al "Implementation Effectiveness of Connecticut Risk-Based Gun Removal law: Does it Prevent Suicides? Law and Contemporary Problems 80 (2017) 179-208
7. Red Flag Laws Spur Debate over Due Process in The Pew Charitable Trusts, Stateline article, September 4, 2019
8. Marquette Law School University poll, September 4, 2019 <https://law.marquette.edu/poll/2019/09/04/new-marquette-law-school-poll-finds-biden-leading-trump-in-head-to-head-presidential-match-in-wisconsin-biden-is-most-popular-choice-in-the-democratic-primary-field-while-full-sample-of-voters-split/>