

The Delray Democrat

Expand the Risk Protection Order to Save Lives¹

Florida Senator Lori Berman

Following the horrific Parkland massacre in 2018, the Florida Legislature passed common sense gun safety legislation. Included among the provisions was a procedure known as the Risk Protection Order, which allowed law enforcement to remove guns from individuals who were a danger to themselves or others. This legislation was vital in the wake of the tragedy and has created and continued to create massive ripples toward making our community safer. In fact, in less than five years, RPOs have been issued over 9000 times in Florida.

While this has been an outstanding tool for law enforcement, it can be improved upon by expanding the law. Approaching the fifth anniversary of Parkland, we can do better for the victims, the survivors, the families, the friends, and the countless lives we will never know who are touched.

Allowing parents, grandparents, step-parents, guardians, or siblings to file the same request with the court as law enforcement officials is a reasonable approach to address gun violence. The people closest to a person, particularly family members, are typically the ones who know if their relative is a danger to themselves or others.

This is especially relevant when it comes to suicide prevention, an ever-increasing tool in which RPOs are being used. Family members may not want to involve law enforcement for a variety of reasons, and being able to file their own RPOs would increase RPO usage and hopefully decrease suicides.

Just as exists with the law as currently implemented, there will be ample due process to ensure that guns are NOT taken from lawful individuals. A judge must have clear and convincing evidence in order to issue an RPO. All the same safeguards, including the maximum of one year time frame of removal and a penalty for bringing false actions, will be in place to ensure that the procedure is done correctly.

Why wouldn't we want more tools in our toolbox to help families? We know that shootings have continued to increase and can happen anywhere, including colleges, high schools, elementary schools, movie theaters, grocery stores, and places of worship. This common sense expansion can help curtail this out of control gun violence. This legislation (SB 66/HB 45) is an opportunity to put politics aside and do what's good and right for our state. Floridians' lives and safety depend on it.

¹ *The Delray Democrat*, January 2023, page 1; initially published in *The Palm Beach Post*, January 13, 2023.