



Date: December 17, 2025

To: Chair Lightner and Members of the House Committee on Judiciary

From: Anne Kuhnen, Kids Count Policy Director, Michigan League for Public Policy

Subject: Opposition to House Bills 4138-4140 – Extreme Risk Protection Order Act repeal

On behalf of the Michigan League for Public Policy, I thank Chair Lightner and members of the House Committee on Judiciary for the opportunity to express our opposition to House Bills 4138, 4139, and 4140, which would repeal the state’s Extreme Risk Protection Order Act. Extreme Risk laws – also known as “red flag” laws – are a proven way to prevent gun suicides and mass shootings before they occur, and repeal will make it more challenging for community and family members to intervene before a tragedy.

The League is a nonpartisan research and advocacy organization that promotes economic opportunity for all and analyzes the impact of public policy on the lives of Michiganders who have been systemically left out of prosperity. The League is also the state’s Kids Count organization, working as part of a national effort to measure the well-being of children at the state and local levels and to shape efforts that improve their lives.

Michigan is one of 22 states – including Florida and Indiana – with an Extreme Risk Protection Order law, one of four foundational gun safety laws passed or extended in 2023 to keep our communities safe.¹ Michigan’s Extreme Risk Protection Order law allows law enforcement, family or household members, and certain health care professionals to petition for a court order to temporarily prevent someone in crisis from accessing guns.²

In the first 10 months the law was in effect (from February 2024 to December 2024), 391 complaints were filed. Of these, Michigan courts issued orders in 287 cases, finding the person posed a serious risk of injuring themselves or others with a firearm.³ Michigan’s Extreme Risk

¹ “Extreme Risk Laws.” *Everytown for Gun Safety*. Accessed December 16, 2025. <https://www.everytown.org/solutions/extreme-risk-laws/>.

² Extreme Risk Protection Order Act, Pub. L. No. Act 38 of 2023, MCL Section 691.1805. Accessed December 16, 2025. <https://legislature.mi.gov/Laws/MCL?objectName=mcl-691-1805>.

³ “Extreme Risk Protection Order Act (2023 PA 38): 2024 Annual Report.” State Court Administrative Office, February 2025.

<https://www.courts.michigan.gov/49146f/siteassets/reports/erpo-2024-annual-report.pdf>.

Using data to educate, advocate and fight for policy solutions that undo historic and systemic racial and economic inequities to lift up Michiganders who have been left out of prosperity.

Protection Order law has built-in due process protections requiring the petitioner to present clear evidence that someone poses an immediate risk. In 84 cases, the court refused to issue an order when the petitioner lacked evidence demonstrating risk of harm.

Whether in the form of school shootings, domestic violence, or firearm suicide, gun violence is pervasive in our society and carries with it profound negative harms for children. Firearm injuries are the leading cause of death for children and teens ages 1 to 19, accounting for 20% of the deaths of children and teens in Michigan in 2023.⁴ This exposure to gun violence affects the psychological and mental well-being of children, making them feel less safe at school and in their communities.

The negative impacts of gun violence are felt most acutely by Black children and teens, who are more likely than their white peers to be exposed to gun violence in their schools and communities. Firearms account for 80% of child and teen homicides,⁵ a trend that disproportionately impacts Black children and teens as a result of racial segregation and disinvestment in certain communities. Although media attention tends to focus on mass shootings and school shootings, robust gun safety laws like Michigan's Extreme Risk Protection Order law are also essential to reduce everyday acts of gun violence affecting children and teens.

Firearms account for 2 in 5 child and teen suicides, with boys being most affected.⁶ Because firearms are so lethal, efforts to reduce suicides among children and teens will necessitate strong gun safety laws. Research shows having access to a firearm triples the risk of death by suicide, a statistic that affects all members of the household, not just the gun owner.⁷ Michigan's Extreme Risk Protection Order law, which allows family and trusted professionals to intervene when someone is in crisis, is helping to save lives.

All kids in Michigan deserve to live in communities, attend schools, and play in parks where they are safe to grow and learn freely. Michigan's Extreme Risk Protection Order law enables that freedom and should be protected for future generations.

⁴ "Underlying Cause of Death, 2018-2023, Single Race Results Form." Accessed March 16, 2025. <https://wonder.cdc.gov/ucd-icd10-expanded.html>.

⁵ Ibid.

⁶ Ibid.

⁷ Andrew Anglemyer, Tara Horvath, and George Rutherford. "The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members." *Annals of Internal Medicine* 160, no. 2 (2014): 101–10. <https://doi.org/10.7326/M13-1301>.

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