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For Immediate Release

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**Emergency Substantial Risk Order (ESRO) Law
County Wide Awareness Campaign Board Matter**

On Tuesday July 27th the Fairfax County Board of Supervisors, in a unanimous bipartisan vote, adopted a board matter authorizing an Emergency Substantial Risk Order (ESRO) awareness campaign led by Supervisor Lusk. The legislation adopted at the state level enables police to investigate and seek a court order to temporarily remove a gun or guns from individuals who have been determined to be an imminent danger to themselves or others.

“I understand the lifesaving impact proper information about the new ESRO law could have, and I recognize that right now awareness is low. I hope this effort helps the new ESRO law better achieve its intended goal of having guns in responsible hands” said Supervisor Lusk.

“This has been a major priority for us, we have had a firearm working group working to make sure that our efforts between the county, police department, Sheriff’s office and the courts are coordinated to keep guns from abusers, this is an effort that can save some lives” said Supervisor Walkinshaw at Tuesday’s board meeting.

Paul Friedman, Safer Country's Executive Director who worked with Supervisor Lusk organizing the Board Matter commented that, "At a time when gun violence and crimes are at a crisis level across the nation, Virginia is one of 19 states that has empowered the public to act effectively. I'm excited that Fairfax is committed to informing its residents that this opportunity exists and how it can be done. Lives can be saved when people realize that, by contacting law enforcement, they can initiate a process that could get a gun or guns temporarily removed, for as long as a year, from anyone who presents an immediate danger. I appreciate being invited to work on this with the Fairfax County Office of Public Affairs and look forward to producing measurable results"

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Board Matter

July 27, 2021

Mr. Chairman—on July 1, 2020, the Commonwealth of Virginia’s Emergency Substantial Risk Order (ESRO) law, commonly referred to as a “red flag law,” went into effect, making Virginia the 19th state to enact such legislation.

Virginia’s ESRO law enables the police to investigate and seek a court order to temporarily remove a gun or guns from individuals who have been determined to be an imminent danger to themselves or others. Such investigations are predicated upon the reporting of a credible concern to the Office of the Commonwealth Attorney, law-enforcement officer, circuit court judge, general district court, juvenile and domestic relations district court, or a magistrate.

The law requires that an independent investigation be conducted by law enforcement which determines that grounds for the petition exist, and that the petition shall expire within fourteen days of issuance. Additionally, the law allows for the subject of an order to file an appeal to dissolve the order at any time.

While Supervisor Walkinshaw, yourself, and I recognize and applaud the actions taken by the legislature to enact this life-saving legislation, we also recognize that public awareness around this legislation remains low. Recognizing that fact, we make the following motions:

- That the County Executive Direct the Office of Public Affairs (OPA) to undertake a public awareness campaign to educate the residents of Fairfax County about the details of Virginia's ESRO law;
- that OPA liaise with the Office of the Commonwealth Attorney, as well as any other appropriate body designated to issue emergency petitions, in order to ensure that all resources shared by OPA are accurate, clear and accessible;
- and that OPA report back to the Board on the outcome of the public outreach campaign so that relevant information could potentially be presented at a future Public Safety Committee meeting if deemed appropriate.

These motions have been vetted through the Office of Public Affairs, as well as the Office of the Commonwealth Attorney, and have been brought forward without objection.

Additionally, we have attached the relevant Virginia Code (19.2-152.13) for the record.

Thank you, Mr. Chairman.

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