The North Carolina Rifle and Pistol Association (NCRPA) opposes HB 454, Extreme Risk Protection Order (ERPO), because this legislation violates our citizens’ due process rights, and could be subject to abuse. The NCRPA believes that any legislative effort should instead be structured to fully protect the due process and other essential Constitutional rights of our law-abiding citizens, while preventing truly dangerous individuals from accessing firearms.

The NCRPA maintains that firearms must be used legally and safely, just as other devices such as motor vehicles must be used legally and safely. Any such legislative effort purporting to protect the public must recognize that anyone actually mentally unstable enough to be plotting immediate criminal physical harm towards others, or criminally reckless behavior physically endangering others, should be kept away from not only firearms, but all other instruments or personal property which could potentially endanger others if used illegally or unsafely.

NC law already allows law enforcement to secure a threatening person and require him or her to undergo an emergency mental health evaluation and be involuntarily committed, if medically necessary. The duplicative intent of HB 454, and focus on seizing one type of property to the exclusion of others, instead of stopping or rehabilitating a threatening person who could potentially cause harm in a multitude of ways, are thus not needed.