

## WHO WE ARE

The Governor's Challenge is a partnership among the U.S. Department of Veterans Affairs, the U.S. Department of Health & Human Services' Substance Abuse and Mental Health Services Administration and the State of North Dakota to bring together community leaders and state agencies to prevent suicide among Service Member, Veterans, and their families.

Core team organizations include ND Cares (team lead), VA Fargo, ND Dept. of Veterans Affairs, ND National Guard, FirstLink, ND Dept. of Health & Human Services, ND Suicide Prevention Coalition, University of ND (ND HOPES), American Foundation for Suicide Prevention, and Mental Health America of ND.

Learn more at [ndcares.nd.gov](http://ndcares.nd.gov)



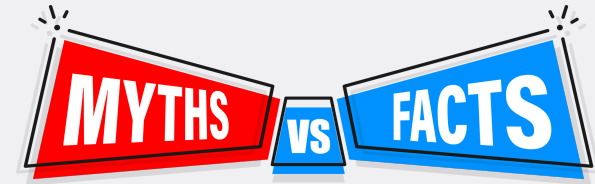
Learn more at [keepitsecure.net](http://keepitsecure.net)

NOTE: Laws are subject to change. Information provided here is not legal advice or a full summary of laws. Consult a lawyer for legal advice.

Contact North Dakota Governor's Challenge at 701.333.2012

Information current as of October 2024

Approved for distribution to the public by



## Firearms, Mental Health, and Your Rights in North Dakota



### Safe Storage for Suicide Prevention Works

If you are in crisis, please contact:



### **Myth: Suicide by firearm doesn't affect me, so I don't need to be concerned about it.**

Fact: According to Centers for Disease Control and Prevention data, 86% of firearm deaths in North Dakota are by suicide. Literature reviews by Harvard's Means Matter Project reflect that, if we can put time and space between a suicidal thoughts and a firearm, lives can be saved. While out of home storage is safest, even a simple cable lock can provide time and space during a time of crisis.

### **Myth: North Dakota has a “Red Flag Law” or “Emergency Risk Protection Order” Law.**

Fact: North Dakota does not have such a law. A Red Flag Law is a gun violence prevention law that permits a State court to order the temporary removal of firearms from a citizen who they believe may present a danger to others or themselves. Depending upon the State, it may also be known as Extreme Risk Protection Orders (ERPOs).

### **Myth: If I tell a health or mental health professional about my suicidal ideation, my guns will be taken away.**

Fact: Firearms will not be confiscated if you receive voluntary mental health care in ND. Regarding mental disability, only a court finding pursuant to N.D.C.C. 62.1-02-01.2 can remove an individual's right to possess a firearm. If the court finds that certain rules apply, the individual's name is sent to the Bureau Of Criminal Investigation for inclusion in the National Instant Criminal Background Check System Database. In the case of being committed to a mental health facility, the BCI is only informed when a 90 day or longer commitment has been enacted by a judge; these 90-day commitments are not common practice. Voluntary, temporary off site storage is often the best option as it guarantees safety without legal involvement.

### **Myth: If someone is suicidal there is nothing that can be done to stop them.**

Fact: For the majority of people who experience a suicidal crisis, if unable to access their chosen method even temporarily, they are unlikely to engage in another action to end their lives. Therefore, a clear way to prevent suicide is to limit access to lethal means.

### **Myth: If I am involuntarily committed for over 90 days and lose my firearm rights, I'll never get them back.**

North Dakota has enacted a restoration of rights procedure for persons under a mental health-based firearm disability, which can be explored after 3 years has passed(N.D.C.C. 62.1-02-01.2). An attorney can advise on this process.

### **Myth: Temporary out of home storage isn't an option for me.**

Fact: In North Dakota, adults who meet the legal requirements may possess a rifle, shotgun or handgun without a permit (N.D.C.C. 62.1-02). Trusted adult friends and family members who are North Dakota residents and meet the legal criteria are great options to store firearms during a crisis; they can return the firearm(s) when appropriate with no legal action needed. If no family or friends are available, many local police and fire departments will offer to temporarily store firearms. Bringing in a firearm to a gunsmith to be cleaned or serviced or utilizing gun range storage are other options to temporarily remove it from the home (potential time-frame restrictions could apply).

### **Myth: Safe storage options are expensive.**

Fact: Safe firearm storage is a responsibility of the firearm owner. Although effective for safety when used properly, large gun safes can be costly. However, smaller cases for handguns can be found for as little as \$30. However, there are several FREE options available in many communities:

- Adult friend or adult family member
- Police or Fire station
- Gun locks available from VA for no cost

### **Myth: Safe storage for suicide prevention is political.**

Fact: Voluntary, safe storage of firearms during times of crisis is endorsed by multiple organizations, regardless of political affiliation:

- National Shooting Sports Foundation
- North Dakota Army National Guard
- Department of Defense
- Department of Veterans Affairs

