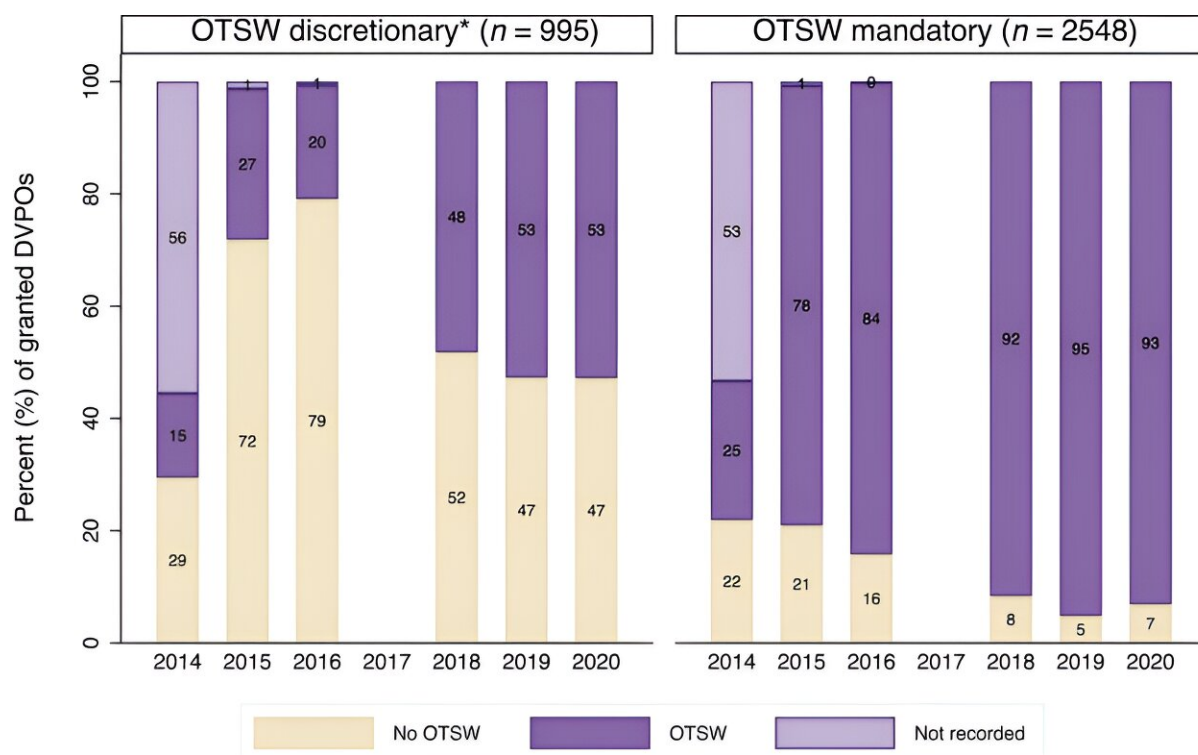


Enforcement unit boosts compliance with domestic violence weapons orders

September 6 2023, by Michael McCarthy



Note. *An OTSW is mandatory if the respondent is already prohibited, the relationship between the victim-survivor and respondent is an intimate partner relationship, or if the respondent used or displayed a firearm during a felony according to WA state law. Cases with respondents whose firearm rights were already restricted may be incorrectly classified as discretionary if the relationship between the victim-survivor and respondent was not an intimate partner relationship or if the petitioner did not declare that the respondent had used or displayed a firearm during a felony.

Order to surrender weapons (OTSW) status among granted domestic violence protection orders (DVPOs) by discretionary/mandatory status, 2014–2016 and 2018-2020. Credit: *Criminology & Public Policy* (2023). DOI: 10.1111/1745-9133.12639

Establishing a dedicated unit to ensure that weapons are surrendered in domestic violence cases has markedly increased enforcement of and compliance with Washington state law, researchers at the University of Washington report.

The researchers found that after the Regional Domestic Violence Firearms Enforcement Unit (RDVFEU) began its operations, domestic violence protection orders were 4.5 times more likely to include an order to surrender weapons, and weapons were surrendered 3.3 times more often.

"We found significant benefits at each stage of the civil process, with improvements in both judicial enforcement and compliance among individuals subject to domestic violence protection orders," said the paper's lead author, Alice Ellyson. She is an assistant professor of pediatrics at the UW School of Medicine and an investigator in UW Medicine's Firearm Injury & Policy Research Program (FIPRP).

The report appears Sept. 6 in the journal *Criminology & Public Policy*.

Firearms, involved in over half of domestic homicides, are commonly used to intimidate and injure victim-survivors of domestic violence. In abusive relationships, the risk of homicide increases fivefold when the partner has access to a [firearm](#).

Individuals who fear violence from an intimate partner or a family or household member can petition the court for legal protection. Such domestic violence protection orders are intended to prohibit further abusive behavior by the person subject to the order, called the respondent, and can limit or ban their contact with the protected person, among other relief.

To reduce the threat that firearms pose in these situations, [federal law](#)

prohibits an individual convicted of a domestic violence offense or subject to a qualifying domestic violence protection order from possessing or purchasing a firearm. Local jurisdictions, however, often do not have a mechanism to enforce federal law.

To address this, many states, including Washington, have enacted legislation authorizing and sometimes mandating judges to require respondents to surrender firearms and other dangerous weapons, and provide proof that they complied. Adoption of such laws is associated with a 10% reduction in state-level rates of intimate partner homicide, studies indicate.

In 2018, King County, which includes Seattle, launched the RDVFEU, to help coordinate and implement firearm prohibition and surrender among individuals subject to Orders to Surrender and Prohibit Weapons issued with domestic violence and other qualifying protection orders.

The unit includes representatives from the King County Prosecuting Attorney's Office, King County Sheriff's Office, Seattle City Attorney's Office and the Seattle Police Department. It includes [law enforcement](#) officers, prosecutors, firearm enforcement advocates, and an extreme-risk protection order advocate, among others. They serve orders, investigate cases, assist with the recovery of firearms and other weapons, create safety plans with survivors, and promote compliance with court orders.

The unit prioritizes cases with the highest risk of potential harm, and shares firearm possession information with law enforcement and the court. They interview petitioners about weapons the restrained person might have, review relevant firearm records, and assess whether firearms were turned in, as directed.

"The work of this dedicated unit shows that it is possible to mitigate

firearm risk in domestic violence situations," said King County Prosecuting Attorney Leesa Manion. "Specialization and coordination across jurisdictional boundaries, including law enforcement, prosecutors and the courts, is a critical step in helping get firearms out of the hands of the most dangerous people."

To assess implementation changes after the unit was created, the researchers compared randomly selected cases from 2014-2016, before the unit existed, and after it was established, 2018-2020.

Domestic violence protection orders granted after the RDVFEU was created were at least 4.5 times more likely to include an order to surrender weapons, and respondents were at least 3.4 times more likely to provide documented compliance with the order and 3.3 times more likely to surrender at least one firearm or other dangerous weapons.

"Our findings highlight the importance of active implementation and enforcement of domestic violence laws," Ellyson said. "Specifically, the unit's approach to robustly vetting firearm access and coordinating across jurisdictions in the legal system promotes compliance with the law and enhances safety planning for victim-survivors of domestic [violence](#) at risk of firearm-related harm. Our laws cannot support victim-survivors if they are never actually implemented."

More information: Alice M. Ellyson et al, Firearm restrictions in domestic violence protection orders: Implementation, vetting, compliance, and enforcement, *Criminology & Public Policy* (2023). [DOI: 10.1111/1745-9133.12639](https://doi.org/10.1111/1745-9133.12639)

Provided by University of Washington School of Medicine

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