

Save the Date

Teleconference:

Firearms 101

Wed., Jun. 27, 2012
By: Phone
Time: 1 - 2 p.m. (ET)

Registration Closes:
Fri., Jun. 22, 2012

To register for this teleconference, click here: [Firearms 101](#)

Conference:

Protection Order
Practice for Attorneys
and Advocates

Sep. 10 - 12, 2012
The Westin (Gaslamp)
San Diego, CA

For more information
email: ncffc@bwjp.org

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May 25, 2012

Know Your Domestic Violence Firearm Prohibitions

Did you know that the presence of a firearm in a home where domestic violence has occurred makes it five times more likely that the victim will be murdered?¹ While this statistic is staggering, there are laws that prohibit the possession of firearms by domestic violence offenders. Knowledge and use of these laws can help keep firearms out of the hands of dangerous batterers.



The federal Gun Control Act has two provisions which prohibit batterers from possessing firearms or ammunition. The first provision makes it illegal for abusers to possess firearms or ammunition if they have a protection order issued against them. This restriction is in effect for the duration of the protection order. The second provision bars a person who has

committed a misdemeanor crime against an intimate partner from having a firearm or ammunition. Federal actors seeking to enforce and prosecute these cases will rely heavily on their state and local counterparts for success.

In addition to these federal laws, there are also state and local domestic violence related firearm laws. State and local judges, advocates and attorneys can enhance victim safety by being aware of these state prohibitions and utilizing them when they are available. Judges can impose firearm restrictions through protection orders or upon conviction for a misdemeanor crime of domestic violence. Law enforcement officers can use their jurisdiction's laws to enforce firearm restrictions and seize the weapons of abusers convicted of crimes or restricted by protection order provisions. Local prosecutors can prosecute violators of these crimes and courts can hold them accountable. Advocates and attorneys can make sure that these laws and restrictions are used to protect their clients. All system actors have a role in using these laws to enhance victim safety.

Creating a coordinated community response which addresses firearms, and includes your federal partners, may greatly increase the number of batterers disarmed and the safety of your community. A coordinated system allows for easier prosecution of violators at all levels, a maximization of victim safety and increase in offender accountability. While both federal and local domestic violence related firearm restrictions are enforced independent of each other, they are most effectively enforced when the professionals using them work together.

For more information on firearm laws please contact the National Center on Protection Orders and Full Faith & Credit.

Firearm Checklists

The National Center on Protection Orders and Full Faith & Credit has created a series of discipline specific Firearm Checklists. The purpose of these tools is to aid in understanding the federal Gun Control Act and removal of firearms from prohibited persons. The checklists break down the pertinent portions of the federal law and address discipline specific concerns.

[Firearm Checklist for Judges](#)

This checklist provides judges with an overview of domestic violence related firearm prohibitions and tips to facilitate the enforcement of these prohibitions. Information on the official use exemption and the surrender and transfer of firearms is included. Violence Against Women Act judicial notification certification information is also provided.

[Firearm Checklist for Law Enforcement](#)

The Law Enforcement Checklist provides points to evaluate when considering removal of firearms from those subject to a protection order or convicted of a misdemeanor crime of domestic violence. Information on seizure of firearms, safe return of firearms, as well as responding to judicial and federal requests for information, is included. There is also a section on officer involved domestic violence.

[Firearm Checklist for Advocates](#)

This checklist aids advocates in understanding their unique role in discussing firearms with survivors. The list includes tips on talking over possession, ownership and use of firearms. Aids in developing a survivor centered strategy for clients dealing with firearm issues.

[Firearm Checklist for Prosecutors](#)

The Prosecutor's Checklist provides information on federal firearm prohibitions and who is subject to these laws. It includes background on considerations for state prosecutors and tips on coordinating efforts. Information on the judicial notification certification of VAWA is also provided.

Teleconference

Firearms 101

Do you have questions on domestic violence firearm prohibitions? Confused about what makes a protection order or misdemeanor qualifying? If so, this teleconference is for you. The National Center on Protection Orders and Full Faith & Credit is offering a FREE teleconference on the domestic violence related federal firearm prohibitions. Discussion will include triggering the federal law, nuances of seizure and accepting surrender of weapons, interaction with federal counterparts and discipline specific roles that may enhance survivor and community safety. We hope you will join us for this informative session. This teleconference is open to all disciplines. This teleconference will be held on Wednesday, June 27, 2012 from 1:00 to 2:00 p.m. (Eastern Time). To register for this teleconference, click here:

<http://conferences.bwjp.org/webconferencedetail.aspx?confid=271>

Additional Information

The staff at the National Center on Protection Orders and Full Faith & Credit are happy to assist you in answering your questions on domestic violence related firearm law. Staff are available to provide technical assistance that will meet your needs. NCPOFFC also provides digests of state laws prohibiting possession of firearms by those subject to protection orders or convicted of certain misdemeanor crimes, as well as federal case law summaries and best practice guides. For more information on our products, or for technical assistance please feel free to contact us or [click here](#).

¹J. C. Campbell, D; Webster, J; Koziol-McLain, C. R; et al. 2003. Risk Factors For Femicide In Abusive Relationships: Results From A Multi-Site Case Control Study. American Journal of Public Health.

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