

GUN PROVISIONS IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2019

Guns and domestic violence are a deadly mix. The presence of a gun in a domestic violence situation makes it **five times more likely the victim will die**, while domestic violence assaults involving a gun are **12 times more likely to end in death** than assaults with other weapons or physical harm. More must be done to keep guns out of the hands of domestic abusers. **The bipartisan 2019 reauthorization of the Violence Against Women Act (VAWA) would:**

DISARM PROHIBITED PERSONS. H.R. 1585 reauthorizes STOP grants to ensure the lawful recovery and storage of firearms by law enforcement agencies when a court has either issued a protective or other restraining order or ordered the perpetrator to relinquish weapons after finding the perpetrator guilty of domestic violence, dating violence, sexual assault, or stalking. Current federal law does not require domestic abusers to turn in their firearms once they are convicted of a crime of domestic violence or become subject to a restraining order, allowing abusers to continue to commit crimes or threaten their partners with guns they are prohibited from owning.

ADDRESS THE BOYFRIEND AND STALKER LOOPHOLES. H.R. 1585 expands the prohibition against gun possession for those who commit violence against a dating partner and those who are convicted of a misdemeanor crime of stalking. **Nearly half of all intimate partner homicides** are committed by dating partners, yet current federal prohibitions against convicted domestic abusers only apply if the partners are or were married, live or have lived together, or have a child in common. Similarly, while stalking is a strong indicator of future violence and many felony stalking charges are pled down to the misdemeanor level, stalking misdemeanants are not currently prohibited from purchasing or possessing guns.

EXPAND PROTECTIONS FOR VICTIMS WHO HAVE RECEIVED A PROTECTIVE ORDER. H.R. 1585 expands the gun prohibition for abusers subject to protective orders to include domestic violence protective orders that cover the period before a hearing (known as “ex parte” orders), provided that they are issued in compliance with due process. The time immediately following the issuance of an ex parte order is the most dangerous for victims of domestic violence, yet current federal law allows abusers to continue to legally purchase and possess firearms.

NOTIFY LAW ENFORCEMENT WHEN A DOMESTIC ABUSER ATTEMPTS TO PURCHASE A FIREARM. H.R. 1585 requires notification of state, local, and tribal law enforcement and prosecutors when a prospective gun purchaser fails a NICS background check due to his or her status as a convicted domestic violence misdemeanant, person subject to a qualifying protective order, or convicted stalking misdemeanant. Law enforcement would also be notified if these individuals received a gun through a default proceed. The attempted purchase of a gun by an abuser is often a sign of escalating violence; law enforcement notification is critical both to remove the gun and ensure the person does not obtain one from other sources.

FOCUS ON ENFORCEMENT OF GUN PROHIBITIONS FOR ABUSERS AND STALKERS. H.R. 1585 requires the Attorney General to identify at least 75 jurisdictions with high rates of domestic violence committed with firearms. In these jurisdictions, the Attorney General may appoint special assistant U.S. Attorneys, deputize law enforcement to assist in ATF’s response and investigation of domestic violence-related gun law violations, and establish points of contact for local, state, and tribal law enforcement at each ATF field division and U.S. Attorney district office to enhance enforcement and prosecution of domestic violence-related violation of federal firearms laws.