



January 27, 2016

TO: Rep. Donna Sweaney, Chair  
Rep. Debbie Evans, Vice-Chair  
House Committee on Government Operations

FROM: Auburn Watersong, Associate Director of Public Policy

RE: H.567 – Burlington Charter - confiscation of weapon in domestic assault

Thank you, Representatives, for your consideration of a bill allowing a police officer to confiscate temporarily a deadly or dangerous weapon from a person whom the officer has probable cause to believe has committed domestic assault.

According to the 2014 Vermont Domestic Violence Fatality Review Commission, of the 6 domestic violence related homicides committed in 2014, 4 were committed with firearms. Between 1994 and 2014, 57% of all domestic violence related homicides were committed with firearms. 123 homicides over that decade were domestic violence related, and 70 of them were committed with firearms.

Just having a gun in the home makes an incidence of domestic violence three times more likely to lead to murder. And although convicted domestic abusers cannot purchase guns, in many cases, they get to keep the ones they already own. The risk connected to gun ownership increases to 8- fold when the offender is an intimate partner or relative of the victim and is 20 times higher when previous domestic violence exists.<sup>i</sup>

Family and intimate assaults with firearms are 12 times more likely to result in death than non-firearm assaults. This research suggests that limiting access to guns will result in less lethal family and intimate assaults.<sup>ii</sup>

The Vermont Network knows that the lives of victims of domestic violence literally depend on law enforcement's ability to keep firearms out of the hands of domestic abusers. This bill, as proposed would allow a police officer to confiscate temporarily a deadly or dangerous weapon from a person whom the officer has probable cause to believe has committed domestic assault.

This bill makes sense, because a victim is most at risk victim s/he seeks safety or assistance. Furthermore, research indicates that states which have passed laws requiring abusers to surrender firearms have 9-12% lower rates of domestic violence homicide.<sup>iii</sup>

New Hampshire's rates of domestic violence homicides, for example, drastically decreased after the adoption of comprehensive firearm statutes. There were 18 such homicides from 1998 - 2000, and only 8 from 2001 – 2003.<sup>iv</sup> State and local law enforcement have the contact and agility to work closely with county prosecutors to follow up on possession charges. This bill, if passed, would give local law enforcement in the City of Burlington the appropriate tools necessary in order to ensure the safe retrieval of firearms prior to possible escalation of the domestic violence circumstances once the criminal/legal system is involved.

Including this amendment to the charter of the City of Burlington, Vermont's largest city, takes a promising step toward protecting victims and preventing further violence. The Vermont Network supports this bill as written.

Thank you.

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<sup>i</sup> Kellermann AL, Rivara FP, Rushforth NB, et al. Gun ownership as a risk factor for homicide in the home. *New England Journal of Medicine*. 1993; 329(15):1084-1091.

<sup>ii</sup> Saltzman LE, Mercy JA, O'Carroll PW, Rosenberg ML, Rhodes PH. Weapon involvement and injury outcomes in family and intimate assaults. *Journal of the American Medical Association*. 1992; 267(22):3043-3047.

<sup>iii</sup> Office on Violence Against Women. *Enforcing Domestic Violence Firearm Prohibitions*. 2006.

<sup>iv</sup> Office on Violence Against Women. *Enforcing Domestic Violence Firearm Prohibitions*. 2006.