



Testimony on H.422
Removal of Weapons at Scene of a Domestic Violence Incident
House Committee on Judiciary
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Thank you for the opportunity to testify about this legislation before your Committee. The Center supports this legislation.

Removal of dangerous weapons

This bill would require the removal of dangerous weapons by law enforcement officers responding to a domestic violence call under three circumstances. The weapon is being held by the person to be arrested or cited, the weapon is visible, or after a consensual search.

Threat risk

Victims of domestic violence are at increased risk when dangerous weapons are in the household. Data has shown that the majority of domestic violence homicides are committed using guns. It has also been shown that the most dangerous time for victims of domestic violence is when they are reaching out for help and/or leaving a violent situation. It is at this critical juncture that offenders may realize that they are losing control and it is during this dangerous period between a law enforcement response and a court hearing that victims are most vulnerable. When law enforcement officers respond to the scene, it makes common sense to take dangerous weapons out of the home. Removing guns at the scene of the call, prior to obtaining a protection from abuse order or any other court ruling, will increase safety for victims.

Return of weapons

H.422 also makes clear that the weapons will be returned in five days unless they will be used in a criminal or civil proceeding, a court orders they be relinquished, or if the person does not want the weapons returned. The bill also ensures the constitutional rights will be upheld.

The Center supports H.422.