



Current Domestic Violence and Firearms Related laws in Vermont

OCCURENCE	RELEVANT STATUTE(S)	WEAPONS HANDLING	ENFORCEMENT	MISC
At the scene of a domestic violence incident	Current law – evidence collection – contains no specific mention of domestic violence incidents and firearms.	LE Office can retrieve weapon involved in crime –as evidence. Other retrieval requires search warrant.	LE Officer who arrives at the scene can do this.	Storage: Firearms are then stored by law enforcement agencies and firearms' dealers per <u>20 V.S.A. § 2307</u>
Emergency (temporary) Relief from Abuse Order	15 V.S.A. § 1104 contains no mention of firearms.	None in statute; common practice for court to order retrieval if affidavit indicates firearm involvement.	State/local law enforcement.	Storage: Firearms are then stored by law enforcement agencies and firearms' dealers per <u>20 V.S.A. § 2307</u>
Final Relief from Abuse Order	15 V.S.A. § 1103 contains no mention of firearms. Firearms are addressed ONLY through FEDERAL law: Title 18 U.S.C. §§ 922(d)(8) and (g)(8)	Removes firearms and ammunition from individuals subject to qualifying protection orders, felons, and those convicted of a misdemeanor crime of domestic violence – possession or transfer.	Enforced by federal ATF agents but courts can order local/state law enforcement to retrieve firearms, and do.	Storage: Firearms are then stored by law enforcement agencies and firearms' dealers per <u>20 V.S.A. § 2307</u> Only for Intimate Partner Violence

Following conviction of a violent crime	13 V.S.A. § 4017 NOTEWORTHY: this includes 922(g)(1) but NOT (g)(8) – i.e. NOT applicable to those who are subject to final relief from abuse orders.	A person shall not possess a firearm if the person has been convicted of a violent crime. Misdemeanor if violated.	State and local law enforcement.	Storage: Firearms are then stored by law enforcement agencies and firearms' dealers per <u>20 V.S.A. § 2307</u>
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