

# Firearms and domestic violence are a deadly combination

By Wendy Million

SPECIAL TO THE ARIZONA DAILY STAR

**D**omestic violence and firearms are inextricably linked, and because October is Domestic Violence Awareness Month, it's an issue that deserves discussion.

According to a report by the Violence Policy Center, (When Men Murder Women, September 2017) in 2015, 64 percent of females murdered in the United States were killed by their intimate partners, and 44 percent of those murders were by firearm. More than half — 57 percent — of offenders involved in mass shootings in the United States have a history of domestic violence in their backgrounds. Just in Tucson this year alone, we've had several cases that involved domestic violence and firearms.

The presence of firearms in domestic violence incidents doesn't put just the domestic violence victim at risk. "The analysis of calls for service that were classified as Domestic Dispute accounted for 20 of the 91 calls for service, or 22 percent, that resulted in an officer fatality. In all but one of the cases studied, the responding officers were killed with a firearm," according to Deadly Calls and Fatal Encounters, a U.S. Department of Justice/National Law Enforcement Officers Fund Report.

Firearms in domestic violence

cases raise the risks for responding officers and lead to officer-involved shootings of domestic violence suspects. Firearms are also used by offenders to commit suicide, suicide-homicide, family homicide, and workplace violence.

When a defendant is released from jail after being arrested for a domestic violence offense, a judge can impose conditions of release, including the condition to possess no firearms while the case is pending. When a domestic violence protective order is issued, a judge can order that the defendant in the case possess no firearms.

But when these orders are not enforced, they are meaningless. Tucson City Court's Domestic Violence Court is making an effort to address this issue.

Domestic Violence Court is a specialized court, funded by the U.S. Department of Justice Office of Violence Against Women. Domestic Violence Court handles the most serious domestic violence misdemeanor cases in the city of Tucson. The court works together with the justice system and community partners to ensure domestic violence victims have access to services and safety, and that convicted domestic violence offenders are held accountable and receive appropriate treatment and consequences.

Domestic Violence Court is working on a coordinated

response to the firearms issue. We are developing procedures that will safeguard a defendant's constitutional rights, spell out a clear method for surrendering guns and receiving proof of that surrender, and enforcement and follow-through if those orders are not obeyed.

When a defendant is ordered to have no firearms as a condition of their release, they will be instructed on how to surrender their guns and how to prove it.

When offenders are found guilty of a domestic violence charge and sentenced to probation, they become prohibited possessors under state law and they will be ordered to surrender any firearms for the term of probation.

They will be given guidelines on state and federal gun possession prohibitions and the consequences of being a prohibited possessor.

Victims will receive notification if firearms are returned at the end of a case or probationary term, and gun owners will receive instructions on how to retrieve the firearm once any restrictions are lifted.

This coordinated response by justice system partners will be an important step in ensuring that court orders regarding firearms are enforced and honored.

Judge Wendy Million presides over Tucson City Court's Domestic Violence Court. The court recently received a federal grant to serve as a Mentor Court to other domestic violence courts nationwide.



Wendy Million

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