



Ensure safe and lawful firearms transfer for those subject to final protective orders and those convicted of domestic violence

The problem: Given the lethal combination of domestic violence and firearms, Virginia law currently prohibits those subject to Final Protective Orders and those convicted of assault and battery against a family or household member from purchasing, possessing, or transporting firearms.

However, current statute allows abusers to certify before the court that firearms in their possession have been transferred without providing any information on the eligibility of the transferee. Many domestic violence victims are telling us that, despite firearms restrictions, their abusers still have access to their weapons. One way to address this dangerous loophole is by clarifying who an eligible transferee is and by aligning transfer protocol across code sections. This technical fix will support more robust implementation of the law at the local level, while also saving lives. IPV Homicide data from Virginia's Office of the Chief Medical Examiner suggests that proper implementation and enforcement of Virginia's protective order and firearm restriction laws can help us to prevent 32% of the overall homicides that occur in Virginia.

Vote YES on [SB 909](#) (Favola) and [HB 1729](#) (Bennett-Parker)

These bills clarify that a person who is prohibited from possessing a firearm because of a protective order or a domestic violence conviction:

- ✓ May transfer firearms in their possession to any person who is not otherwise prohibited by law from possessing, provided that they are 21 years of age or older and do not reside with the person who is subject to the protective order.
- ✓ Must inform the clerk of the court of the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of their firearms.
- ✓ Must follow the same, uniform firearms surrender, sale, and transfer protocol (aligning protocol between § 18.2-308.1:4 and § 18.2-308.1:8)