



Virginia Sexual and Domestic Violence
ACTIONALLIANCE

Ensuring that domestic abusers transfer deadly firearms

The problem: Intimate partner homicide accounts for one-third of all homicides in Virginia. An overwhelming majority of these (65.5%) are committed with a firearm. Given the lethal combination of intimate partner violence, sexual violence, and firearms, Virginia law currently prohibits firearm possession for those subject to final protective orders and those convicted of domestic abuse (assault and battery against a family or household member). But there is a deadly loophole.

Under current law, abusers can transfer their firearms to a household member or a third party without providing any information to the courts or law enforcement regarding the eligibility of that transferee. There is no enforcement mechanism to ensure that safe and lawful transfer occurred. Given this, many victims tell us that their abusers continue to have access to deadly firearms while judges and law enforcement tell us that “the current law has no teeth”. In cases where the threat of escalating violence is particularly high, this loophole leaves victims without safety, undermines the court’s authority, and significantly impedes law enforcement’s ability to implement the law.

Vote YES on [SB 38](#) and [HB 93](#)

The Solution: These bills support judges and law enforcement who want to keep victims safe by aligning and clarifying existing statutes and ensuring that abusers who are prohibited from possessing firearms:

- ✓ Safely transfer their firearms to any person who is not otherwise prohibited by law from possessing, provided they are 21 years of age or older and do not reside in the same home (consistent with VA § 19.2-152.14.).
- ✓ Provide the clerk of the court with the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of their firearms.
- ✓ Provide the transferee with a copy of the relinquishment certification form at the time of firearms transfer.
- ✓ Are properly notified that law-enforcement may obtain a search warrant for any firearms if there is reason to believe that these remain in their possession.

**Vote YES for robust implementation and enforcement of the law!
Vote YES for giving communities the tools needed to ensure victim safety!**