

# Strengthening Firearm Relinquishment in Civil Protection Order Cases in the District of Columbia

Recommendations by the Gun Relinquishment Working Group

## A Note from the Gun Relinquishment Working Group

As advocates for survivors of domestic violence in the District of Columbia, we are acutely aware of the severe risks posed by abusers with access to firearms. In 2023, 9 of the 19 domestic violence fatalities in the District involved firearms, mirroring a troubling national trend in which guns are used in half of intimate partner homicide (IPH) deaths. Study after study shows that survivors are far more likely to be killed when the abuser has access to a firearm, and firearms also serve as a barrier to escaping abuse.

In the District of Columbia, existing laws bar respondents subject to temporary protection orders (TPOs) and certain civil protection orders (CPOs) from possessing firearms. But these restrictions are not being enforced, leaving countless survivors vulnerable. 173 out of 736 high-risk cases screened by DC Safe over a three-month period in 2024—nearly 25%—involved offenders who reportedly had access to a firearm. Despite this, few protection orders result in abusers turning in their guns.

We must do better. In collaboration with local advocacy organizations, practitioners in other jurisdictions, and national experts, we have developed recommendations to ensure effective, timely enforcement of relinquishment requirements. Many of our recommendations are modeled on jurisdictions with successful relinquishment programs. Our objective is to, at a minimum, clearly define what constitute relinquishment, create systems to track compliance and hold respondents accountable, and find ways to strengthen communication between law enforcement, the court, and parties.

By implementing these recommended reforms, DC can better enforce existing firearm relinquishment laws, reduce risks to survivors, and improve the overall effectiveness of the justice system. We welcome the opportunity to collaborate with the DC Council, the Domestic Violence Division, and the Metropolitan Police Department to ensure meaningful change.

### **The Gun Relinquishment Working Group\***

DC Volunteer Lawyers Project, Chair

DC Office of the Attorney General, Co-Chair

Legal Aid Society of the District of Columbia, Co-Chair

Volare (formerly Network for Victim Recovery of DC), Co-Chair

\*For additional information about the Working Group please see Appendix A.

# Executive Summary

The Gun Relinquishment Working Group (GRWG) proposes several key recommendations to strengthen firearm relinquishment in Civil Protection Order (CPO) cases in the District of Columbia. These recommendations aim to ensure effective enforcement, improve compliance, and enhance victim safety through legislative changes, court procedural reforms, and updates to Metropolitan Police Department (MPD) protocols.

**Legislative Recommendations:** The GRWG recommends clarifying the definition of "relinquish" in the Intrafamily Offenses Act (DC Code § 16-1001) to require the immediate or 24-hour surrender of firearms and ammunition to law enforcement or a licensed gun dealer. Additionally, immunity provisions similar to those in the Extreme Risk Protection Order (ERPO) statute should be added, offering respondents protection from prosecution for surrendering firearms.

**DV Division Recommendations: Rules and Procedures.** The DV Division should amend its rules to require respondents to submit proof of compliance with firearm relinquishment orders. This includes providing a unified Proof of Compliance form to be completed by respondents and law enforcement. A compliance hearing should be mandatory for cases involving firearms. **Court Forms and Notices.** CPO petition forms should clearly inform both parties of potential firearm relinquishment and its federal implications. The DV Division should also add questions to the petition allowing petitioners to disclose the respondent's access to firearms.

**Training and Bench Cards.** Judges and clerks should receive training on firearm relinquishment procedures, including strategies for ensuring compliance and managing non-compliance. Bench cards should be developed to guide judges on the federal firearms ban and consequences of non-compliance.

**MPD Recommendations: Training and Protocols.** MPD training and General Orders should be updated to include detailed instructions for relinquishing firearms in CPO cases. Officers should have timely access to gun registry data before serving relinquishment orders. **Compliance and Notification.** At the time of service, MPD officers should provide the respondent with a Proof of Compliance form and require completion upon firearm surrender. Additionally, MPD and the DV Court should ensure petitioners are notified throughout the relinquishment process, possibly using tools like VineLink.

**Expected Outcomes:** These changes will improve compliance with firearm relinquishment orders, enhance public safety, and provide clearer guidance for all parties involved. The recommendations will contribute to the timely removal of firearms from individuals under CPOs, reducing the risk of harm and ensuring more effective enforcement.

**Conclusion:** The GRWG's proposed changes aim to create a more efficient and transparent process for firearm relinquishment in CPO cases. The GRWG urges prompt action from the DC Council, the DV Division, and MPD to enact these critical recommendations.

# Gun Relinquishment Working Group Recommendations to Strengthen Firearm Relinquishment in Civil Protection Order Cases in the District of Columbia

For an overview of the current status of gun relinquishment in CPO cases in the District of Columbia and why improvements are urgently needed, please see Exhibit B.

**DC Council.** The Gun Relinquishment Working Group (GRWG) urges the Committee on the Judiciary and Public Safety to enact the following statutory changes:

- ☐ The definition section of the Intrafamily Offenses Act (DC Code § 16-1001) should be amended to define “relinquish” to mean “to surrender all firearms and ammunition in the Respondent’s possession or control to law enforcement or a licensed gun dealer. If an order to relinquish under this section is served by a law enforcement officer, the firearms and ammunition must be surrendered to that law enforcement officer at the time of service of the order, if the firearms and/or ammunition are in the Respondent’s possession or immediately accessible at the time of service. In all other cases, the firearms and ammunition must be surrendered within 24 hours of the time of service of an order to relinquish or release from incarceration if served while incarcerated by transporting the firearms and ammunition to any police district, station, or central headquarters, consistent with the requirements outlined in § 22-4504.02 concerning the transportation of firearms, or by sale to a licensed gun dealer.”
- ☐ The Intrafamily Offenses Act (DC Code § 16-1001 et seq.) should be amended to include an immunity provision similar to the ERPO statute’s immunity provision for voluntary relinquishment of an illegal firearm (DC Code § 7-2510.07(f)). That provision states:

(1) If a respondent peaceably surrenders any firearms or ammunition pursuant to this section, such surrender shall preclude the arrest and prosecution of the respondent for violating, with respect to the firearms or ammunition surrendered: (A) Section [7-2506.01](#); and (B) Sections [22-4503](#) and [22-4504\(a\)](#) and [\(a-1\)](#). (2) The surrender of any firearm or ammunition pursuant to this section shall not constitute a voluntary surrender for the purposes of [§ 7-2507.05](#).
- ☐ Additional statutory changes may be required depending on the progress the GRWG is able to make engaging in direct advocacy with the D.C. Superior Court’s Domestic Violence Division (DVD) and the Metropolitan Police Department (MPD) to effect changes to the DVD Rules, forms, and internal policies. If direct advocacy is unsuccessful on any of the below recommendations, the CPO statute should be amended to require the DVD and/or MPD to develop and enact policies and procedures consistent with these recommendations.

**Domestic Violence Division, DC Superior Court.** The GRWG urges the DVD to implement the following changes to its rules, forms, and policies:

### **Amendments to the Rules Governing Proceedings in the Domestic Violence Division.**

- ☐ The DVD Rules should be amended to require Respondents in all cases to submit proof of compliance with an order to relinquish to the Court. The Respondent should be provided with a Proof of Compliance form at the time of service with an order to relinquish and should be required to submit the completed form to the Court. A sample Proof of Compliance form (also discussed below) is attached as Exhibit C.
- ☐ Super. Ct. Dom. Vio. R. 5(c)(B) should be amended to require serving officers to affirmatively indicate on the Return of Service form that they've asked the Respondent about guns and instructed them to relinquish, and, if applicable, whether the Respondent complied. Sample language to be included on the Return of Service form (also discussed below) is attached as Exhibit D.
- ☐ The DVD Rules should be amended to provide that the Court will conduct a compliance hearing in any case where the CPO petition alleges any incidents involving a gun, at the Petitioner's request, and/or at the judge's discretion. The Respondent should be required to attend the compliance hearing, and the Petitioner may attend if they want.<sup>[1]</sup>

### **Court Forms.**

- ☐ The DVD should adopt one Proof of Compliance form that outlines all available responses to an order to relinquish (as opposed to multiple forms). This form should be provided to the Respondent at the time of service of an order to relinquish. The Respondent should be required to complete the form and submit it to the Court. When a Respondent relinquishes a firearm to law enforcement or a gun dealer, law enforcement or the gun dealer should be instructed to complete the applicable section of the proof of compliance form. The Proof of Compliance Form should also include an option for the Respondent to assert their Fifth Amendment Privilege and decline to state whether they possess or have surrendered a firearm. A sample Proof of Compliance form is attached as Exhibit C.

---

<sup>[1]</sup> The DVD is best positioned to determine how compliance hearings should be conducted and who should preside over them. Many jurisdictions, including Washington State, assign a magistrate judge to hear all compliance matters on a set day of the week. The advantage of this approach is that the hearings are focused solely on compliance and the Respondent is less likely to attempt to relitigate the CPO. Alternatively, the same judge who presided over the CPO case could also preside over the compliance proceedings. The advantage of this approach is that the CPO judge is already familiar with the Respondent and the parties' history.

[DVD recommendations continued]

- ☐ The DVD should add the following language to the CPO petition to provide notice to both parties of the potential impact of filing a CPO petition on the Respondent's gun possession and ownership:

Filing this petition may result in the Court ordering the Respondent to relinquish possession and ownership of any firearms (guns) or ammunition.

- ☐ The DVD should continue to work with USAO to perfect the language on the form CPO to ensure that there is no ambiguity regarding whether the federal firearm ban is triggered in a particular case.
- ☐ The DVD should add the following prompts to the information sheet filled out by the Petitioner when completing the CPO petition:

Optional to Petitioner: If you want and know, you may provide information about the Respondent's access to firearms and ammunition. If you choose not to provide this information, it will not impact your ability to obtain a temporary protection order or a civil protection order. If any of the following questions make you feel unsafe, you do not have to answer them.

1. Does the Respondent have access to, own or possess any firearms?

yes   no   unknown   decline to answer

2. Does the Respondent hold a certificate or permit to the firearm?

yes   no   unknown   decline to answer

3. Has the Respondent ever threatened to use or used a firearm against you?

yes   no   unknown   decline to answer

- ☐ The DVD should include a link to an optional Firearms Identification Worksheet in the information sheet filled out by the Petitioner when completing the CPO petition. A sample worksheet is attached as Exhibit E.

[DVD recommendations continued]

- ☐ The DVD should provide additional guidance to parties regarding whether Respondents in CPO cases are barred under federal law from possessing a firearm, including by clarifying language on the form CPO as follows:

As a result of this order, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol or revolver, or ammunition pursuant to federal law under 18 U.S.C. §922(g)(8) and/or state law. If you have any questions about whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

- ☐ The DVD should create an information sheet/FAQs to provide additional guidance to parties regarding whether Respondents in CPO cases might be barred under federal law from possessing a firearm. This sheet should be made available at the DVD and/or on probono.net, lawhelp.org, or other resources available to parties in CPO cases. A sample information sheet is attached as Exhibit F.

### **Court Policies and Procedures.**

- ☐ Training on gun relinquishment procedures should be incorporated into existing training for judges and clerks. This training should be conducted by locals with insider expertise, with support as needed from outside jurisdictions and national advocacy organizations. The training should address, among other things, issuance of specific and enforceable orders, setting respondents up for successful compliance and monitoring compliance, strategies to support successful service of orders and obtaining of firearms by law enforcement, addressing non-compliance, and safe and effective return of firearms after expiration of orders.<sup>[2]</sup>
- ☐ The DVD should develop judicial bench cards or similar guidance for DV Judges to instruct parties on the federal firearms ban, the general firearms warning, instructions to relinquish, and guidance on consequences should the Respondent fail to comply.

---

<sup>[2]</sup> For assistance conducting trainings and developing training materials, we recommend Darrell Mitchell from the National Center for Juvenile and Family Court Judges and the Battered Women's Justice Project's National Resource Center on Dating Violence and Firearms.

[DVD recommendations continued]

- ☐ The DVD, in conjunction with MPD, should conduct an audit to ensure that all orders prohibiting Respondents from possessing firearms are timely shared with applicable local and national databases. The audit should assess when and how orders are being shared with NCIC, JUSTIS, WALES, NICS, the District's Gun Registry Unit, MPD serving officers, and any other relevant entities or databases.<sup>[3]</sup>
- ☐ The DVD should assist in setting up a compliance office to serve as a liaison to parties in CPO cases regarding firearm related issues. The compliance office could be housed within or affiliated with OAG, the DV Court, or MPD. The compliance office could also be tasked with running gun registry checks and criminal background checks and forwarding the information to MPD and the DV Court.
- ☐ The DVD, in conjunction with MPD, should explore ways to make searches of gun registry databases immediately available to serving officers and to require serving officers to provide the results of that search to the Court, potentially on the Return of Service Form.
- ☐ The DVD should work with MPD to adopt protocols to ensure Petitioners have notice of each step of the relinquishment process. This could be accomplished by creating a new position to serve as a liaison to Petitioners, and/or requiring MPD to use VineLink or a similar program to update Petitioners at each stage of the service and relinquishment process.

---

<sup>[3]</sup> For additional guidance, see Protection Order Repositories, Web Portals, and Beyond: Technology Solutions to Increase Access and Enforcement, prepared by the Center for Court Innovation, the Battered Women's Justice Project's National Center on Protection Orders and Full Faith and Credit, and the National Center for States Courts, at [https://www.vawaandcourts.org/\\_\\_data/assets/pdf\\_file/0035/87983/Portals-Privacy-Guidelines.pdf](https://www.vawaandcourts.org/__data/assets/pdf_file/0035/87983/Portals-Privacy-Guidelines.pdf)



**Law Enforcement.** The GRWG urges the Metropolitan Police Department (MPD) to implement the following recommendations:

- ☐ MPD, in conjunction with the DVD, should conduct an audit to ensure that all orders prohibiting Respondents from possessing firearms are timely shared with applicable local and national databases. The audit should assess when and how orders are being shared with NCIC, JUSTIS, WALES, NICS, the District's Gun Registry Unit, MPD serving officers, and any other relevant entities or databases.
- ☐ MPD should update their ACADIS training and General Orders regarding relinquishment procedures and requirements, including relinquishment in CPO cases at the time of service.
- ☐ Training on gun relinquishment procedures should be incorporated into existing training for law enforcement. This training should be conducted by locals with insider expertise, with support as needed from outside jurisdictions and national advocacy organizations.
- ☐ Prior to serving an order to relinquish, both at the TPO stage and CPO stage, MPD serving officers should be provided timely access to gun registry data.
- ☐ At the time of service of any order to relinquish, MPD serving officers should provide a Proof of Compliance form created by the DVD to the Respondent and instruct the Respondent on how to complete it. The serving officer should also be required to affirmatively indicate, on an amended ROS form created by the DVD, whether they've asked the Respondent about guns and instructed them to relinquish, and, if applicable, whether the Respondent complied.
- ☐ When a Respondent relinquishes a firearm to law enforcement, the person to whom the firearm is relinquished must complete and sign the Proof of Compliance form created by the DVD, including by providing the serial number of any firearm that is relinquished. The Respondent is responsible for submitting the Proof of Compliance form to the DV Court.
- ☐ MPD should work with the DVD to adopt protocols to ensure Petitioners have notice of each step of the relinquishment process. This could be accomplished by creating a new position to serve as a liaison to Petitioners, and/or requiring MPD to use VineLink or a similar program to update Petitioners at each stage of the service and relinquishment process.



# EXHIBIT INDEX

Exhibit A – About the Gun Relinquishment Working Group

Exhibit B – Background on Relinquishment in CPO cases in the District

Exhibit C – Sample Proof of Compliance Form

Exhibit D – Sample Language for Return of Service Form

Exhibit E – Sample Firearms Identification Worksheet

Exhibit F – Sample Information Sheet/FAQs on Federal Firearms Law

## Exhibit A – About the Gun Relinquishment Working Group

**The Gun Relinquishment Working Group (GRWG) was convened in the spring of 2024 with the goal of developing recommendations to improve firearm relinquishment procedures in civil protection order (CPO) cases in the District of Columbia.** The GRWG is comprised of non-profit organizations that provide legal services and support to survivors of domestic violence. The GRWG is chaired by representatives from the DC Volunteer Lawyers Project (DCVLP) and is co-chaired by representatives from the District of Columbia Office of the Attorney General (OAG), Legal Aid DC (Legal Aid), and Volare. Together, DCVLP, OAG, Legal Aid, and Volare assist the bulk of represented survivors filing CPO cases in D.C. Superior Court. All subscribers to the DV Advocates Listserv were invited to participate.

The GRWG convened throughout 2024 and early 2025. In addition to the chairs and co-chairs, regular participants included representatives from DC Safe, the DC Coalition Against Domestic Violence, Bread for the City, the John Hopkins Center for Gun Violence Solutions, and area law school clinical programs, among others. Topics and background materials were circulated to participants prior to meetings. Participants discussed proposed recommendations and voted electronically following the meetings to determine which recommendations should be adopted.

The GRWG's work was informed by:

- ☐ a comprehensive review of laws and procedures in states that are successfully implementing relinquishment requirements
- ☐ interviews with practitioners and/or law enforcement in California, Colorado, Connecticut, Maryland, Missouri, Nebraska, and Washington
- ☐ consultation with nationally recognized organizations including the Giffords Law Center, Everytown for Gun Safety, the Battered Women's Justice Project, the Johns Hopkins Center for Gun Violence Solutions, and the National Council on Juvenile and Family Court Judges
- ☐ research, studies and journal articles on DV, gun violence, and relinquishment

While there is no one correct way to build a compliance program, *every* successful program identified by the GRWG involved coordination with and buy-in from key stakeholders including law enforcement and the courts. For this reason, the GRWG believes it is crucial that policies to improve relinquishment rates in CPO cases be developed with input from the Domestic Violence Division of the DC Superior Court, the U.S. Attorney's Office, the Office of the Attorney General, the Metropolitan Police Department, DC SAFE, and organizations representing survivors and respondents.

## Exhibit B – Background on Relinquishment in CPO Cases in the District

### Existing Legal Framework for Relinquishment in CPO Cases in the District

In 1970, the U.S. Congress passed the District of Columbia Court Reform and Criminal Procedure Act of 1970.<sup>[1]</sup> Among other things, the Act established rules governing proceedings for intrafamily offenses in D.C. It provided that the court may issue a protection order upon a finding of good cause to believe the respondent has committed or is threatening an intrafamily offense. D.C. Code § 16-1005(c) (1970). It also provided for several broad types of injunctive relief available to survivors, but did not include an explicit firearm prohibition. *Id.*

The Intrafamily Offenses Act of 2008 substantially rewrote the law, including the injunctive relief that could be awarded in a CPO case, to allow a judicial officer to issue a protection order that “directs the respondent to relinquish possession of any firearms.”<sup>[2]</sup>

In 2020, the relinquishment clause was expanded to include a prohibition on the possession, control, purchase, or receipt of any firearm or ammunition.<sup>[3]</sup> The current statute states that, “if, after a hearing, a judicial officer finds that there is good cause to believe the respondent has committed or threatened to commit a criminal offense against the petitioner,” the judicial officer may enter a CPO that, among other things, “directs the respondent to relinquish possession of any firearms or ammunition and prohibits the respondent from having possession or control of, purchasing, or receiving any firearm or ammunition while the protection order is in effect.” DC Code § 16-1005(c)(10).

The current statute also provides that a temporary protection order (“TPO”) “shall require that the respondent relinquish possession of any firearms or ammunition and prohibit the respondent from having possession or control of, purchasing, or receiving any firearm or ammunition while the protection order is in effect.” DC Code § 16-1004(h)(2).<sup>[4]</sup>

---

<sup>[1]</sup> Public Law 91-358, Chapter 10 – Proceedings Regarding Intrafamily Offenses, July 29, 1970, *available at* <https://www.govinfo.gov/content/pkg/STATUTE-84/pdf/STATUTE-84-Pg473.pdf>.

<sup>[2]</sup> As originally introduced, the proposed bill did not include a relinquishment requirement. *See* Committee Report on B17-0055 at 21, *available at* [https://lims.dccouncil.gov/downloads/LIMS/18480/Committee\\_Report/B17-0055-CommitteeReport1.pdf?Id=59160](https://lims.dccouncil.gov/downloads/LIMS/18480/Committee_Report/B17-0055-CommitteeReport1.pdf?Id=59160). The provision appeared for the first time in the engrossment at the first reading of the bill, which took place on December 2, 2008. *See* <https://lims.dccouncil.gov/Legislation/B17-0055>.

<sup>[3]</sup> Law 23-275, the Intrafamily Offenses and Anti-Stalking Orders Amendment Act of 2020.

<sup>[4]</sup> *See* Committee Report on B23-0181 at 14, *available at* [https://lims.dccouncil.gov/downloads/LIMS/42010/Committee\\_Report/B23-0181-Committee\\_Report1.pdf?Id=114208](https://lims.dccouncil.gov/downloads/LIMS/42010/Committee_Report/B23-0181-Committee_Report1.pdf?Id=114208). The Committee reasoned, “when a judge has made a finding that a petitioner’s safety is immediately endangered by a respondent, there is a need to ensure that respondent does not have access to firearms.” *Id.*

The court has authority to order MPD “to take such action as the judicial officer deems necessary to enforce its orders.” DC Code § 16-1005(c)(9); *see also* DC Code § 5-127.04(b) (“[M]embers of the Metropolitan Police Department shall execute orders of the Superior Court of the District of Columbia issued pursuant to § 16-1005.”).

### **Current Barriers to Firearm Relinquishment**

While all TPOs and CPOs issued in DC include standard language regarding firearm relinquishment and prohibiting possession, few, if any, respondents are complying. As an initial matter, respondents may not be aware that they have been ordered to relinquish. The current form TPO includes two lines stating, “Respondent shall relinquish possession of any firearms or ammunition and is prohibited from possessing or controlling of, purchasing or receiving any firearm or ammunition while this order in effect.” The TPO does not explain what “relinquish” means or how a respondent can surrender a firearm. Even where MPD assists with service of the TPO, there is no requirement that the serving officer highlight the prohibition, ask the respondent about firearm possession, or run a gun registry check to identify whether the respondent is a registered gun owner.

Final CPOs include the following language:

DC Law Firearms warning. You must relinquish within 24 hours after being served with the Civil Protection Order (CPO) all firearms that you own or possess to your local law enforcement officials. Failure to do so is a criminal offense under D.C. Code §22-4503 that if convicted, carries a penalty of two (2) to 10 years in prison or a fine of \$15,000 or both. For more information about surrendering your firearm, please call (202) 727-4275 (Gun Control/Firearms Registration Unit).

In our experience, judges are not consistently flagging this warning or asking respondents about their firearm possession upon entering a CPO. Also in our experience, the Gun Control/Firearms Registration Unit is unable to consistently provide instructions on how to surrender.

Moreover, there is no mechanism to verify whether a CPO respondent complies with the requirement. While the current role of MPD and the courts in compliance enforcement is unclear at best, at this time there is no assurance that *any* entity will follow up to assess whether respondents have complied, leaving the burden on survivors.

And survivors have no good options when they know or suspect that their abusers continue to possess a firearm after the CPO is entered. We have helped survivors file motions for contempt of a CPO based on respondent's failure to relinquish. We have helped survivors file motions to modify a CPO to order the respondent to submit proof of relinquishment. We have requested a status hearing to assess compliance, but that request was denied based on respondent's assertion that he did not have a firearm – and despite the petitioner providing photographic proof to the contrary.

These efforts have resulted in, at best, inconsistent enforcement, because the Court must rely on the respondent's statements regarding relinquishment. Complicating matters, often a considerable amount of time has passed from when the respondent was ordered to relinquish to when the survivor was able to obtain counsel to help them file such motions, giving the respondent opportunity to conceal their firearms and avoid consequences.

### **Why Relinquishment Matters**

The District's Domestic Violence Fatality Review Board 2024 Annual Report highlights the relationship between intimate partner violence and firearm access. Of the 19 domestic violence fatalities in the District in 2023, 9 involved a firearm. These numbers are consistent with national trends:<sup>[5]</sup>

Nationally, firearms are used in half of IPH deaths: IPV victims are five times more likely to die when the abuser has access to a gun and 41 times more likely to die if the abuser has used a gun during a previous severe domestic violence incident. Firearms are also a deterrent to escaping abuse: 4.5 million women have been threatened with a gun by their intimate partner, and nearly one million were nonfatally shot or shot at. These numbers don't account for implied coercion from knowing an abuser has access to a firearm.<sup>[6]</sup>

It is also widely recognized that relinquishment requirements are not self-executing, and that effective implementation requires deliberate action. While many states and Washington D.C., have laws prohibiting abusers from possessing firearms and requiring abusers to turn in guns they already possess, "these laws do not implement themselves and the failure to properly enforce them can have devastating consequences."<sup>[7]</sup>

---

<sup>[5]</sup> District of Columbia Domestic Violence Fatality Review Board, 2024 Annual Report at 25 (available at [https://ovsjg.dc.gov/sites/default/files/dc/sites/ovsjg/service\\_content/attachments/DVFRB%202024%20Annual%20Report.pdf](https://ovsjg.dc.gov/sites/default/files/dc/sites/ovsjg/service_content/attachments/DVFRB%202024%20Annual%20Report.pdf)).

<sup>[6]</sup> *Id.* at 12.

<sup>[7]</sup> See Everytown Research & Policy, "Ensuring Effective Implementation of Laws that Disarm Domestic Abusers," published June 26, 2024 (available at <https://everytownresearch.org/report/laws-that-disarm-domestic-abusers/>).

The moment that a survivor seeks assistance from the legal system is often a time of heightened risk, making it even more crucial that laws intended to remove firearms from homes in which there is domestic violence are effectively implemented. Specifically, state and local implementation efforts must focus on two key aspects:

- ☐ Ensuring that abusers turn in any guns already in their possession at the time they become prohibited, and
- ☐ Ensuring that abusers are not able to purchase guns after they become prohibited.

Many jurisdictions around the country have instituted innovative and effective programs to ensure that these laws function as designed to ensure abusers do not continue to have access to firearms, while others are just beginning this work. State and local law enforcement, judicial officers and court staff, and other key stakeholders should develop protocols and adopt policies to ensure that these laws operate as intended to keep guns out of the hands of abusers.

For additional information, we recommend the following resources:

Ellyson, A. M., Adhia, A., Shanahan, S., Alsinai, A., DiMascolo, L., Reygers, M., Bowen, D., & Rowhani-Rahbar, A. (2023). Firearm restrictions in domestic violence protection orders: Implementation, vetting, compliance, and enforcement. *Criminology & Public Policy*, 1–30. <https://doi.org/10.1111/1745-9133.12639>

Keck, David W., National Resource Center on Domestic Violence and Firearms, Battered Women's Justice Project (2021). Implementing an Effective Firearm Relinquishment Protocol. [https://bwjp.org/wp-content/uploads/2021/10/Firearms\\_Report.pdf](https://bwjp.org/wp-content/uploads/2021/10/Firearms_Report.pdf).

National Resource Center on Domestic Violence and Firearms, Battered Women's Justice Project (2024). Firearms Relinquishment in Cases Involving Intimate Partner Violence: How to Structure Effective Protocols for Your Community. <https://bwjp.org/site-resources/firearms-relinquishment-in-cases-involving-intimate-partner-violence-how-to-structure-effective-protocols-for-your-community/>.

Oliphant, S. N., & Zeoli, A. M. (2024). State efforts to enforce firearm dispossession through relinquishment laws. *Criminology & Public Policy*, 1–26. <https://doi.org/10.1111/1745-9133.12677>.

Sullivan, T. P., & Maxwell, C. D. (2025, February 17). Advancing Gun Policy: Linking Multi-Source Data to Develop Micro-Longitudinal Trajectories of Domestic Violence Offenders' Gun Use and Impact on Victims. <https://doi.org/10.17605/OSF.IO/ME5RS>.



## Exhibit C – Sample Proof of Compliance Form



Superior Court of the District of Columbia  
Domestic Violence Division  
500 Indiana Ave NW, Room 4510, Washington DC 20001  
202-879-0157 | [www.dccourts.gov](http://www.dccourts.gov)

\_\_\_\_\_  
Petitioner  
v.  
\_\_\_\_\_  
Respondent

Case Number: \_\_\_\_\_

### **DOMESTIC VIOLENCE FIREARMS COMPLIANCE FORM**

#### **INSTRUCTIONS TO RESPONDENT:**

- If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts, and ammunition, use this form to prove to the judge that you have followed their orders. Take this form to a law enforcement officer or a licensed firearms dealer to prove that you have turned in your firearms (guns), firearm parts, and ammunition. For more information on how to properly turn in your items, read form **INSERT**.
- You can also certify below that you do not possess any firearms, or plead your Fifth Amendment privilege against self-incrimination.
- This form can be filed by going in person to the Domestic Violence Division Clerk's Office at 500 Indiana Ave NW, Room 4510, or by emailing a copy of it to [dvd@desc.gov](mailto:dvd@desc.gov). **NOTE:** You only have to submit this form once per case. If a case has been reinstated against you, you should complete and file this form again.

Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to a protection order shall preclude the arrest and prosecution of the Respondent for violating, with respect to the firearms or ammunition surrendered: (A) Section [7-2506.01](#); and (B) Sections [22-4503](#) and [22-4504\(a\)](#) and [\(a-1\)](#), except a prosecution for perjury, giving a false statement, otherwise failing to comply with the order, or for crimes committed with the use of firearms surrendered.

### **PROOF OF RELINQUISHMENT**

The Court ordered me to relinquish possession of any firearms (guns), firearm parts, and ammunition in my possession or control. I have also been ordered to provide proof of doing so within 48 hours after being served with any Temporary Protection Order or Civil Protection Order.

1. ☐ I do not possess any firearms or ammunition.

- By checking this box, I am certifying that I understand that:
  - The court has ordered me to surrender all firearms and ammunition. I have not surrendered any firearms or ammunition because I do not have any of those items.
  - If I fail to comply with the Court's order to relinquish possession of any firearms or ammunition or if I have possession or control of, purchase, or receive any firearm or ammunition I may be found in contempt of court or charged with a crime.

OR

2. ☐ I have surrendered, sold or transferred all firearms and ammunition that were possessed by me, as required by the issued Protective Order to law enforcement or to a licensed firearm dealer. I understand that in order for this form to be complete, law enforcement or the firearm dealer I surrendered my weapons to must complete the appropriate sections below.



(continued)

TO LAW ENFORCEMENT	
<b>Complete the section below. Keep a copy and give the original to the Respondent.</b>	
Name of Law Enforcement Agency: _____	
Name of Law Enforcement Agent: _____	
Address: _____	
Telephone number: _____	
Email address: _____	
<b>Items Surrendered</b>	
a. Firearms, firearm parts, and ammunition transferred on: Date: _____ Time: _____ a.m./p.m.	
b. List items surrendered by Respondent in the space provided below.	
I declare under penalty of perjury under the laws of the District of Columbia that the information above is true and correct.	
_____ <i>Signature of law enforcement agent</i>	_____ <i>Badge # or CAD#</i>

TO LICENSED GUN DEALER	
<b>Complete the section below. Keep a copy and give the original to the Respondent.</b>	
Name of Licensed Gun Dealer: _____	
License number: _____	
Address: _____	
Telephone number: _____	
Email address: _____	
<b>Items Stored or Sold</b>	
a. Firearms, firearm parts, and ammunition transferred on: Date: _____ Time: _____ a.m./p.m.	
b. List items surrendered by Respondent in the space provided below.	
I declare under penalty of perjury under the laws of the District of Columbia that the information above is true and correct.	
_____ <i>Signature of licensed gun dealer</i>	

LIST OF ITEMS SURRENDERED			
To be completed by either a Law Enforcement Officer or Licensed Gun Dealer			
Make	Model	Sold/Stored/To be destroyed	Serial Number

## Exhibit D – Sample Language to Add to the Return of Service Form

(To be completed by the Serving Officer) If an Order to Relinquish Firearms and Ammunition has been issued in this case, the Respondent

**surrendered** the    firearms    ammunition (*complete Proof of Compliance Form separately*)

**did not surrender** the firearms/ammunition specified in the order (*provide details related to what happened, including any denials of ownership/possession*):

---

---

**asserted they have no** firearms or ammunition.

## Exhibit E – Sample Firearms Identification Worksheet

Adopted from Washington State, original form available at

[https://www.courts.wa.gov/forms/documents/XR%20102%20Firearm%20Identification%20Worksheet\\_06\\_2024\(02\).pdf](https://www.courts.wa.gov/forms/documents/XR%20102%20Firearm%20Identification%20Worksheet_06_2024(02).pdf)

### Optional Firearm Identification Worksheet

1. Does the Respondent own or have access to any firearms?

Yes No I don't know

Explain how they may have access:

---

---

2. Does the Respondent purchase, own, or have access to parts that could be assembled into a working firearm (example: ghost guns)?

Yes No I don't know

3. Does the Respondent have a concealed carry pistol license?

Yes No I don't know

4. When was the last time you saw the firearm/s? \_\_\_\_\_

5. Do you know where the Respondent keeps the firearm/s?

Yes No

If yes, check all that apply:

On their Person In their Car In their Home Storage Unit In a Safe

6. To the best of your knowledge, are the firearm/s typically loaded?

Yes No I don't know

7. How important are the firearms to the restrained person?

1 (not very important) 2 3 4 5 (very important)

8. What does the Respondent generally use the firearms for, if known? (*check all that apply*)

hunting Collecting Target Shooting Protection Other: \_\_\_\_\_

9. Does the Respondent possess explosives?

Yes    No    I don't know

10. Does the Respondent own or possess any other dangerous weapons you believe should be surrendered?

Yes    No    I don't know If yes, list them here: \_\_\_\_\_

The pictures below are examples of the most common guns. If you recognize any of the pictures below as similar to the one/s the Respondent has, please check it and write in how many they have of each.

<p><input type="checkbox"/> <b>Handgun</b> (<i>how many</i>) _____</p> 	<p><input type="checkbox"/> <b>Unassembled Firearm</b> (<i>how many</i>) _____</p> 
<p><input type="checkbox"/> <b>Semi-automatic Rifle</b> (<i>how many</i>) _____</p> 	
<p><input type="checkbox"/> <b>Rifle/Shotgun</b> (<i>how many</i>) _____</p> 	
<p><input type="checkbox"/> <b>Other firearm/s</b> (<i>describe</i>):</p>	

## Exhibit F – Sample Information Sheet/FAQs on Federal Firearms Law

Original form available at <https://www.atf.gov/resource-center/docs/guide/protection-orders-and-federal-firearms-prohibitions-atf-i-33102/download>

### PROTECTION ORDERS AND FEDERAL FIREARMS PROHIBITIONS

Persons subject to a qualifying protection order under federal law are generally prohibited from possessing any firearm or ammunition in or affecting commerce (or shipping or transporting any firearm or ammunition in interstate or foreign commerce, or receiving any such firearm or ammunition). Violation of this prohibition while the order remains in effect is a federal offense punishable by up to ten years imprisonment. Title 18 U.S.C. §§ 922(g)(8), 924(a)(2).

A qualifying court order may be issued by a criminal court or a civil court, such as divorce court, family court, magistrate or general jurisdiction court. The following list enumerates the elements that define a qualifying protection order under the Federal firearms prohibition. *Generally, a defendant/respondent subject to a protection order that includes one element (indicated by a diamond) from each section listed below is covered by the Federal firearms prohibition.*

#### I. HEARING

- ❖ Defendant/Respondent received **actual notice** and had an **opportunity to participate**.

#### II. INTIMATE PARTNER

Plaintiff/Petitioner is an **intimate partner** of the Defendant/Respondent, (18 U.S.C. § 921(a)(32)). An **intimate partner** may include:

- ❖ A **spouse or former spouse** of the Defendant/Respondent;
- ❖ A person who **cohabitates or who has cohabitated** with the Defendant/Respondent (i.e., who resides/resided together in sexual/romantic relationship); or
- ❖ A person with whom the Defendant/Respondent **has or had a child in common** (regardless of whether they ever married or cohabitated).

#### III. RESTRAINS FUTURE CONDUCT

- ❖ The order **restrains** Defendant/Respondent from **harassing, stalking, or threatening** the intimate partner, child of the Defendant/Respondent, or child of the Defendant/Respondent's intimate partner; *or*
- ❖ The order **restrains** Defendant/Respondent from engaging in other conduct that would place the intimate partner in **reasonable fear of bodily injury** to the partner or child.

#### IV. CREDIBLE THREAT OR PHYSICAL FORCE

- ❖ The order includes a finding that Defendant/Respondent is a **credible threat** to the physical safety of the intimate partner or child; *or*
- ❖ The order, by its terms, explicitly prohibits the use, attempted use, or threatened use of **physical force** against the intimate partner or child that would reasonably be expected to cause bodily injury.

FOR FURTHER INFORMATION ABOUT SECTION 922(g)(8) OR FEDERAL FIREARMS PROHIBITIONS GENERALLY, CONTACT YOUR LOCAL FIELD DIVISION OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES BY CALLING 1-800-800-3855, OR VISIT [WWW.ATF.GOV/FIELD/](http://WWW.ATF.GOV/FIELD/). FOR FURTHER INFORMATION ABOUT DOMESTIC VIOLENCE, PLEASE CONTACT THE NATIONAL CENTER ON PROTECTION ORDERS AND FULL FAITH AND CREDIT AT 1-800-903-0111, PROMPT 2, OR VISIT THEIR WEB SITE AT [WWW.BWJP.ORG](http://WWW.BWJP.ORG).

ATF Information 3310.2  
Revised September 2011