



# Implementing Upstream, Evidence- Based Harm Reduction Strategies

Regional Domestic Violence  
Firearms Enforcement Unit

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SEATTLE CITY COUNCIL:  
PUBLIC SAFETY AND  
HUMAN SERVICES  
COMMITTEE

JULY 26, 2022

# The Regional DV Firearms Enforcement Unit - A New Model

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# Intimate Partner Violence Involving Firearms

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The best available research shows that the most important element in preventing fatalities is to remove the firearm from the situation.

- *New England Journal of Medicine*

A 2016 report from the Washington State Domestic Violence Fatality Review Board stated that for 20 years they had recommended removal of firearms from abusers as a priority to reduce domestic violence homicide.

# Regional Statistics (DV Offenders)

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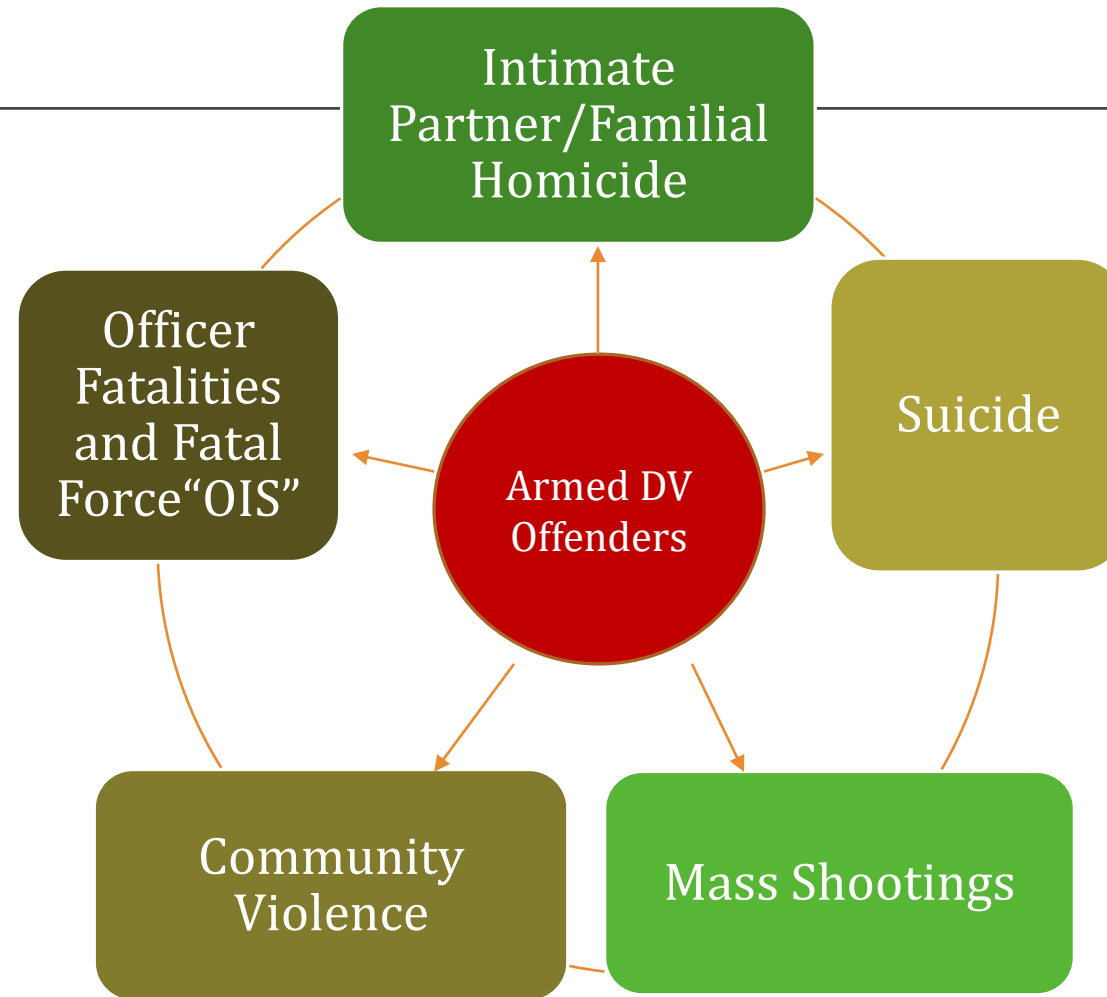


Disproportionately  
Armed (compared to the  
general public)

**Over-represented** as  
defendants in all local  
charged homicide/attempted  
homicide cases

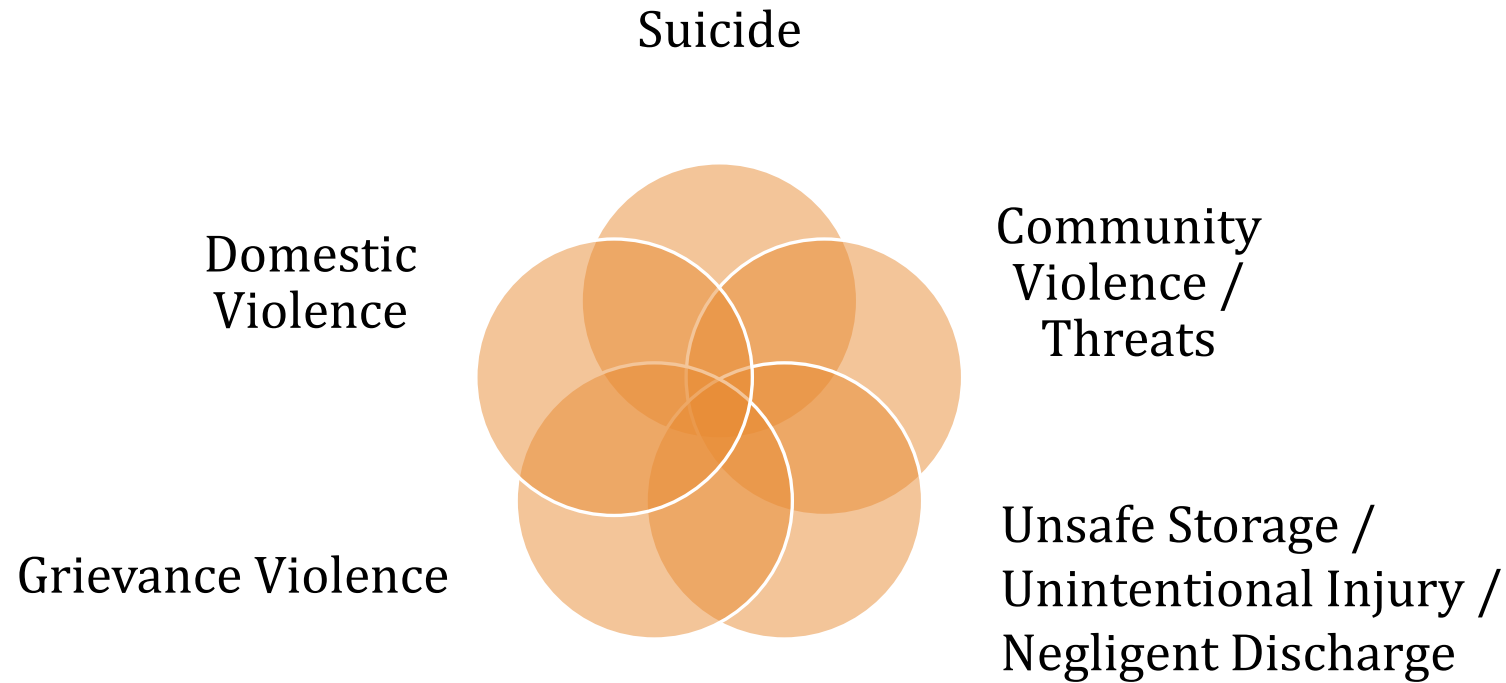
# The Constellation of Risks of Armed DV Offenders

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# Intersectionality of Firearm Violence

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# Myths

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“Substitution effect”

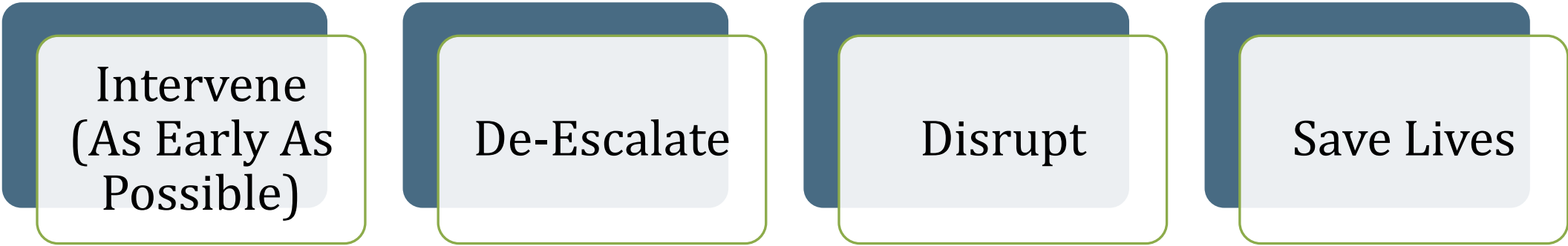
“Just arm the victims”

“If someone wants to kill themselves...”

“People with MH issues are the highest risks”

# Goal: Evidence-Based Harm Reduction

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Intervene  
(As Early As  
Possible)

De-Escalate

Disrupt

Save Lives



# Harm Reduction Model

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UPSTREAM FOCUS: INCLUDING EARLY IDENTIFICATION OF INCIDENTS INVOLVING THREATS OF HARM TO SELF AND OTHERS



OUTREACH TO FAMILY, LAW ENFORCEMENT AND SURVIVORS: TRIAGE, SAFETY PLANNING & COMPREHENSIVE UNEARTHING/INVESTIGATION OF FIREARM INFORMATION



SHARING FIREARM INFORMATION WITH LAW ENFORCEMENT (SAFE RECOVERY) AND COURTS (COMPLIANCE)

# Orders to Surrender & Prohibit Weapons: Remove Access, Possession, Purchase - Where Heightened Risk

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Courts may issue OTSWs when any of these types of orders are issued:

## **Civil Protection Orders:**

Anti-Harassment Orders

Stalking Protection Orders

Sexual Assault Protection Orders

Domestic Violence Protection Orders

Vulnerable Adult Protection Orders

Restraining Orders

Petitions for Initial Involuntary Detention of a Family Member -- Joel's Law

## **Criminal Orders:**

No Contact Orders

Court-initiated Sexual Assault Protection Orders

Court-initiated Stalking Protection Orders

Harassment NCOs

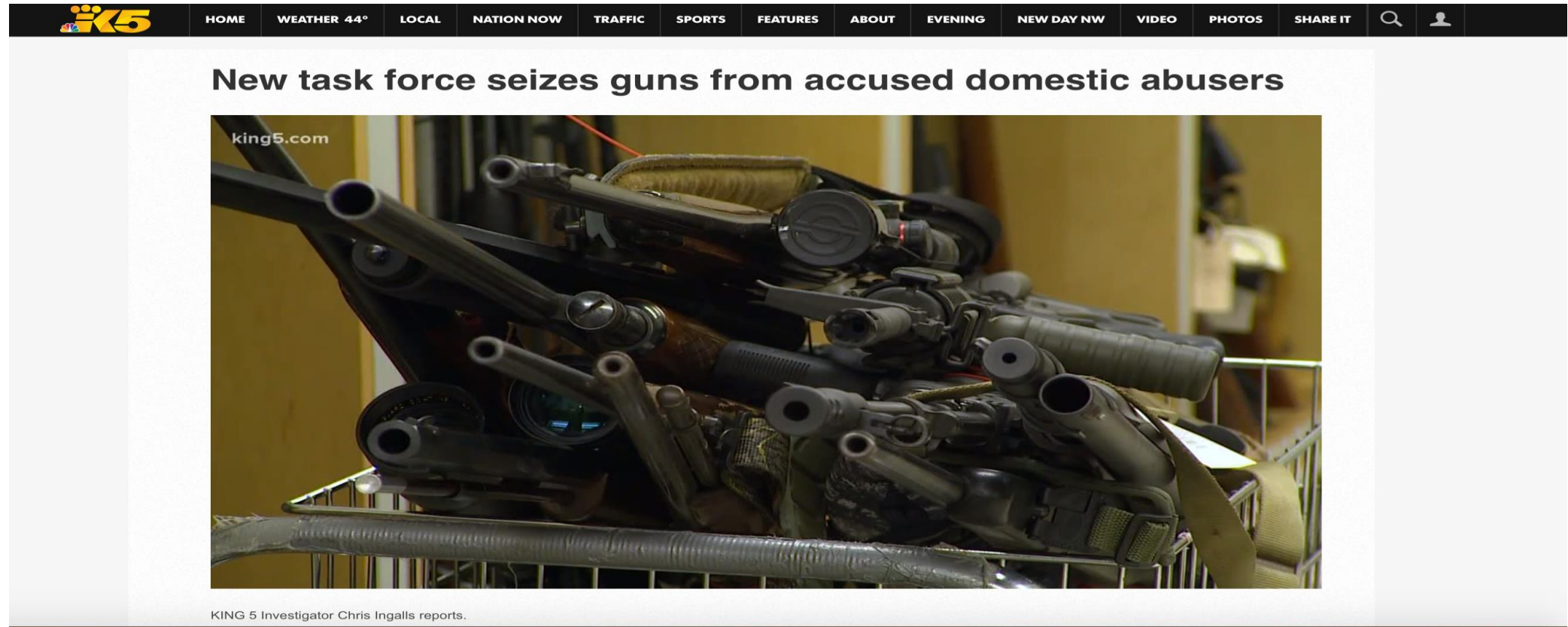
"Conditions of Release" NCOs

# Extreme Risk Protection Orders: Intervene & Disrupt Threatening Behaviors by Temporarily Removing Firearm Access, Possession, Purchase

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- Threats Of: Self-harm / Harm to others / Both
- School Threats
- Ideologically Motivated Violence
- Workplace Threats / Grievance Violence

# Piloting This New Approach



# Piloting This New Approach

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# Piloting This New Approach



"A year ago, none of these guns would have been recovered. We would never have done the search warrant. We would never have even looked to see if a weapons surrender order had been issued," Kim said.

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# Case Examples

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Child Sexual Assault

Suicide Prevention

Community Violence / Threats

Grievance Violence

Mass Violence / DV



# IPV and mass violence threat

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# Multi-Jurisdictional Coordination

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# Case Statistics

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RDVFEU Case Statistics				
Year	2018	2019	2020	2021
Cases Reviewed for Firearms Risk	1119	1453	1438	1572
Survivor Interviews (Firearm Positive cases)	473	548	646	759
Firearm Information Risk Provided to the Court	NA	1385	1494	1725
ERPOs Filed	67	63	74	77
Firearms Removed	592	713	737	710

# Questions?

## **Contact us:**

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206-477-1074

## **To reach Unit as a whole:**

[SeaKingfirearms@kingcounty.gov](mailto:SeaKingfirearms@kingcounty.gov)

**For Questions about Extreme Risk Protection  
Orders: [ERPO@kingcounty.gov](mailto:ERPO@kingcounty.gov)**

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# Background Slides: DV Risks and System Gaps Before The RDVFEU Was Created

# Intimate Partner Violence Involving Firearms

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Women in the U.S. are 11 times more likely to be murdered with a firearm than women in other high-income countries.

In the U.S., a woman is fatally shot by her partner every 16 hours.

And an estimated 4.5 million women in the United States have been threatened or coerced with a firearm by an intimate partner, a phenomenon known as coercive control.

# Intimate Partner Violence Involving Firearms

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Domestic Violence victims are 5 times more likely to be killed if their abuser has access to a gun.

American women who are killed by their intimate partners are more likely to be killed with a gun than by all other methods combined.

# Intimate Partner Violence Involving Firearms

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A woman's risk of homicide is highest when she is trying to end the relationship.

45% of DV homicides occur within 90 days of separation, most within the first few days.

# Intimate Partner Violence Involving Firearms

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60% of mass shootings are related to domestic violence.

More than 1/3 of the shootings - 34% - involved a shooter who was prohibited from possessing firearms.



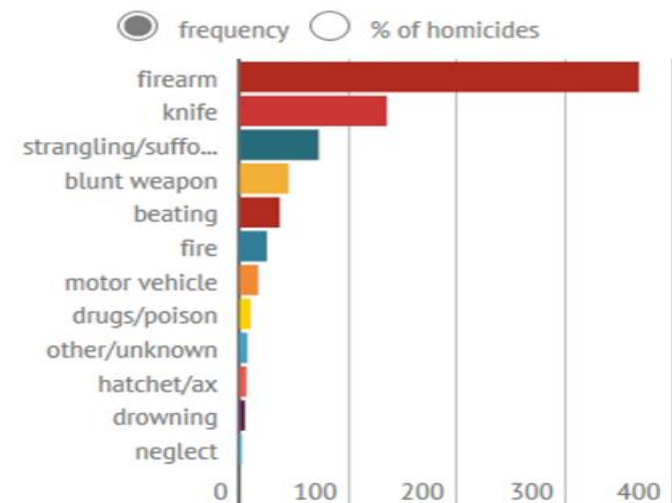
# Intimate Partner Violence Involving Firearms

*In 54% of DV homicides in Washington state between 2006-2015, the defendant had previously been ordered to surrender firearms.*

- Washington State Coalition Against Domestic Violence  
2013

**In Washington State, domestic violence homicide perpetrators use guns more often than all other weapons combined.**

Weapons used in 678 domestic violence homicides, 1997 - 2014



# FEDERAL LAW

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Since 1996, Federal law has prohibited persons from possessing guns if they are under a final protective order for domestic abuse or have been convicted of misdemeanor or felony domestic violence.

But it doesn't require firearms already owned to be turned in or provide a mechanism for law enforcement to remove firearms in the abuser's possession or control.

It doesn't include abusers subject to temporary DV orders. These orders are often the first step in the DV protective order process, reflecting the immediate danger the victim faces.

And it doesn't address other types of civil protection orders.

# THE LAW IN WASHINGTON STATE – ORDERS TO SURRENDER & PROHIBIT WEAPONS

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In 2014, the Washington State Legislature unanimously passed HB 1840 -  
codified as RCW 9.41.800 et seq. –

It includes temporary orders.

It requires firearms to be turned in.

It requires proof of surrender to be filed with the court.

It includes all types of civil protection orders.

## BUT laws are not self-implementing

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Respondents were not turning in their firearms, law enforcement were not removing them, and courts were not ensuring compliance with their orders.

In March 2016, the King County Board of Health passed a unanimous resolution in support of a regional review examining how to more effectively implement firearm surrender laws, as a public health priority.

# Some of the Findings

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Very few firearms were surrendered by abusers.

Variety of practices by law enforcement agencies across the region, most were not asking abusers for the firearms when law enforcement served the court orders.

Law enforcement and courts were not keeping data on number of Orders to Surrender & Prohibit Weapons and outcomes.

Based on hand-count of all DVPO's in King County Superior Court for 2016:

- 875 Respondents were ordered to surrender firearms
- 44% “Technically in compliance” (turned in declarations of non-surrender saying they had no weapons, but there was no verification; or said they “gave them” to someone else)
- 56% Ignored the court's order
- 52 Respondents surrendered a total of only 124 firearms

# Some of the Findings

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A significant percentage of Protection Orders & Orders to Surrender Weapons were not served, or service was delayed. If an order is not served, it cannot be enforced.

Risk assessment tool for prioritization of service by law enforcement was not being used.

There were personnel who lacked expertise in serving orders. Patrol often served orders in-between calls and not using best practices.

“Problematic” orders from courts and no mechanism for law enforcement agencies to resolve so that the order could be served. Law enforcement agencies estimated 10%-50% of orders had problems, such as wrong address, inadequate identifiers, or wrong police agency.

Many were multi-jurisdictional, but no integrated electronic database for law enforcement and courts to enter, track, and enforce orders.

# Some of the Findings

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Because Protection Order hearings are civil proceedings – typically there was no prosecutor, law enforcement, or court staff to provide a comprehensive record to the court or to ensure follow through when there was non-compliance.

Multiple steps petitioners had to go through to secure and enforce their protection orders which put the burden on them.

Petitioners put their trust in the system to protect them. Lack of information, follow-up, or delays put petitioners and their families at risk.