

THE LORI JACKSON DOMESTIC VIOLENCE SURVIVOR PROTECTION ACT

Sponsor: Senator Richard Blumenthal.

Original Cosponsors: Senators Richard Durbin, Patty Murray, Barbara Boxer, Christopher Murphy, Edward Markey, Mazie Hirono, and Elizabeth Warren.

THE PROBLEM: LOOPHOLES IN CURRENT DOMESTIC VIOLENCE GUN LAWS

The Temporary Restraining Order Loophole

When a domestic violence victim first asks for help, the court can issue a temporary restraining order to immediately protect them during the few days or weeks until the court can issue a permanent restraining order. Current federal law protects domestic violence victims by preventing their abusers from purchasing or possessing a firearm—but only once the court issues a *permanent* restraining order. The most dangerous time for a victim is when an abuser first learns that his victim has left and only a temporary order is in place. Yet during this time of heightened anger, the abuser is free to keep their firearms or even to purchase new guns. **Victims are left unprotected exactly when they are in the most danger.**

The Dating Violence Loophole

The current definition of ‘intimate partner’ used to define which abusers cannot purchase or possess a gun only includes abusers who live with, married, or had a child with their victim. The many victims of dating violence who do not live with or have children with their abusers are not protected.

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- Prevents an individual subject to a temporary restraining order from purchasing or possessing a firearm for the duration of the temporary restraining order, provided:
 - They are later given notice and an opportunity to be heard sufficient to protect their right to due process. This opportunity generally comes within two weeks or less.
 - Their temporary restraining order includes a finding that they represent a threat to another person’s physical safety, or explicitly prohibits attempted use, or threat of use of force against another person.
- Expands the definition of ‘intimate partner’ so that an individual who abuses a current or former dating partner can no longer purchase or possess a firearm.

CLOSING THESE LOOPHOLES IS NECESSARY TO PROTECT MILLIONS OF AMERICAN WOMEN

- 1 in 4 women will be a victim of domestic violence in her lifetime.
- Almost two-thirds of women killed with a firearm were killed by an intimate partner.
- A domestic violence victim is 5 times more likely to be killed if she lives in a home with a gun.

KEEPING GUNS AWAY FROM ABUSERS EFFECTIVELY REDUCES GUN VIOLENCE

- The 17 states that have passed laws prohibiting individuals subject to all restraining orders from possessing a gun saw a 19 percent drop in overall intimate partner homicides.

This legislation is supported by the National Network to End Domestic Violence, National Domestic Violence Hotline, National Coalition Against Domestic Violence, National Center on Domestic and Sexual Violence, Futures without Violence, Jewish Women International, Legal Momentum, National Council of Jewish Women, and the Coalition to Stop Gun Violence.