

## Press Releases

6/23/2015

### **Coyne submits amendment to bill to protect domestic violence victims from armed abusers**

STATE HOUSE – After meeting with stakeholders from all sides of the issue, Sen. Cynthia A. Coyne has offered amendments to her legislation to protect domestic violence victims from the danger of armed abusers.

The bill (2015-S 0503) would give courts the authority to prohibit domestic abusers from possessing guns. It would also require domestic abusers to surrender their firearms if they are subject to a protective order for as long as the order is in effect. Under current law, judges may order the surrender of firearms when issuing restraining orders, but it is not mandatory.

“We don’t have to choose between protecting the Second Amendment and protecting domestic violence victims. We can do both. That’s exactly what this legislation does,” said Senator Coyne (D-Dist. 32, Barrington, Bristol, East Providence). “These changes further improve an important piece of legislation that would bring Rhode Island in line with federal law and protect domestic abuse victims from the threat of armed abusers. When a gun is present in a domestic violence situation, a woman is five times more likely to be murdered.

Senator Coyne’s amendment clarifies that a misdemeanor charge of domestic violence will not trigger the firearms prohibition unless the crime includes the “use or attempted use of force or the threatened use of a firearm.” The amendment means that most minor domestic offenses, such as disorderly conduct, could not lead to firearms prohibition unless they include one of those elements. According to Senator Coyne, the standard mirrors the standard in federal law.

Another change in the amendment provides a clear process for the return of a person’s firearms after a protective order is lifted. Under the change, when a person subject to the restriction demonstrates that the order has been lifted and he or she is not prohibited for any other reason, law enforcement must return his or her firearms upon request.

Additionally, her amendment makes it clearer that those who are prohibited from gun possession due to a domestic abuse protective order are only prohibited from actually possessing guns, not from owning them. They could temporarily surrender their firearms for the length of the restraining order, but they would not be required to sell or transfer title to their firearms.

Finally, the changes allow a person subject to a domestic abuse protective order to attest that he or she neither owns nor possesses any firearms. The change provides an avenue for compliance by those who have no access to a gun in the first place.

Senator Coyne, a retired State Police lieutenant, made a concerted effort to address the needs and concerns of stakeholders, including law enforcement, gun rights advocates, the attorney general, domestic violence prevention organizations and her fellow legislators. Their suggestions shaped her proposed amendment, and better ensuring that the bill strengthens protections for victims of domestic abuse while avoiding unnecessary restrictions on law-abiding gun owners.

Currently, 20 states prohibit people convicted of domestic violence misdemeanors from having guns, while 23 states prohibit people subject to domestic violence restraining orders from having guns.

The bill is co-sponsored by Sen. Maryellen Goodwin (D-Dist. 1, Providence), President of the Senate M. Teresa Paiva Weed (D-Dist. 13, Newport, Jamestown), Sen. William J. Conley Jr. (D-Dist. 18, East Providence, Pawtucket) and Sen. Erin P. Lynch (D-Dist. 31, Warwick, Cranston). Similar legislation (2015-H 5655) is being sponsored in the House by Rep. Teresa Tanzi (D-Dist. 37, South Kingstown, Narragansett).

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