

First Place 2010 Abell Award in Urban Policy

**REMOVING FIREARMS FROM ABUSERS THROUGH
TEMPORARY PROTECTION ORDERS:
BALTIMORE CITY'S NEWEST POLICY**

Julia O'Connor, MPH, MSW
Johns Hopkins University, Bloomberg School of Public Health
University of Maryland, Baltimore, School of Social Work

The Abell Award in Urban Policy is presented annually to the student who writes the most compelling paper on a pressing problem facing the City of Baltimore and feasible strategies for addressing it. This award is co-sponsored by The Abell Foundation and the Johns Hopkins Institute for Policy Studies.

TABLE OF CONTENTS

Executive Summary	3
Definition of the Problem	4
Enforcement and Implementation Alternatives	1
Analysis.....	13
Methods.....	17
Results.....	18
Discussion.....	20
Policy Recommendations.....	23
Enforcement and Implementation Recommendations	24
Conclusion	28
Appendix 1: Map: IPV Homicides in Maryland July 2007 to June 2008.....	29
Appendix 2: Map: IPV Homicides in Maryland July 2008 to June 2009.....	30
Appendix 3: Alternative Matrix	31
Appendix 4: Outcomes of the Court Hearings.....	31
Appendix 5: Court Hearings and Firearms	32
References.....	33

Executive Summary

This paper addresses the issue of intimate partner violence in conjunction with temporary protection orders and firearm policies. Intimate partner violence and firearms can be a deadly combination as violent households with firearms are more likely to result in a homicide. Additionally, firearms have a higher fatality rate than any other weapon that might be used by an abusive partner during an assault. In 2009, the Maryland legislature approved a bill permitting judges, when granting a temporary protection order, to mandate the surrender of firearms from the person subject to the order. In order to be effective, the new law requires proper enforcement and implementation.

Observation of seven judges in Baltimore City's domestic violence court showed that judges vary on their use of this law. Some judges ordered the surrender of firearms when granting temporary protection orders while other judges did not use the new law. These observations indicate that the Baltimore City court system lacks a uniform method of implementing the new law. In order to save lives, two potential enforcement strategies stand out. The first is to focus on victims and assist them in properly requesting the judge to order the surrender of firearms. This program for implementation would focus on the victim through an educational campaign as well as providing volunteer advocates or in the court system. Another program for implementation would focus on the judicial system. The program would hold judges accountable through a court watch program that would monitor and publish the judges' rulings. Judges should also be trained in the new firearm law and why it is critical to order abusers to surrender their firearms. The combination of these methods will let Baltimore City begin to take guns out of the hands of abusers and prevent loss of more lives to intimate partner violence.

Definition of Problem: Intimate Partner Violence Definition

Intimate partner violence (IPV) is defined as threats and/or physical, sexual or emotional abuse between spouses or current/former dating partners.¹ Types of violence include psychological abuse (e.g., swearing at a partner or destruction of property), physical abuse (e.g., hitting or beating a partner), and sexual abuse (e.g., rape or forced viewing of pornography). Both women and men can be the victims of IPV but the majority of victims are women.²

Baltimore City

This paper focuses on IPV in Baltimore City. Baltimore City is unfortunately known for its violence. In 2007, Maryland ranked 16th of all states for the rate of IPV homicides.³ Of the IPV homicides in 2007-2008 in Maryland, Baltimore City had the highest number; double the number of second highest counties, Baltimore County, Fredrick and Prince George's County (see Appendix 1).⁴ These 22 IPV homicides were more than twice the nine homicides in Charlotte, NC, a city of similar size to Baltimore City, during the same time period.⁵ In 2008-2009, Baltimore City had second highest number of IPV homicides after Baltimore County (see Appendix 2).⁶

Baltimore City ranks high not just in IPV homicides but in IPV crimes as well. In Maryland, 19,926 domestic violence crimes were reported to law enforcement in 2008 (the latest year for which statistics are available), with a total of 3,970 reports in Baltimore City, the second highest number in the state.⁷ Likewise, Baltimore City had the second highest number of domestic violence cases filed in the state with 4,049 cases in 2007 (the latest year for which statistics are available).⁸ The same pattern holds for the number of protection order requests in both the district and circuit courts for Baltimore City.⁹ Prince George's County had the highest number of cases for all these indicators.

National Rates

IPV is a significant public health problem in the United States and worldwide. It is estimated that one in every four women in the U.S. will experience this type of violence in her lifetime.¹⁰ In the United States, approximately 1.3 million women are victims of assault by a partner each year, resulting in an estimated 1,200 “femicides” (female homicides) annually.¹¹ Annual IPV rates range from 10 percent of the population to approximately 25 percent.^{12,13}

Strategic Significance of the Issue

The effects of IPV are varied, but include long-term physical, psychological, and economic effects. Physical effects include lacerations, bruises, broken bones, head trauma, and sexually transmitted infections including HIV.¹⁴ IPV victims are more than twice as likely as all women to experience psychological effects such as depressive symptoms, substance use problems, and chronic mental illness.¹⁵ Women who experience IPV suffer economic effects such as unemployment, underemployment, and welfare dependence.¹⁶

The economic costs of IPV, at the societal level, include the expense of medical treatments including mental health services and lost productivity. The Centers for Disease Control and Prevention estimates this cost at \$8.4 billion a year.¹⁷ In terms of lost productivity alone, victims lose the equivalent of more than 32,000 full time jobs a year.¹⁸ These numbers can be used to estimate the cost of IPV for Baltimore City. Healthcare alone for IPV victims costs an estimated 3.2 million dollars a year.^A Of this 3.2 million, victims will pay on average for a third of the healthcare cost, leaving \$2.2 million annually to be covered by Baltimore City.¹⁹ These numbers exclude healthcare for rape and stalking victims as well as for male victims.

^A Based on estimates of Baltimore City's population at 637,455 of which half is female: .0442% will be injured from an IPV incident of which 28.1% will seek medical care. The average annual cost of medical care per victim is \$816.

Homicide

Homicide linked with IPV accounts for a third of women murdered each year in the United States.²⁰ In 2007 an average of 4.5 women were killed each day as a result of IPV.²¹ For women under the age of 50 in the United States, homicide, not just IPV, is the sixth leading cause of death.²² In the 15-24 age group, homicide is the second leading cause of death.²³ Most IPV murders are committed in relationships with a history of prior violence.²⁴ Research suggests a woman is most likely to be killed by her abuser when leaving the relationship.²⁵

Firearms

Firearms are used in IPV relationships to injure, harass and intimidate victims. In the general population, 3.5% of women have been threatened by a partner with a firearm while only 0.4% of men reported this type of abuse.²⁶ These numbers mean that 16 out of 1,000 American women have been threatened with a firearm in an IPV situation while seven out of 1,000 had a firearm used against them.²⁷ Firearms are more common in households with IPV relationships, and in these households, firearms are often used against the victim for coercive purposes.²⁸ In California, a survey of women in IPV shelters found that of those households with firearms, 71.4% of abusers threatened to shoot the victim while 5.1% of abusers actually shot at the victim.²⁹ The authors use this and other data to conclude that firearms in households with IPV are kept for the purpose of use during abuse.³⁰ The Center for Disease Control and Prevention estimates that 1% of all IPV victims will be injured with a firearm over their lifetime.³¹

Firearms are the main weapon used in IPV homicides,³² and they are particularly dangerous because they have the highest rates of fatality when compared to other means of assault.³³ IPV assaults with a firearm are more likely (three times more than with a knife and 23 times more likely than with no weapon) to result in death.³⁴ Indeed an abuser's access to firearms is the greatest risk factor for the victim's death.³⁵ From July 2007 to June 2008, 75

people were killed in IPV- related incidents in Maryland, with a firearm being used in 42 of these. In 2008–2009 in Maryland, 53 people were killed from IPV and 27 of these deaths involved a firearm. These numbers indicate that since 2007, the majority of IPV homicides in Maryland were committed with a firearm. Although statistics for the exact percentage of Baltimore City's homicides committed with a firearm are not available, the majority of IPV homicides in Maryland are committed with a firearm, so it can be inferred that the majority of Baltimore City's IPV homicides are also committed with a firearm.

Protection Orders

A protection order is a legal document that gives victims of IPV a remedy to protect them from violence. In the state of Maryland, the relationship eligibility requirements for an order include an intimate partner, family member or vulnerable adult.³⁶ The abuse that qualifies a victim for protection includes a range of abuse from bodily harm to threats to false imprisonment.³⁷ If a victim has both a relationship that qualifies them for protection and a type of abuse that meets the standard, then he or she must submit a petition before the court. The judge decides the merits of the petition and whether to grant the protection order.

If a judge issues a protective order, there is a range of measures that the order can include, ranging from stopping abusive behavior to staying away from the victim's house to awarding temporary custody of children to the victim.³⁸ Since 2009, all protection orders in Maryland mandate that abusers turn over any firearms; before 2009, judges had the discretionary power to order firearm surrender.

Temporary Protection Orders

Under Maryland law, a temporary protection order (TPO) is a seven day order that is issued to an IPV victim before a final protective order can be granted. Since 1996 in Maryland, under a final protective order, a judge has been explicitly authorized by law to order the removal

of firearms.³⁹ However, this power was not extended to TPOs--the order issued in the first stage of the protection order process--despite repeated attempts to pass such legislation. In May 2009, Governor O'Malley signed HB 302/SB 268 into law explicitly authorizing judges to order abusers to surrender their firearms when issuing a TPO, thus making it illegal for abusers to possess firearms. Under this new law, a judge can, but is not required to, order the surrender of firearms under two conditions: (1) the abuser has used or threatened to use a firearm against the victim; (2) The abuser has caused or threatened to cause serious bodily harm to the victim.

In Maryland, the process for obtaining a TPO occurs in the district and circuit courts. In the courthouse, the victim must fill out a petition requesting the order and stating the abuse that has occurred. The victim then appears before the judge and briefly describes the abuse. If the judge believes abuse occurred, then the TPO is issued, and a hearing for a full protection order is scheduled for seven days later. This can be extended up to 30 days if the TPO paperwork is not served on the abuser. The TPO must be served on the abuser before it takes effect.

Federal Law and Protection Orders

In 1994, the Violence Against Women Act was passed. This act amended the Federal Gun Control Act under 18 U.S.C.A. § 922 (g)(8). Under this law, a person subject to a protection order cannot possess, transport or receive firearms. A violation of this law is a federal crime; however, law enforcement and military personnel are exempt. There are also limitations on the protected parties who must be intimate partners. Likewise, the abuser must have a hearing with notice and opportunity to participate (limiting the law to full protection orders and not temporary protection orders). The protection order must restrain the abuser from harming, threatening, harassing or stalking; and must find that the abuser is a safety threat to the victim. This federal law--along with laws prohibiting those convicted of a felony or a misdemeanor IPV crime to possess firearms--are designed to protect victims from abusers in possession of a firearm.

Effectiveness of Protection Orders

Overall, the research on protection orders is limited and mixed. One study demonstrated that full protection orders decrease violence by 80%. However, TPOs increased psychological abuse while physical violence did not increase under the TPOs.⁴⁰ It may be that TPOs increase the level of emotional abuse during this particularly dangerous time for women who are leaving a relationship while not increasing physical abuse due to fear of legal repercussions. Thus, a TPO can temporarily increase levels of emotional abuse but, with time and the full protection order, the emotional abuse and physical abuse taper off.

The Federal Gun Control Act is a federal law; however, at the state level, laws differ. Many states do not require abusers to turn over firearms when issuing protection orders. This may lead to confusion among judges and law enforcement due to the discrepancy between state and federal law.⁴¹ Also, in states without the firearm surrender law, abusers with firearms can be prosecuted only federally. Because of different enforcement practices and policies among the states, it is exceedingly difficult to measure and evaluate the effectiveness of protection order laws related to firearms nationally. However, the available evidence at the state level suggests that laws that restrict abusers' access to firearms, under protection orders, decrease homicide rates by 8%, and these rates may be higher with better enforcement of the law.⁴²

Enforcement and Implementation Alternatives

The majority of IPV homicides are committed with firearms, in relationships with a history of IPV and often when the victim is leaving the abuser. Given these factors, either firearms should be removed from abusers or firearms should never be allowed the hands of abusers. There are laws preventing IPV offenders from purchasing firearms in the first place; however, these laws apply to **only** convicted offenders or those with a protective order in effect.

In order to reduce the number of IPV homicides, TPOs can be issued mandating firearm surrender.

The passage of the TPO surrender law was an important step toward protecting victims of IPV. However, the next step has yet to be taken: enforcement and implementation. In order to enforce the TPO firearm removal policy, a process must occur. First, victims need to know to request firearm removal and report any past abuse with firearms. Second, judges must order firearms to be surrendered. Third, abusers must actually surrender their firearms when ordered. Fourth, there must be a method of tracking abusers' compliance in surrendering their firearms.

Alternative One: Focus on Protected Parties

The first option for enforcement would be to focus on victims, the protected parties. This could be done through two methods. First, an educational campaign could be implemented to ensure that victims understand the new policy and its implications when applying for a TPO. This campaign could use educational materials in the courts where TPO petitions are filed as well as in IPV shelters, welfare offices, refugee centers, health centers, hospitals, and other places where affected women could access the materials. A second option is to implement a program to ensure all IPV victims have a lawyer or volunteer advocate present when filing the TPO application. The lawyer or advocate would assist the victim with the petition and explain the necessity of communicating all threats and past firearm abuse use to the judge. This person would also ensure that the petition for the TPO includes a request for surrender of all firearms. In this way, victims would correctly report their level of danger and ask for the court to address firearm use.

This alternative would address the goal of reducing firearm-related IPV homicides in Baltimore City by ensuring that each victim who requests a TPO also requests the surrender of firearms by the abuser. Because these are victims who are afraid of their abusers, the majority, if

not all, will not wish their abuser to be in possession of a firearm. Because judges are responsible for mandating the firearm surrender, the objective of getting TPOs to mandate the surrender of firearms would not be *directly* addressed. However, victims who ask for firearms' surrender are more likely to have this mandated under a TPO. Thus, this alternative would increase the number of TPOs mandating firearm surrender.

Alternative Two: Focus on Judges

The second option would address judges through an education campaign and a court watch program. A court watch program, as its name implies, is a person or group of people who observe court proceedings and monitor judges' rulings. In this way, a judge's performance in terms of the number of TPOs issued with firearm surrender can be tracked and publicized. The educational element of the program would train judges in all the district and circuit courts about the new policy. The training would serve to educate judges on the importance of using the full extent of the law to remove firearms from abusers whenever possible. This training would include information about the federal law which mandates that firearms cannot be in abusers' possession under a full protection order.

The court watch program would track judges, by recording the number of TPOs issued with a surrender of firearms clause as well as tracking which judges issue the most and fewest TPOs that include firearm surrender provisions. The published court watch document would list which districts or judges perform the poorest in terms of TPOs and firearm surrender. This publication of their performance would serve a threefold purpose. First, judges would be shamed into correcting their behavior. Second, the public would be able to respond to the judge's rulings, through letter writing and phone calls, to ask the judges to focus on victim's safety by mandating firearm surrender. The training would serve to educate judges about the importance of using the full extent of the law to remove firearms from abusers whenever possible and would include

information about the federal law which mandates that firearms cannot be in abusers' possession under a full protection order.

This alternative would reduce IPV homicides by ensuring that the majority of TPOs mandate abusers to surrender their firearms. As this alternative focuses on judges who are responsible for issuing TPOs, it could increase the percentage of TPOs mandating firearms surrendered. If judges are trained on the importance and legality of the law and then held accountable through a court watch system, the majority of judges would issue TPOs with a firearms surrender clause.

Alternative Three: Focus on Abusers

Another option would be to focus on the abusers' surrender of the firearms. Currently, police deliver a written notice of the abusers' duty to surrender firearms upon the delivery of the TPO paperwork,⁴³ which includes a warning of the consequences for failure to comply with the law. In order to ensure that police are effectively delivering the notice and collecting firearms, a monitoring system needs to be implemented. Currently in Maryland, there is no centralized monitoring or tracking system for firearms surrendered under protection orders or TPOs.⁴⁴ In each district, the surrender of firearms is tracked at the local level without entering information into a centralized system.

Creation of a centralized monitoring system of surrendered firearms would reduce IPV homicides by tracking to ensure that all abusers who have been mandated to surrender their firearms do so. This alternative would not directly increase the number of TPOs mandating firearm removal; however, it would ensure that those firearms ordered surrendered would in fact be turned over. This system would hold the abusers accountable for following through with what they are mandated to do.

Analysis

Alternative Matrix

Criterion

The three alternatives are rated on the Alternatives Matrix (Appendix 3) on four criteria. The first, effectiveness, is weighted more heavily than the others because it is the key component of a successful program in terms of achieving the goal of reducing IPV homicides. Effectiveness is essential in providing that the alternatives do what they set out to do. The second criterion, feasibility, determines if, and how easily, the alternative can be implemented in Baltimore City. The third criterion, cost feasibility, demonstrates whether a city with limited funds can afford the alternative. And finally the last criterion, sustainability, is important in making sure the program continues into the future and continues to reduce IPV homicides in Baltimore City. The effectiveness criterion is given a weight of three while the other criterion--feasibility, cost feasibility, and sustainability--are given a weight of two. Each alternative is ranked from 1 to 3 on each criterion and then multiplied by the weight of that criterion. The alternative with the highest score was alternative 2, the judge's intervention. This option was followed by the abuser's intervention, alternative 3. Alternative 1, the victims' intervention, came in last although only by very little.

Effectiveness

In terms of effectiveness, alternative 1 was rated as low because the victim's intervention relies on victims who are in crisis to convey information to judges who then decide if the firearms should be removed. Alternative 2, the judge's intervention, rated high in effectiveness because the judges are the ones responsible for issuing TPOs; this alternative would ensure they issue TPOs with a firearms surrender clause. Alternative 3, abusers' intervention, also rated high

in effectiveness because it would provide a system of guaranteeing that abusers would turn in their firearms.

Feasibility

For feasibility, alternative 1, the victim intervention, was given the highest marks as it simply requires fliers for education and volunteer advocates or lawyers. The House of Ruth, Maryland already has offices in the courts with lawyers. The program could be extended through volunteers or by hiring more lawyers, so all victims could receive assistance in filing TPO petitions. With the judges' option, alternative 2, the feasibility is high as well since judges already receive training on laws and issues relating to justice, and a court watch could be conducted by volunteers. The monitoring system for firearms, alternative 3, had lower feasibility because the creation of a monitoring system and implementing it in all law enforcement agencies throughout the city is a huge undertaking.

Cost Feasibility

Both alternatives 1 and 2 rank high in terms of cost feasibility. Both could basically run off of programs that already exist through the House of Ruth, Maryland and in combination with an educational campaign. Alternative 3, the monitoring system, scored the lowest because developing and implementing such a system would be costly.

Sustainability

In terms of sustainability, alternative 3 rated the highest because the system would need little additional input once it was up and running. Alternative 2 rated the second highest because most judges serve long terms, and once they are trained, they would remain in the court system for an extended period of time. However, training of the court watch volunteers would have to be ongoing as House of Ruth, Maryland volunteers have a high turnover rate. Alternative 1 rated the lowest because the victims are different every day, so the educational campaign would have

to be continuous. However, the House of Ruth, Maryland advocates or lawyers would constitute a slightly more permanent presence.

Highest Ranking

From this analysis, the program recommended in this proposal is the judiciary program. Clearly all three options have their weaknesses and strengths; however, the judge's intervention scores well in several key areas. First, it is feasible. The intervention is financially possible and in fact can be implemented easily by expanding existing programs. The main limitation of alternative 3, the centralized monitoring system, is that it is simply not feasible without tremendous financial support for the program. Also, the judge's intervention is effective, at least, in ordering abusers to turn in their firearms. It may not have the effectiveness of a centralized monitoring system, but it would have a greater effect than focusing on victims.

Research Base

In order to understand the judicial barriers to enforcing firearm removal, it is first necessary to understand if judges actually order firearm surrender. Anecdotal evidence suggests that judges often do not do this. Frattaroli and Teret (2006) observed 11 days of court and found three different judges issuing protection orders who did not order firearm removal in five cases where the victim stated that firearms had been used in abuse.⁴⁵ Gwinn (2006), a District Attorney in California, reported incidents of judges ignoring federal mandates to remove firearms or even crossing out the firearm removal language.⁴⁶ Diviney, Parekh, and Olson (2008) found that for firearms, which are federally mandated to be removed from all persons with a protection order, only 4.5 percent of protection orders had a command to surrender the firearms.⁴⁷

One study of protection orders in California found that often the firearm possession laws for abusers under a protection order were not followed.⁴⁸ In this study, more than half of all

abusers, who were not allowed to possess firearms under a protection order, were not notified properly of the law and the restriction.⁴⁹ Even worse, one tenth of abusers, who under the law cannot possess firearms, were not restricted by judges from owning firearms.⁵⁰ The judges did not check the appropriate check-box that would limit their right to firearms.⁵¹

It has been suggested that while the judiciary may be the most important branch in enforcing IPV laws, often judges may fear appearing biased towards the victim.⁵² Two methods are suggested for combating the lack of judicial orders to remove firearms in IPV cases. First, judicial education is needed.⁵³ Training for judges on IPV, firearms and laws is suggested as necessary to ensure victim safety.⁵⁴ Another measure for increasing the ordering of firearm surrender is training judges to ask IPV abusers if they have firearms.⁵⁵ At the TPO level, the abuser is not present in court. However the same logic can be applied: judges should be trained to ask victims if they have been abused by firearms and if the abuser owns firearms. Indeed, in a Primer for Judges on IPV, the authors suggest that the victim should be asked at every phase of the protection order process if the abuser has a firearm.⁵⁶

Second, a court watch as a means of public accountability is suggested as a method for holding judges accountable.^{57,58} Many statewide IPV organizations have court watch programs that monitor the performance of judges and track their rulings. These findings can be published for both protection order cases as well as misdemeanors. The Domestic Violence Coordinating Council of Greater Omaha runs a court watch program that publishes a quarterly court watch report.⁵⁹ This report contains statistics as well as stories from court, recent news and cases, including reports of people who were denied protection orders and situations with firearms.

Methods

In order to examine if judges are using the new TPO law and ordering abusers to surrender their firearms, 15 hours of domestic violence court observation in a period of six weeks

were conducted. During this time, seven judges presided in the courtroom. The domestic violence court, located in Baltimore City, is an open court, which means that any person may observe the proceedings. The observer recorded the following information: (1) How many TPOs and full protection order cases were heard in court? (2) How many of these orders were granted by the court? (3) Did the victim have a lawyer or advocate present in the court? (4) Was a firearm involved in an assault/threat against the victim? (5) How many victims requested judges to order the surrender firearms? (6) How many judges asked if the abuser had firearms? (7) How many of these orders included a mandate to surrender firearms? (8) Were further directions or instructions issued for the surrender of firearms?

Results

In total, 92 cases were heard during the court observation. For the purpose of this paper, only the 58 cases involving IPV were examined. Maryland law includes familial relationship, such as children and siblings, in the definition of those eligible for protection orders. These familial cases were not included in this analysis. Forty-one protection order cases and 17 TPO cases were heard. The additional 34 cases were excluded because they did not involve IPV. The majority of protection order and TPO cases before the court were between intimate partners.

Appendix 4 shows the outcomes of these cases. Nine protection orders were granted and two denied; the additional protection order cases were either extended because the abuser was not served the paperwork, dismissed because the victim did not appear in court, or dropped by the victim. Of the cases denied, one was denied because the victim was not claiming physical abuse or threats to kill. In the other case, the judge did not believe the victim's account of abuse. For TPOs, only one order was denied. This was because the victim did not claim physical abuse although she stated that the abuser was threatening to take her children (not grounds for a TPO).

The majority of cases involved physical abuse such as hitting, punching and slapping.

Eight TPO cases had indicators of high levels of violence and/or other red flags for homicide.⁶⁰ There may have been more cases with these indicators, particularly full protection orders; however, in many instances, the judge silently read the allegations and did not ask the petitioner to describe the incident of abuse. The cases with homicide indicators included five occurrences where the abuser threatened to kill the victim. One case with threats to kill also involved holding the victim against her will and forcing her to have sex. Another case involved abuse during pregnancy, multiple violations of multiple protection orders and stalking. Another indicator of potential homicide, choking, was present in four cases; in one of these, the victim's tooth was knocked out during the assault. Finally, one case involved the use of a weapon, a machete, which was used to cut and beat the victim while she was detained against her will.

The majority of victims appeared in court without a lawyer or advocate. In fact, only one victim, a Spanish speaking woman, had an advocate present. This was the same victim who was in a relationship with many indicators of homicide, including forced sex and threats to kill. Although the court is required to provide an interpreter, none was available, so the advocate served as the interpreter. Of the 41 protection order cases, nine victims had lawyers. Of the 17 TPO cases, only one victim had a lawyer present; and this case, which was originally before the court as a full protection order hearing, was reduced to a TPO and extended in order to give the abuser (a female) time to get a lawyer.

Firearm surrender orders cases varied greatly. The seven judges applied the new firearm surrender law in very different manners. Protection orders have a pre-checked box ordering the abuser to surrender firearms. Four observed judges told the abusers verbally to surrender their firearms. Three judges did not, and in fact, two judges never mentioned firearms. The first judge also explained to one abuser where to turn in the firearm. In terms of TPOs, as seen in Appendix 5, half of the orders included the surrender of firearms. Only three judges issued these

orders and six of these were issued under one judge. One judge failed to order firearm surrender in three cases with homicide indicators including choking and use of a machete while the victim was detained against her will.

In eight of 16 TPO cases, under three judges, victims were asked if the abuser had firearms. Interestingly, although the second judge asked this question, he never ordered the abusers to surrender firearms. This may be because not a single victim indicated knowledge of firearms. However, one victim who came in for a TPO with a police officer escort had called law enforcement for assistance with her boyfriend who had beaten and cut her with a machete. The judge asked “Any firearms involved?” The victim replied “No, not that I know of.” The judge did not include firearm surrender in the order.

The only case involving firearms was a non-IPV case. The victim, a friend of the abuser's wife, had also filed for a protection order against him. The friend had been threatened by the abuser who said “You broke up my marriage. I'm going to shoot you. Shoot you until the gun is empty.” This was recorded by victim and played in court. However, the non-IPV restraining order, called a peace order, does not allow the judge to order the surrender of firearms.

Discussion

From the results of the court observations, it is easy to identify areas in which the courts are performing well and areas which are in need of improvement. First, the majority of protection orders and TPOs were granted to the victims, and there was a clear legal basis in the cases where orders were denied. The single case involving a judge who did not believe a victim's story of abuse was extremely complex. The victim alleged assault against a child and herself, the mother. However, the child was suicidal and prior to the alleged assault had hung herself in the shower. The judge believed the “abuser's” side of the story when he claimed that he had not assaulted his daughter, but in fact had cut her down from the shower rod. The other

dismissed cases clearly failed to meet the level of abuse needed for a protection order or TPO. It is important to note that TPOs, which have a lower burden of proof (victims have to show less evidence), were granted 16 out of 17 times, indicating that judges are following the standards and protecting victims at this critical stage.

The courts granted TPOs in all the eight cases which involved extreme instances of abuse and indicators for homicide. Six of these victims were asked if the abuser had firearms while five orders included firearm surrender. The first case in which the victim was not asked about the abuser's access to firearms included a case in which the victim had a history of being abused while pregnant and repeated violations of multiple protection orders. The other case was less extreme but included a text message stating, "No one is going to find your body." The three cases which included homicide indicators without firearm surrender orders were all heard under the second judge. Although none of these victims in these cases claimed knowledge of the abuser possessing firearms, they all had high levels of violence.

Overall, the judges are on the right track with the rulings regarding firearms in cases with homicide indicators. However, to truly ensure the safety of victims, judges should order the surrender of firearms for all cases with homicide indicators. This seems to be the practice of the majority of judges with one clear exception. However, even one judge out of seven is too many. IPV victims in extremely dangerous situations may be leaving the courts without the full protection which should be given to them. Likewise, most judges are asking victims to report firearm possession. The fact that victims are asked to accurately report to the court on the abuser's possession of firearm could be problematic in three ways. First, the victim could simply not be aware that the abuser possesses firearms. Second, the abuser could not own firearms but obtain them at a later date. Finally, the victim could not report firearms to the court due to fear of reprisal.

The number of victims who appeared in court with no lawyer or advocate was surprisingly high. Clearly, many of these victims cannot afford a lawyer. However, the House of Ruth, Maryland has a legal clinic which represents victims *pro bono*. There could be a variety of explanations for why victims are not taking advantage of this service. The House of Ruth, Maryland may be understaffed and therefore unable to handle the volume of victims in the system. Victims may not feel a lawyer is necessary, or they may not be aware of the services provided by House of Ruth, Maryland. If victims had access to a lawyer or advocate, they could receive assistance in writing their petition and asking that firearm surrender to be included. None of the victims observed asked the court to remove firearms. If victims do not initiate this step, the judge may not be willing to order firearms surrender.

Related to lawyers/advocates' assistance in firearms surrender is their role in overall assistance to victims. Several victims were denied orders because they did not meet the eligibility requirements. If a lawyer or advocate assisted victims in filling out petitions, victims could be saved the time, effort and humiliation of going before the court unprepared. The lawyer/advocate could assist the victim with other methods of maintaining safety including filing for other legal measures (e.g., a peace order or divorce), safety planning, and resource referral.

The courthouse location is a prime venue for reaching IPV victims to present information and to protect them from future abuse. The clerk's office, where protection order and TPO paperwork is filled out, is located downstairs in the courthouse. If victims are directed first to go there (as opposed to the House of Ruth, Maryland) they may unwillingly bypass assistance in correctly filling out the paperwork.

The court observation results in terms of judges' overall performance on removing firearms indicate room for improvement. Only four judges verbally commanded abusers under protection orders to surrender firearms, and even these judges were not consistent in informing

all abusers of their duty to surrender their firearms. Likewise, abusers should be informed that the law not only requires that they surrender their firearms but mandates that they cannot possess or purchase additional firearms while the order is in effect. There was only one instance of a judge giving more detailed instructions to an abuser. The judge told the abuser to go the Baltimore City Police and turn in any firearms. In contrast, the other judges never informed any of the abusers of their duty to surrender firearms. This represents a missed opportunity to hold the abuser accountable for what is required by law. Abusers receive notice of their duty to surrender firearms upon receipt of the protection order paperwork. However, the judge's verbal command would make the law clearer and compel abusers to comply.

Policy Recommendations

Although this paper is focused on enforcement, the results of the court observation clearly indicate several areas where the policy is failing victims. First, because under the TPO firearm surrender policy judges have discretion in ordering firearms surrender, not all of them order abusers to surrender their firearms. The lack of consistency observed in only 15 hours of court observation is troubling. Three cases with indicators for homicide, including previous use of a weapon, choking and threats to kill, did not include firearm surrender. The policy should be amended so that all TPOs mandate firearm surrender--or, at least, surrender is required in cases with homicide indicators such as threats to kill, use of a firearm, choking, and forced sex.

Another policy recommendation concerns peace orders. Although this paper is focused on protection orders and TPOs, peace orders are often used in IPV cases which are not eligible for protection orders. For example, a victim who is dating but has not lived with her abuser and has no children with him would not be eligible for a protection order. In Maryland, under a peace order, judges cannot order firearm surrender. Thus, a victim of IPV who does not qualify for a protection order is not offered the same protection under a peace order. In the observed peace

order case, although the abuser threatened to shoot the victim, the abuser was not ordered to surrender his firearm and the judge could not have done so even if she wished to. Firearm surrender laws should be extended to peace orders as well.

A related policy recommendation is to modify the eligibility requirements of protection orders so that those victims in IPV situations who currently qualify only for a peace order could qualify for a protection order. Peace orders, in addition to the firearm surrender policy, do not afford IPV victims the same level of protection in terms of the length of time of the order, financial reimbursement and use of shared vehicles. Because only couples who have lived together for more than 90 days, have a child together or are married qualify for a protection order, many dating relationships do not qualify for an equal level of protection.

Enforcement and Implementation Recommendations

From the enforcement and implementation alternatives suggested by the literature and from the court observations, several recommendations for enforcement of the TPO policy are clear. The first enforcement and implementation alternative suggested in this paper is the victim intervention. The court observations also suggest that a strategy focusing on victims is needed. Victims require assistance in filling out the necessary paperwork for a TPO. Some victims in the court had filed for order which they did not qualify for; some had not clearly thought out what protections to ask of the court. No victims asked for firearm removal although some stated they were afraid of being killed. Finally, many of the victims appeared not to understand the court process or which key information they needed to convey to the judge. Advocates or additional lawyers in the courthouse could assist with filling out the paperwork, briefing the victim on the court hearing and briefing the victim about which information to convey to the judge and lawyers/advocates could attend court with the victim to explain the process.

These volunteer lawyers or the House or Ruth, Maryland lawyers could also play an

important role even after the judge's ruling. If a judge did not order the firearms surrender under a TPO, the lawyers could appeal this portion of the order. Since the order is a short seven day order and the appeal process could last longer than seven days, this appeal would serve more as a pressure and publicity device than as an actual legal device. Through the appeal process, lawyers could draw attention to judges who do not mandate firearm surrender as a means to influence judges towards mandating firearm surrender orders. Also, if the victim was later assaulted in an IPV incident with a firearm, the judge could be held publicly accountable for the ruling.

Lawyers could also address violations of the order after the issues of an order. Often when an order is violated, there are no witnesses or evidence of a violation. The abuser may harass the victim and then deny such harassment in court. This creates a difficult situation for judges who have nothing to base their rulings on outside of what each party claims. However, if a firearm is present, there is a clear violation of the order. The firearm materially indicates that the abuser has violated the order and therefore should be held in contempt of the court.

Bell and Goodman (2001) demonstrated that law students in the courthouse who were trained to help IPV victims played a key role in the process.⁶¹ Women in this study who received the services of a law student received significantly less physical and psychological abuse than women who received no services.⁶² This may indicate that additional lawyers or advocates placed in the Baltimore City courthouse could help reduce further violence against IPV victims.

The other enforcement and implementation strategy suggested by the literature and the court observations is a program focusing on the judiciary. The first element of this program would be training for all judges who preside in domestic violence courts. These judges should be trained to use the TPO law effectively and trained on homicide indicators. Several judges observed never issued a firearm surrender order under a TPO. It is unclear whether they had knowledge of the law and chose not to use it or if they were not aware of the new law. If all

Baltimore City judges received a standard training, all would have knowledge of the law. This training would demonstrate the need to include firearm surrender orders in all TPOs unless there was a clear reason not to include such an order. The Court of Appeals in Maryland is responsible for the training of judges within Maryland including Baltimore City. The data from this paper could serve as evidence to be presented to the Court of Appeals for consideration in directing topics for judicial education.

In terms of effective use of the law, judges need to be trained to ask every single victim and abuser who appears in domestic violence court about firearms, to learn if firearms are present in the home. Judges can also reinforce the current law, through verbal orders, which prevent abusers under a protection order from possessing firearms. Judges should be trained to ask about firearms and to verbally order their surrender when it is mandated by law.

Judges also need to be trained about the indicators for homicide that signal a serious threat to the victim. In the data received earlier, the second judge did not issue any firearm surrender orders under a TPO. He did, however, ask victims of their knowledge regarding abusers' access to firearms. This indicates that he knew about the law and decided not to use it. He may have decided not to issue the firearm surrender based on the fact that victims did not indicate knowledge of firearms possessed by the abuser. However, in two of these cases the victim had been choked and in the other case a weapon was used. These acts are indicators of extreme violence and danger of homicide. Judges should be trained to recognize indicators such as these and issue firearm surrender regardless of whether the victim is awareness of firearms in the home.

Another element needed for the judiciary intervention is the inclusion of a court watch program. Such a program would create accountability for Baltimore City judges who do not work to protect victims' safety in the courtroom. The results of this paper could serve as a

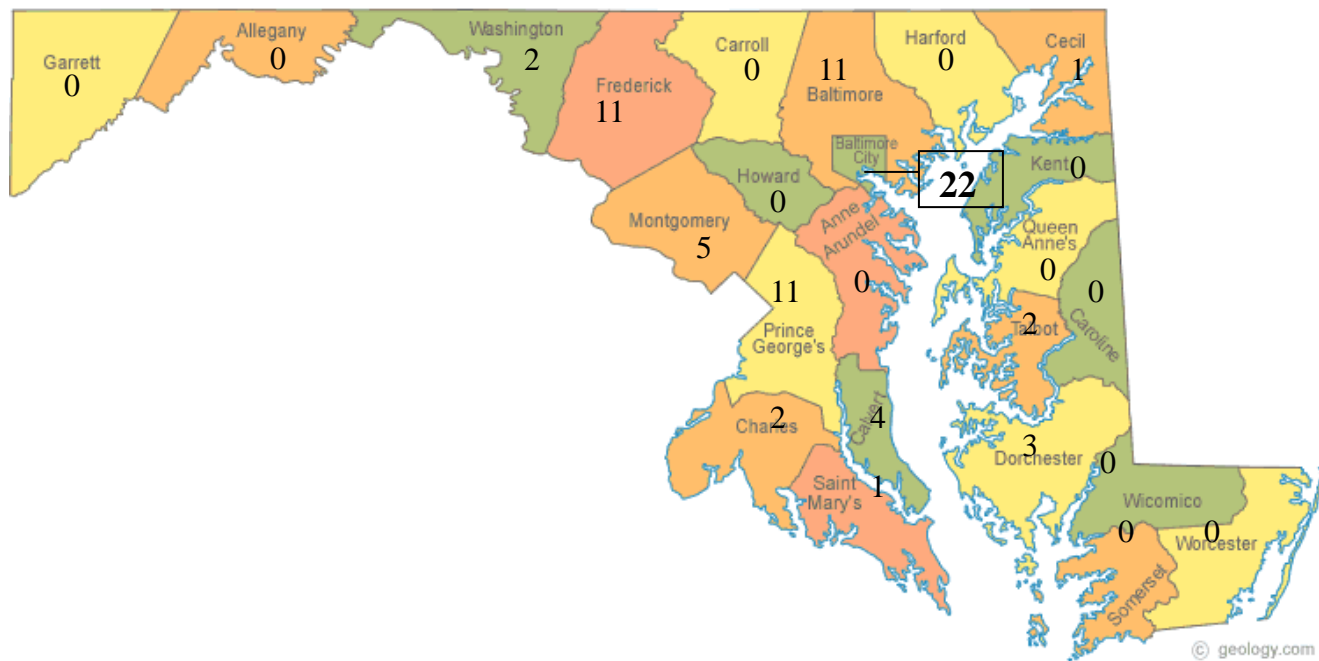
template for court watch programs. When publicized, the results from the court watch program would demonstrate to the legal community that while some judges use the TPO law effectively, others do not. The court watch could also hold judges accountable for other actions taken in the courtroom. Overall, the judges differed greatly on numerous issues which are important for IPV victims. The second judge referred victims to the House of Ruth, Maryland while the other judges did not. The third judge assisted victims who were denied an order by providing resources for other legal measures, but the others did not. Finally, the third judge refused to grant protection orders for the full time period, a year. One victim requested a year-long order but was given one for only six months. Upon the victims request for a year, the judge stated “I rarely do a year except for serious, well all cases are serious, but extreme cases.” Other victims, who did not indicate a preferred time period were given a three months order. This can create an extremely dangerous situation for victims as their abuser may just wait out the three months and then begin abuse anew. A court watch program would be able to publish these facts and quotes such as the one above, which would create a way of pressuring judges to correct their behavior.

Either strategy, focusing on the victim or on the judicial system, will not completely solve the problem of IPV homicide or remove all firearms from all abusers. Some abusers will not surrender their firearms even when ordered to do so. Some orders may be violated, other orders will be obeyed leading to fewer firearms in abusers possession. Fewer firearms will lead to a reduction in IPV homicide when abusers do not have easy access to the most lethal means of killing. Although not all firearms surrender orders will prevent homicide and some will be violated, overall the effect will be to reduce the number of firearms in the hands of abusers.

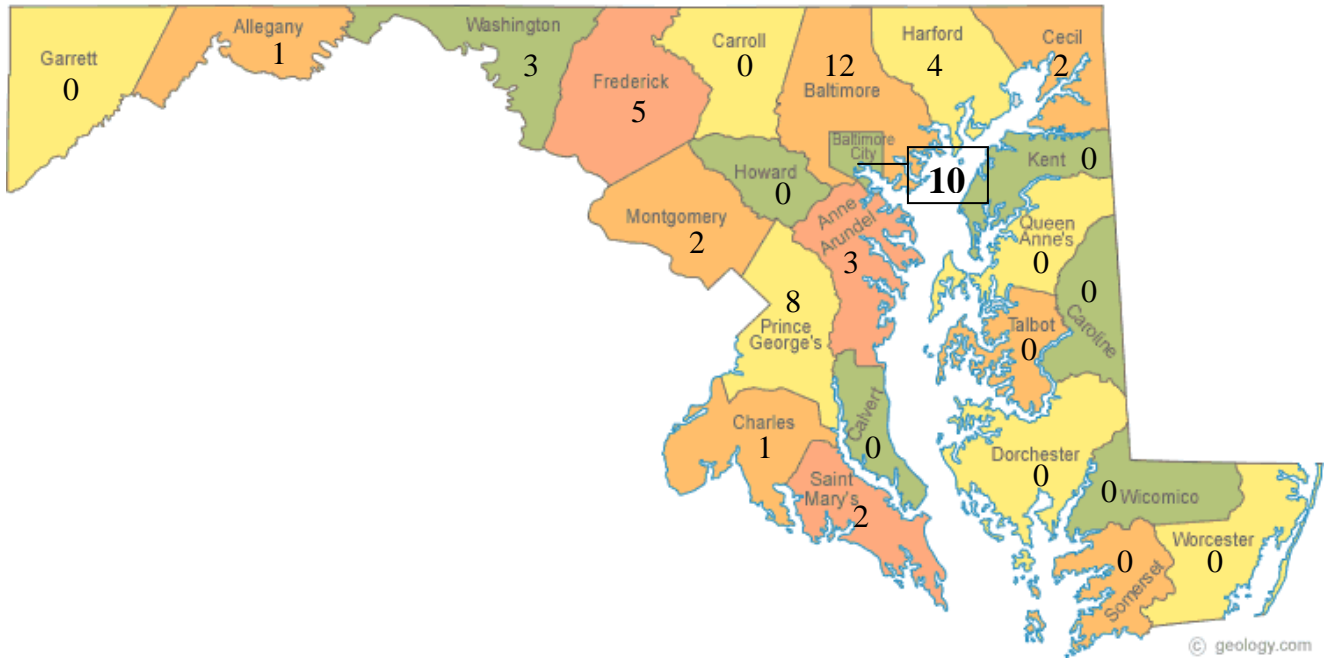
The conclusion of this analysis is clear: Baltimore City courts need to act to fully protect victims of IPV. IPV is about the loss of human life. While controversial cases are covered widely in the media, most IPV homicides go unnoticed. Victims turn to the courts for protection

from unimaginable horrors; they deserve every protection to which they are entitled, including the removal of firearms from abusers who have proven to be dangerous.

Appendix 1: Number of Domestic Violence Homicides in Maryland by County from July 2007 to June 2008.⁶³



Appendix 2: Number of Domestic Violence Homicides in Maryland by County from July 2008 to June 2009. ⁶⁴



Appendix 3: Alternatives Matrix^B

Intervention	Option 1: Focus on victims	Option 2: Focus on Judges	Option 3: Focus on abusers
Effectiveness	Low (1 x 3) = 3	High (3 x 3) = 9	High (3 x 3) = 9
Feasibility	High (3 x 2) = 6	Medium (2 x 2) = 4	Low (1 x 2) = 2
Cost Feasibility	Medium (3 x 2) = 6	High (3 x 2) = 6	Low (1 x 2) = 2
Sustainability	Low (1 x 2) = 2	Medium (2 x 2) = 4	High (3 x 2) = 6
Final Priority Rating	17	23	19

Appendix 4: Outcomes of the Court Hearings

	Granted	Denied	Dismissed*	Dropped by victim**	Extended	Total
Protection Order	9	2	2	5	23	41
Temporary Protection Order	16	1				17
<u>Total</u>	25	2	3	5	23	58

* The victim did not appear in court

**In three of these cases the victim was a male

^B Adapted from Carolyn Fowler, Johns Hopkins University Injury Research Center

Appendix 5: Court Hearings and Firearms

	Homicide indicators present	Victim asked about abuser's firearms	Firearms ordered surrendered	Abuser verbally told about firearms surrender	Firearms not ordered surrendered
Protection Order (9)	N/A*	1	9	5	N/A**
Temporary Protection Order (16)	8	8	8	N/A***	8

*The allegations of abuse are often not read out-loud so cannot assess which cases have homicide indicators

**All orders must mandate firearm removal

***Abuser not in court at this phase of the proceedings

References

- ¹ Centers For Disease Control And Prevention (2006). Understanding intimate partner violence: fact sheet. *Centers For Disease Control And Prevention*. Retrieved February 03, 2010, from <http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/index.html>
- ² Tjaden, P., & Thoennes, N. (2000). Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey. Washington (DC): *Department of Justice (US)*. Publication No. NCJ 181867. Retrieved from www.ojp.usdoj.gov/nij/pubs-sum/181867.htm on February 03, 2010.
- ³ Violence Policy Center (2008). When Men Murder Women: An Analysis of 2007 Homicide Data. Violence Policy Center. Retrieved from http://www.ncdsv.org/publications_domhomicide.html on May 12, 2010.
- ⁴ Maryland Network Against Domestic Violence (2008a). 2008 Domestic violence homicide statistics. *Maryland Network Against Domestic Violence*. Retrieved from <http://www.mnadv.org/statistics.html> on February 1, 2010.
- ⁵ North Carolina Coalition Against Domestic Violence. Domestic Violence Homicides, 2007. *North Carolina Coalition Against Domestic Violence*. Retrieved from <http://www.nccadv.org/homicides.htm> May 12, 2010.
- ⁶ Maryland Network Against Domestic Violence (2009). Maryland Network Against Domestic Violence Annual Memorial Service. *Maryland Network Against Domestic Violence*. Retrieved May 12, 2010 from <http://www.mnadv.org/statistics.html>
- ⁷ Maryland State Police (2008). Crime In Maryland - 2008 Uniform Crime Report. Retrieved from http://www.mdsp.org/downloads/downloads_intro.asp on February 1, 2010.
- ⁸ Maryland Network Against Domestic Violence (2007). Domestic violence cases filed and terminated. *Maryland Network Against Domestic Violence*. Retrieved from <http://www.mnadv.org/statistics.html> on February 1, 2010.
- ⁹ *Ibid.*
- ¹⁰ Tjaden, P., & Thoennes, N. (2000). Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey. Washington (DC): *Department of Justice (US)*. Publication No. NCJ 181867. Retrieved from www.ojp.usdoj.gov/nij/pubs-sum/181867.htm on February 03, 2010.
- ¹¹ National Center For Injury Prevention And Control (2003). *Costs of intimate partner violence against women in the United States*. Washington, DC: U.S. Government Printing Office. Retrieved from Centers for Disease Control and Prevention <http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/index.html> on February 03, 2010.

-
- ¹² Jones, A. S., Gielen, A. C., Campbell, J., Schollenberger, J., Dienemann, J., Kub, J., et al. (1999). Annual and lifetime prevalence of partner abuse in a sample of female HMO enrollees [Electronic version]. *Women's Health Issues*, 9(6), 295-305.
- ¹³ Coker, A. L., Smith, P. H., McKeown, R. E., & King, M. J. (2000). Frequency and correlates of intimate partner violence by type: physical, sexual, and psychological battering [Electronic version]. *American Journal of Public Health*, 90, 553-559.
- ¹⁴ Jewkes, R. (2002). Intimate partner violence: causes and prevention. *The Lancet*, 359, 1423-1429.
- ¹⁵ Coker, A. L., Smith, P. H., McKeown, R. E., & King, M. J. (2000). Frequency and correlates of intimate partner violence by type: physical, sexual, and psychological battering [Electronic version]. *American Journal of Public Health*, 90, 553-559.
- ¹⁶ Riger, S. (2007). Recent partner violence and women's patterns of employment: the Illinois Families Study. Paper presented at the meeting of *the Bridging Disciplinary Boundaries*. Retrieved from <http://sswr.confex.com/sswr/2007/techprogram/P6681.HTM> on February 3, 2010.
- ¹⁷ Centers for Disease Control and Prevention. (2003). *Costs of Intimate Partner Violence Against Women in the United States*. Retrieved http://www.cdc.gov/violenceprevention/pub/IPV_cost.html on February 3, 2010.
- ¹⁸ *Ibid.*
- ¹⁹ *Ibid.*
- ²⁰ Fox, J. A., & Zawitz, M. W. (2005). *Homicide Trends in the United States*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.
- ²¹ Bureau of Justice Statistics (2007). Female Victims of Violence. *Bureau of Justice Statistics*. Retrieved from <http://bjs.ojp.usdoj.gov/content/pub/pdf/fvv.pdf> on February 1, 2010.
- ²² Center for Disease Control and Prevention, (2009). WISQARS Leading Causes of Death Reports, 1999 – 2006. *Center for Disease Control and Prevention*. Retrieved from <http://webappa.cdc.gov/sasweb/ncipc/leadcaus10.html> on February 07, 2010.
- ²³ *Ibid.*
- ²⁴ Campell, J. C., Webster, D., Koziol-McLain, J., et. al., (2003). Risk factors for femicide in abusive relationships: results from a multisite case control study. *American Journal of Public Health*, 93(7), 1089-1097.
- ²⁵ Wilson, M., Daly, M. & Wright, C. (1993). Uxoricide in Canada: Demographic risk patterns. *Canadian Journal of Criminology*, 35(3), 263-291.

-
- ²⁶ Tjaden, P., & Thoennes, N. (2000). Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey. Washington (DC): *Department of Justice (US)*. Publication No. NCJ 181867. Retrieved from www.ojp.usdoj.gov/nij/pubs-sum/181867.htm on February 03, 2010.
- ²⁷ Sorenson, S. B. (2006). Firearm use in intimate partner violence: A brief overview. *Evaluation Review, 30*(3), 229-236.
- ²⁸ Sorenson, S. B and Weibe, J.D. (2004). Weapons in the lives of battered women. *American Journal of Public Health, 94*(8), 1412 – 1417.
- ²⁹ Sorenson, S. B and Weibe, J.D. (2004). Weapons in the lives of battered women. *American Journal of Public Health, 94*(8), 1412 – 1417.
- ³⁰ *Ibid.*
- ³¹ National Center For Injury Prevention And Control (2001). Injury Fact Book, 2001-2002. *Center for Disease Control and Prevention*.
- ³² Paulozzi, L. J., Saltzman, L. E., Thompson, M. P., & Holmgren, P. (2001). Surveillance for homicide among intimate partners - United States, 1981-1998. *Surveillance Summaries, 50*(SS03), 1-16.
- ³³ Sorenson, S. B. (2006). Firearm use in intimate partner violence: A brief overview. *Evaluation Review, 30*(3), 229-236.
- ³⁴ Saltzman, L. E., Mercy, J. A., O'Carroll, P. W., Rosenberg, M. L., & Rhodes, P. H. (1992). Weapon involvement and injury outcomes in family and intimate assaults. *Journal of the American Medical Association, 267*(3), 3043-3047.
- ³⁵ Campell, J. C., Webster, D., Koziol-McLain, J., et. al., (2003). Risk factors for femicide in abusive relationships: results form a multisite case control study. *American Journal of Public Health, 98*(7), 1089-1097.
- ³⁶ Maryland State Courts. How to file for a Peace Order or Protective Order? *Maryland State Courts*. Retrieved from http://www.courts.state.md.us/district/public_brochures.html on February 16, 2010.
- ³⁷ *Ibid.*
- ³⁸ *Ibid.*
- ³⁹ Maryland Network Against Domestic Violence (2008b). Maryland domestic violence legislation. *Maryland Network Against Domestic Violence*. Retrieved from http://www.mnadv.org/dv_laws.html on February 27, 2009.

⁴⁰ Holt, V.L., Kernic, M. A., Lumley, T., et al. (2002). Civil Protection Orders and Risk of Subsequent Police-Reported Violence. *JAMA*, 288(5), 589-594.

⁴¹ Sacks, J. E. (2005). Confronting the Issue of Gun Seizure in Domestic Violence Cases. *Journal of the Center for Families, Children and the Courts*, 3, 30-30.

⁴² Vigdor, E. V., & Mercy, J. A. (2006). Do laws restricting access to firearms by domestic violence offenders prevent intimate partner homicide? *Evaluation Review*, 30(3), 313-346.

⁴³ Governor's Family Violence Council Firearm Surrender Task Force. Law Enforcement Instructional Guide – 2009 Update Failure to Surrender Firearms – Temporary and Final Protective Orders October 2009. *Governor's Office of Crime Control and Prevention*. Retrieved from <http://www.goccp.maryland.gov/victim/brochure.php> on February 15, 2010.

⁴⁴ *Ibid.*

⁴⁵ Frattaroli, S. & Teret, S. P. (2006). Understanding and informing policy implementation: A case study of the domestic violence provisions of the Maryland gun violence act. *Evaluation Review*, 30 (3), 347-260.

⁴⁶ Gwinn, C. (2006). Domestic violence and firearms: Reflections of a prosecutor. *Evaluation Review*, 30 (3), 237-244.

⁴⁷ Diviney, C. L., Parekh, A., & Olson, L. M. (2008). Outcomes of Civil Protective Orders Results from One State. *Journal of Interpersonal Violence*, published on August 13, 2008 as doi:10.1177/088626050832218.

⁴⁸ Sorenson, B. S. and Shen, H. (2005). Restraining Orders in California: A Look at Statewide Data. *Violence Against Women* 11(7), 912-933.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid*

⁵² Seave, P. (2005). Disarming Batterers Through Restraining Orders. *Evaluation Review*, 30 (3), 245-265.

⁵³ Diviney, C. L., Parekh, A., & Olson, L. M. (2008). Outcomes of Civil Protective Orders Results from One State. *Journal of Interpersonal Violence*, published on August 13, 2008 as doi:10.1177/088626050832218.

⁵⁴ Sacks, J. E. (2005). Confronting the Issue of Gun Seizure in Domestic Violence Cases. *Journal of the Center for Families, Children and the Courts*, 3, 30-30.

⁵⁵ *Ibid.*

⁵⁶ Mitchell, D. and Carbon, B. S. (2002). Firearms and Domestic Violence: A Primer for Judges. *Court Review*, 39, 32-43.

⁵⁷ Seave, P. (2005). Disarming Batterers Through Restraining Orders. *Evaluation Review*, 30 (3), 245-265.

⁵⁸ Lockyer, B. (2005). Keeping The Promise: Protecting Victims of Domestic Violence and Holding Batterers Accountable. *Task Force on Local Criminal Justice Response to Domestic Violence*. Retrieved from <http://www.nowfoundation.org/issues/family/pas.html> on February 26, 2010.

⁵⁹ The Domestic Violence Coordinating Council of Greater Omaha. The DVCC Court Watch Reports. *The Domestic Violence Coordinating Council of Greater Omaha*. Retrieved from <http://www.dvccomaha.org/Reports.htm> on February 25, 2010.

⁶⁰ Campell, J. C., Webster, D., Koziol-McLain, J., et. al., (2003). Risk factors for femicide in abusive relationships: results form a multisite case control study. *American Journal of Public Health*, 98(7), 1089-1097.

⁶¹ Bell, M. E. and Goodman, L. A. (2001). Supporting battered women involved with the court system: An evaluation of law school-based advocacy intervention. *Violence Against Women*, 7(12), 1377-1404.

⁶² *Ibid.*

⁶³ Maryland Network Against Domestic Violence (2008a). 2008 Domestic violence homicide statistics. *Maryland Network Against Domestic Violence*. Retrieved from <http://www.mnadv.org/statistics.html> on February 1, 2010.

⁶⁴ Maryland Network Against Domestic Violence (2009). 2009 Domestic violence homicide statistics. *Maryland Network Against Domestic Violence*. Retrieved from <http://www.mnadv.org/statistics.html> on May 17, 2010.