

Keeping Domestic Abuse Victims Safe

In an effort to protect women and men who are victims of domestic violence, federal law has prevented persons who are the subject of a protective order or convicted of domestic abuse from owning a gun.

Since most domestic violence cases are settled in the Iowa court system, Iowa judges and law enforcement officials requested the federal law be written into the Iowa code to make it easier to enforce.

The bill, Senate File 2357, passed the House this week. The Senate will have to accept the House's changes before the bill can be sent to the Governor for his signature.

The language states that if a judge approves a protective order, after a hearing where both parties have the opportunity to be present before the judge, the person who is the subject of the protective order must give up their guns while the protective order is in place.

At this point, a person has three options when required by a judge to relinquish their guns. They may hand the guns over to a person approved by the court, sell the guns, or turn the guns over to local law enforcement. The person is eligible to receive the weapons back upon expiration of the protective order.

The House adopted an amendment to clarify that if this person is employed as a law enforcement officer, they will still be able to use a gun but only as related to their employment.

If a person has been convicted of domestic abuse, which involved the use or attempted use of physical force or threatened use of a deadly weapon, they will not be able to obtain or own guns.

Under Iowa law, a person can be convicted of domestic abuse for verbal threats. Under the amendment, convictions based upon verbal threats would not disqualify a person from owning guns.