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HOUSE DEMOCRATIC POLICY COMMITTEE

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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

**HOUSE DEMOCRATIC POLICY COMMITTEE HEARING**

**Topic: Gun Violence and Domestic Abuse Issues**

**Northeast Baptist Church – Philadelphia, PA**

**April 24, 2018**

**AGENDA**

- 2:00 p.m. Welcome and Opening Remarks
- 2:10 p.m. Julie Brancroft  
Director of Public Affairs  
Pennsylvania Coalition Against Domestic Violence (PCADV)
- 2:40 p.m. Panel from Legal Services:
- Patty McGlone  
Social Worker and Community Education Coordinator  
Community Legal Services of Philadelphia
  - Susan Pearlstein, Esq.  
Supervising Attorney of Family Law Unit  
Philadelphia Legal Assistance
- 3:20 p.m. Closing Remarks

**House Democratic Policy Committee Hearing on Guns and Domestic Violence  
April 24, 2018**

**Testimony by Julie Bancroft, Director of Public Affairs,  
PA Coalition Against Domestic Violence**

Good afternoon. I would like to thank Representative Dawkins and the committee for providing a forum for discussion on this very important, and often overlooked, topic of guns and domestic violence and for the opportunity to provide testimony.

There is a misconception that domestic violence is a private matter of the home—that it impacts only those directly involved. This is inaccurate. Domestic violence is a public health epidemic that pervades the home and compromises the safety of our communities. Without addressing the danger that victims of domestic violence are experiencing daily in their own homes, we'll never get to the root of the violence that happens regularly in communities like Philadelphia.

Over the last several months the Coalition has observed and articulated the connection between domestic violence and mass shootings. In nearly 54% of recent mass shootings on U.S. soil, the perpetrator has had a history of family violence. We observe prolific media coverage of these events, including exploration of the perpetrators motivation, memorials of the named victims, and the response of the families impacted.

But the focus of the Coalition and its direct-service programs, is on the violence that occurs every single day in homes and communities across Pennsylvania—unfortunately guns are often at the center of that violence.

To put it in perspective...

- Every 16 hours an American woman is shot by her intimate partner.
- Victims of domestic violence are five times more likely to die if their abuser has access to a gun.
- A victim who has been previously threatened with a gun by their partner is 20 times more likely to die.
- According to 2015 FBI homicide data (the last time victim/offender relationship data was reported) 1005 women were killed by their male intimate partner and 265 men were killed by their female intimate partner in the U.S.
- Even if the trigger is never pulled, guns are used by abusers to threaten and control their victims. Nearly 4.5 million American women alive today have been threatened with a gun by an intimate partner

This ubiquitous violence is not afforded countless media cycles. In many cases these victims, and perpetrators, remain nameless—reported as incidents rather than individuals—homicide numbers instead of sisters, brothers, mothers, fathers, sons and daughters.

Terrance Corrigan IV  
Erica McClellan  
Virginia Cruttenden

Raymond Finney, Sr.  
Robert Girard  
Tracy Hedgepeth  
Marisol Garcia-Infante  
Tavonia Love  
Geraldine McCorry  
Florence “Tina” Pompey  
Robin Potter  
Michelle Saint-Aude  
Nadirrah Taylor

These are the names of the individuals that lost their lives to domestic violence in Philadelphia last year. They are not and should not be nameless. Pennsylvania’s urban centers led in domestic violence deaths in 2017. Philadelphia had 13 domestic violence fatalities. Allegheny County ranked 2<sup>nd</sup> with 10. The guns being used threaten victims of domestic violence in their own homes are the same guns that are being used on street corners in Philadelphia and other communities throughout Pennsylvania.

Domestic violence is largely under-reported. Victims do not report for fear of retaliation and fear that they will not be believed, and nothing will be done. Despite the under-reporting, still nearly 50% of police calls are domestic violence related. It’s also important to note that these calls are some of the most dangerous and deadliest for responding law enforcement officers. In 2016, two Pennsylvania law enforcement officers were shot and killed while responding to domestic violence incidents.

Over the last 10 years, more than 1,600 women, men and children have died from domestic violence incidents in Pennsylvania. Those victims represent all ages, races, and socio-economic groups. Last year domestic violence homicides increased by 15% in Pennsylvania. 117 people lost their lives to domestic violence; 8 of them were children. That number doesn’t include 47 perpetrator deaths.

Last year, of the 117 domestic violence homicides; 66% were perpetrated with firearms. That’s a 37% increase from 2016. In fact, for the last 10 years guns have been the top killing method in domestic violence homicides in Pennsylvania and nationwide—2017 had the most number of domestic violence firearms deaths in Pennsylvania in a decade.

The Coalition has no interest in interfering with the 2<sup>nd</sup> amendment rights of responsible gun owners. But we are committed to common sense legislation that prevents individuals who have demonstrated a propensity for violence from having access to guns. A number of common sense measures have been introduced in the State legislature to improve victim safety and strengthen the PFA Act, including Senate Bill 501. The bill, sponsored by Sen. Tom Killion, passed unanimously out of the Senate as part of a 7-bill crime victims’ protection package. This bill makes relinquishment of firearms and other weapons mandatory for those subject to a final protection from abuse order. It also narrows the window of time an abuser has to turn over their weapons from 60 days to 48 hours, improving the odds for victims at the greatest risk of lethality. Lastly, it eliminates friends and family members as options for third-party safe keepers,

a scenario we have seen turn lethal. This potentially life-saving bill is result of the hard work of many stakeholder groups including domestic violence and gun safety advocates, law enforcement, and 2<sup>nd</sup> amendment groups. It is supported by PCAR, the DAs, the Sheriff's, Chiefs of Police, Office of the Victim Advocate and the Governor among others. Representative Quinn has introduced, HB 2060, a companion bill in the House.

We are calling on House leadership to address this this public health and community safety epidemic with the urgency it deserves, by advancing SB 501 and the 5 remaining bills (one (SB 449) has already been signed by the Governor) that are part of the crime victims' protection package, unanimously passed in the Senate in March. These commonsense measures will provide additional, potentially life-saving protections for victims of domestic violence in Pennsylvania and will make our communities safer.

Thank you.



COMMUNITY LEGAL SERVICES  
OF PHILADELPHIA

House Democratic Policy Committee Meeting

HB 2097

April 23, 2018

Testimony of Patricia A. McGlone

Thank you for allowing me to testify on behalf of Community Legal Services today, and thank you for scheduling this hearing to discuss the issue of gun violence as it relates to domestic violence.

My name is Patty McGlone and I am a Social Worker at Community Legal Services, known as CLS. CLS provides direct civil legal representation to over 9,000 low income Philadelphians each year and we conduct policy advocacy and community education on their behalf. We help our clients at the most critical moments of their lives, when they are at risk of losing their economic stability, health, and other basic necessities such as their utilities or their homes. Social Workers at CLS provide critical support and social service intervention to help move a legal case forward. Many Social Work cases are with clients who are victims of domestic violence.

My testimony will focus on the specific practice areas CLS has developed to address legal issues to help victims of domestic violence stay safe and to do so within systems that help meet the basic needs of their families. Although CLS does not represent clients in Protection from Abuse cases—we refer individuals to our sister organization Philadelphia Legal Assistance and to Women Against Abuse for help with Protection From Abuse orders—we help survivors with other civil legal problems.

CLS represents survivors of domestic violence and sexual assault in need of assistance with private or public housing issues, such as emergency transfers and challenging evictions. We also help clients “split” leases so that abusers can be evicted without the victim also being displaced. We ensure that our clients are protected by the Philadelphia Unfair Rental Practices Ordinances and by the federal Violence Against Women Act (VAWA). Under VAWA, one cannot be denied admission or evicted from public housing because of domestic violence, dating violence or stalking that may occur on the rented premises.

We also represent survivors of domestic violence who need legal advice and representation on employment issues. We serve domestic violence survivors in a variety of ways: we expunge

and seek pardons of criminal records that result from domestic violence incidents in which victims were wrongly charged; we assist clients who need time off from work due to domestic violence to recuperate or attend court under a Philadelphia ordinance that is specifically for domestic violence situations (and/or under the federal Family and Medical Leave Act, if they qualify with a serious health condition). We represent individuals who are placed on the Childline registry and are therefore unable to work with kids after County Youth Agencies "indicate" them for abuse or neglect for failure to protect kids from an abusive spouse. Many of the families we represent have been brought to the attention of the Philadelphia Department of Human Services as the direct result of domestic violence, which tragically can lead to the foster care placement for the children and complete dissolution of the family.

We have partnered with several other legal services organizations in Philadelphia to represent sexual assault survivors, and often the sexual assault has occurred within a domestic violence context. Among the other agencies that we have been working with in this effort are Philadelphia Legal Assistance, HIAS Pennsylvania, and Women Organized Against Rape. Sexual assault is under-reported and victims often do not seek out legal assistance because of shame, lack of information and inability to navigate the network of resources. We address the civil legal needs of survivors of sexual assault, allowing the victims to properly address their family, housing, employment, and other issues arising from sexual assault.

Our welfare unit at CLS assists survivors of domestic violence who may need help getting "good cause" waivers from TANF or other DHS requirements because compliance would put them at risk of further abuse, or punish them for the violence they have experienced, or make it more difficult to escape abuse. Although TANF grants have not increased since Jan. 1, 1990, and are still a maximum of \$316/month for a mother and child in Philadelphia and many other parts of the state, TANF can nonetheless be a lifeline for a family experiencing domestic violence.

The Energy Unit represents victims and survivors of domestic violence in disputes to access and maintain affordable utility service. These individuals risk loss of utility service or are unable to restore service due to prior arrears that accumulated during a period when they were either experiencing domestic violence or the bill was in their abuser's name. The Energy Unit advocates with our local electric, gas, and water providers to resolve customer disputes and improve utility policies for customers who experience domestic violence. The Energy Unit also advocates with our local electric and gas utilities to access additional payment options that are available to individuals under a protection from abuse order (PFA) or similar court order pursuant to the PA Public Utility Code.

CLS also has an identification practice area that helps people who are having problems obtaining and correcting basic forms of identification such as birth certificates, Social Security Cards and Photo IDs. When survivors of domestic violence flee an abusive partner, there is

often no time to look for their or their children's identity documents that are necessary to obtain new housing, benefits, and other social services. We help survivors who have no ID obtain birth certificates for each family member so that they can get additional and necessary forms of Government-issued ID. In addition, in extreme cases we have been able to remove from birth certificates those who have lost parental rights due to convictions for rape and abuse, and have allowed for name changes for survivors, help survivors move beyond their history of abuse. Removing this connection to the abuser is more than a symbolic way to reclaim the personal identity of the family, it serves as a way to correct a vital document that will be used throughout one's lifetime.

Many of the Philadelphians we interact with each year are surviving under the most extreme economic conditions. And sadly, fear of gun violence can be a perilously common experience. This fear causes additional distress and can wreak havoc on the stability of families, some of whom may be afraid to leave their homes even to go shopping. In addition to the victims of domestic violence, we also represent many traumatized children, who may be victims themselves or merely observers of violence in their home or neighborhood. We do the best that we can to help to minimize the fear and distress that living in poverty can cause but that domestic violence, and gun violence only worsens.

Respectfully Submitted,

Patricia A. McGlone, MSS, MLSP  
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## House Co-Sponsorship Memoranda

### House of Representatives Session of 2017 - 2018 Regular Session

#### MEMORANDUM

**Posted:** January 22, 2018 10:39 AM  
**From:** [Representative Jason Dawkins](#)  
**To:** All House members  
**Subject:** Statewide Notification of Domestic Violence Abusers Purchasing Firearms

In the near future, I will be introducing legislation to create a statewide notification system to alert victims of domestic violence, the general public, and law enforcement agencies when a known domestic violence abuser attempts to purchase or transfer a gun at a licensed firearms dealer.

Unfortunately, there is a strong link between a history of domestic violence and homicide. Experts consider these types of killings among the most predictable and preventable of all murders because they often follow well-established patterns. For instance, across the nation, more than half of all mass shootings between 2009 and 2016 were related to domestic or family violence. According to the Center for Disease Control, not only are most murders of women linked to domestic violence, 54 percent involves a firearm.

Specifically, my legislation directs the Pennsylvania State Police (PSP) to establish the Domestic Violence Firearm Purchase Notification System. Licensed firearm dealers would be required to contact PSP within 24 hours when an individual who has been charged with or convicted of a domestic violence-related offense attempts to purchase or transfer a firearm. PSP's notification system would automatically notify the abuser's victim, law enforcement, and any person registered to receive notifications via telephone or e-mail.

Additionally, my bill includes a provision authorizing the court to issue a search warrant if the abuser fails to relinquish firearms he or she possesses. Unlike New Jersey, law enforcement in Pennsylvania have no authority to proactively seize firearms from an individual who is ordered to relinquish them through a Protection From Abuse (PFA) order. It's currently based on the honor system, which requires an abuser to sign an affidavit saying he or she does not possess any firearms.

While around three women a day are murdered by an intimate partner nationwide, in many cases, children and others are also killed. Notifying survivors of domestic violence when a known abuser attempts to illegally purchase a firearm allows them to more accurately plan for their own safety and the safety of those closest to them. Unfortunately, in many cases, this is a matter of life and death.

Please join me in co-sponsoring this important legislation.



Introduced as [HB2097](#)



THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2097 Session of  
2018

INTRODUCED BY DAWKINS, KINSEY, SIMS, SOLOMON, DRISCOLL, NEILSON,  
DONATUCCI, KIRKLAND, RABB, DAVIS, FRANKEL, MURT, DEAN,  
ROEBUCK, HILL-EVANS AND MADDEN, FEBRUARY 16, 2018

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 16, 2018

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic  
2 Relations) of the Pennsylvania Consolidated Statutes, in  
3 firearms and other dangerous articles, further providing for  
4 persons not to possess, use, manufacture, control, sell or  
5 transfer firearms, for restoration of firearm rights for  
6 offenses under prior laws of this Commonwealth, for licenses,  
7 for sale or transfer of firearms and for Pennsylvania State  
8 Police; and, in protection from abuse, further providing for  
9 relief and for registry or database of firearm ownership and  
10 providing for Domestic Violence Firearm Purchase Notification  
11 System.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Section 6105(a), (a.1)(1.1), (c) introductory  
15 paragraph, (d) introductory paragraph and (3) and (e)(1) of  
16 Title 18 of the Pennsylvania Consolidated Statutes are amended  
17 and the section is amended by adding a subsection to read:

18 § 6105. Persons not to possess, use, manufacture, control, sell  
19 or transfer firearms.

20 (a) Offense defined.--

21 (1) A person who has been convicted of an offense  
22 enumerated in subsection (b) or arrested for or convicted of

1 an offense enumerated in subsection (b.1), within or without  
2 this Commonwealth, regardless of the length of sentence or  
3 whose conduct meets the criteria in subsection (c) shall not  
4 possess, use, control, sell, transfer or manufacture or  
5 obtain a license to possess, use, control, sell, transfer or  
6 manufacture a firearm in this Commonwealth.

7 (2) (i) A person who is prohibited from possessing,  
8 using, controlling, selling, transferring or  
9 manufacturing a firearm under paragraph (1) or subsection  
10 (b), (b.1) or (c) shall have a reasonable period of time,  
11 not to exceed 60 days from the date of the imposition of  
12 the disability under this subsection, in which to sell or  
13 transfer that person's firearms to another eligible  
14 person who is not a member of the prohibited person's  
15 household.

16 (ii) This paragraph shall not apply to any person  
17 whose disability is imposed pursuant to subsection (c)  
18 (6).

19 (a.1) Penalty.--

20 \* \* \*

21 (1.1) The following shall apply:

22 (i) A person convicted of a felony enumerated under  
23 subsection (b) [or], arrested for or convicted of a  
24 felony enumerated under subsection (b.1) or convicted of  
25 a felony under The Controlled Substance, Drug, Device and  
26 Cosmetic Act, or any equivalent Federal statute or  
27 equivalent statute of any other state, who violates  
28 subsection (a) commits a felony of the first degree if:

29 (A) at the time of the commission of a violation  
30 of subsection (a), the person has previously been

1 convicted of an offense under subsection (a); or

2 (B) at the time of the commission of a violation  
3 of subsection (a), the person was in physical  
4 possession or control of a firearm, whether visible,  
5 concealed about the person or within the person's  
6 reach.

7 (ii) The Pennsylvania Commission on Sentencing,  
8 under 42 Pa.C.S. § 2154 (relating to adoption of  
9 guidelines for sentencing), shall provide for a  
10 sentencing enhancement for a sentence imposed pursuant to  
11 this paragraph.

12 \* \* \*

13 (b.1) Domestic violence offenses.--A charge or conviction  
14 for the following offenses shall apply to subsection (a) if the  
15 victim is a family or household member, sexual or intimate  
16 partner or an individual who shares biological parenthood:

17 Section 908 (relating to prohibited offensive weapons).

18 Section 911 (relating to corrupt organizations).

19 Section 912 (relating to possession of weapon on school  
20 property).

21 Section 2502 (relating to murder).

22 Section 2503 (relating to voluntary manslaughter).

23 Section 2504 (relating to involuntary manslaughter) if  
24 the offense is based on the reckless use of a firearm.

25 Section 2702 (relating to aggravated assault).

26 Section 2703 (relating to assault by prisoner).

27 Section 2704 (relating to assault by life prisoner).

28 Section 2709.1 (relating to stalking).

29 Section 2716 (relating to weapons of mass destruction).

30 Section 2901 (relating to kidnapping).

1       Section 2902 (relating to unlawful restraint).  
2       Section 2910 (relating to luring a child into a motor  
3 vehicle or structure).  
4       Section 3121 (relating to rape).  
5       Section 3123 (relating to involuntary deviate sexual  
6 intercourse).  
7       Section 3125 (relating to aggravated indecent assault).  
8       Section 3301 (relating to arson and related offenses).  
9       Section 3302 (relating to causing or risking  
10 catastrophe).  
11       Section 3502 (relating to burglary).  
12       Section 3503 (relating to criminal trespass) if the  
13 offense is graded a felony of the second degree or higher.  
14       Section 3701 (relating to robbery).  
15       Section 3702 (relating to robbery of motor vehicle).  
16       Section 3921 (relating to theft by unlawful taking or  
17 disposition) upon conviction of the second felony offense.  
18       Section 3923 (relating to theft by extortion) when the  
19 offense is accompanied by threats of violence.  
20       Section 3925 (relating to receiving stolen property) upon  
21 conviction of the second felony offense.  
22       Section 4906 (relating to false reports to law  
23 enforcement authorities) if the fictitious report involved  
24 the theft of a firearm as provided in section 4906(c)(2).  
25       Section 4912 (relating to impersonating a public servant)  
26 if the person is impersonating a law enforcement officer.  
27       Section 4952 (relating to intimidation of witnesses or  
28 victims).  
29       Section 4953 (relating to retaliation against witness,  
30 victim or party).

1       Section 5121 (relating to escape).

2       Section 5122 (relating to weapons or implements for  
3 escape).

4       Section 5501(3) (relating to riot).

5       Section 5515 (relating to prohibiting of paramilitary  
6 training).

7       Section 5516 (relating to facsimile weapons of mass  
8 destruction).

9       Section 6110.1 (relating to possession of firearm by  
10 minor).

11       Section 6301 (relating to corruption of minors).

12       Section 6302 (relating to sale or lease of weapons and  
13 explosives).

14       Any offense equivalent to any of the above-enumerated  
15 offenses under the prior laws of this Commonwealth or any  
16 offense equivalent to any of the above-enumerated offenses  
17 under the statutes of any other state or of the United  
18 States.

19       (c) Other persons.--In addition to any person who has been  
20 convicted of any offense listed under subsection (b) or arrested  
21 for or convicted of an offense listed under subsection (b.1),  
22 the following persons shall be subject to the prohibition of  
23 subsection (a):

24           \* \* \*

25       (d) Exemption.--A person who has been convicted of a crime  
26 specified in subsection (a) or (b), a person who has been  
27 arrested for or convicted of a crime specified in subsection  
28 (b.1) or a person whose conduct meets the criteria in subsection  
29 (c) (1), (2), (5), (7) or (9) may make application to the court  
30 of common pleas of the county where the principal residence of

1 the applicant is situated for relief from the disability imposed  
2 by this section upon the possession, transfer or control of a  
3 firearm. The court shall grant such relief if it determines that  
4 any of the following apply:

5 \* \* \*

6 (3) Each of the following conditions is met:

7 (i) The Secretary of the Treasury of the United  
8 States has relieved the applicant of an applicable  
9 disability imposed by Federal law upon the possession,  
10 ownership or control of a firearm as a result of the  
11 applicant's prior conviction, except that the court may  
12 waive this condition if the court determines that the  
13 Congress of the United States has not appropriated  
14 sufficient funds to enable the Secretary of the Treasury  
15 to grant relief to applicants eligible for the relief.

16 (ii) A period of ten years, not including any time  
17 spent in incarceration, has elapsed since the most recent  
18 conviction of the applicant of a crime enumerated in  
19 subsection (b), arrest for or conviction of a crime  
20 enumerated in subsection (b.1), conviction of a felony  
21 violation of The Controlled Substance, Drug, Device and  
22 Cosmetic Act or the conviction of an offense which  
23 resulted in the prohibition under 18 U.S.C. § 922(g)(9).

24 (e) Proceedings.--

25 (1) If a person convicted of an offense under subsection  
26 (a), (b) or (c) (1), (2), (5), (7) or (9) or arrested for or  
27 convicted of an offense under subsection (b.1) makes  
28 application to the court, a hearing shall be held in open  
29 court to determine whether the requirements of this section  
30 have been met. The commissioner and the district attorney of

1 the county where the application is filed and any victim or  
2 survivor of a victim of the offense upon which the disability  
3 is based may be parties to the proceeding.

4 \* \* \*

5 Section 2. Sections 6105.1(a)(1) and 6109(i.1)(1) of Title  
6 18 are amended to read:

7 § 6105.1. Restoration of firearm rights for offenses under  
8 prior laws of this Commonwealth.

9 (a) Restoration.--A person convicted of a disabling offense  
10 may make application to the court of common pleas in the county  
11 where the principal residence of the applicant is situated for  
12 restoration of firearms rights. The court shall grant  
13 restoration of firearms rights after a hearing in open court to  
14 determine whether the requirements of this section have been met  
15 unless:

16 (1) the applicant has been convicted of any other  
17 offense specified in section 6105(a) or (b) (relating to  
18 persons not to possess, use, manufacture, control, sell or  
19 transfer firearms) or arrested for or convicted of an offense  
20 under section 6105(b.1) or the applicant's conduct meets the  
21 criteria in section 6105(c)(1), (2), (3), (4), (5), (6) or  
22 (7);

23 \* \* \*

24 § 6109. Licenses.

25 \* \* \*

26 (i.1) Notice to sheriff.--Notwithstanding any statute to the  
27 contrary:

28 (1) Upon conviction of a person for a crime specified in  
29 section 6105(a) or (b) or arrest for or conviction of a crime  
30 specified under section 6105(b.1) or upon conviction of a

1 person for a crime punishable by imprisonment exceeding one  
2 year or upon a determination that the conduct of a person  
3 meets the criteria specified in section 6105(c)(1), (2), (3),  
4 (5), (6) or (9), the court shall determine if the defendant  
5 has a license to carry firearms issued pursuant to this  
6 section. If the defendant has such a license, the court shall  
7 notify the sheriff of the county in which that person  
8 resides, on a form developed by the Pennsylvania State  
9 Police, of the identity of the person and the nature of the  
10 crime or conduct which resulted in the notification. The  
11 notification shall be transmitted by the judge within seven  
12 days of the conviction or determination.

13 \* \* \*

14 Section 3. Section 6111 of Title 18 is amended by adding a  
15 subsection to read:

16 § 6111. Sale or transfer of firearms.

17 \* \* \*

18 (b.1) Identifying information.--If it has been discovered  
19 that a purchaser or transferee is prohibited from possessing a  
20 firearm pursuant to section 6105(b.1) or is currently under a  
21 foreign protection order as defined in 23 Pa.C.S. § 6102  
22 (relating to definitions), the seller shall report the  
23 identifying information of the purchaser or transferee,  
24 including information regarding the date of the  
25 application/record of sale, denial of the application/record of  
26 sale and any other information as required by the Pennsylvania  
27 State Police, within 24 hours to the Domestic Violence Firearm  
28 Purchase Notification System under 23 Pa.C.S. § 6108.6(c)  
29 (relating to Domestic Violence Firearm Purchase Notification  
30 System) in a format as prescribed by the Pennsylvania State



1 Police.

2 \* \* \*

3 Section 4. Section 6111.1(i) of Title 18 is amended to read:

4 § 6111.1. Pennsylvania State Police.

5 \* \* \*

6 (i) Reports.--The Pennsylvania State Police shall annually  
7 compile and report to the General Assembly, on or before  
8 December 31, the following information for the previous year:

9 (1) number of firearm sales, including the types of  
10 firearms;

11 (2) number of applications for sale of firearms denied,  
12 number of challenges of the denials and number of final  
13 reversals of initial denials;

14 (3) summary of the Pennsylvania State Police's  
15 activities, including the average time taken to complete a  
16 criminal history, juvenile delinquency history or mental  
17 health record check; [and]

18 (4) uniform crime reporting statistics compiled by the  
19 Pennsylvania State Police based on the National Incident-  
20 based Reporting System[.];

21 (5) number of firearms sales denied as a result of an  
22 individual being arrested for or convicted of an offense  
23 enumerated in section 6105(b.1) or being currently under a  
24 foreign protection order as defined in 23 Pa.C.S. § 6102  
25 (relating to definitions); and

26 (6) number of firearms sales denied for the reasons  
27 specified under paragraph (5) which were investigated for  
28 potential criminal prosecution and resulted in an arrest,  
29 prosecution or conviction.

30 \* \* \*

1 Section 5. Sections 6108(a)(7)(iv) and 6108.4(a) of Title 23  
2 are amended to read:

3 § 6108. Relief.

4 (a) General rule.--The court may grant any protection order  
5 or approve any consent agreement to bring about a cessation of  
6 abuse of the plaintiff or minor children. The order or agreement  
7 may include:

8 \* \* \*

9 (7) Ordering the defendant to temporarily relinquish to  
10 the sheriff the defendant's other weapons and ammunition  
11 which have been used or been threatened to be used in an  
12 incident of abuse against the plaintiff or the minor children  
13 and the defendant's firearms and prohibiting the defendant  
14 from acquiring or possessing any firearm for the duration of  
15 the order and requiring the defendant to relinquish to the  
16 sheriff any firearm license issued under section 6108.3  
17 (relating to relinquishment to third party for safekeeping)  
18 or 18 Pa.C.S. § 6106 (relating to firearms not to be carried  
19 without a license) or 6109 (relating to licenses) the  
20 defendant may possess. A copy of the court's order shall be  
21 transmitted to the chief or head of the police force or  
22 police department of the municipality and to the sheriff of  
23 the county of which the defendant is a resident. When  
24 relinquishment is ordered, the following shall apply:

25 \* \* \*

26 (iv) Unless the defendant has complied with  
27 subparagraph (i)(B) or section 6108.2 or 6108.3, if the  
28 defendant fails to relinquish any firearm, other weapon,  
29 ammunition or firearm license within 24 hours or upon the  
30 close of the next business day due to closure of

1 sheriffs' offices or within the time ordered by the court  
2 upon cause being shown at the hearing, the sheriff shall,  
3 at a minimum, provide immediate notice to the court, the  
4 plaintiff and appropriate law enforcement agencies. If  
5 the court determines that there is a substantial risk of  
6 immediate abuse, the court shall order the defendant to  
7 surrender the defendant's firearms to law enforcement.  
8 Upon service of the order, law enforcement shall  
9 immediately take possession of the defendant's firearms  
10 and firearm license issued under section 6108.3 or 18  
11 Pa.C.S. § 6106 or 6109.

12 \* \* \*

13 § 6108.4. Registry or database of firearm ownership.

14 (a) Confidentiality.--Information retained to ensure  
15 compliance with this chapter and to document the return of  
16 firearms shall not be subject to access under the [act of June  
17 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know  
18 Law.] act of February 14, 2008 (P.L.6, No.3), known as the  
19 Right-to-Know Law.

20 \* \* \*

21 Section 6. Title 23 is amended by adding a section to read:

22 § 6108.6. Domestic Violence Firearm Purchase Notification  
23 System.

24 (a) Establishment.--The Pennsylvania State Police shall  
25 establish and maintain the Domestic Violence Firearm Purchase  
26 Notification System to alert victims, the general public and law  
27 enforcement agencies if:

28 (1) an individual has been arrested for or convicted of  
29 a domestic violence-related offense or subject to a  
30 protection from abuse order; and

1       (2) has attempted to purchase a firearm from a licensed  
2       firearms dealer.

3       (b) Notice.--The Domestic Violence Firearm Purchase  
4       Notification System shall automatically notify a registered  
5       person via the registered person's choice of telephone or e-mail  
6       when an individual meets the criteria under subsection (a).

7       (c) Registration.--The Domestic Violence Firearm Purchase  
8       Notification System shall allow a person to:

9           (1) register to receive notices under subsection (b);  
10       and

11           (2) update the person's registration information by  
12       calling a toll-free telephone number or by accessing a  
13       publicly accessible Internet website.

14       (d) Civil immunity.--Absent a showing of gross negligence or  
15       willful misconduct, a public employee or public official shall  
16       be immune from civil liability for damages for the release of  
17       information or the failure to release information in the  
18       Domestic Violence Firearm Purchase Notification System.

19       Section 7. This act shall take effect in 60 days.