

RESEARCH BRIEF

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RESEARCH NEEDS RELATED TO FIREARM RIGHTS RESTORATION

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BACKGROUND

Firearms are commonly involved in incidents of interpersonal harm in the United States (USA). Firearms are highly lethal weapons; the odds of a fatality doubles when firearms are present in a violent event. Minoritized groups are disproportionately impacted by firearm violence, including boys and young men as well as women in abusive relationships.

Research is clear that past violent behavior is a strong indicator for future violence. Accordingly, federal law prohibits the purchase and possession of firearms by certain high-risk groups including those with prior felony or domestic violence misdemeanor convictions. However, many states allow prohibited individuals to request reinstatement of their firearm rights, often after an allotted period has elapsed since the prohibiting crime.

APPROACH

Researchers at the University of Washington's Firearm Injury & Policy Research Program (FIPRP) systematically reviewed the literature to learn more about who requests firearm rights restoration in the USA after a prohibiting criminal conviction, how often these requests are granted, and whether firearm rights restoration is associated with risks for subsequent violence perpetration.

RESULTS

Publications were reviewed from six online databases. The authors identified no peer-reviewed, empirical research focused on firearm rights restoration petitioning or related outcomes in the USA for individuals with prohibiting criminal convictions. There were three reports found in the grey literature (i.e., not peer-reviewed); however, two of these reports were published over 20 years ago. These reports noted significant irregularities and gaps in state-level data about firearm rights restoration actions over time. One article from the New York Times described firearm rights restoration cases from Washington State between 1995-2010, but it was unclear whether these data were comprehensive.

IMPLICATIONS FOR FUTURE RESEARCH AND POLICY

There is a need for researchers to describe who requests firearm rights restoration, who has their firearm rights restored, and what happens after those firearm rights are re-instated. Fostering research on this topic can help address key public policy questions, including:

01 Who should be eligible for firearm rights restoration and when?

04 Are there disparities regarding who is harmed most by subsequent violence after a prohibited person's firearm rights are restored?

02 Should different types of prohibiting crimes have distinct eligibility criteria for firearm rights restoration?

05 How can firearm rights restoration policies and processes effectively safeguard victim-survivors and the public from possible safety risks without imposing unreasonable administrative burdens on prohibited individuals?

03 Which risk indicators should disqualify someone from having their firearm rights re-instated?

06 How should victim-survivors from the prohibiting crime be informed about developments related to firearm rights restoration?

To enable research that can help address these policy questions, efforts are needed to partner with court systems and policy makers to ensure consistent documentation of firearm rights restoration petitions and case outcomes within centralized state data systems. In the absence of administrative data, creative research approaches like courtroom observations or interviews with victim-survivors and prohibited individuals will be critical to move the work forward. Finally, legal epidemiologists could undertake efforts to document and synthesize information about the heterogeneity in state laws regarding firearm rights restoration policies.

FOR ADDITIONAL RESEARCH ON THIS TOPIC PLEASE REFER TO:

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