

Analysis of Weapons Relinquishments in Protection-from- Abuse Orders in Pennsylvania 2019-2023



Pennsylvania
**Commission on Crime
and Delinquency**

October 2024

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Main Findings

Information on the prevalence and scope of Protection from Abuse (PFA) petitions, orders, and cases is difficult to find and typically lacks important details, especially when such orders require the relinquishment of firearms from the alleged perpetrator. Using a rich dataset from the Pennsylvania Protection from Abuse Database (PFAD), researchers from PCCD/IUP performed a statistical analysis of PFA orders and cases from May 2019 to December 2023, finding the following:

- **Overall Orders and Cases:** Pennsylvania courts conducted PFA hearings for nearly 175,000 unique cases – 97,000 cases that consisted only of temporary orders (either ending due to withdrawal or failure to attend a final PFA hearing by the Plaintiff) and over 62,000 cases that ended with a final PFA order, either by hearing or following a consent agreement between the parties.
- **Weapons Relinquishment Orders:** Over 62,000 unique cases included a caution for weapons to be relinquished in the initial petition (39% of cases) and a slightly lower number resulted in a temporary or final weapons relinquishment order (34%). Year-over-year, both of these percentages are rising faster than total cases.
- **Successful Retrieval Rates:** When a final relinquishment order is issued, the Defendant has 24 hours to comply. Successful retrieval of weapons occurred in 82% of these cases, with over 90% being retrieved on the same day or before issuance of the final order (i.e., retrieved after a previous temporary order). Sheriffs' Departments perform over 65% of all retrievals across the state (Sheriffs perform less than 50% of retrievals in only six counties).
- **Four-year Growth:** Keeping in mind that 2020 (our baseline year) was a ten-year low in terms of the number of orders granted due to the COVID-19 pandemic, overall cases grew by 16% from 2020 to 2023. Those that ended with a final PFA order after a hearing grew by 24% and those that ended with an additional weapons relinquishment order increased by 58%. Successful retrievals also increased by 53% during this period. Comparatively, consent agreements grew by only 7% (although a growing percentage of these also include weapons relinquishment orders). Results consistently show that cautions in the initial PFA petition about weapons being present, involved, and/or

requests to have the weapon relinquished are becoming a more common occurrence in PFA cases.

- **Case Prevalence Across PA Households:** As one of the first studies to analyze unique cases between a Plaintiff and Defendant, we attempt to estimate the prevalence of cases. For 2023, we find that 714 of 100,000 households in Pennsylvania went through a PFA case. Prevalence grew slightly over the four full years in the timeframe examined.
- **Weapons Cautions and Inventories:** Final PFA orders and additional orders for weapon relinquishment orders are granted at higher rates for cases that include two factors in the petition: 1) a caution indicating that the Plaintiff is requesting that the Defendant's firearms be relinquished, and 2) an inventory of the firearms that should be relinquished. Petitions with these inclusions are more likely to go to a final PFA hearing and more likely to receive a final relinquishment order.
- **PFA Case Characteristics:** Weapons were involved in 8% of the cases analyzed. Most petitions were filed by the intimate partner of the alleged abuser, although a growing number of cases included protection for children. Whether an order required weapons relinquishment or not, most included prohibitions of possessing a firearm.
- **County Variation:** Counties vary greatly in case and weapons caution growth. They also vary in case prevalence and weapons retrieval rates. This report can help local stakeholders better understand local trends, in the context of statewide changes, and identify potential areas for resource allocation for both local and state-level leaders.

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Project Disclaimer

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Introduction

On August 16, 2019, Governor Tom Wolf signed Executive Order 2019-06¹ tasking state agencies, including PCCD, with undertaking coordinated efforts to prevent and reduce gun violence in the Commonwealth. The Order tasked PCCD to work with other state agencies to advance effective cross-agency strategies to prevent firearm-related crime and violence from a public safety perspective. The Order also established an 18-member Special Council on Gun Violence within PCCD, which was responsible for studying and making recommendations to reduce and prevent community gun violence, suicide by firearms, domestic violence-related shootings, accidental shootings, and mass shootings. The Council hosted a series of public hearings and conducted several meetings throughout 2019. Their work culminated in a Report of Findings, Recommendations & Action Steps, which was adopted in March 2020.

One of the Special Council’s recommendations included examining the “impact and implementation of Act 79 of 2018, which established new requirements and procedures for firearm relinquishment in cases of Protection from Abuse orders” (Recommendation 19, page 7 of the Report) and bolstering “comprehensive supports and protections for victims/survivors” (see Recommendation 9, page 6).

The research presented in this report stems from these recommendations. It describes a descriptive, statistical analysis that informs how the Protection from Abuse (PFA) process is being implemented along with the requirements for firearm relinquishment. The report details how PFA order and firearm relinquishments have increased over time, explains characteristics of these cases, and estimates a prevalence of cases and relinquishments across Pennsylvania households.

¹ In addition to Executive Order 2019-06, on September 9, 2024, Governor Josh Shapiro signed Executive Order 2024-02, which includes an emphasis on data and research and authorizes continued focus on the intersections of domestic violence with gun violence. This new executive order was signed during the review of this article and will allow for continued research to support these efforts.

The PFA Process

The PFA process is a legal procedure designed to provide protection to individuals who are victims of domestic violence, harassment, or abuse. The purpose of a PFA order is to provide for the safety and well-being of the victim by prohibiting the abuser from engaging in abusive and harassing behaviors that may also include not contacting the victim.

Figure 1 describes the PFA process, which consists of a few primary steps:

1. *Filing a Petition:* The process begins with the victim, or Plaintiff, filing a petition at the courthouse in the county where they reside or where the abuse occurred. The petitioner can also seek assistance from a local domestic violence or legal advocacy organization to help with the process. The petitioner must provide information about themselves (or other victims of abuse, such as children) and the specific relationship with the Defendant, along with details about the incident(s) of abuse, harassment, or violence. They may also request temporary custody, child support, and other related relief. Additionally, they can include information about whether a firearm or other weapon was involved in the incident or present at the location of the incident, and whether they request that any weapon(s) be relinquished – this information may serve as a caution indicator to the court and law enforcement.
2. *Temporary Order:* After reviewing the petition, a judge may issue a temporary PFA order if there is an immediate threat of harm. If the temporary order is granted, then the petition must be served to the Defendant, usually by a sheriff or law enforcement officer. Once served, the Defendant is legally bound to comply with the order's terms and restrictions. If the court determined that the Defendant's possession of a firearm or weapon license poses additional harm, they can prohibit the Defendant from possessing any firearm or license during the pendency of the temporary order. Further, if the court determines that actual firearms that are accessible to the Defendant pose additional danger, they can order that the weapons be relinquished to local law enforcement or other designated 3rd parties. A date for a final hearing is scheduled within ten days, although this hearing may be continued more than once.
3. *Final Hearing and Order:* Within 10 business days of the temporary order, a final hearing is scheduled. A final order can be granted in two ways. One, the Plaintiff and Defendant can agree upon the terms of the final order, perhaps with less stipulations for the Defendant going forward. Alternatively, the

order can be granted after a hearing. When a hearing is held, both the Plaintiff and the Defendant have the opportunity to present their cases in front of a judge and provide evidence. The judge will evaluate the evidence and make a decision regarding the issuance of a final PFA order. If the judge determines that the Plaintiff has met the burden of proof and is in need of protection, a final PFA order may be issued. This order can last up to three years and may include provisions such as a no-contact order, custody arrangements, and support payments.

Pursuant to Act 79, if a final order is granted after a hearing, *it must* include a provision that requires the Defendant to relinquish their weapons. Orders that are entered by agreement between the parties do not require that weapons be relinquished by the Defendant.

FIGURE 1: PFA PROCESS FLOWCHART



Note: Authors' model of PFA process.

Once a final PFA order is issued, it is legally binding. Violating the order can result in penalties for the Defendant, such as arrest, fines, or imprisonment. The petitioner may also seek modifications to the order if circumstances change, such as requesting an extension or modifying custody arrangements.

Act 79 changed Pennsylvania law to require that all final PFAs entered by the court *after a hearing* must include an order that the Defendant relinquish their weapons. In addition, Act 79 created new procedures regarding the process for relinquishment of firearms, ammunition, and other weapons by the Defendant named in a PFA Order. Prior to this Act, firearms could be relinquished to a family member, friend, or county Sheriff's Office and Defendants were allowed at least 30 days to comply with the relinquishment order. Now, firearms must be relinquished to law enforcement or specific third parties (including a licensed firearms dealer, a commercial armory, or an attorney with whom the Defendant shares a lawyer-client relationship) within 24 hours of being served the order. Act 79's primary purpose was to reduce access to firearms among PFA Defendants (and also those convicted of domestic violence) by narrowing the timeframe for Defendants to relinquish firearms, thus preventing DV/IPV-related injuries or homicides. PCCD is interested in understanding whether the early implementation of the law is meeting the law's intended goals.

Purpose of This Research

Information regarding PFA process described above is contained in the Protection from Abuse Database (PFAD). PFAD established and maintains a database that includes all PFA proceedings in the Commonwealth. It is designed to complement the operation of the Pennsylvania State Police (PSP) Protection Order Registry. The database automates the PFA process in the courts; provides critical statewide data for analysis by the courts and law enforcement; creates and disseminates the PSP Protection from Abuse Summary Data Sheet - information necessary for inclusion in the PSP Registry; and contains all standardized PFA forms approved by the Pennsylvania Supreme Court as well as other forms necessary for protection from abuse cases.

While PFAD has been in existence for over 20 years, the data within PFAD remains largely unexplored. Specifically, analysis around the subject of PFAs and firearm relinquishments within Pennsylvania is nonexistent. PFAD offers the opportunity to undertake long-overdue statistical analysis in an area of critical importance. Useful data metrics for each Pennsylvania county that can be extracted or created from PFAD include: the timeframe between PFA petition filing and firearm relinquishment, the number of PFAs that include an order for firearms relinquishment and the rate of court ordered-relinquishment, the locations/entities (e.g. law enforcement, commercial armory, licensed firearms dealer, etc.) where firearms were relinquished to, and the most common types of relationships between Defendant and Plaintiff, among others.

This report analyzes PFAD data to better understand the prevalence and scope of PFA orders and firearm relinquishments since the implementation of Act 79. The research team sought to answer the following questions:

- How many PFA cases captured in PFAD involve firearms?
- How many PFAs (temporary and final) are issued in Pennsylvania county's that include a caution indicator (i.e., indication by the Plaintiff that a weapon was used during the incident or is present on the property) for law enforcement? Of these, how many have firearm relinquishment orders?
- What are the numbers/rates of PFAs with a firearm relinquishment order following the implementation of Act 79 and how has this changed over time?
- What is the average length of time between a firearm relinquishment order and the actual removal of firearms from a property?
- To where/whom are firearms most frequently relinquished (e.g., sheriff, law enforcement agency, licensed firearms dealer, commercial armory, attorney, etc.)?
- What is the prevalence of PFA cases across Pennsylvania households and of relinquishment orders across households possessing firearms? In other words, what is the approximate frequency that these cases occur across PA households?

The goals of this report are to bring clarity to this complex process in a number of ways:

- To better understand the relationship between weapons relinquishment and overall PFA orders – the prevalence and growth over time of each.
- To better understand the extent to which weapons play a role in PFAs.
- To better understand the implementation of Act 79 and retrieval processes.
- To understand whether relinquishment orders are being carried out and at what rates.
- To understand whether this is becoming a larger use of local agency resources/time.

This report is an extension of prior research² undertaken in June of 2023, using additional data from the PFAD system. This report provides an initial, exploratory, descriptive statistical analysis that seeks to shed light on these questions and open the door to further research.

² In June of 2023, this same group of researchers from the Research and Training Center, Indiana University of Pennsylvania and Pennsylvania Commission on Crime and Delinquency released a report detailing similar trends, however, since the release of the original report, an additional years' worth of data has been analyzed including more detailed analysis of the trends discovered in the [June 2023 report](#).

Previous Research

With the enactment of a domestic violence-related weapons relinquishment law, Pennsylvania joined a number of other states and jurisdictions adopting such measures. Some states have also enacted similar “Extreme Risk Protection Orders” (ERPO) laws, which establish a preemptive civil process that allows law enforcement or family members (and, in some states, medical professionals and other authorized individuals) to seek an order from a judge preventing an individual from accessing or obtaining firearms when their behavior or actions indicate a danger to themselves or others.

Whether ERPO laws reduce intimate partner or domestic partner gun violence, or homicide, has not been studied widely and is thus largely unknown. Campbell et al. (2003) found that a perpetrator’s access to a firearm was one of the factors most associated with intimate partner femicide and that abusers with firearms are 5-8 times more likely to kill their victims than those without. Wintermute et al. (2014) evaluated a law enforcement initiative to recover firearms from individuals who were served restraining orders for domestic abuse. The authors found that approximately half were successfully recovered without adverse events and cite policies such as prohibiting firearm purchase or possession in restraining orders and requiring relinquishment within 24 hours (similar to those implemented in Pennsylvania) as being potentially effective. Finally, in the broadest statistical analysis of this policy across 45 states, Zeoli et al. (2018) found that relinquishment laws in restraining orders were statistically associated with reduced rates of intimate partner homicide.

A few studies have touched on the potential of other ERPO laws to possibly reduce firearm violence (and not specifically to domestic abuse situations). Although limited in the number of states with ERPO laws, Gius (2020b) found a possible reduction in firearm murder rates in Connecticut but a possible increase in Indiana. However, this study has difficulty linking potential effects of ERPO laws to specific effects on murder rates. Zeoli et al. (2022) focused on ERPO cases across six states where the Defendant was indicated as being a threat to at least three people, with a subset of these being family members. They found that judges granted 93% of temporary petitions and 84% of final petitions in these cases. Barnard et al. (2021) find even lower granting rates in Colorado with family or household members making up on 15% of overall petitioners.

The two studies above do not report whether an ERPO led to a firearm retrieval by law enforcement. Overall, even less is known about successful retrievals/removals of firearms from an individual deemed by courts to be a threat to others. In a systematic study of 75 ERPO petitions in King County, Washington after the state's ERPO law took effect in 2017, researchers found that it was being applied when someone was threatening violence to themselves or others and/or brandishing a firearm, and that successful removal/relinquishment of firearms occurred in 81% of the cases (Frattaroli et al., 2020). Expanding on the implementation in Washington, Rowhani-Rahbar et al. (2020), found that 87% of petitioners were law enforcement officers (much different from the PFA/Act 79 process in PA). Statewide, they found that firearms were successfully relinquished in 64% of cases. Pear et al. (2022) found that firearms were removed in 56% of cases with an individual at risk of violence receiving a temporary firearm prohibition in California.

Data & Methods

Data for the project comes from the PFAD, described above. PCCD accumulated the data needed to analyze PFA filings for the months from May 2019 through December 2023. This data came to the IUP research team in the form of de-identified PFA cases, with details on whether the order was temporary or final, whether it was granted or denied by a judge, the date of filing, and the county that it occurred in. In addition, the data includes details on how the final order was entered: either after a formal hearing or by agreement between the parties.

Since this data came from court petitions, demographic data related to PFA filings was limited. However, the PFAD includes a number of important characteristics:

- *Weapon cautions*: in a PFA petition, the Plaintiff can indicate whether a weapon was involved or present in the situation. They can also request that a weapon be relinquished.
- *Relationship between Plaintiff and Defendant*: the Plaintiff indicates this relationship when filing the petition and a PFA is available only where the Plaintiff has a certain relationship with the Defendant, including spouse (or ex-spouse), parent, current or former intimate partner, child, or person related by blood or marriage, including siblings. Multiple Plaintiffs seeking protection may be indicated.
- *Final order entry type*: a final order may be granted by a Judge in one of two ways. The Judge may enter the final protection order after an agreement is reached between the parties, *or* the Judge may hold a hearing where both parties present evidence, and the Judge finds there is enough evidence to issue a final PFA in favor of the Plaintiff.
- *Order characteristics*: the data include information about whether an order prohibits abuse, contact, or additional restrictions, such as evicting or excluding the Defendant from the Plaintiff's residence or awarding temporary custody of minor children to the Plaintiff. Additionally, the data include the order expiration date.
- *Weapons orders*: PFA orders can include restrictions on possession of a weapon or a firearms license. The data include these restrictions as well as whether the order requires the Defendant to relinquish any weapons.
- *Weapon retrieval*: the PFAD data also include details about the retrieval of weapons for the orders that require weapons relinquishment. This includes the date of retrieval and the law enforcement department that performed it.

Additionally, unique case identifiers were included in the data to link orders between the same Plaintiff and Defendant over time. This allows the team to conduct analyses at both the case and the order level. Analysis at the level of orders allows us to track the numbers and characteristics of orders over time and is an indicator of the resources and time spent by justice agencies and courts. Analysis at the case level is a better indicator of the potential harm to a family as well as the true prevalence of orders/retrievals across Commonwealth households. Additionally, firearm retrievals are typically linked to an entire case, which may have multiple relinquishment orders (i.e., both temporary and final). We highlight cases that end in a temporary order, as well as the percentage of these that included a relinquishment order (which would have led to the weapon being returned as the expiration of the temporary PFA).

A number of limitations to the data should be noted. First, several important indicators were not reported by Philadelphia and Lehigh Counties, including whether a case had a relinquishment order. Second, while case identifiers are included, there is no docket number to tie a case together or to link it to other cases that may be occurring (i.e., hearings for criminal acts).

The descriptive analysis presented below proceeds in three areas. First, we analyze characteristics and growth of complete cases (i.e., those that have both a temporary and a final order). As the focus of this study is on final weapon relinquishment orders, we seek to understand the full process that leads to that outcome. We compare case characteristics between cases with and without final relinquishment orders. Additionally, we estimate the prevalence of PFA cases across all Pennsylvania households (using Census estimates of the number of households in Pennsylvania).

Second, we present several case characteristics by county, showing the variation of cases across location. We also report case numbers, relinquishment rates and other statistics at the county-level via state maps created using a geographic information system application (QGIS). Finally, we report totals and characteristics of all orders over time.

PCCD staff reviewed the data to ensure that there were no occurrences of personally identifiable information (PII) before transmitting to IUP, and the research team received IRB approval to work with data before receiving the data. Once received by IUP, the research team analyzed the data for inconsistencies and reporting errors (e.g., duplications, missing data, radical aberrations, etc.).

Analysis of Cases

From May 2019 to December 2023, Pennsylvania courts conducted PFA hearings for nearly 175,000 unique cases. Table 1 breaks these into two main groups: 1) cases that ended in either the denial or granting of a temporary orders (which may have gone on to be dismissed prior to a final hearing or the Plaintiff was not present for the final hearing); and, 2) cases that were denied or granted a final order (either by hearing, agreement, or an unspecified arrangement).

For the four full years of data available (2020 to 2023), total cases increased by 16%, with increases in every subcategory. The largest increase is in cases decided by a final hearing, with final PFA denials increasing by 23% and final PFAs granted orders increasing by 24%. It should be noted here that initial petitions cautioning the need for weapons relinquishment are much more likely to be granted in a final hearing than petitions with no such caution, as discussed in more detail below.

TABLE 1: SUMMARY OF STATEWIDE PFA CASES, 2019-2023

Year	Cases with Temporary PFA Hearing Only ¹		Cases with Final Order Dispositions				Total
	Ungranted	Granted	Denied	Granted By Hearing	Granted By Agreement	Granted: Unspecified	
2019*	1,777	15,219	605	3,405	4,716	2,990	28,712
2020	2,303	18,955	728	3,964	4,703	2,897	33,550
2021	2,253	20,142	829	4,433	5,051	3,465	36,173
2022	2,470	21,063	811	4,661	5,181	3,547	37,733
2023	2,557	22,077	892	4,907	5,025	3,370	38,828
Total	11,360	97,456	3,865	21,370	24,676	16,269	174,996
2020-2023 Growth	11%	16%	23%	24%	7%	16%	16%

Source: PFAD data on individual cases from May 2019 to December 2023, statewide.

Note: Some cases have multiple temporary and/or final orders associated with the case. Philadelphia and Lehigh Counties do not specify how final orders were entered, using instead a designation of "Other", while other counties use this designation to a lesser degree.

¹ Temporary-cases only involve those with no final hearing or order associated with temporary petition – these cases were largely dismissed before a Final PFA Hearing or the Plaintiff failed to appear at the hearing.

² Cases are sorted by year of the first hearing in the data.

* Partial year data.

Case Prevalence

For that reason, prevalence measures are perhaps better for cross-state comparisons as they adjust for population differences. Table 2 estimates the prevalence of cases across households in the state. We find that the rate of PFA cases was 714 per 100,000 households in 2023 (453 ending after a temporary hearing, 261 moving to a final order disposition). While prevalence estimates increased from 2020, differences from 2021 to 2023 are relatively small. To put the prevalence of final orders in the context of other harms, according to Pennsylvania Uniform Crime Reporting data, in 2023, the rate of incidents of aggravated assault was 423 per 100,000 households in Pennsylvania, as compared to the rate of 1,545 per 100,000 households for incidents of simple assault.

TABLE 2: PREVALENCE OF PFA CASES ACROSS PENNSYLVANIA HOUSEHOLDS

Year	Households	Per 100,000 Households		
		Cases with Temporary PFA Hearing Only	Cases with a Final Order Disposition	Total Cases
2020	5,742,828	370	214	584
2021	5,228,956	428	263	692
2022	5,294,065	445	268	713
2023	5,435,277	453	261	714

Source: PFAD data on statewide individual cases. Household estimates are from the U.S. Census.

Note: 2023 Household estimates based on the average population/household ratio from 2020-2022.

Order Characteristics

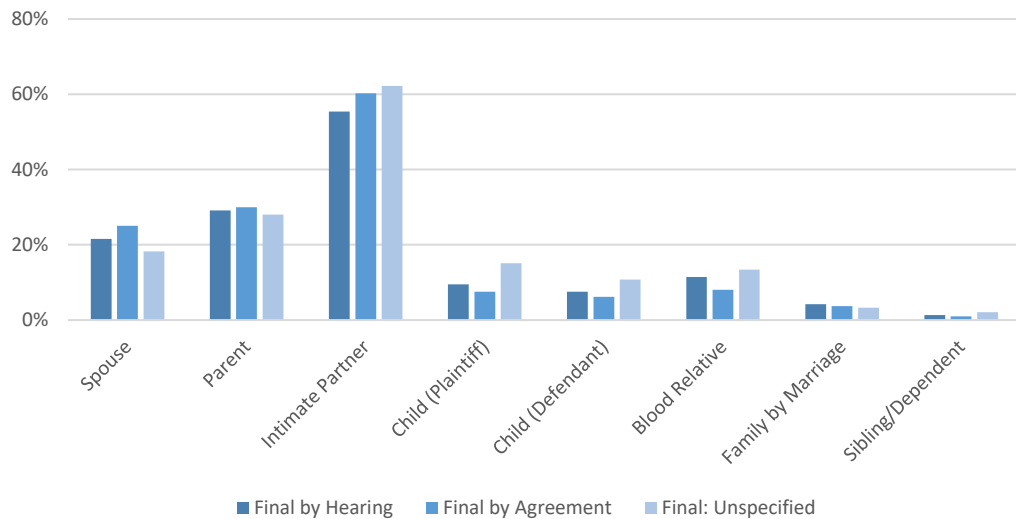
The following section provides a number of details related to final orders, including the relationship between parties, order restrictions, and typical length of the order.

Relationship between Plaintiff and Defendant

When a Plaintiff is filling out a petition for a PFA, they are asked to indicate the relationship between the Plaintiff(s) and Defendant. This can include the relationship between oneself and the Defendant and/or the relationship of other parties, such as children, to the Defendant.

Figure 4 presents the distribution of relationships indicated in final PFA orders, comparing those ordered after a hearing, by agreement, or other unspecified means. Most petitions are made by an intimate partner of the Plaintiff (over 55% across the different procedures). Parents/guardians of the Defendant request the petition in nearly 30% of cases and spouses of the Defendant in just over 20% of cases. In approximately 40% of cases, multiple relationships are noted, such as spouse and child. Again, these relationships indicate the Plaintiffs (and their relations) that are protected by a final order.

FIGURE 4: FINAL ORDER RELATIONSHIPS



Source: PFAD data on final PFA orders, May 2019 to December 2023.

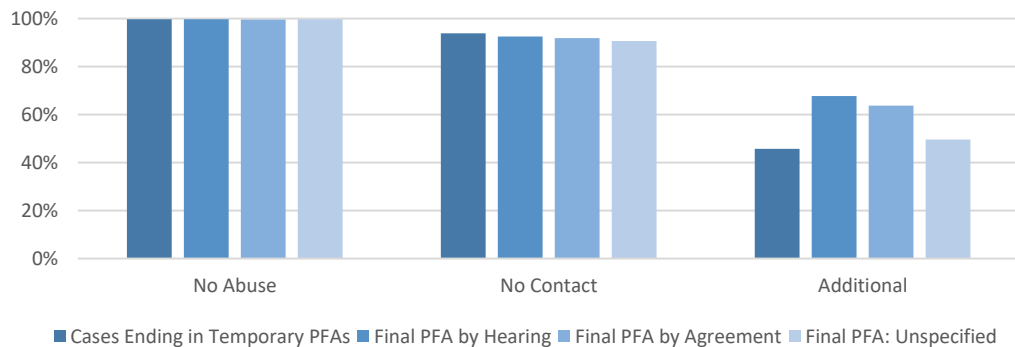
Note: Philadelphia and Lehigh Counties are not included as these indicators are not captured in the PFAD.

Order Restrictions

Figure 5 details the specific protection/prohibition ordered by temporary and final PFAs. Protections from abuse and/or no contact by the Defendant can be ordered in both the temporary and the final order. To identify changes across that process, we present protections for both the initial, temporary order stage of a case, as well as the protections laid out in the final order of a case.

Since this report analyzes all PFA cases, it appears that the court orders that the Plaintiff be protected from abuse by the Defendant in nearly 100% of all case categories and at the temporary and final order stages. Interestingly, protection from contact by the Defendant is ordered in 94% of cases during the initial temporary order, falling slightly among final orders. Additional protections, such as evicting or excluding the Defendant from the Plaintiff's residence or awarding temporary custody of minor children to the Plaintiff, increase from the temporary order stage in 46% of cases to 68% of cases ending with a final order by hearing.

FIGURE 5: PFA ORDER RESTRICTIONS, BY CASE RESULT



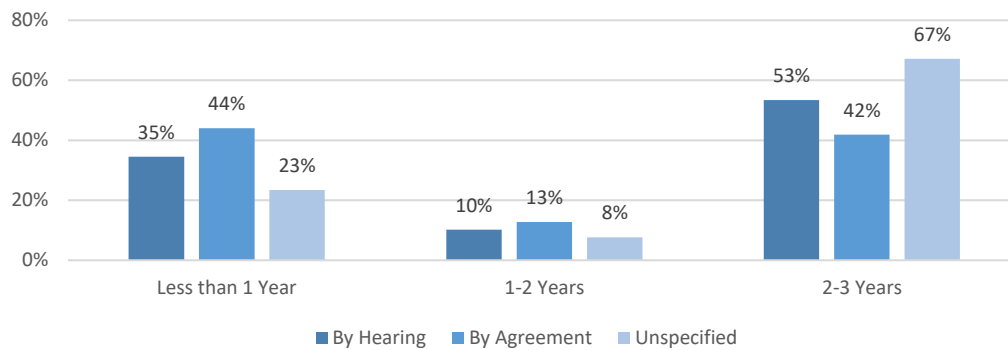
Source: PFAD data on individual cases, May 2019 to December 2023.

Note: Philadelphia and Lehigh Counties are not included as these indicators are not captured in the PFAD.

Length of Final Orders

The court either sets a specific expiration date for a final order or allows the default expiration of three years from the date that the order is issued. Figure 6 shows the distribution of cases with a final order across expiration date. Over 50% of cases have an expiration date between 2-3 years, with a majority of these having the default of three years. Just under 40% of cases have an expiration date within one year of the effect date. Orders by agreement have almost twice the odds of being having a short expiration (one year or less) compared to orders after a final hearing.³

FIGURE 6: CASE EXPIRATION FOR THOSE WITH FINAL HEARING/AGREEMENT



Source: PFAD data on final PFA orders, May 2019 to December 2023.

³ Odds calculated by logistic regression ($P < 0.001$).

Weapons Cautions

In the Petition for Protection from Abuse, the Plaintiff can check caution indicators for whether a weapon was involved, present on the property, or requested to be relinquished, at either the temporary or final order stage. Table 3 compares the rates of relinquishment requests among cases ending in either temporary-only or final PFA orders. Across both case groups, cautions to request a relinquishment have grown over time since the implementation of Act 79 of 2019. This impact can be seen in terms of both case counts and as a percentage of similar cases. Compared to the 16% growth in overall cases from 2020 to 2023 (shown in Table 1 above), relinquishment requests have increased by over 40% in the same timeframe.

The higher rate of weapons-related cases is notable, as is the growing rate of all cases. Whether this is an indicator of increasing rates of abuse, especially when a weapon is involved, cannot be determined from the data. This may instead be an indicator of growing understanding and usage of PFA courts, as well as improving implementation of Act 79. Part of the growth rate may also be due to especially low totals of PFA cases in the base year of 2020, which was found to be a four-year low from 2017 (Yerger et al., 2022). Monitoring and reporting of these totals should continue in the coming years to better understand these growth rates.

TABLE 3: PERCENTAGE OF CASES WITH REQUEST FOR WEAPONS TO BE RELINQUISHED

Year	Across Cases with Temporary PFA Hearing Only	% of Temporary Hearings	Across Cases with Final PFA Order	% of Cases with Final PFA Order
2019*	3,516	23%	3,975	36%
2020	5,843	31%	5,081	44%
2021	6,818	34%	6,366	49%
2022	7,745	37%	7,158	53%
2023	8,302	38%	7,316	55%
Total	32,224	33%	29,896	48%
<i>2020-2023 Growth</i>	<i>42%</i>		<i>44%</i>	

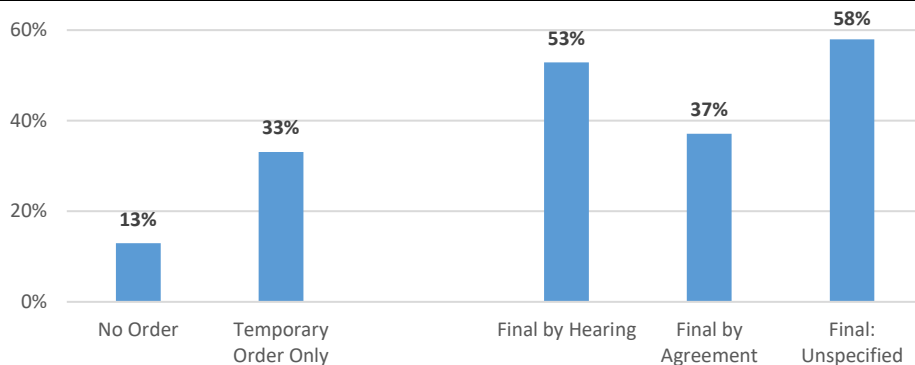
Source: PFAD data on statewide individual cases ending in either a temporary (97,456 cases) or final PFA order (62,315 cases).

Note: Shows percentage of cases where a petition cautioned that the perpetrator's weapon be relinquished.

Cases ending in a final PFA have a greater proportion of Plaintiffs requesting a weapons relinquishment – 55% of final orders compared to only 38% of cases that ended with a temporary PFA order. As petitions noting the need for weapons to be relinquished indicate potentially greater harm, it is notable that these cases make up a larger percentage of final PFA orders. This is further emphasized in Figure 7, showing 5-year percentages of petition relinquishment cautions to case totals.

Among cases that ended in no temporary or final order (15,225 cases), only 13% of Plaintiffs in the case requested a weapons relinquishment. Comparatively, 53% of Plaintiffs who were granted a final PFA order following a hearing (21,370 cases) had requested a relinquishment in their petition. This falls to 37% of Plaintiffs among cases where a final order is resolved by consent agreement (24,676 cases). 58% of final orders that were granted but unspecified as to how (by order or after agreement) included a request for weapons relinquishment.

FIGURE 7: PERCENTAGE OF RELINQUISHMENT CAUTIONS TO CASES, BY CASE RESULT



Source: PFAD data on statewide individual cases, May 2019 to December 2023.

Note: Shows percentage of cases where a petition cautioned that the perpetrator's weapon be relinquished.

Because relinquishment requests in the PFA petition are the first opportunity for the Plaintiff to request relinquishment, we present further details on these in Figure 8, maps showing the percentages of petition requests for weapons relinquishment to total cases in 2023, as well as 2020-2023 request growth, by county.

The top map, Figure 8a, shows the percentages of the total cases in 2023 that included a request for weapons relinquishment in the Plaintiff's petition for relief. While the county median is 29%, 13 counties have rates at 15% or lower and 8 counties have rates at 80% and higher. Again, many of the counties with higher rates (in dark brown) are in the middle to east portions of the state.

The growth of relinquishment requests by the Plaintiff (Figure 8b) is more dispersed across the state. While the median county growth rate is 16%, 17 counties actually decreased in relinquishment requests, while two large counties (Philadelphia and Allegheny Counties) grew substantially, resulting in the overall increase of 42% for the state.

FIGURE 8: PFA PETITIONS WITH A WEAPONS RELINQUISHMENT REQUEST

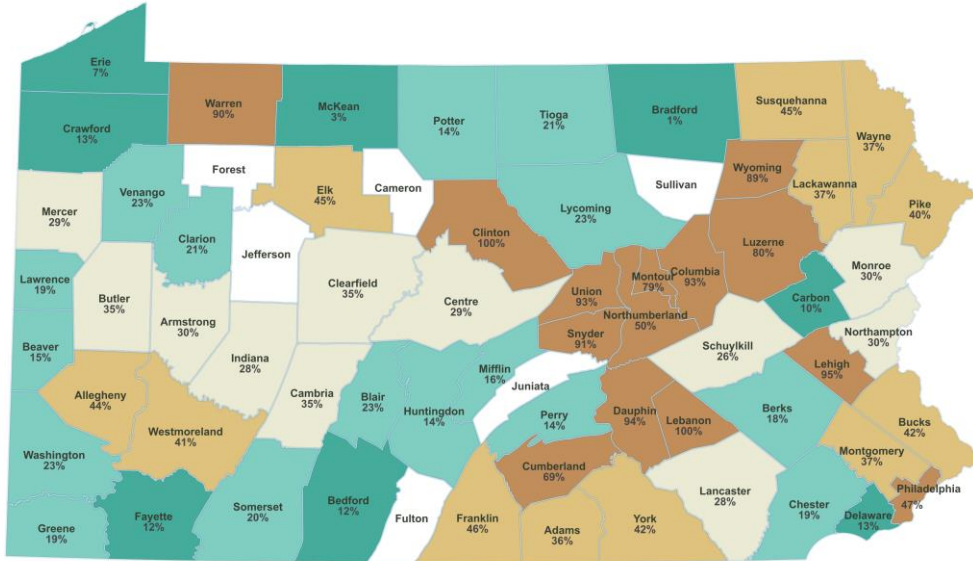


Figure 8a: Percentage of All Cases (2023)

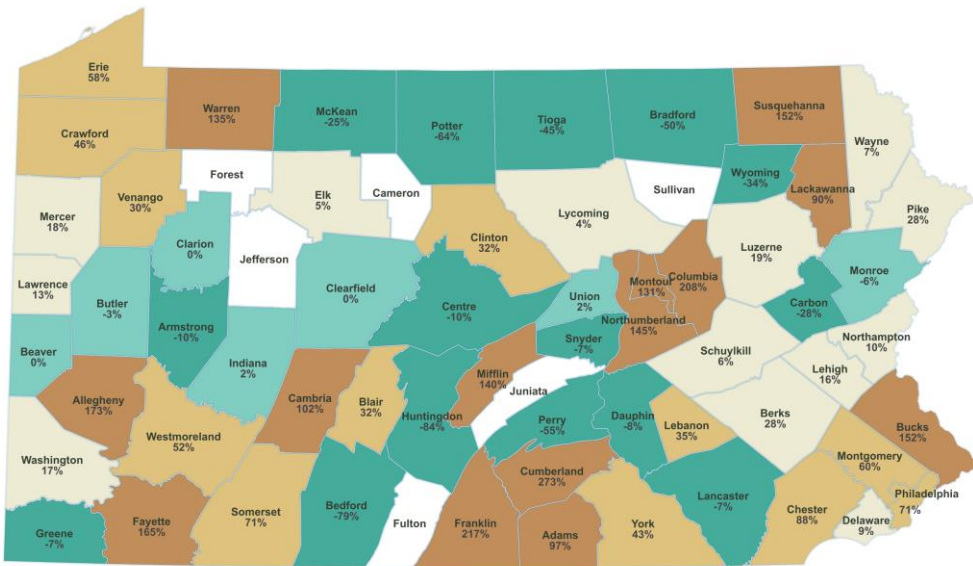


Figure 8b: Growth in Relinquishment Requests from 2020-2023

Source: PFAD data on statewide individual cases, May 2019 to December 2023.

Note: Darker teal indicates lower %; moderate light teal/light beige suggests % near the county median; darker browns represent higher %.

Analysis of Weapons Relinquishments/Retrievals

Relinquishment orders may be assigned with either the temporary or final PFA orders. In cases where weapons relinquishment is ordered as part of a temporary PFA but does not result in an order for weapons relinquishment as part of the entry of a final PFA, weapons would be returned to the Defendant. This can occur when a temporary order is dismissed with no final order being entered, or if there is no weapons relinquishment included in a granted final PFA order after a hearing, or by agreement between the parties.

The remaining analysis does not include Lehigh and Philadelphia Counties, as they did not report relinquishment orders in the PFAD system, leading to a lower number of cases analyzed. Table 4 gives the overall breakdown of relinquishment order to total cases by year. This illustrates two key takeaways. First, an order to relinquish weapons has been included in over one-third of temporary and final PFA orders since 2019.

TABLE 4: RELINQUISHMENT ORDERS AND RATES, BY YEAR

Year	Total Cases	Temporary and Final Relinquishment Orders	% of Total
2019*	22,141	6,373	29%
2020	26,429	8,157	31%
2021	28,187	9,683	34%
2022	28,804	10,429	36%
2023	29,829	11,167	37%
Total	135,390	45,809	34%
<i>2020-2023 Growth</i>	<i>13%</i>	<i>37%</i>	

Source: PFAD data on individual cases.

Note: Includes temporary and final relinquishment orders. Philadelphia and Lehigh Counties are not included as relinquishment orders are not captured in the PFAD.

Second, we find that temporary and final PFAs that include an order to relinquish weapons are growing at a much higher rate than the growth of PFA cases that have been filed since 2019. The number of total cases filed has only grown by 13% while the number of temporary and final PFAs that are granted and include an order to relinquish weapons has grown by 37%. Whether this rate continues to grow or levels off, perhaps indicated by the smaller growth from 36% in 2022 to 37% in 2023, is an important indicator to track going forward. Increasing the

percentage of PFAs that include an order to relinquish weapons, indicates both greater potential harms to victims as well as greater resources need to retrieve weapons.

Table 5 (below) breaks down relinquishment order to PFA cases by various case results (those ending after a temporary PFA, those ending in a final PFA after hearing and those ending in final PFA by agreement, etc.). In each category, we see that relinquishment orders are becoming increasingly frequent among cases.

The first two columns indicate the frequency with which temporary PFA orders include an order to relinquish weapons. Among cases filed in 2023 that never reach the final hearing stage (i.e., the Plaintiff fails to appear or withdraws the petition), 35% included an order to relinquish weapons as part of the temporary PFA. If weapons had been retrieved as part of the temporary PFA, they would be returned to the Defendant if a final PFA is not ordered or agreed to. Of cases that reached a final PFA hearing where the judge denied the entry of a final PFA (second column), 29% of cases had a temporary relinquishment order that would lead to return of weapons (if they had previously been retrieved).

TABLE 5: PERCENTAGE OF RELINQUISHMENT ORDERS TO TOTAL ORDERS, BY CASE RESULT

Year	Cases Ending w/ Temporary Hearing	Cases Ending in Final Hearing/Agreement			
		Denied ¹	By Hearing	By Agreement	Unspecified
2019*	27%	28%	43%	32%	21%
2020	30%	27%	47%	34%	29%
2021	31%	31%	55%	39%	31%
2022	34%	31%	58%	40%	36%
2023	35%	29%	60%	41%	39%
2020-2023 Growth in Relinquishment Orders	33%	31%	58%	30%	10%

Source: PFAD data on individual cases. Philadelphia and Lehigh Counties are not included.

Note: Includes temporary and final relinquishment orders. ¹ Indicates cases that were assigned a relinquishment order with the Temporary PFA order but were denied a Final PFA order.

The final three columns of Table 5 show the frequency of relinquishment orders associated with cases that result in the granting of a final PFA either by

agreement or after a hearing before the Judge. Both the growth and rates of relinquishment orders are much higher for cases where the final PFA is entered after a hearing as opposed to those final PFAs entered as the result of an agreement between the parties. Looking at final PFAs that were entered after a hearing, the percentage of those that included an order to relinquish weapons grew from 47% in 2020 to 60% in 2023. By contrast cases resolved by consent agreement included a relinquishment order only 41% of the time in 2023 and grew by just 9% since 2020. In 2023, final PFAs that were granted after a hearing, as opposed to by agreement, had almost twice the odds of including an order to relinquish weapons.⁴

Figure 9a shows the percentage of final orders/agreements that include a weapons relinquishment order by county.⁵ In 12 counties, over 90% of cases ending in a final order, whether after a hearing or by agreement included a weapons relinquishment order (darker browns), and most of these are in the middle and eastern portions of the state. Fifteen counties had rates under 20% (indicated by light teal), dispersed across the state. For comparison, the median county had a rate of 40%.

Care should be taken in interpreting county differences, as counties likely vary in household firearm ownership. In comparing with Figure 8a, we see that many of counties with high rates of weapons cautions (as a percentage of cases) also have high rates of relinquishment orders (as a percentage of final PFA orders). This direct comparison is presented in Figure 9b, showing a very high correlation between petition cautions and later relinquishment orders (as percentages of cases).

⁴ Odds calculated by logistic regression ($P < 0.001$).

⁵ Data for a number of counties are withheld on the map due to low case numbers. In addition, Philadelphia and Lehigh counties do not provide relinquishment order data in PFAD.

FIGURE 8: PERCENTAGE OF RELINQUISHMENT ORDERS INCLUDED WITH FINAL PFAS

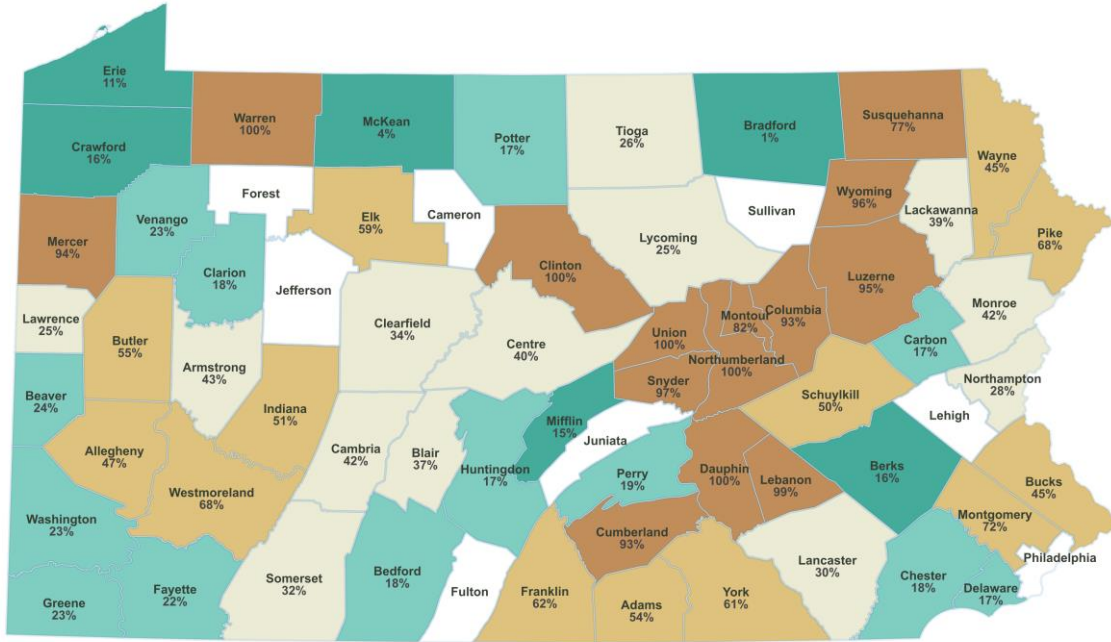


Figure 9a: Cross-county Percentages

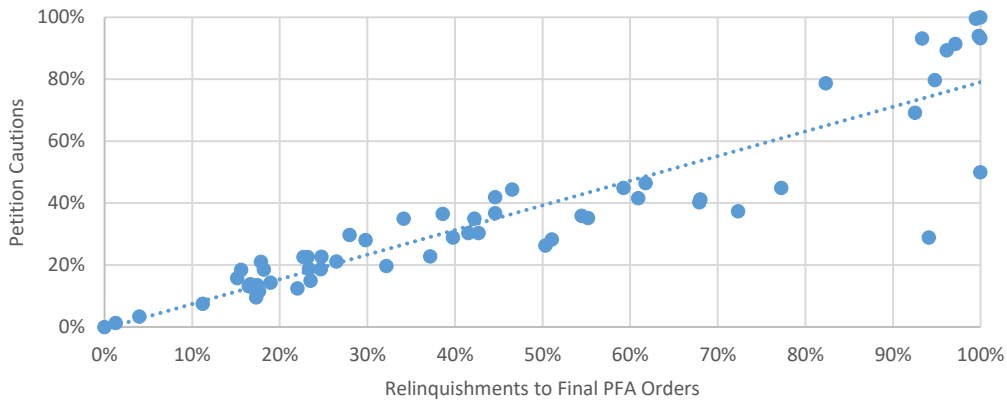
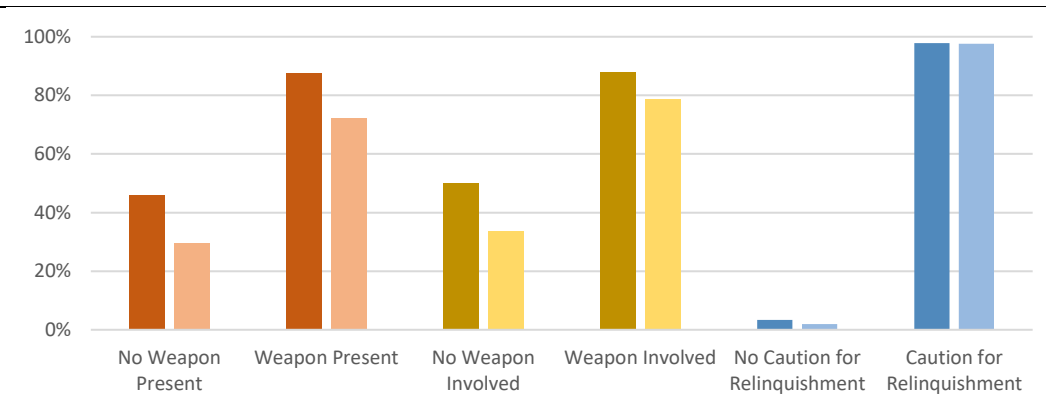


Figure 9b: % Petition Cautions to Relinquishment-to-PFA %, by County

Source: PFAD data on statewide individual cases, 2023. Philadelphia and Lehigh Counties are not included.
 Note: Shows the percentage of Cases Ending in a Final Hearing/Agreement with a Relinquishment Order. Dark brown areas indicate higher percentages, light teal areas indicator lower percentages. Totals are not split between hearing vs. agreement as reporting for many counties would have to be withheld due to low case numbers. Blue dots represent a county's petition cautions (% of cases) and relinquishment-to-final PFA percentage.

There may be several factors that influence whether or not a granted final PFA order includes an order to relinquish weapons. For example, Figure 10 highlights the importance of Plaintiffs indicating weapons cautions in their PFA petitions. As noted above, when filing the initial petition, a Plaintiff is able to indicate in the petition whether a weapon is present on the property, was involved in the incident, and/or whether the Plaintiff is requesting that weapons be relinquished, regardless of the use of a weapon during the incident (also analyzed above). Please see the sample petition in the Appendix. These are commonly referred to as “weapons cautions” or “caution indicators.” Throughout this report we use the two terms interchangeably. Here, we compare how often petitions with and without these caution indicators result in a final PFA that includes a relinquishment order. Final PFAs entered after a hearing are represented by darker bars; final PFAs that were the result of entry after an agreement are represented by lighter bars.

FIGURE 9: PERCENTAGE OF FINAL PFA ORDERS/AGREEMENTS WITH RELINQUISHMENT ORDERS, BY PETITION CAUTIONS



Source: PFAD data on statewide individual cases ending in a final PFA order, May 2019 to December 2023. Philadelphia and Lehigh Counties are not included.

Note: Shows the percentage of cases ending in a final hearing/agreement with a relinquishment order, separated by whether a weapon’s caution was reported in the initial PFA petition. RO stands for relinquishment order. Darker orange/yellow/blue bars indicate final PFA orders by hearing; lighter bars indicate consent agreement.

In every instance, final PFAs entered after a hearing include an order to relinquish weapons at a higher rate, than those final PFAs entered by consent agreement, as mentioned above. Petitions that include a caution of a weapon

being present or involved have double the rates of obtaining a relinquishment order compared to petitions that do not have such caution.

When the Plaintiff requests that weapons be relinquished as part of the original petition, a final order for relinquishment is almost always granted with the entry of a final PFA order. Final Orders for a PFA that included a request that weapons be relinquished is shown by the blue bars on the right. When that caution is not included in the petition, a final relinquishment order is rarely included in the final PFA order.

Final PFA Orders that had an original PFA petition that included one or more “weapons cautions” have seven times higher odds of including a relinquishment order.⁶

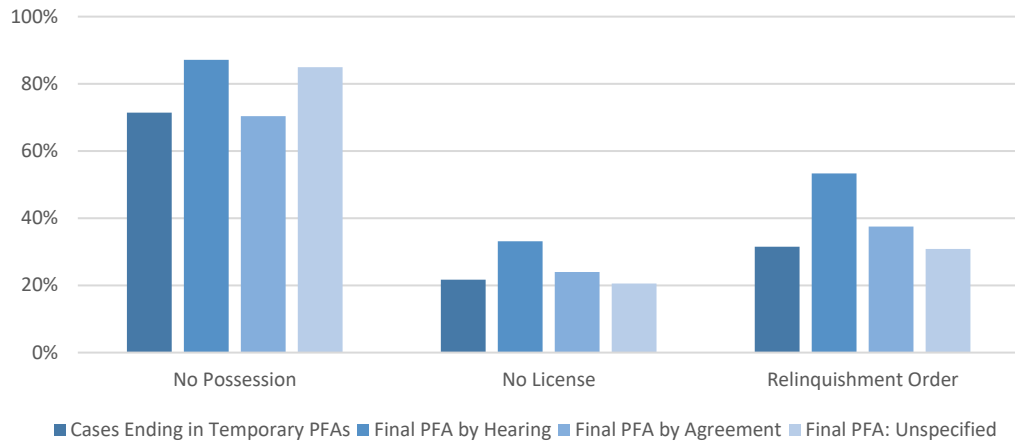
Not all cases may call for a weapons relinquishment because not all Defendants own a firearm. However, final PFAs can also result in several other firearm-related prohibitions, including prohibiting the Defendant from purchasing and/or possessing a weapon as well as receiving a license to carry firearms.

Figure 11 compares the rates of court-ordered prohibitions across case results. Here, we see that 87% of cases resulting in a final PFA order by hearing also have an explicit no-possession order, compared to 70% of final PFAs that were the result of a consent agreement.

Fewer cases result in an order prohibiting the possession of a license to carry firearms. Rates of cases with relinquishment orders are re-presented here for comparison. Of the cases that result in a weapons relinquishment order, almost all also have a no-possession order and about 60% also prohibit the possession of a license.

⁶ Odds calculated by logistic regression ($P < 0.001$).

FIGURE 10: PFA ORDERS WITH WEAPONS RESTRICTIONS, BY CASE RESULT



Source: PFAD data on individual cases, May 2019 to December 2023.

Note: Philadelphia and Lehigh Counties are not included as these indicators are not captured in the PFAD.

Note, that in addition to the prohibitions on weapons ownership that are the result of a Pennsylvania issued PFA, both state and federal law disallows individuals with a final PFA order against them from possessing a firearm.⁷

In summary, not all PFA cases include weapons cautions, or perhaps the Defendant does not own weapons, and may not necessitate an explicit relinquishment order. Table 6 compares the number of cases indicating the need for a weapon relinquishment (in the petition) to the number of total final PFA orders (Columns 1 and 2).

This can be further compared to the number of weapons relinquishments orders with the final PFA (Column 3), those that have resulted in a final PFA order/agreement, a subset of which have included the relinquishment caution in the petition. As highlighted above, final order growth is relatively lower than the growth of relinquishment cautions and orders (11% vs. 44% cautions vs. 42% relinquishment orders).

⁷ Under Pennsylvania law, 18 PA. C.S. § 6105(c)(6) prohibits a person who is the subject of an active protection from abuse order from possessing firearms during the period of time the order is in effect. In addition, under federal law, 18 U.S.C. § 922(g)(8) precludes individuals who are the subject of qualifying protection orders from possessing firearms.

Relinquishment cautions and final relinquishment orders (both subsets of cases resulting in final PFA orders) are very similar (shown by the percentages in Column 4). As mentioned above, essentially all cases where a relinquishment caution is indicated in the petition that are adjudicated with a final PFA order (or consent agreement) also have an order for weapons relinquishment.

There are a relatively low number of cases that do not contain a relinquishment caution in the petition that ultimately result in a final PFA order that includes an order that weapons be relinquished (708 cases or 3% of all relinquishment orders). This may be influenced by the evidence presented in court, or, by the court's decision to order relinquishment even though the Plaintiff is not aware that the Defendant has weapons – 49% of these cases were ordered by hearing, 44% by agreement.

Weapons Retrievals

We continue the analysis by moving to the final stage of the PFA/relinquishment process – the retrieval of weapons that have been ordered to be relinquished. As a reminder, Act 79 of 2019 requires that a Defendant who is the subject of a relinquishment order must relinquish their weapons within 24 hours. These are also summarized by year in Table 6, as they are a smaller subset of all PFA orders and additional orders for weapons relinquishment.

Of these cases, with both a final PFA order/agreement and an order for weapons relinquishment, we further see the totals and percentages where weapons were retrieved by law enforcement. Across the timeframe, weapons were retrieved in 82% of the cases where a Final PFA was entered and included an order to relinquish weapons.

TABLE 6: FINAL PFA & RELINQUISHMENT ORDERS AND RETRIEVALS

Year	(1) PFA Orders	(2) PFAs with Relinquishment Caution in Petition	(3) PFAs with Relinquishment Orders	(4) Ratio: (3) / (2)	(5) Retrievals of ROs	(6) % of ROs Retrieved
2019*	9,069	3,005	3,149	105%	2,478	79%
2020	9,607	3,704	3,742	101%	3,153	84%
2021	10,814	4,830	4,828	100%	4,017	83%
2022	10,816	5,121	5,124	100%	4,227	82%
2023	10,688	5,326	5,326	100%	4,285	80%
Total	50,994	21,986	22,169	101%	18,160	82%
<i>2020-2023 Growth in Relinquishment Orders</i>	<i>11%</i>	<i>44%</i>	<i>42%</i>		<i>36%</i>	

Source: PFAD data on individual cases ending with a Final PFA and Final Relinquishment Order.

Note: Philadelphia and Lehigh Counties are not included as relinquishment orders are not captured in the PFAD.

Table 7 further breaks down the subset of cases with final PFA and relinquishment orders, broken down by whether the final order came about by hearing, agreement, or another, unspecified process.

TABLE 7: RETRIEVAL RATES, CASES WITH FINAL RELINQUISHMENT ORDERS

Year	<u>By Hearing</u>		<u>By Agreement</u>		<u>Unknown/Unspecified</u>	
	Final Ros	% Retrieved	Final Ros	% Retrieved	Final Ros	% Retrieved
2019*	1,451	78%	1,495	80%	203	71%
2020	1,876	82%	1,597	88%	269	74%
2021	2,426	82%	1,994	86%	408	74%
2022	2,692	81%	2,084	87%	348	65%
2023	2,955	80%	2,075	84%	296	60%
<i>20-23 Growth</i>	<i>58%</i>	<i>53%</i>	<i>30%</i>	<i>24%</i>	<i>10%</i>	<i>-11%</i>

Source: PFAD data on individual cases ending with both a Final PFA and Final Relinquishment Order.

Note: Philadelphia and Lehigh Counties are not included as relinquishment orders are not captured in the PFAD.

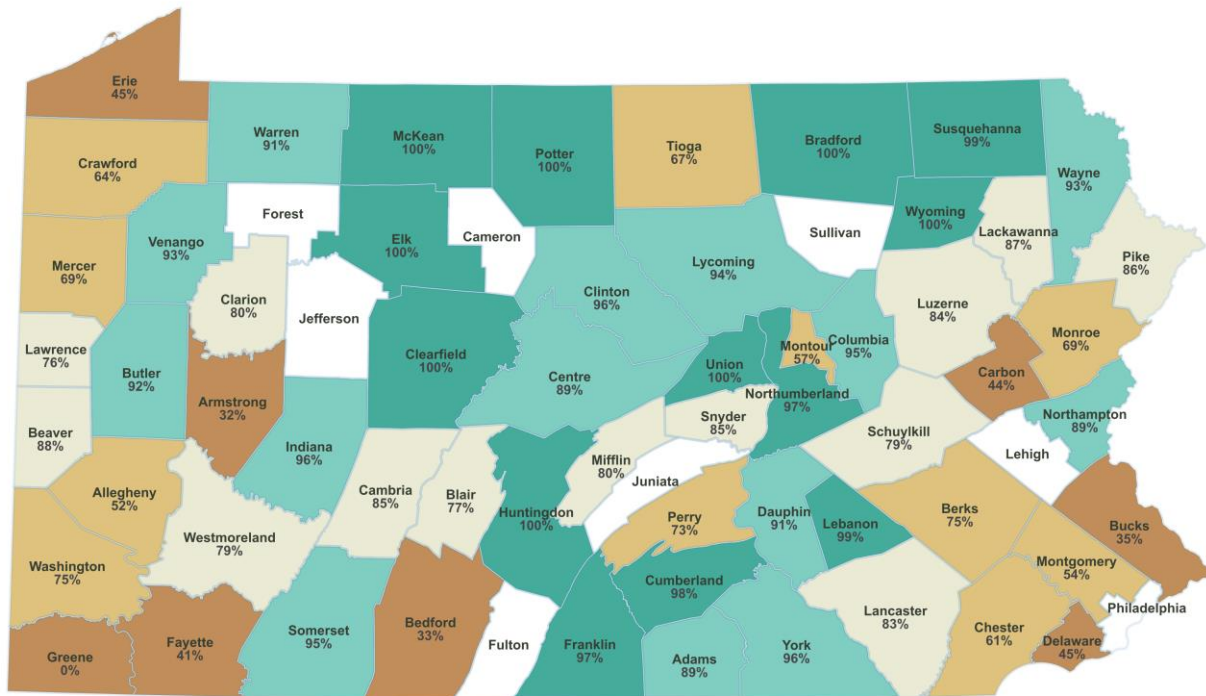
Three results should be noted here. First, the total number of retrievals has greatly increased from 2020-2023 (the number of retrievals increased by 53% for hearings and by 24% for consent agreements) – this is just slightly below the

increase in PFA orders which increased by 58% for hearings and 30% for agreements. Second, despite the number of actual retrievals increasing between 2020 and 2023, the retrieval rates have decreased over the same time period, across all case-result categories. For example, 82% of cases with a final relinquishment order resulted in a successful weapons retrieval in 2020, decreasing slightly to 80% in 2023.

Third, retrieval rates are higher for cases resolved by consent agreement compared to those by hearing (84% vs. 80% in 2023). This suggests that when a Defendant agrees to have their weapons relinquished as part of a final PFA agreement, there is a greater likelihood of retrieval weapons. Defendants may be less inclined to assist with relinquishment of weapons when the relinquishment is ordered by the court.

While the reasons for decreasing retrieval rates were not in the scope of this study, the results from Table 7 suggest a possibility that could be a focus of further research: with the dramatic increase in final weapons relinquishment orders, do local agencies have the time/resources to successfully complete a growing number of weapons retrievals?

FIGURE 11: RETRIEVAL RATES FOR CASES WITH A FINAL RELINQUISHMENT ORDER, 2023



Source: PFAD data on individual cases resulting in a final PFA order/agreement where the Defendant was also ordered to relinquish their weapons in 2023.

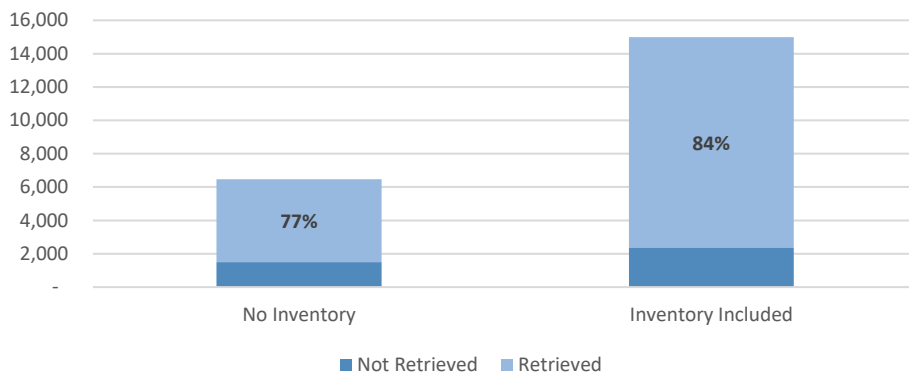
Note: Shows the retrieval rates for cases with a Final Relinquishment Order. Darker brown indicates rates lower than 50% of relinquishment orders are retrieved.

Figure 12 sheds further light on the overall retrieval rate of cases with a final relinquishment order (80% statewide for 2023, among the counties with retrieval data). While the median county has an 85% retrieval rate, 8 counties have retrieval rates below 50%, including both urban and rural counties across the state (indicated in dark brown). Counties with retrieval rates near 100% (indicated by darker teal) tend to lie within the middle of the state.

One factor that may assist in the successful retrieval of weapons is the inclusion of an “Attachment A Inventory” with a PFA petition, which allows the Plaintiff to list firearms, other weapons, and ammunition that were used or threatened to be used against the Plaintiff, that are owned by the Defendant, and/or that are requested to be relinquished (the Attachment A form is also shown in the Appendix). Often, when a Plaintiff includes one or more “weapons cautions,” as described above, in their original PFA petition, they also include an Attachment A Inventory. Over 87% of PFA petitions that include a “weapons caution” indicator include an Attachment A. However, only 24% of all cases filed include both a weapons caution and an Attachment A in the petition.

Figure 13 summarizes the cases ending in a final PFA order where the Plaintiff was also ordered to relinquish their weapons. First, we find that far fewer cases reach this adjudication when no inventory was submitted. Second, the inclusion of a weapons inventory corresponds with a substantial increase in retrieval rates, rising from 77% (no inventory) to 84%. This means that a petition that includes a weapons inventory has 61% higher odds of having the weapons successfully retrieved.⁸

FIGURE 12: RETRIEVAL RATES FOR CASES WITH A WEAPONS INVENTORY



Source: PFAD data on individual cases resulting in a final PFA order/agreement where the Defendant was also ordered to relinquish their weapons. Includes only cases from counties that had any Attachment A Inventories reported with case data.

Note: Shows the retrieval rates for cases with a Final Relinquishment Order.

⁸ Odds calculated by logistic regression ($P < 0.001$).

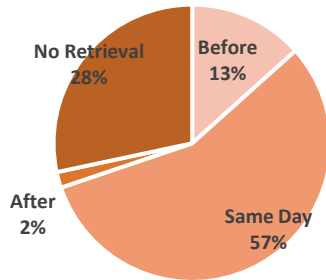
In addition, while not shown in the figure, Plaintiffs who include an Attachment A Inventory with their petitions have almost two-times greater odds of receiving a final PFA order (vs. temporary only or being denied a final order) and 22-times greater odds of having an order to relinquish weapons included with their final PFA order (even when a caution is cited in the petition). In other words, initial petitions that include both the relinquishment caution and the Attachment A end with a Final PFA including a relinquishment order at higher rates than petition that do not include these.

According to Act 79, Defendants are allowed 24 hours after the effective order date to comply with a relinquishment order. As shown in Figure 14, more than 70% of weapons ordered to be relinquished are successfully retrieved on the day of the order for relinquishment or before. This includes relinquishment orders associated with both temporary and final PFAs. Of those that are successfully retrieved after the order date (2% of temporary and 4% of final relinquishment orders), most are retrieved within the first week.

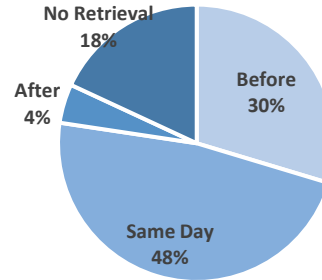
Final PFAs have a much greater likelihood of weapons retrieval, with 18% of cases showing no retrieval of weapons as opposed to 28% of temporary PFAs with no weapons retrieval.

Figure 14 also shows the local law enforcement agencies that are most likely to carry out weapons retrievals – 65% of cases with a final relinquishment order are carried out by local Sheriff's Departments and 13% by local police departments.

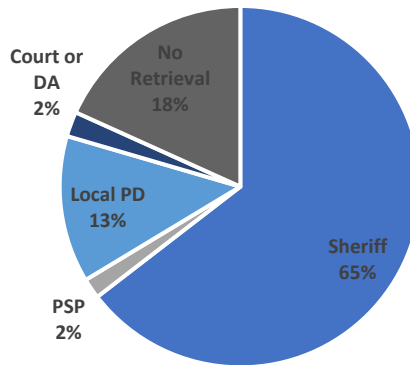
FIGURE 13: RETRIEVAL RATES FOR CASES WITH A FINAL RELINQUISHMENT ORDER



13a: Weapon Retrieval Times, Temporary Orders¹



13b: Weapon Retrieval Times, Final Orders



13c: Departments Performing Weapon Retrieval, Final Relinquishment Orders

Source: PFAD data on individual cases with relinquishment orders, May 2019 to December 2023.

¹A number of cases have multiple temporary orders before resulting in a final order or dismissal. That some cases have a retrieval before a temporary order indicates that weapons were retrieved after a previous temporary order.

Summary

In summary, the analysis of PFA cases (across multiple orders for each case) unveils several important findings. First, cases resulting in a final hearing grew faster than other cases from 2020 to 2023 (24% vs. 16%). Comparatively, petitions with weapons cautions and orders for weapons relinquishments increased by 40% over the same time. While this data cannot determine the reasons for the difference in rates, one possibility involves a growing willingness and/or knowledge of Plaintiffs to move further in the PFA process, perhaps due to growing access to and usage of support services. Another possibility may be a growing awareness of the court to use these protections in cases.

Second, there may be growing confidence in the process by both Plaintiffs and courts and/or a greater awareness that weapons cautions and inventories need to be included in the initial PFA petition, if indeed they are warranted.

Forty-nine percent of all final orders entered in 2023 included an order to relinquish weapons (60% when the final order was entered by hearing; 41% when the final order was entered by agreement). The inclusion of a weapons caution dramatically increases the number of relinquishment orders associated with a final PFA. In 2023, *all* final PFAs that included a weapons relinquishment caution in the petition also had an order to relinquish weapons (100% when the final order was entered by hearing; 100% when the final order was entered by agreement).

Confidence in the process may also be growing due to the rates of compliance: 82% of relinquishment orders result in a successful retrieval and 95% of these occur on the same day or before. This could be seen by victims as an indication that the system is reliably working to intervene and protect. Petitions that include weapons inventory attachments results in even higher retrieval rates, if a relinquishment order is issued with that case.

Third, this analysis is one of very few to attempt to estimate a prevalence of PFA orders across the Pennsylvania population. In 2023, nearly 7 in 1,000 Pennsylvania households experienced a PFA case and over 2 in 1,000 households had a case with a final PFA order. The use of the PFA petition to warn of potential harm from a weapon increased from 34% of cases in 2020 to 51% of cases in 2023. The percentage of cases where the judges issued a weapons relinquishment order grew from 31% in 2020 to 37% in 2023 – *petition use*,

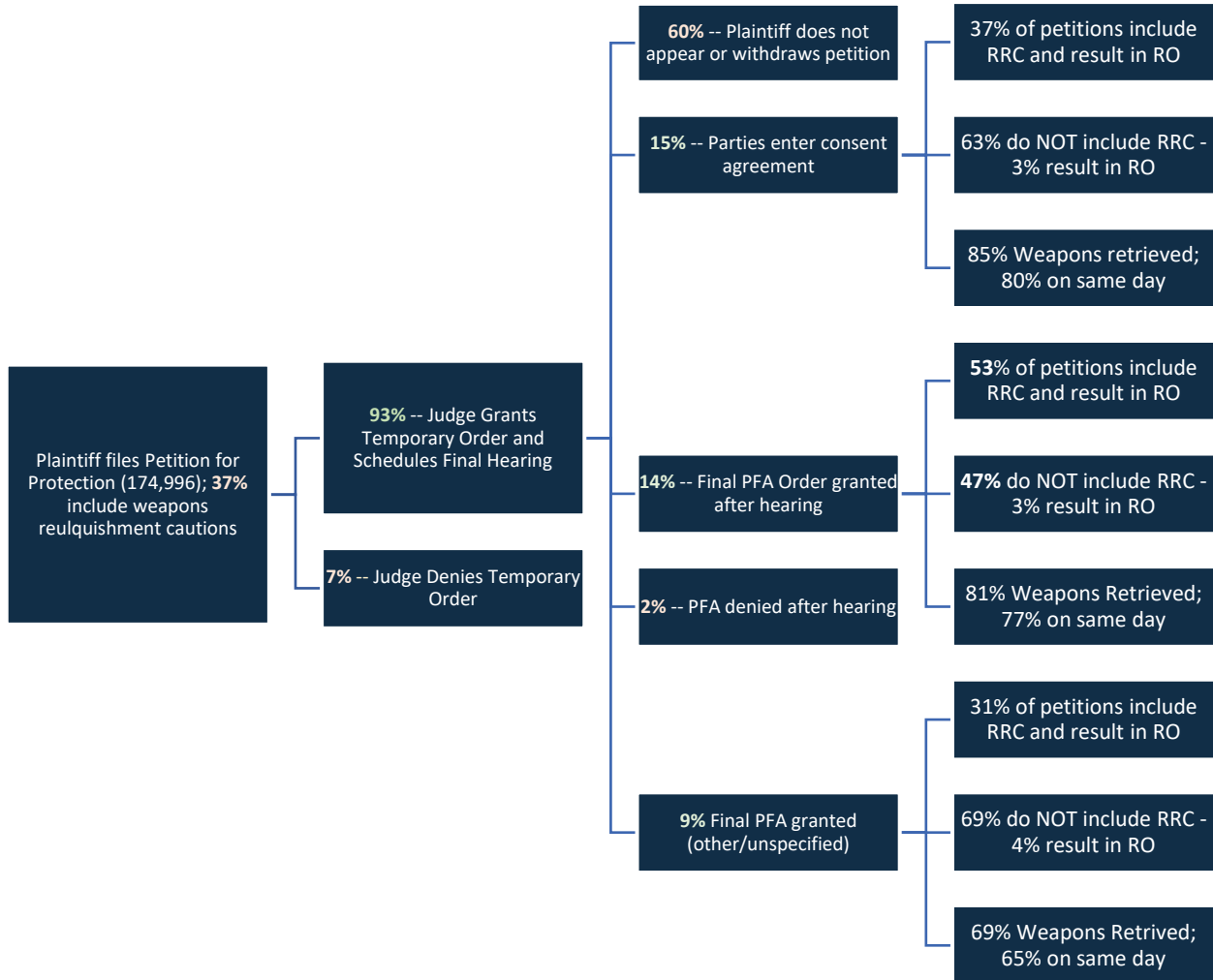
indication of a weapon caution, and order of weapon relinquishment are all growing in prevalence in Pennsylvania.

County-level analysis showed considerable variation in case numbers across the state: case growth, the percentage that result in final PFA orders, the percentage that have a relinquishment order, and the retrieval rate. Additionally, counties vary in the percentage of cases involving a weapon.

Implications & Suggested Next Steps

With the results above, we have a better understanding of the PFA and weapons relinquishment process presented above in Figure 1. The complexity of this process should be highlighted. Figure 15 re-presents this flowchart with percentages from the results section. After an initial temporary petition is filed, we know that approximately 93% of these are granted temporary orders. Of these, roughly 60% end with the temporary PFA, either due to the Plaintiff withdrawing the petition or failing to appear at the final PFA hearing. Over 20% of these cases also included a weapons relinquishment order by the judge, of which 72% were retrieved and would have to be later returned upon case dismissal.

FIGURE 14: PFA AND RELINQUISHMENT PROCESS WITH RESULTS



Note: Authors' model of PFA process, with results from above analysis. RO stands for relinquishment order. RRC indicates that the Plaintiff included a request for relinquishment caution in the PFA petition.

The remaining 40% of cases either went to a final PFA hearing or the PFA petition was resolved by consent agreement (or by an unspecified process not categorized in some counties). Cases culminating in consent agreements had lower rates of relinquishment cautions (in the petition) and additional orders for weapons relinquishment by the judge compared to cases where a Final PFA is ordered after a hearing (37% vs. 53%). Notably – whether a relinquishment caution was included in the petition appears to be the most influential factor determining whether a Final PFA includes an order to relinquish weapons. When a request for relinquishment caution is included, relinquishment of weapons is ordered in 98% of final PFA orders. Without a weapons caution in the initial petition, a Final PFA only includes an order to relinquish weapons 2% of the time.

The results from this analysis have helped with clearing up uncertainty surrounding the PFA and relinquishment process. The complexity of the PFAD data, linking petition information to court orders to relinquishment orders and retrievals, created barriers to case analysis. In working with the PFAD data, the team identified several areas that could improve reporting of cases over time, add greater efficiency and transparency of the relinquishment process, and enhance stakeholder understanding of the process and its implementation.

First, cross-system capabilities could be enhanced if PFA cases were linked to corresponding court docket sheets, which are maintained by the Administrative Office of Pennsylvania Courts (AOPC). Additional disposition data, dates, and docket entries could be added to the information created on PFA cases above to create a more thorough understanding of how cases start and play out over the whole process. One limitation of the current analysis is that there is no way to tell if a case is withdrawn or otherwise not further pursued by the Plaintiff, although that is inferred by the number of cases that have temporary order only. AOPC docket information could be linked to the PFAD data that we report regarding weapons cautions and relinquishments.

Second, a few enhancements in the PFAD data could enable better analysis of cases, given their extreme complexity. Many cases between a Plaintiff and Defendant have multiple temporary orders, while some even have multiple final orders. However, the PFAD system does not have an iterative numbering system for subsequent petitions or hearings (i.e. temporary hearing #1, #2, etc.). Further, the system does not indicate if an order is brought through the emergency PFA process. These can be requested after hours or on weekends when a victim needs immediate protection from abuse. A future analysis on

emergency PFAs and rates of weapon cautions and relinquishment orders would be informative as it is possible that an emergency situation would be more likely to involve a weapon. Additionally, no link exists to match up a specific relinquishment order (temporary or final within a case) to the subsequent retrieval attempt – this was approximated in the analysis above by date. Finally, the data does not consistently include the method by which a final order was entered, whether by agreement or hearing after a judge. This factor is imperative to determining whether the court was required by Act 79 to order that weapon be relinquished. Hearing number tracking, emergency order indicators, and specific order-to-retrieval tracking would streamline the process of full-case analysis and reporting.

Third, missing data in the PFAD system should be addressed. Large counties, namely Philadelphia and Lehigh, are missing important final order information, such as whether there is a no-abuse order or whether there is a relinquishment order. A number of other counties have no indication for weapons involved but have weapons relinquishments, as shown in the county maps above. As stated above, 82% of relinquishment orders have a confirming entry for retrieval; but 18% of cases have no retrieval information. In these cases, we do not know whether the retrieval was attempted, was successful and not logged in the system, or what otherwise happened. While there is an indicator for weapons not retrieved in the PFAD system, it does not match up our calculations of no retrieval information.

The results presented above create an informative baseline of trends in PFA orders and weapons relinquishments. They have helped stakeholders better understand how the PFA process is currently being implemented. Continued improvements in the data entry and reporting systems, along with continued monitoring and reporting of this data, will better establish whether the growing numbers of cases represent increased instances of violence or greater access to and usage of systems of protection from domestic abuse.

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Appendix – Sample PFA Petition

(Caption)

NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL order may be entered against you granting the relief requested in the petition. In particular, you may be evicted from your residence, prohibited from possessing any firearm, other weapon, ammunition, or any firearm license, and lose other important rights, including custody of your children. A protection order granted by a court may be considered in subsequent proceedings under Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53 (relating to custody) and Child Protective Services Law proceedings under Chapter 63 (related to juvenile matters).

A hearing on the matter is scheduled for the ___ day of _____, 20___, at __.m. in Courtroom _____ at _____ Courthouse, Pennsylvania.

If an order of protection has been entered, you MUST obey the order until it is modified or terminated by the court after notice and hearing. If you disobey this order, the police or sheriff may arrest you. Violation of this order may subject you to a charge of indirect criminal contempt under 23 Pa C.S. § 6114. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. Under federal law, 18 U.S.C. § 2265, this order is enforceable anywhere in the United States, tribal lands, U.S. Territories, and the Commonwealth of Puerto Rico. If you travel outside of the state and intentionally violate this order, you may be subject to federal criminal proceedings under the Violence Against Women Act. 18 U.S.C. §§ 2261-2262.

If this order directs you to relinquish any firearm, other weapon, ammunition, or any firearm license to the sheriff or the appropriate law enforcement agency, you may do so upon service of this order. As an alternative, you may relinquish any firearm, other weapon, or ammunition listed herein to a third party provided you and the third party first comply with all requirements to obtain a safekeeping permit. 23 Pa.C.S. § 6108.3. You must relinquish any firearm, other weapon, ammunition, or

any firearm license listed in the order no later than 24 hours after service of the order. If, due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, you must provide an affidavit to the sheriff or the appropriate law enforcement agency listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after service of the order. Failure to timely relinquish any firearm, other weapon, ammunition, or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa.C.S. § 6105.

NOTICE: Even if this order does not direct you to relinquish firearms, you may be subject to federal firearms prohibitions and federal criminal penalties under 18 U.S.C. § 922(g)(8) or state firearms prohibitions and state criminal penalties under 18 Pa.C.S. § 6105.

YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING, HOWEVER, THE COURT WILL NOT APPOINT A LAWYER FOR YOU. YOU HAVE THE RIGHT TO PRESENT EVIDENCE AT THE HEARING, INCLUDING SUBPOENAING WITNESSES TO TESTIFY ON YOUR BEHALF.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.

County Lawyer Referral Service
[Insert Street Address]
[Insert City, State, Zip Code]
[Insert Phone]

PETITION FOR PROTECTION FROM ABUSE	IN THE COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA NO. _____
---	--

1. PLAINTIFF

--	--

First Middle Last Plaintiff's DOB

Plaintiff's Address:

Plaintiff's address is confidential or Plaintiff's address is: _____

v.

2. DEFENDANT

--

First Middle Last Suffix

Defendant's Address:

DEFENDANT IDENTIFIERS			
DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVERS LICENSE #			
EXP DATE		STATE	

CAUTION:

Weapon Involved

Weapon Present on the Property

Weapon Requested Relinquished

Defendant's Place of employment is: _____

Check here if you have reason to believe that Defendant is a licensed firearms dealer, employed by a licensed firearms dealer or manufacturer, employed as a writer, researcher, or technician in the firearms or hunting industry, or is required to carry a firearm as a condition of employment.

3. I am filing this Petition on behalf of: Myself or Another Person

If you checked "myself", please answer all questions referring to yourself as "Plaintiff". If you ONLY checked "another person", please answer all questions referring to that person as the "Plaintiff", and provide your name and address here, as filer, unless confidential.

Filer's Name:

--

First Middle Last Suffix

Filer's Address is Confidential or Filer's address is: _____

If you checked "Another Person", indicate your relationship with Plaintiff:

parent of minor Plaintiff(s)

applicant for appointment as guardian ad litem of minor Plaintiff(s)

adult household member with minor Plaintiff(s)

court appointed guardian of incompetent Plaintiff(s)

4. Name(s) of all persons, including minor child/ren, who seek protection from abuse:

5. Indicate the relationship between Plaintiff and Defendant:

CHECK ALL THAT APPLY:

- spouse or former spouse of Defendant
- parent of a child with Defendant
- current or former sexual or intimate partner with Defendant
- child of Plaintiff
- child of Defendant
- family member related by blood (consanguinity) to Defendant
- family member related by marriage or affinity to Defendant
- sibling (person who shares parenthood) of Defendant

- Check here if Defendant is 17 years old or younger.

6. Have Plaintiff and Defendant been involved in any of the following court actions?

- Divorce Custody Support Protection from Abuse

If you checked any of the above, briefly indicate when and where the case was filed and the court number, if known: _____

7. Has Defendant been involved in any criminal court action? _____

If you answered Yes, is Defendant currently on probation? _____

Has Defendant been determined to be a perpetrator in a founded or indicated report under the Child Protective Services Law, 23 Pa.C.S. §§ 6301 - 6386? _____

If you answered Yes, what county's court or child protective services agency issued the founded or indicated report? _____

8. Plaintiff and Defendant are the parents of the following minor child/ren:

Name(s)	Age(s)	who reside at (list address unless confidential)
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. If Plaintiff and Defendant are parents of any minor child/ren together, is there an

existing court order regarding their custody? _____

If you answered "Yes," describe the terms of the order (e.g., primary, shared, legal or physical custody):

If you answered "yes", in what county and state was the order issued?

If you are now seeking an order of child custody as part of this petition, list the following information:

(a) Where has each child resided during the past five years?

Child's name	Person(s) child lived with	Address, unless confidential	When
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(b) List any other persons who are known to have or claim a right to custody of each child listed above.

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. The following other minor child/ren presently live with Plaintiff:

Name(s)	Age(s)	Plaintiff's relationship to child/ren
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. The facts of the most recent incident of abuse are as follows:

Approximate Date: _____

Approximate Time: _____

Place: _____

Describe in detail what happened, including any physical or sexual abuse, threats, injury, incidents of stalking, medical treatment sought, or calls to law enforcement (attach additional sheets of paper if necessary):

12. If Defendant has committed prior acts of abuse against Plaintiff or the minor child/ren, describe these prior incidents, including any threats, injuries, or incidents of stalking, and indicate approximately when such acts of abuse occurred (attach additional sheets of paper if necessary):

13. (a) Has Defendant used or threatened to use any firearms or other weapons against Plaintiff or the minor child/ren? If so, please describe the use or threatened use below and list on Attachment A to Petition, which is incorporated by reference into this petition, any firearms, other weapons, or ammunition Defendant used or threatened to use against Plaintiff or the minor child/ren: _____

(b) Other than the firearms, other weapons, or ammunition Defendant used or threatened to use against Plaintiff or the minor child/ren, does Defendant, to the best of your knowledge or belief, own or possess any additional firearm, other weapon, ammunition, or any firearm license?

(c) If the answer to (b) above is "yes," list any additional firearm, other weapon, or ammunition owned by or in the possession of Defendant on Attachment A to Petition, which is incorporated by reference into this petition.

(d) Plaintiff (*check one*) | DOES DOES NOT request that the court order Defendant to relinquish firearms, other weapons, or ammunition listed on Attachment A to Petition. If Plaintiff does seek relinquishment, identify on Attachment A to Petition the firearms, other weapons, or ammunition Plaintiff requests the court to order Defendant to relinquish.

14. Identify the sheriff, police department, or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order: _____

15. There is an immediate and present danger of further abuse from Defendant.

CHECK THE FOLLOWING BOXES ONLY IF THEY APPLY TO YOUR CASE
AND PROVIDE THE REQUESTED INFORMATION

- Plaintiff is asking the court to evict and exclude Defendant from the following residence: _____
- owned by (list owners, if known): _____
- rented by (list all names, if known): _____
- Defendant owes a duty of support to Plaintiff or the minor child/ren:
- Plaintiff has suffered out-of-pocket financial losses as a result of the abuse described above. Those losses are: _____

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, AND AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED)

- A. Restrain Defendant from abusing, harassing, stalking, threatening, or attempting or threatening to use physical force against Plaintiff or the minor child/ren in any place where Plaintiff or the child/ren may be found.
- B. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.
- C. Require Defendant to provide Plaintiff or the minor child/ren with other suitable housing.
- D. Award Plaintiff temporary custody of the minor child/ren and place the following restrictions on contact between Defendant and the child/ren: _____
- E. Prohibit Defendant from having any contact with Plaintiff or the minor child/ren, in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody with the minor child/ren.
- F. Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this petition, except as the court may find necessary with respect to partial custody with the minor child/ren. The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Name	Address (optional)	Relationship to Plaintiff
<hr/> <hr/>		

| G. Order Defendant to temporarily relinquish the firearms, other weapons, or ammunition listed on Attachment A to Petition, under Defendant's control, or in Defendant's possession, or any firearm license to the sheriff or the appropriate law enforcement agency.

| H. Prohibit Defendant from acquiring or possessing firearms for the duration of the order.

| I. Order Defendant to pay temporary support for Plaintiff or the minor child/ren, including medical support and | payment of the rent or mortgage on the residence.

| J. Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.

| K. Order Defendant to pay the costs of this action, including filing and service fees.

| L. Order Defendant to pay Plaintiff's reasonable attorney's fees.

| M. Order the following additional relief, not listed above:

| N. Grant such other relief as Plaintiff requests or the court deems appropriate.

| O. Order the police, sheriff, or other law enforcement agency to serve Defendant with a copy of this petition, any order issued, and the order for hearing. Plaintiff will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.

| P. Direct the Pennsylvania State Police, the municipal police, or the sheriff to accompany Plaintiff to his or her residence to retrieve personal belongings or accompany Plaintiff while the petition or order is served on Defendant, if Plaintiff has reason to believe his or her safety is at risk.

VERIFICATION

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities

Signature

Date

(Caption)

**ATTACHMENT A TO PETITION
FIREARMS, OTHER WEAPONS, OR
AMMUNITION INVENTORY**

I, _____, Plaintiff in this Protection from Abuse Action, hereby

(a) state that Defendant used or threatened to use the following firearms, other weapons, ammunition against Plaintiff or the minor child/ren (include addresses or locations, if known, such as "front seat of blue truck", "gun cabinet," "bedroom closet," etc.)

Firearm/Other Weapon/Ammunition	Location
1.	
2.	
3.	
4.	
5.	

(b) state that Defendant, to the best of my knowledge or belief, owns or possesses the following firearms, other weapons, or ammunition not set forth in (a) above (include addresses or locations if, known):

Firearm/Other Weapon/Ammunition	Location
1.	
2.	
3.	
4.	
5.	

(c) request that the court order Defendant to relinquish the following firearms, other weapons, or ammunition (include addresses or locations, if known):

Firearm/Other Weapon/Ammunition	Location
1.	
2.	
3.	
4.	
5.	