

## How long does my partner or ex have to surrender their firearms for?

If they have a conviction for a domestic violence misdemeanor or any felony, they can **never** again own or possess firearms.

If there is an OP against them only, they must surrender their firearms while the OP is in place.

## Can my partner or ex get their firearms back?

If there is an OP against them only, they can request to get their firearms back when the OP has expired as long as they do not have any domestic violence misdemeanor or felony convictions and they have not had any drug or alcohol arrests within the last year.

If your partner or ex has been convicted of a domestic violence misdemeanor or felony, they **cannot** get their firearms back. State and federal gun laws prohibit anyone convicted of a domestic violence misdemeanor or a felony from ever owning or possessing a firearm again.

## Will I know if or when my partner gets their firearms back?

Yes. You will receive a notice from the court if your partner or ex ever applies to get their firearms back and they are eligible to receive them again.

My OP docket number: \_\_\_\_\_

It expires: \_\_\_\_\_



## Metro Office of Family Safety

*Where Hope and Healing Begin*

If you are worried about your safety or are sometimes afraid of your partner or loved one, there is help available. To speak to an advocate, you can reach out to either of our offices. All of your information will be kept **confidential** and **all services are free**.

### Family Safety Center

*walk-ins and appointments*

610 Murfreesboro Pike

Nashville, TN 37210

(615) 880-1100

M - F, 9:00 am - 6:00 pm

*Order of Protection Assistance 24/7*

### Jean Crowe Advocacy Center

*courthouse location*

100 James Robertson Pkwy., Suite 114

Nashville, TN 37201

(615) 862-4767

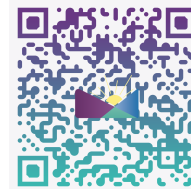
M - F, 7:45 am - 4:00 pm

We can help file Orders of Protection, create a safety plan, assess your level of risk, connect you with resources such as shelter and counseling, and provide a safe place for you to wait for your court hearing.

Your experience with abuse is unique to you, and your path to safety and healing will be as well. We will listen to you, believe you, and explain the resources that are available. **You choose whether to involve law enforcement or not.**

If you are in Nashville, you can also call the YWCA's  
24-hour hotline:  
**1-800-334-4628**

If you are outside of Nashville, you can call the 24-hour  
National Domestic Violence Hotline at:  
**1-800-799-7233**



# Firearms Dispossession FAQs

## Petitioner/Victim

**No one deserves to be hurt.**

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## You are not alone.



1 in 4 women and  
1 in 7 men in the  
US have  
experienced  
severe physical  
violence by an  
intimate partner  
at some point in  
their lifetime.\*

## DV and Firearms Risk

- Access to firearms increases the risk of murder by **5 times**.
- Abusers who have firearms tend to inflict the **most severe abuse**.
- Threats or assaults with a firearm increase the risk of murder **20 times**.

## Who Cannot Own or Possess Firearms:

- 1 A person convicted of a **domestic violence misdemeanor, stalking, or any felony**.
- 2 A person who has an active and **permanent Order of Protection (OP)** against them.

**This person MUST surrender their firearms and ammunition within 48 hours and provide proof to the court that they have done so.**

\*Source: National Intimate Partner and Sexual Violence Survey, 2010 Summary Report

## If I have firearms, do I need to surrender them?

Only if you have been convicted of a domestic violence misdemeanor, have an active OP against you, or have any felony convictions.

## What happens if my partner or ex doesn't surrender their firearms?

The penalty for not surrendering firearms in Tennessee is a class A misdemeanor and punishable by up to 11 months and 29 days in prison and/or a fine of up to \$2,500. It is also a federal crime punishable by up to 10 years in prison and/or a \$250,000 fine.

## By when does my partner or ex need to surrender their firearms?

They must surrender their firearms within 48 hours of a conviction or a judge granting a permanent OP against them.

## Who can they surrender their firearms to?

They can surrender their firearm to either:

- law enforcement,
- a licensed firearms dealer, or
- a third party who is legally allowed to have firearms.

## What if I don't approve of the third party my partner or ex wants to dispossess their firearms to?

You can oppose the third party at a compliance hearing where your partner or ex will be required to show proof that they have surrendered their firearms.

## What is an affidavit of firearms dispossession?

This is a written statement where an abuser declares, under oath, how and to whom they have surrendered their firearms.

## Does my partner or ex need to file an affidavit of firearms dispossession even if they do not own firearms?

Yes, they must still indicate on the affidavit that they do not own or possess firearms.

## What happens if my partner or ex doesn't file an affidavit of firearms dispossession?

Affidavits are ordered by the court, so failing to file an affidavit is disobeying the court's orders. Your partner or ex could be held in contempt of court which is punishable by up to 10 days in jail and/or a \$50 fine and/or have their probation violated.

## What is a compliance hearing? Do I have to go to it?

The compliance hearing is for your partner or ex to prove that they have dispossessed themselves of their firearms in a lawful way.

As the Petitioner or Victim, you can oppose the third party your partner or ex wants to dispossess their weapons to as well as provide any evidence regarding whether your partner or ex actually has surrendered their weapons. This is done at the compliance hearing.