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Susan B. Sorenson

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TAKING GUNS FROM BATTERERS
Public Support and Policy Implications

SUSAN B. SORENSON

School of Public Health, University of California, Los Angeles

Federal law prohibits the purchase or possession of a firearm by persons convicted of misdemeanor domestic violence and those under certain domestic violence restraining orders. The purpose of this investigation is to examine public sentiment about the removal of firearms in the absence of a restraining order or misdemeanor conviction following domestic violence. An experimental vignette design was used in a telephone survey of a cross-sectional statewide sample of 522 community-residing adults in California. Study design and population weights were applied; the findings, thus, are a reasonable approximation for the population of California. In more than 3,500 vignettes, the abusive behavior was judged to be wrong, illegal, or should be illegal (98.7%, 73.1%, and 77.7%, respectively). Although only about one half (56.5%) of the scenarios were thought to merit the issuance of a restraining order, three fourths (77.4%) were thought to merit the removal of firearms. Multivariate analyses indicated greater support for firearms removal when the abuse involved sexual or physical abuse (adjusted odds ratio [AOR] ranged from 2.65 to 5.64) or a gun (AOR = 6.54). Men were the sole population group with significantly lower support for firearm removal following domestic violence (AOR = 0.39). The men who wanted firearms to remain did not differ from other men on any of the measured variables. In sum, there is substantial support, especially when a gun is displayed in a domestic violence incident, for policies requiring the removal of firearms from abusers.

Keywords: firearms; intimate partner violence; violence prevention; policy; norms

Social policies and public sentiment enjoy a reciprocal relationship. Public sentiment can shape social policy and, in turn, policy can shape norms, the

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written and unwritten rules of a society that constitute the foundation for appropriate behavior within that society. Both policies and norms can affect behavior. When policy and public sentiment are in conflict, however, the effectiveness of a law often is reduced. For example, laws in all 50 U.S. states make it illegal to beat one's spouse but surveys suggest that hitting one's spouse may be acceptable under certain circumstances (Simon et al. 2001), which may explain why violence in intimate relationships continues to occur with dismaying regularity (Tjaden and Thoennes 2000).

The present investigation examines public sentiment regarding two policies designed to reduce injuries from domestic violence. First is the restraining order, in which a person who is deemed to be a threat to the health and safety of another is ordered to have no or restricted contact with (e.g., stay a minimum distance from) the person who is to be protected. Although the name— restraining orders, stay-away orders, orders of protection—and the criteria for obtaining them, the length of time for which they are issued, and other conditions may differ, all 50 U.S. states have restraining orders.[1] Second is the prohibition on firearms following intimate partner violence. Firearms are the primary weapon used in fatal assaults on women. Male intimates and firearms are a particularly dangerous combination: From 1976 to 2002, U.S. women were 2.2 times as likely to die of a gunshot wound inflicted by a male intimate as to die from any form of assault by a stranger (Sorenson 2006 [this issue]).

Acknowledging this particular risk, federal law prohibits persons who are under certain domestic violence restraining orders from purchasing or possessing a firearm (Title 18 U.S.C. § 922[g][8] and [d][8]). Subsequent federal legislation extended these prohibitions to persons who were convicted of a domestic violence misdemeanor (Title 18 U.S.C. § 922[g][9] and [d][9]). Those with a felony conviction for aggravated assault or any other felony-level crime already were prohibited from purchasing and possessing a firearm. Misdemeanor domestic violence was added to the list of prohibited purchasers and possessors based on anecdotal evidence that it was difficult to obtain a felony assault conviction when the two parties were in an intimate relationship and the observation that most assaults of an intimate partner are tried as misdemeanors.

The present investigation examines a particular aspect of prohibiting firearm possession by persons who have committed domestic violence, specifically, whether firearms should be removed following a domestic violence incident. Firearm removal laws go beyond prohibiting gun purchases or informing batterers that they are to relinquish their guns; they authorize law enforcement to remove firearms when responding to a domestic violence call or they authorize the courts to require that guns be removed when a restraining order is issued. As of April 2004, 16 U.S. states had laws

requiring firearm removal following domestic violence (Frattaroli and Vernick 2006 [this issue]). To my knowledge, prior to this investigation, there has not been an assessment of public sentiment about the concept.

METHOD

SAMPLE AND DATA COLLECTION

Data are from a larger study of community-residing California adults who participated in a random-digit-dialed telephone survey about various aspects of family life. The present investigation, focusing on general public sentiment, is based on interviews with the 522 adults recruited from the cross-sectional statewide sample. The sample was drawn and interviews were conducted by the National Opinion Research Center (NORC) of the University of Chicago, a long-established and highly experienced survey research firm. Data collection began April 11, 2000, and ended March 25, 2001, and the average interview was 27 minutes long. To capture large non-English-speaking populations in the state, interviews were conducted in Spanish, Korean, and Vietnamese as well as in English. The response rate of 47.3% for the cross-sectional sample is similar to or higher than that obtained in other recent, large, multilanguage statewide telephone surveys in California (California Health Interview Survey 2002; Weinbaum et al., 2001). Moreover, characteristics of respondents in the cross-sectional sample were fairly similar to characteristics of the state's population as a whole, which increases confidence in the sample quality.

STUDY DEVELOPMENT

Development of the data collection instrument was aided by a panel of community experts who were assembled specifically for this research. The panel was composed of survivors of intimate partner violence, founders and directors of battered women's shelters and rape crisis services, providers of batterers' treatment services, and the creator of a public awareness campaign about rape. The community experts helped with the construction of the scenarios about intimate partner violence that were used in the survey. They suggested variable categories and recommended question wording to increase the cultural competence of the data collection instrument and offered advice related to human subjects protection considerations.

Using information gathered through cognitive interviews, focus groups, and pretests, the questionnaire was revised several times. The final English-language version of the data collection instrument was translated into

Spanish, Korean, and Vietnamese, then each version was translated back into English and minor adjustments were made to ensure equivalency of the forms.

RESEARCH DESIGN

An experimental design, specifically a fractional factorial design, was employed in the survey. Factorial designs, used by social scientists for several decades, are considered by many to be the methodological gold standard by which to measure norms in no small part because they provide the opportunity to examine multiple variables simultaneously, effectively reduce social desirability response concerns, and provide the widely acknowledged strengths of randomized experiments (e.g., Rossi and Anderson 1982). Factorial designs use scenarios (vignettes) followed by a series of questions regarding the topic of interest. The vignettes have variables in common, and the variable categories are randomly assigned, which allows the variables to be examined independent of one another. In addition to the context provided in the vignette, the researcher measures respondent characteristics to examine how they are associated with respondent judgments.

In fractional factorial research designs, not all variables are used in all vignettes nor are all questions asked of all respondents, yet, with prior planning, the designs retain sufficient power to identify statistically significant differences. The main advantage of fractional factorial designs over fully factorial designs is one of economy—more variables and variable categories can be examined without increasing sample size. The price is usually an inability to examine higher-order interaction effects.

Each respondent was presented with seven vignettes, and each vignette contained randomly assigned categories from up to 12 variables about the victim, the assailant, and the incident. In each vignette, the victim and assailant were described as being of the same age; other characteristics (i.e., ethnicity, nativity, occupational status, and alcohol use) were varied between victim and assailant. In contrast to much prior research, which tends to focus on one type of abuse, the present investigation assessed responses to a range of behaviors that can be considered psychologically, sexually, or physically abusive. Each vignette described one of nine behaviors against a current or former intimate partner: belittled and insulted, said that the victim could not have contact with anyone but the assailant, destroyed identification documents (social security card and driver's license if the victim was a U.S. citizen, green card if the victim was an immigrant), threatened to harm, pressured to have sex, forced to have sex, slapped, punched with fist, and beat

up. The first vignette included a randomly assigned category of each variable, for example:

> Teresa, a 20-year-old Latino woman, is an office administrator who is an immigrant who has been in the U.S. a long time. She is living with David, a White man of the same age who is a factory worker and who is U.S. born. One evening he accused her of cheating on him. Then he pulled out a gun and forced her to have sex with him. There was a child in another room at the time. Before this incident occurred, he drank heavily and she had two drinks. This was the fifth time that an incident like this had happened between them.

To reduce respondent and interviewer burden, fewer variables and variable categories were used in subsequent vignettes. A priori decisions about which variables to include were based on the research question under study and the statistical power needed to ascertain population differences. Victim and assailant gender, ethnicity, and relationship status, motivation, and abuse type were included in every vignette because these variables, according to the literature as well as the community experts panel, were believed to be crucial to the integrity of the scenarios.

After each vignette, respondents were asked a series of questions about the behavior and what sanctions, if any, should follow. We focus herein primarily, albeit not solely, on two questions:

- "Should a restraining order be issued—in other words, should a judge say that [assailant's name] can't come near [victim's name]?"
- "Should all guns be removed from [assailant's name] possession?"

STATISTICAL ANALYSES

The unit of analysis is the vignette. Given seven vignettes per each of 522 respondents, there were a potential 3,654 vignettes for analysis. Standard diagnostic statistics (i.e., correlation matrices, frequency distributions, and examinations of multicollinearity) were reviewed for all predictors (i.e., vignette characteristics and respondent characteristics) and found to be acceptable. General response patterns were assessed by examining frequencies and percentages for each outcome variable (i.e., the survey questions noted above).

Multivariate logistic regressions were conducted to assess the effects of each predictor on outcomes while taking all other predictors into account. Vignettes were nested within respondents (i.e., each respondent was presented with seven vignettes), which was taken into account in the analysis

via the robust cluster option in STATA. In addition, a Bonferroni correction (Pedhazur and Kerlinger 1982) was made to take into account the multiple statistical tests in each regression, resulting in an adjusted *p* value of $p < .00047$. Findings at or below the adjusted level of statistical significance are emphasized herein.

RESULTS

Respondents thought the behavior was wrong but were less clear about what social sanctions should follow. (Recall that the assessed behaviors included a variety of actions that could be considered psychologically, sexually, or physically abusive.) As shown in Table 1, in almost all the vignettes, the assailant's behavior was considered wrong. In nearly three fourths of the vignettes, the behavior was considered illegal, and in slightly more, it was thought that the behavior should be illegal. There was a notable drop, however, when it came to taking action in terms of involving formal social agencies. In three fifths of the vignettes, respondents thought that police should be called, and, in about half of the vignettes, believed that the assailant should be arrested. Of those reporting that the assailant should be arrested, about half thought that he or she should not serve jail time.

Restraining orders were endorsed in just over half of the vignettes. In marked contrast were judgments about firearms: In more than three fourths of the vignettes, respondents thought that firearms should be removed. Firearms removal is the only intervention for which support was similar to respondents' judgments about the legality of the behavior, that is, was endorsed by a substantial majority of respondents.

The multivariate logistic regressions, which took into account all other measured vignette and respondent characteristics when assessing the effect of a variable, yielded adjusted odds ratios (AOR) that were of substantive as well as statistical importance. The AORs for variables that were statistically significant ranged from 2.01 to 8.77; most were in a 3.25 to 3.90 range for restraining order issuance and a 3.81 to 5.64 range for firearm removal.

Relatively few characteristics of the vignettes predicted whether respondents thought that a restraining order should be issued. As shown in Table 2, three variables were associated with an increased odds of wanting a restraining order issued: weapons, that is, if the assailant pulled out a knife or gun during the incident (vs. grabbed an available object in a threatening manner); type of abuse, that is, a wide range of behaviors (threatened to harm, pressured to have sex, forced to have sex, slapped, punched, and beat up) versus

TABLE 1:   **Respondent Judgments About Domestic Violence Scenarios**

Respondent Judgment	Affirmative Responses, %
Assailant's behavior was wrong ($n = 3{,}571$)	98.7
Assailant's behavior was illegal ($n = 3{,}368$)	73.1
Assailant's behavior should be illegal ($n = 3{,}517$)	77.7
Police should be called ($n = 3{,}528$)	60.4
Assailant should be arrested ($n = 1{,}855$)[a,b]	60.7
Assailant should serve jail or prison time ($n = 1{,}045$)[a,c]	50.7
Restraining order should be issued ($n = 3{,}435$)	56.5
Guns should be removed ($n = 3{,}540$)	77.4
Social workers should be called ($n = 1{,}005$)[d]	73.2[d]

NOTE: Population and sample weights were applied to the data.
a. To reduce respondent burden, the "arrest" and "jail" questions were not asked of all respondents.
b. The "arrest" question was asked only of those who responded affirmatively to the "police" question. A total of 85.7% of those indicating that police should be called wanted the assailant to be arrested.
c. Only those who responded affirmatively to the "arrest" question are included here. A total of 83.6% of those indicating that the assailant should be arrested wanted him or her to serve jail or prison time.
d. The "social worker" question was asked only if the vignette indicated that there was a "child in the other room during the incident."

belittled and insulted; and frequency of incident, that is, if the behavior was recurring (five times, one of many) rather than happened once. Of borderline significance was the relationship between the victim and assailant: Odds of supporting issuance of a restraining order were higher if the couple was divorced. Only two vignette variable categories were associated with a reduced odds of wanting a restraining order to be issued, specifically, if the victim was male (regardless of assailant gender) and if no external weapon was mentioned.

Only one respondent characteristic was associated with judgments about restraining orders. Of borderline statistical significance is the observation that men had a lower odds of wanting a restraining order to be issued.

Similar characteristics predicted whether respondents thought that firearms should be removed. Five vignette characteristics predicted judgments about firearms removal. Three—weapons, types of violence, and frequency of incident—overlapped in direction and general magnitude as those obtained in the question about restraining orders. Odds were higher if the assailant pulled a gun (vs. grabbed an available object) or if the assailant inflicted physical or sexual violence (vs. belittled or insulted the partner). Odds of wanting firearms removed were lower if the victim was a man and the assailant a woman. Two vignette variables were of borderline statistical

TABLE 2:   Vignette and Respondent Predictors of Beliefs About Restraining Order Issuance and Firearms Removal in Intimate Partner Violence Incidents

	Should a Restraining Order Be Issued? (n = 3,435)		Should Firearms Be Removed? (n = 3,533)	
	AOR	p	AOR	p
Vignette variables				
Victim and assailant gender (vs. female victim and male assailant)				
Hetero – male victim	0.29	.00000***	0.64	.00029***
Gay – male victim	0.40	.00002***	0.77	.14860
Lesbian – female victim	0.81	.21649	0.97	.88915
Relationship status (vs. married to)				
Dating	1.29	.25653	1.00	.98513
Living with	1.35	.30485	1.30	.20465
Separated from	1.21	.19082	1.25	.26774
Divorced from	1.95	.00131*	0.83	.38262
Alcohol consumption by assailant (vs. none)				
Had two drinks	1.43	.05682	1.42	.13082
Drank heavily	1.24	.27626	2.06	.00051**
Weapon (vs. grabbed an available object in a threatening manner)				
Pulled out a knife	3.25	.00000***	1.62	.05554
Pulled out a gun	3.73	.00000***	6.54	.00000***
Not mentioned	0.47	.00009***	0.52	.00239
Abuse type (vs. belittled and insulted)				
Victim could no longer have contact with anyone but assailant	1.03	.90516	1.11	.62928
Destroyed identification documents[a]	1.30	.23589	1.69	.01427
Threatened to harm	2.42	.00002***	1.94	.01095
Pressured to have sex	3.61	.00000***	2.65	.00006***
Forced to have sex	8.03	.00000***	5.64	.00000***
Slapped	3.42	.00000***	4.01	.00000***
Punched with fist	3.90	.00000***	3.81	.00000***
Beat up	8.77	.00000***	5.55	.00000***
Frequency of incident (vs. the only time)				
The fifth time	3.43	.00000***	1.54	.52395
One of many times	2.01	.00021***	1.69	.00502*
Respondent variables				
Race/ethnicity (vs. White)				
Black	1.22	.51319	3.14	.00461*
Hispanic	1.02	.93945	2.59	.00218*
Korean American	0.43	.05044	2.20	.78663

(continued)

TABLE 2   (continued)

	Should a Restraining Order Be Issued? (n = 3,435)		Should Firearms Be Removed? (n = 3,533)	
	AOR	p	AOR	p
Vietnamese American	0.87	.81864	1.17	.15721
Other Asian American	0.71	.26313	2.20	.06134
Gender (vs. female)				
Male	0.59	.00082**	0.39	.00000***
Immigrant (vs. no)				
Yes	1.04	.85935	2.81	.00125**
Pseudo R^2	0.2408		0.2671	

NOTE: Population and sample weights were applied to the data. All vignette variables and all measured respondent variables, including the vignette order and the clustered nature of the observations, were taken into consideration in these analyses. Variables that were not statistically significant are not shown in the table: Vignette variables—victim and assailant age, victim ethnicity, assailant ethnicity, victim socioeconomic status, assailant socioeconomic status, victim nativity, assailant nativity, motivation, whether children were near; Respondent characteristics—age, education, current relationship status, ever married, ever divorced, children under 5 years old, children age 5 to 17 years old, number of adults in household, income, number of persons supported on income, locale, personally knows an intimate partner violence victim. AOR = adjusted adds ratio.
a. Social security card and driver's license if the victim was U.S.-born; green card if the victim was an immigrant.
*$p < .01$. **$p < .001$. ***$p < .00047$, the latter being the statistical significance level after making a Bonferroni correction for multiple tests.

significance: Respondents were more likely to want firearms removed if the assailant had drank heavily prior to the incident and if the violence had occurred many times.

Although not of statistical significance, three groups had an elevated odds of supporting firearm removal: Blacks, Latinos, and immigrants. Only one respondent characteristic was substantively and statistically associated with judgments about firearm removal. The AOR was substantially lower for men.

The next set of analyses attempted to explore the basis for the observed gender discrepancies found in the multivariate analyses. A total of 60.1% of women and 52.7% of men thought that a restraining order should be issued. Substantially higher proportions of both—84.3% of women and 70.1% of men—thought that, regardless of all other incident characteristics, guns should be removed. When they supported the idea of issuing a restraining order, 95.6% of women and 86.4% of men thought that firearms should be removed. Although a substantial majority of both genders supported the

idea, it is notable that about one in seven men (14.6%) believed that when a restraining order is issued, firearms should not be removed.

The gender discrepancy narrows greatly if a gun was displayed in the incident. If no gun was displayed, 18.0% of women and 33.3% of men say that the guns should not be removed. If a gun was displayed in the incident, however, 96.6% of women and 92.1% of men say that firearms should be removed.

The next set of analyses focused on trying to better understand response patterns that, on the surface, appear logically inconsistent about firearm removal. About one in six (15.1%) indicated that the behavior (an action that could be considered psychologically, sexually, or physically abusive) was illegal yet did not want guns removed. Again, a substantial gender discrepancy was observed: 8.5% of women and 20.2% of men did not want firearms removed even though they thought that the behavior was illegal. A multivariate logistic regression (including all other variables) found that only one respondent characteristic, being male, was associated with membership in the "illegal behavior but keep the guns" group (AOR = 2.73, $p < .000001$).

To better understand how these men differ from other men, a multivariate logistic regression was conducted in which the outcome variable was men's membership in the "illegal behavior but keep the guns" group. No variables were of substantive or statistical significance—there were no differences in education, income, ethnicity, current or past marital status, whether there were children in the home, or a host of other demographic characteristics. It appears, thus, that simply being male or some other unmeasured characteristic associated with men accounts for a seemingly inconsistent response pattern.

DISCUSSION

Policies intended to reduce injury and to increase safety are more likely to be successful if they are grounded in widely held beliefs and if they have broad support among members of the general public. The intervention of removing firearms after incidents of domestic violence appears to have such support.

At the most basic level, norms define shared understandings about "oughts"—in this study, what ought to be illegal, ought to have police called to the scene, ought to have a restraining order, and ought to have firearms removed. Things are rarely this clear-cut, however; the context of the action or behavior is a key consideration in making social judgments. Findings indicated that characteristics of the incident as well as one characteristic of those making the judgments were important. Support was particularly strong when physical or sexual abuse had occurred—specifically, when the intimate

partner was slapped, punched, beat up, pressured to have sex, or forced to have sex—and when a gun was displayed although not otherwise used in the incident. Only one population group, men, had significantly lower support for firearms removal following a domestic violence incident. Although the percentages documenting support may seem high—70.4% of men and 84.1% of women—when taking into account other characteristics of the domestic violence incident and the respondents, men were substantially less likely than women to support firearm removal: Women were 2.6 times as likely as men to support firearms removal. I focus herein on the gender discrepancy because it was the sole respondent characteristic to emerge as important in the findings and because of its practical implications.

Despite strides in gender equality, those who make and implement decisions about firearms removal are overwhelmingly male. Even in California, which regularly is perceived as operating outside the norms of the rest of the nation, 69.2% of legislators, 74.9% of judges, and 87.4% of law enforcement officers are men (California State Legislature 2005; Bobbie Welling, California Administrative Office of the Courts, personal communication, September 14, 2005; Peace Officer Standards and Training 2004). The focus here is on the state level given that states were given the responsibility to implement the federal laws regarding domestic violence restraining orders and misdemeanors as well as have the authority to pass related legislation intended to reduce harm to their residents. As reported elsewhere in this volume (Frattaroli and Teret 2006 [this issue]; Seave 2006 [this issue]), considerable discretion is exercised in the implementation of legal mandates regarding efforts to protect victims of intimate partner violence (mostly women) from further harm (from mostly men). Increasing compliance with the law will take personal will on the part of those implementing the mandates (mostly men) and both personal and political will on the part of the overseers of such efforts (again, mostly men).

Although it is possible that men may have engaged in the behaviors described in the scenarios and not considered the actions to be wrong, study findings do not support this idea, at least not as a general concept. Nearly identical proportions of men and women judged the described behaviors to be wrong and illegal and that the behaviors should be illegal. Either some quality of male-ness itself or an unmeasured gender-related characteristic (e.g., pro-gun views) may be at play. Although nearly identical proportions of men and women thought that the behavior was wrong, illegal, should be illegal, and police should be called, a lower proportion of men than women endorsed interventions that could be considered more intrusive: 52.7% of men and 60.0% of women wanted a restraining order issued, 70.4% of men and 84.1% of women wanted firearms removed, and 66.7% of men and 79.2% of women wanted social workers called to check on the children.

Thus, mistrust of government may be relevant to explanations of the gender discrepancies observed in study findings.

The primary mechanism by which batterers are prohibited from purchasing or possessing firearms (i.e., a restraining order) is given less support than the removal of firearms. Thus, if policy makers choose to initiate legislation about firearm removal that is not linked to restraining orders, there likely will be broad support for such action. Implementing current policy likely will continue to meet some resistance given that, in conflict with federal law, study findings indicate that nearly one in seven men (14.6%) say that firearms should not be removed even when a restraining order is issued.

Men and women may simply have different thresholds for firearm removal following incidents of domestic violence. Findings suggest that a central issue is whether the assailant displayed a gun during the domestic violence incident. Whereas the display of a gun was associated with a higher proportion of women wanting guns removed (82.0% if no gun was displayed in the incident vs. 96.6% if a gun was displayed in the incident), the men, starting from a lower baseline, also want firearms removed if a gun was displayed in an incident (66.7% if no gun was displayed vs. 92.1% if a gun was displayed in the incident). It appears that men link gun removal to gun use—the assailant is being punished for having used a gun in a way that would threaten an intimate partner. The responses of women, on the other hand, appear to focus less on punishing and more on preventing—if the partner behaves inappropriately toward an intimate partner, guns should be removed regardless of whether a gun was used in a specific incident. These gender-linked perspectives, in which men appeared to penalize for past behavior whereas women appeared to forecast elevated risk based on past behavior, are similar to the punish versus prevent debate that infuses firearm policy.

NOTE

1. The Women's Law Initiative provides state-by-state legal information and resources at http://www.womenslaw.org/.

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Susan B. Sorenson, Professor of Community Health Sciences at the UCLA School of Public Health, has published more than 100 articles and chapters about the epidemiology and prevention of violence, including the areas of homicide, suicide sexual assault, child abuse, battering, and firearms. A primary focus of her work is how gender, ethnicity, and nativity are related to the risk of violence.