

Gun Violence Prevention: Options for Local Leaders



Preemption

- **What it is:** Preemption limits the authority of local governments to regulate the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, and transportation of firearms.
- **What it is NOT:** A total ban on local governments passing ordinances relating to firearm regulation or taking other action to address gun violence

Cities, towns, counties, and other municipalities may enact ordinances restricting:

- The discharge of firearms in any portion of their jurisdiction where there is reasonable likelihood that humans, domestic animals, or property will be at risk of harm.
- The possession of firearms in any stadium/convention center (with some exceptions)
- Some areas in which firearms may be sold or advertised (with some exceptions)

Extreme Risk Protection Orders (ERPO)

- An ERPO is a court order that temporarily suspends a person's access to firearms if there is evidence that the person poses a threat to themselves or others
- Washington State has very strong laws concerning the removal of firearms from individuals subject to certain civil protection orders
- Opportunities for Public Education:
 - Many people are unaware that ERPOs and DVPOs exist
 - Many people have a misunderstanding of what an ERPO is
 - Many law enforcement officers are not aware these protections exist, or their role in the ERPO process.

Open Carry

Washington is an open carry state, meaning that the open carry of firearms is legal without a license for anyone at least 21 years old who is legally allowed to possess a firearm.

Open carry is limited or can be regulated by the local authority in these locations:

- the state capitol grounds
- any meetings of the governing body of the city, town, county, or other municipality
- 250 feet of the perimeter of a permitted demonstration

Militia Laws

- Several provisions of Washington law require all militia activity to be under the control and authority of the state.
- The Washington State Constitution forbids private military units from operating outside state authority, providing that “[t]he military shall be in strict subordination to the civil power.” Wash. Const. art. I, § 18.
- [FACT SHEET](#) from ICAP, Georgetown Law

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