

Legal Epidemiology for Public Health Lawyers

Key Developments

Scott Burris

Center for Public Health Law Research

1: The state of the field and
why it matters

2: Is there a crisis in the
quality and public
understanding of policy
research – and what can
YOU do about it?

3: Scientific legal
mapping, policy
surveillance and AI –
what could possibly
go right?

Legal epidemiology

The scientific study and deployment of law as a factor in the cause, distribution, and prevention of disease and injury in a population.

But why?

Legal epidemiology is a *strategic* intervention for systems change ...

Increase # and quality of research studies

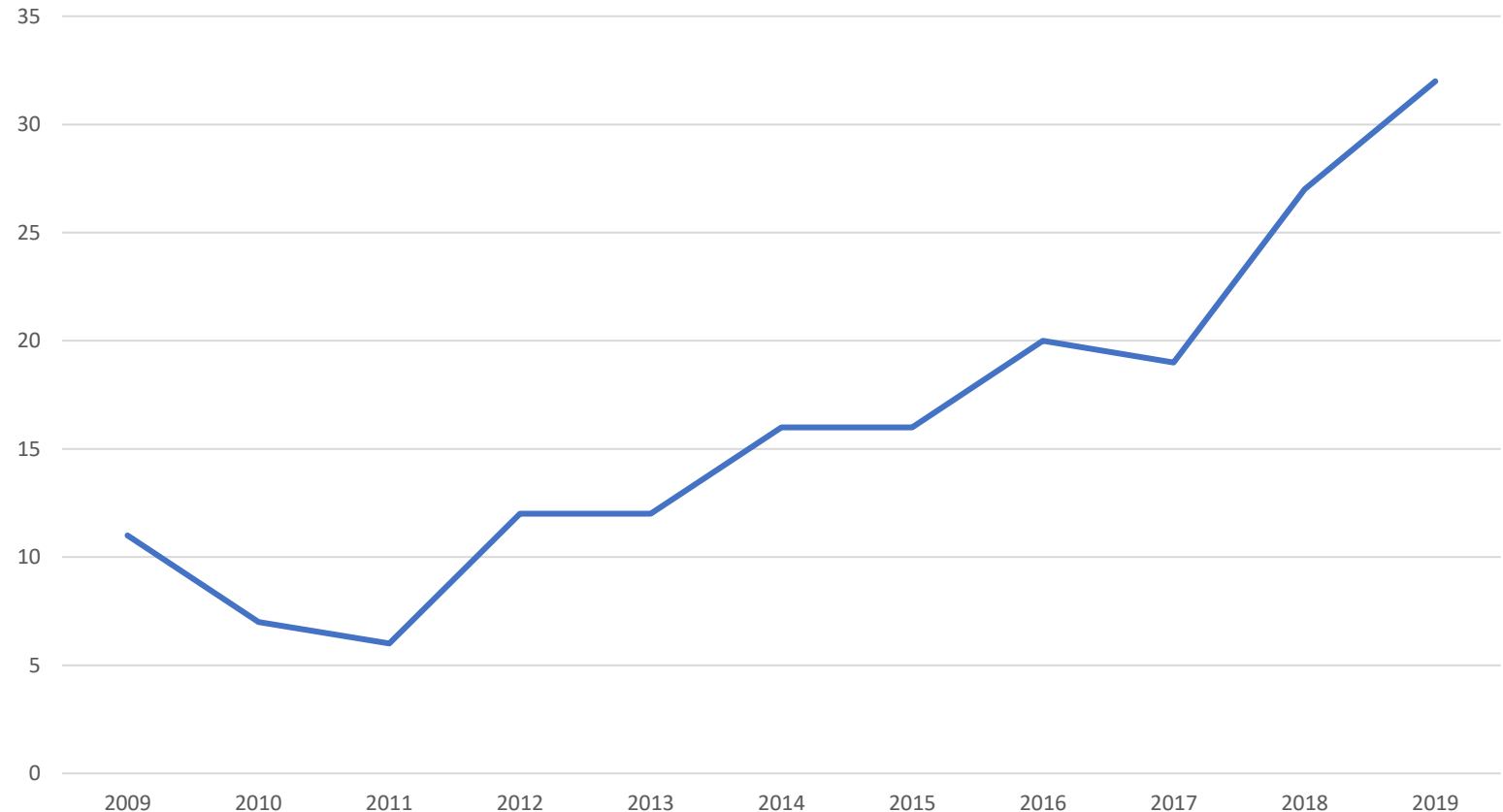
Demonstrate that it is possible to assess legal effects

Promote success and create accountability for harm and failure

And by some measures it is working...

Data from Pepin, D. A., St. Clair Sims, R., Khushalani, J., Tonti, L., Kelly, M. A., Song, S., . . . Kaminski, J. W. (9900). A Narrative Review of Literature Examining Studies Researching the Impact of Law on Health and Economic Outcomes. *Journal of Public Health Management and Practice*, doi:10.1097/phh.0000000000001833

Legal Epidemiology Studies by Year 2009-Sept. 2019



There is a lot at stake

FOR you...

- Legal epi is one way to get the people we work with in public health to take law more seriously
- It can give us evidence for our arguments
- And it can help us avoid advocating for things that do no good – or do actual harm
- It is a constant voice for facts, pragmatic rationalism, and a hope for sensible policy making despite political divisions.

FROM you ...

- The field needs lawyers to promote the field – and to understand it
- We need lawyers to use, demand and learn from evidence of legal effects.
- And – setting up my next points – We **NEED** lawyers to join the fight for better legal measurement

2. Maybe it's working a little too well...

We clearly have a “replication crisis”

- Pepin et al: “Although 92% of studies provided a source for the legal data, most did not discuss scientific legal mapping methods used ... or provide a discussion of the validity of the legal data relied on.”

No source of legal data identified	8%
Took data from another source	53%
Actual search string provided	6%
Had a legal domain expert on the team	19%
Had a lawyer in a study that created its own legal data	54%

But we may also have a quality
crisis...



Poor legal measurement means that the exposure at the core of the study is mismeasured ...

(For film noir buffs, a mismeasured legal exposure is the luminous poison of policy research.)

Article

Longitudinal Study on Deterrent Effect of Drug-Induced Homicide Law on Opioid-Related Mortality Across 92 Counties and the District of Columbia in the U.S.

Journal of
2022, Vol.
© The Au
Article re
sagepub.c
DOI: 10.1
journals.s
SAC

Youngeun Lee¹, Sung W. Choi¹ and Jonathan Lee¹

Abstract

In response to the opioid epidemic in the United States, the federal and state initiated various public health responses to mitigate the problem. Among other Homicide Laws (DIHL) have been introduced to disrupt opioid supply by intentionally punitive sanctions against sales and distribution. The purpose of this study was to evaluate whether DIHL had an impact on opioid-related deaths, while controlling for socioeconomic indices. A dynamic panel model was used with cases from 92 counties and the District of Columbia between 2013 and 2018. The findings suggest that implementation has curtailed the rate of opioid mortality. Supply-interruption policies have merits and should be further evaluated.

Keywords

drug overdose, health policy, Drug-Induced Homicide Laws, panel data, drug

Introduction

Opioid Crisis

In recent years, drug misuse and overdose have been a growing public health problem with a substantial burden on the national economy in the United States (McClellan et al., 2015). Drug addiction has increased by nearly six-fold over the last few decades and is a leading cause of deaths in the U.S. (Davis, Johnston, & Pierce, 2015; Erfanian, Coll

A discussion of critical errors in a longitudinal study on the deterrent effect of drug-induced homicide laws on opioid-related mortality across 92 counties and the District of Columbia in the United States

Jennifer J. Carroll^{1,2} | Leah Bevis³ | Taleed El-Sabawi^{4,5} | Mary Figgatt^{6,7} | Nabarun Dasgupta^{6,7} | Leo Beletsky^{8,9} | Amy J. Leiberman¹⁰ | Ashleigh Dennis¹⁰ | Corey S. Davis¹⁰

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Abstract

Drug overdose claimed more than 100,000 lives in the United States in 2021. Drug-induced homicide (DIH) laws create specific criminal liability for individuals who provide drugs that cause or contribute to the death of another person. DIH prosecutions in the United States have increased substantially over the past decade despite the absence of meaningful evidence of their individual- or community-level impacts. Recently, Lee et al. analyzed the impact of DIH laws on county-level opioid overdose mortality across 92 counties in 10 states and concluded that DIH laws are associated with significant reductions in rates of opioid overdose death. In this commentary, we present evidence demonstrating that the Lee et al. study is fundamentally flawed. Specifically, the legal data used by Lee et al. to define their treatment condition (the presence or absence of a state-level DIH law) is incorrect in almost every aspect. We also describe significant methodological weaknesses, including flawed sampling strategies that resulted in a biased sample of county overdose rates as well as flawed modeling strategies that cannot effectively evaluate the hypothesis that DIH laws negatively impact opioid overdose mortality. More

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World Medical & Health Policy, 2023, 1–26.

wileyonlinelibrary.com/journal/wmh3 | 1

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... This is what lawyers and researchers then have to do...


There are lots of mistakes to be made

- Enactment date?
- Signature date?
- Effective date?
- Implementation date?



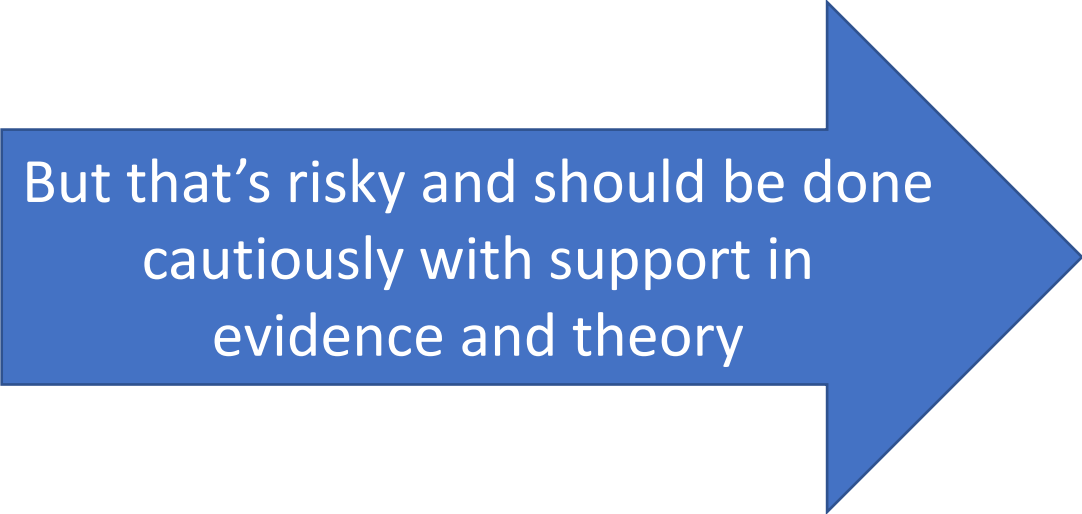
RESEARCH ARTICLE

The importance of data source in prescription drug monitoring program research

Jill R. Horwitz PhD, JD, MPP , Corey Davis JD, MSPH, Lynn McClelland JD, MPH, Rebecca Fordon JD, MLIS, Ellen Meara PhD

First published: 02 September 2020 | <https://doi.org/10.1111/1475-6773.13548> | Citations: 13

A law can be a decent proxy for implementation ...



But that's risky and should be done
cautiously with support in
evidence and theory

IZA DP No. 11489

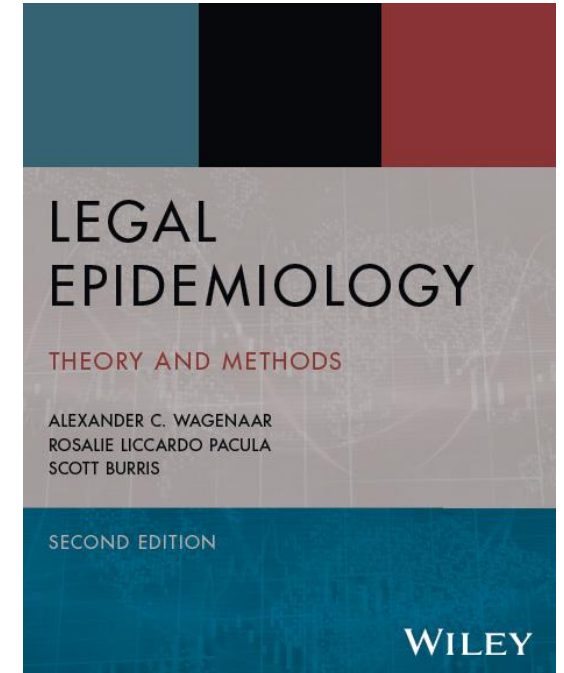
The Moral Hazard of Lifesaving Innovations: Naloxone Access, Opioid Abuse, and Crime

Jennifer L. Doleac
Anita Mukherjee

APRIL 2018

What can be done?

- *Peer review should catch this – but too often it doesn't*
 - Lawyers are not asked to review
 - Lawyers who review do not see the problem...
- *So no matter where you work in the system,*
 - Bone up on the basics of measurement
 - Volunteer and say “yes” to requests for peer review



We also need lawyers to help explain legal epi research to the public (and sometimes to the researchers)



Cochrane
Library

Cochrane Database of Systematic Reviews

Physical interventions to interrupt or reduce the spread of respiratory viruses (Review)

Jefferson T, Dooley L, Ferroni E, Al-Ansary LA, van Driel ML, Bawazeer GA, Jones MA, Hoffmann TC, Clark J, Beller EM, Glasziou PP, Conly JM

Reactions

The New York Times

OPINION
ZEYNEP TUFEKCI

Here's Why the Science Is Clear That Masks Work

March 10, 2023



The New York Times

OPINION
BRET STEPHENS

The Mask Mandates Did Nothing. Will Any Lessons Be Learned?

Feb. 21, 2023



In fact, none of the studies evaluated an actual law or rule

- Mostly cluster RCTs, but diverse in study size, location, and approaches
- Study populations range from >one half million Bangladeshi villagers to a few hundred Iranian pilgrims
- Interventions studied were frequently multifaceted, including hand hygiene, masks, advice and social distancing.
- Included studies used a variety of mechanisms to promote mask use, including provision of free masks, instructions, reminders and more.

The name also rises

One way to understand the error in the Doleac and Mukerjee paper or the Cochrane kerfuffle is as a confusion over the difference between “policy” and “law”. Coming to policy research from law, it is perhaps professionally natural to distinguish between the particular conduct or standard that is desired to be spread and the mechanism through which that spreading occurs.

Accepting the distinction means that for the technical work of policy research and evaluation, it is useful to give that common word policy a narrow technical definition:

A governmental or organizational instrument for generalizing a desirable behavior or standard.

Such an instrument will nearly always take the form of an observable law or law-like text.

And please also help spread these distinctions

- Basic research on masks and respirators:
 - In the lab, what devices stop what viral particles under what experimental conditions (temperature, humidity, concentration, eg)
- Policy candidate research:
 - In intervention trials with real people, do masks reduce transmission? Under what circumstances?
 - How can mask wearing be promoted and sustained? What barriers arise in practice?
- Policy research:
 - Where are mask laws, regulations or institutional rules adopted? What form do they take (policy surveillance)
 - How are they implemented?
 - What effects do they have?

3. Some points about scientific legal mapping, policy surveillance and AI

Scientific legal mapping is not just a pretty map

- Yes, it is part of the systems change strategy of legal epidemiology
 - It brings a patina of science to legal research and information
- Yes, it does produce pretty exhibits
- But it is also a better way to do comparative legal research and analysis
 - Far more efficient
- And it goes a long way to solving the replication and measurement crises

Paradigm shifting

- Legal research conducted in a manner that is transparent → reproducible
- Explicit quality control processes
- Open source

Syringe Distribution Laws_Data (1) - Excel

FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW

H22 : X ✓ fx 0

	A	B	C	D	E	F	G	H	I	J
1	jurisdictions	Effective Date	Valid Through	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis	syringedis
2	Alabama	2012-07-01	2017-07-01	1	0	0	0	0	0	0
3	Alaska	2012-07-01	2017-07-01	1	0	0	0	0	0	0
4	Arizona	2012-07-01	2017-07-01	1	0	0	0	0	0	0
5	Arkansas	2011-07-01	2011-07-26	1	0	0	0	0	0	0
6	Arkansas	2011-07-27	2017-07-01	1	0	0	0	0	0	0
7	California	2012-01-01	2014-12-31	0	1	0	0	0	0	0
8	California	2015-01-01	2017-07-01	0	0	0	0	0	0	1
9	Colorado	2012-07-01	2013-05-09	0	1	0	0	0	0	0
10	Colorado	2013-05-10	2015-06-30	0	1	0	0	0	0	0
11	Colorado	2015-07-01	2017-05-29	0	0	0	0	0	0	1
12	Colorado	2017-05-30	2017-07-01	0	0	0	0	0	0	1
13	Connecticut	2012-07-01	2015-06-30	0	1	0	0	0	0	0
14	Connecticut	2015-07-01	2016-09-30	0	0	0	0	0	0	1
15	Connecticut	2016-10-01	2017-06-30	0	0	0	0	0	0	1
16	Connecticut	2017-07-01	2017-07-01	0	0	0	0	0	0	0
17	Delaware	2012-07-01	2013-06-29	0	1	0	0	0	0	0
18	Delaware	2013-06-30	2014-04-10	1	0	0	0	0	0	0
19	Delaware	2014-04-11	2015-12-17	0	0	0	0	0	0	1
20	Delaware	2015-12-18	2016-08-10	0	0	0	0	0	0	1
21	Delaware	2016-08-11	2017-07-01	0	0	0	0	0	0	1
22	District of Cc	2012-07-01	2013-06-10	0	0	1	0	0	0	0
23	District of Cc	2013-06-11	2014-07-16	0	0	0	0	0	0	1

Statistical Summary

We need more
practitioners...

- Using the methods
- Using the software
- But also taking advantage of the advantages
 - Like building on existing research and avoiding duplication
 - Practicing the open source open science ethic
- Fighting for open law

MonQcle
by the Center for Public Health Law Research

Home Training Contact Resources Sign In

Revolutionize how
you create, organize,
and share
legal research with
MonQcle

- Chat GPT may already be able to generate 50 state surveys or it soon will be; legal research companies are or soon will be deploying it
- But while this may be good for a quick scan, there are limits and risks
 - No transparency: we don't know where it is looking and how it is defining the search
 - No quality control
 - Not clear it can create numeric data or build valid longitudinal datasets

And AI may also be a big help

- MonQcle AI assistant (similar work at CDC)
- There's plenty of room on the cutting edge
- TA and training available, <https://phlr.org/method/legal-epidemiology-training-and-educational-resources>



THANK YOU

Legal epidemiology in action: Using policy surveillance to track debt collection litigation laws

Katie Moran-McCabe, JD
Center for Public Health Law Research
Temple University Beasley School of Law

October 25, 2023

Acknowledgement and Disclaimer

Support for this project was provided by The Pew Charitable Trusts. The views expressed here are those of the speaker and do not necessarily reflect the views of The Pew Charitable Trusts.

Debt Collection Litigation in the US

- Debt collection lawsuits account for an estimated 1 in 4 of all civil cases
- Approximately 90% of defendants do not have a lawyer representing them
- More than 70% of debt claims are resolved by default judgment for the plaintiff
- Debt claims can impact ability to secure housing, employment, and credit

<https://www.pewtrusts.org/-/media/assets/2020/06/debt-collectors-to-consumers.pdf>

Report THE PEW CHARITABLE TRUSTS May 2020



How Debt Collectors Are Transforming the Business of State Courts

Lawsuit trends highlight need to modernize civil legal systems

Debt Collection Litigation in the US

- Debt has been linked to several poor health outcomes, including lower life expectancy, higher mortality, depression, high blood pressure, and forgone medical care.¹
- Debt collection judgments can result in garnishment of wages, bank account seizure, and arrest.²
- Debt has disproportionate impact on Black and Latinx communities.²

¹ American Public Health Association (APHA). (2021). The impacts of individual and household debt on health and wellbeing. (Policy Statement, Number: 20216). <https://www.apha.org/Policies-and-Advocacy/Public-Health-Policy-Statements/Policy-Database/2022/01/07/The-Impacts-of-Individual-and-Household-Debt-on->

² American Civil Liberties Union (ACLU). (2018). A pound of flesh: The criminalization of private debt. https://www.aclu.org/sites/default/files/field_document/022118-debtreport.pdf

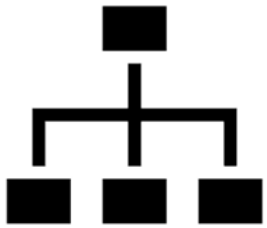
3 suggested steps to improve handling of debt collection cases:

- Track data about debt claims
- Review state policies, court rules, and common practices
- Modernize the relationship between courts and their users

Pew Charitable Trusts. (2020). *How debt collectors are transforming the business of state courts: Lawsuit trends highlight need to modernize civil legal systems.* <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/05/how-debt-collectors-are-transforming-the-business-of-state-courts>

MonQcle

by the Center for Public Health Law Research



Organize



Track



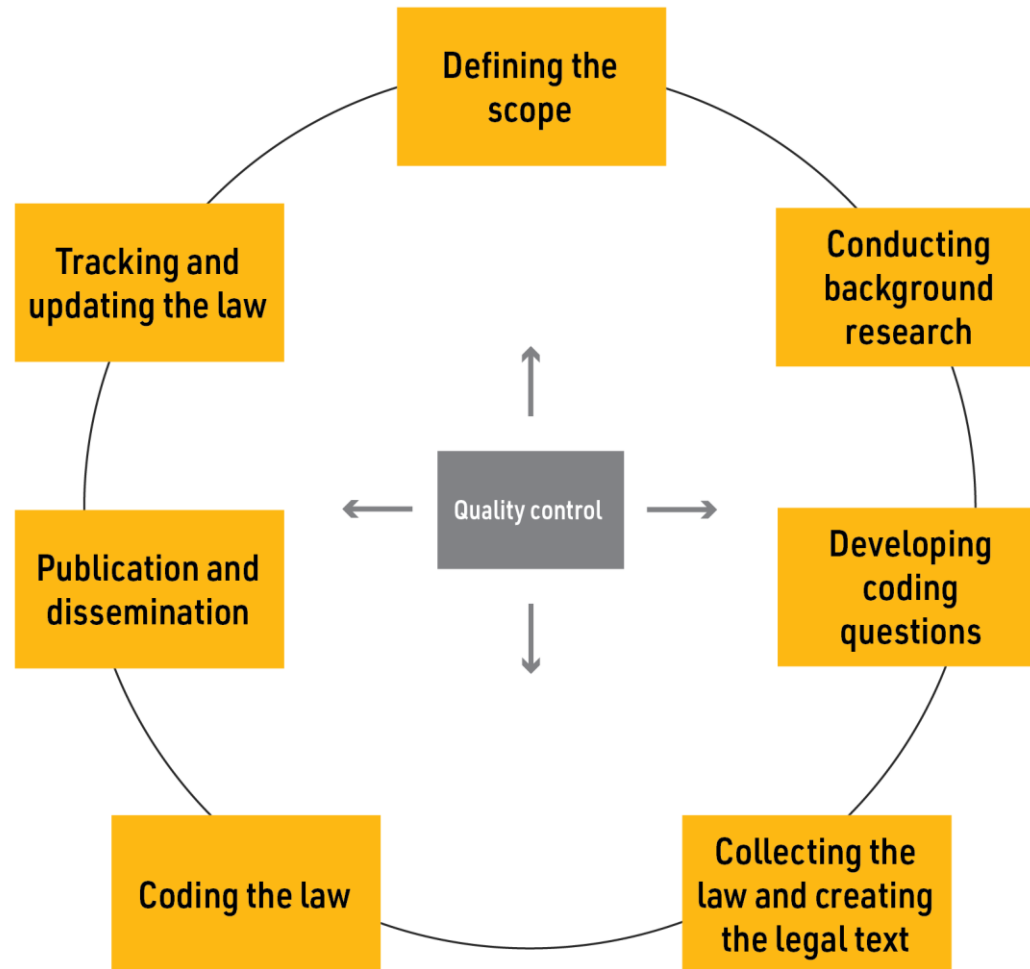
Collaborate



Share

Policy surveillance is the systematic collection, analysis, and dissemination of laws and policies across jurisdictions or institutions, over time.

The Policy Surveillance Process



Who Uses Legal Mapping?



- **Policymakers** see what element of laws have the most movement in other states and can learn to track their own laws.



- **Advocacy groups** track progress of campaigns and efforts to change laws and determine where to focus efforts and resources.



- **Social scientists** access scientifically sound data that can be used to evaluate the health influences of the laws.



- **Government agencies** use this as a metric for the success of larger programs.



- **The public** have easier access to key laws in the community.

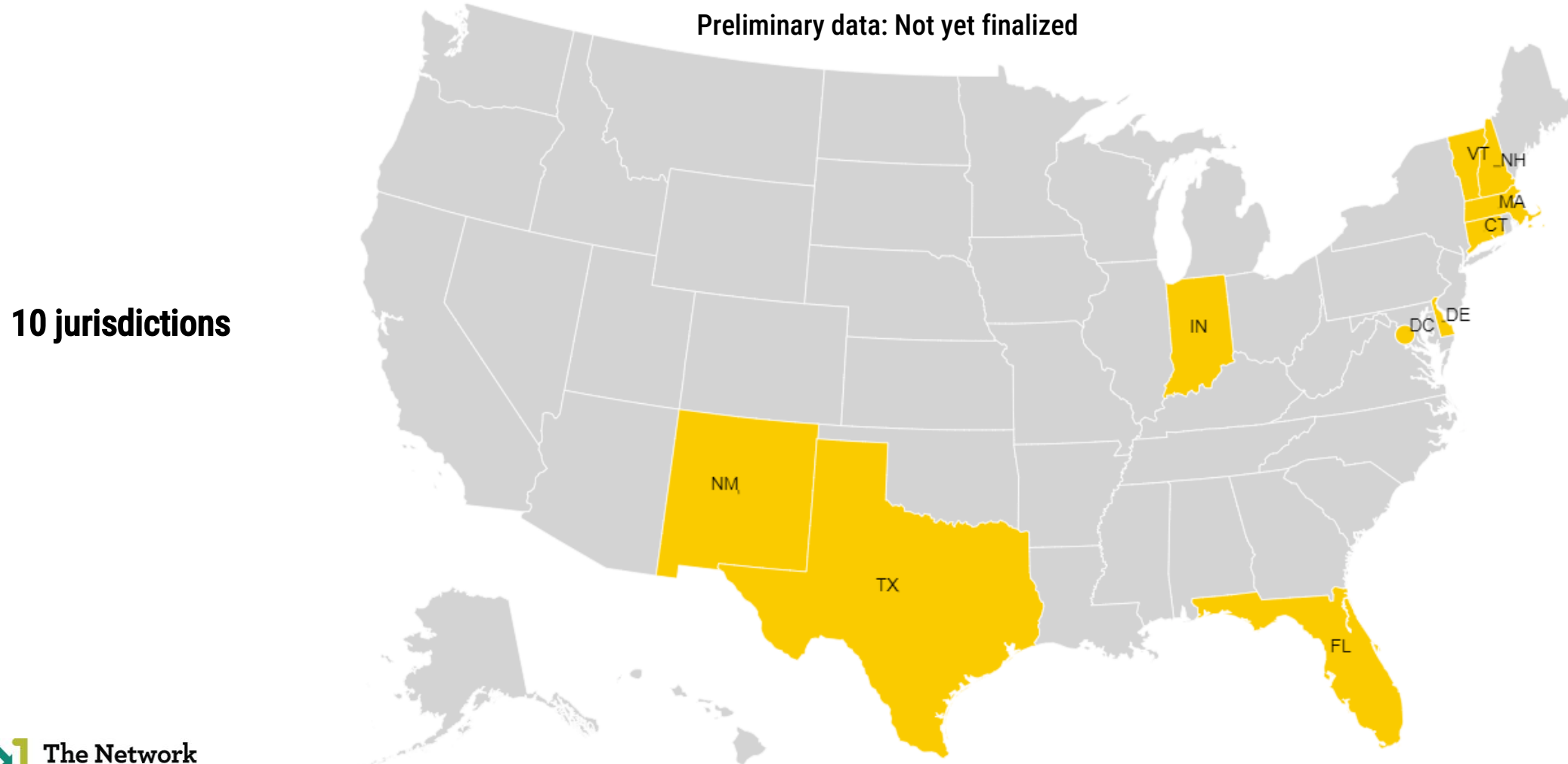


- **Health professionals** measure progress and plan initiatives.

Debt Collection Litigation Laws dataset - Scope

- **Comprehensive overview of state statutes and court rules governing debt collection lawsuits that were in effect as of January 1, 2023**
- **Covers all 50 U.S. states and the District of Columbia**
- **Variables tracked include requirements related to: statutes of limitation, notice, service, answer, default judgment, and judgment enforcement**
- **Primary focus on lawsuits involving lower dollar amounts heard in small claims or limited jurisdiction courts**

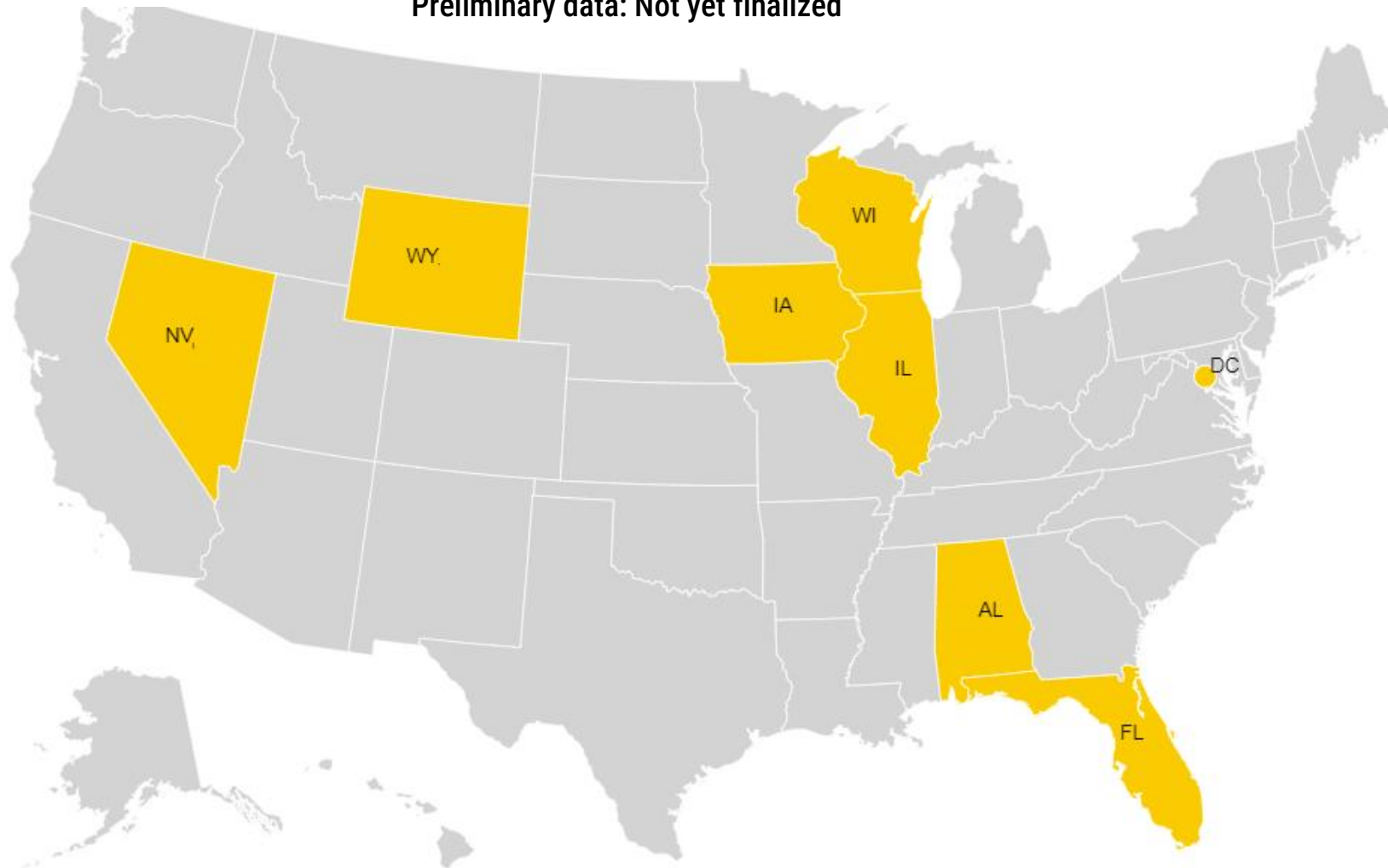
States that have a small claims court rule specific to debt collection lawsuits



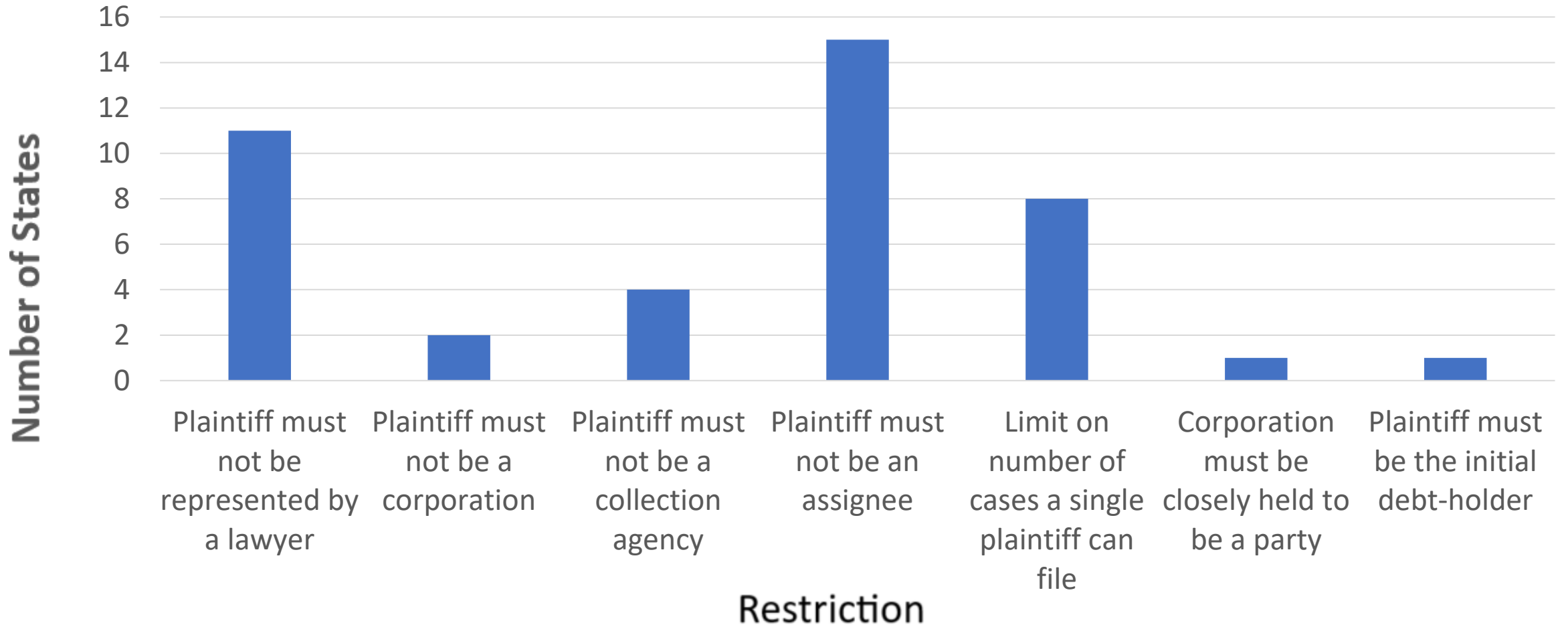
States that require plaintiffs to file a debt claim as a small claims action if under a specified amount

Preliminary data: Not yet finalized

8 jurisdictions



Small Claims Restrictions

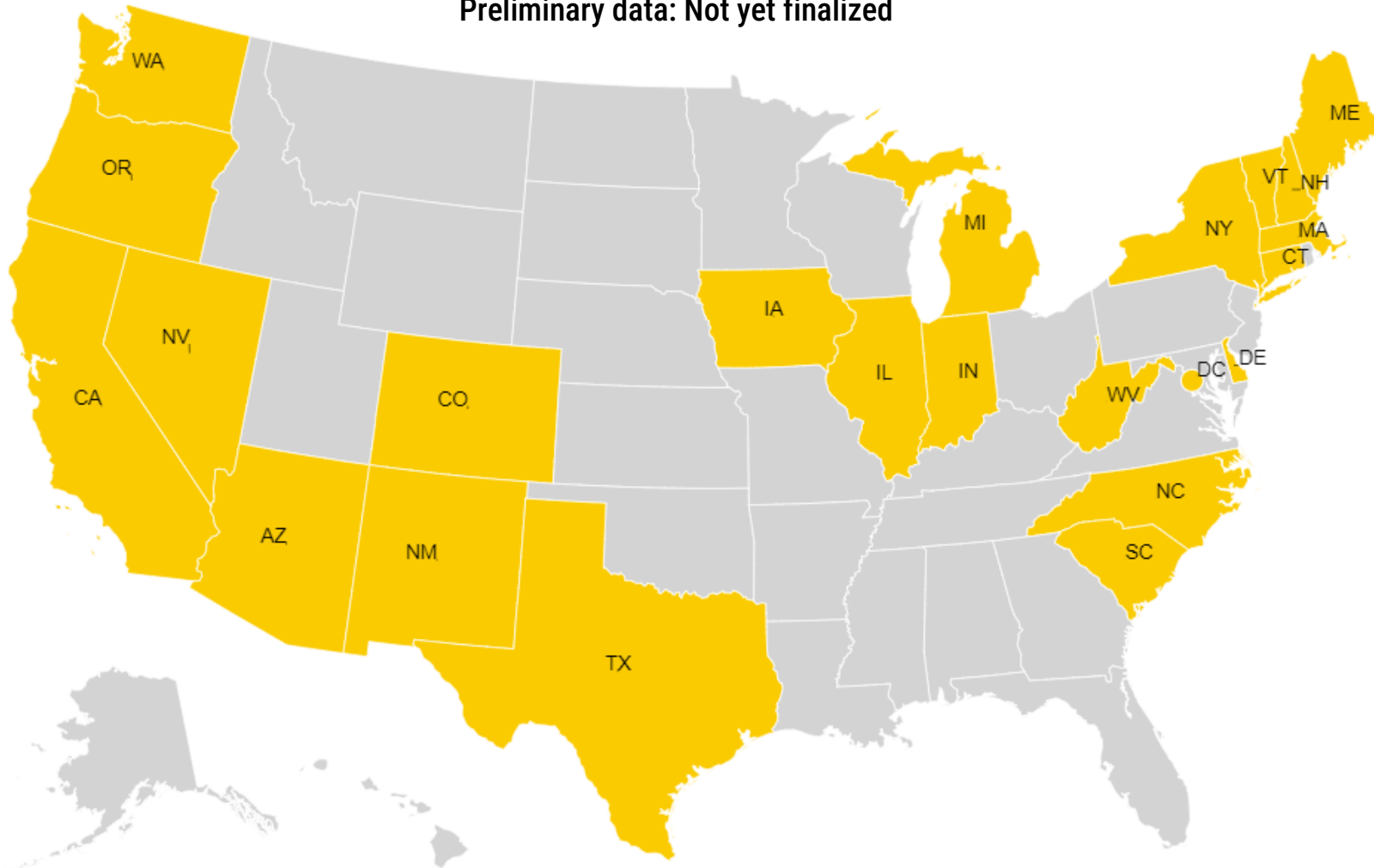


Preliminary data: Not yet finalized

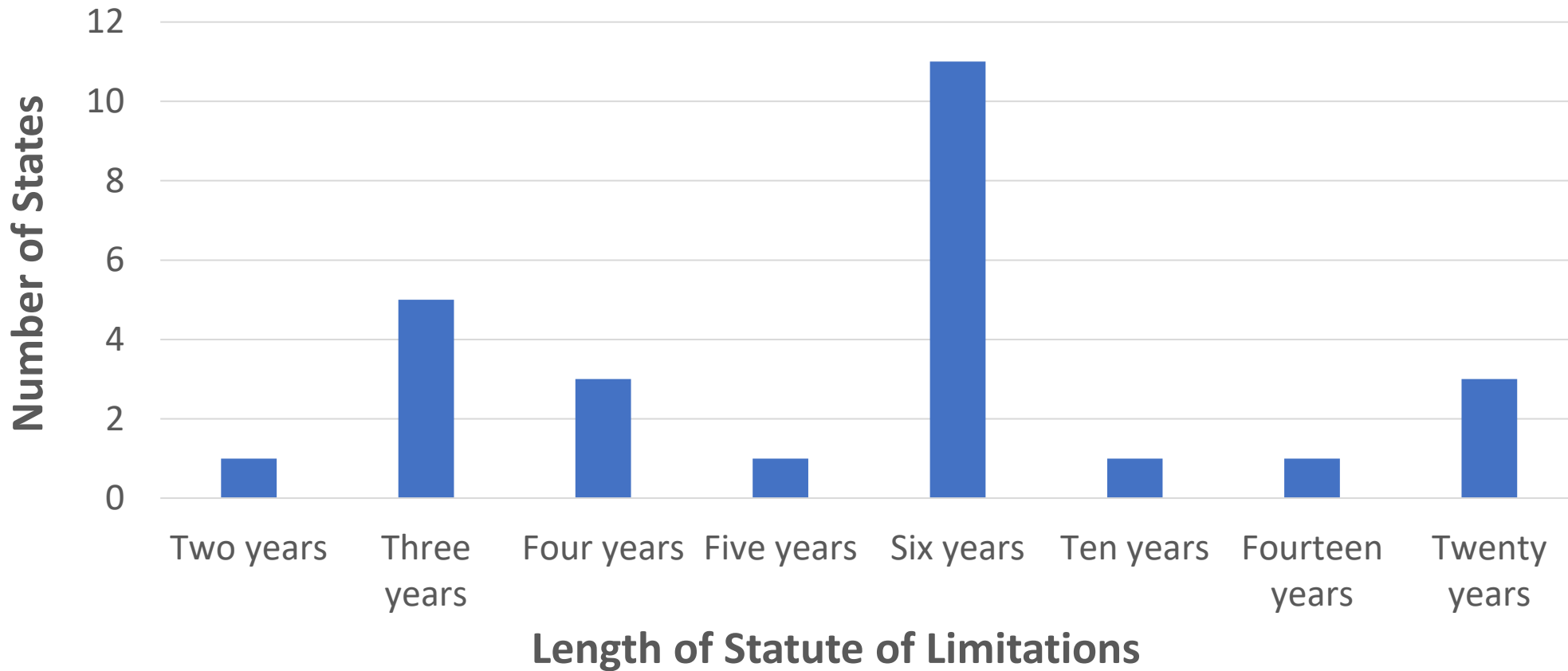
States requiring debt claim information to be on lawsuit notice

Preliminary data: Not yet finalized

23 jurisdictions



Debt-specific statutes of limitation

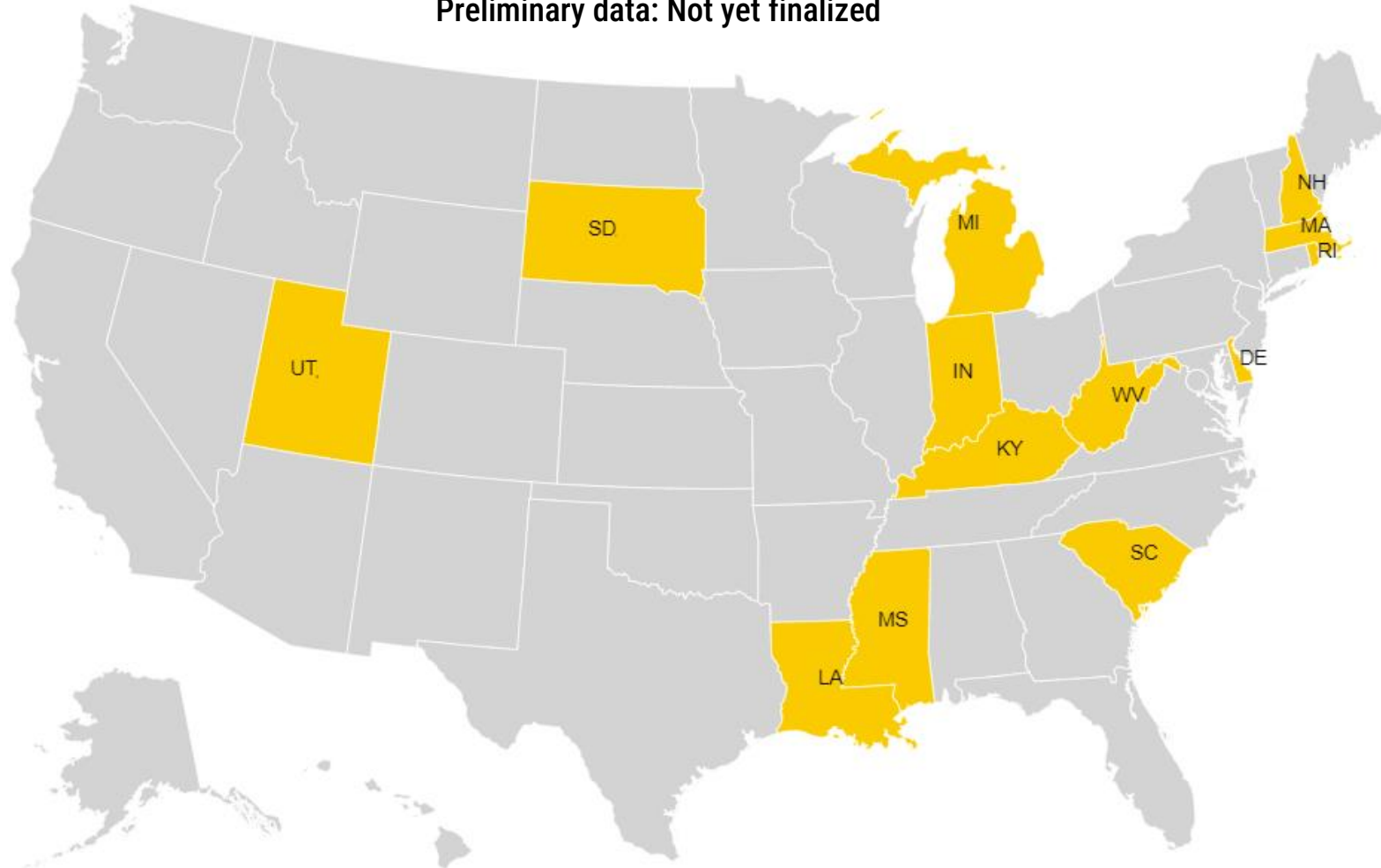


Preliminary data: Not yet finalized

No requirement to notify defendants of property exemptions

Preliminary data: Not yet finalized

13 jurisdictions



Filter
Explore
Reset
Download Table

1. What type of laws regulate debt collection lawsuits at any stage?

Laws specifically governing debt collection lawsuits

Laws governing civil procedure generally

Other

2. What type of debt collection-specific policy does the jurisdiction have, if any?

State statute

State regulation

Civil procedure rule

General jurisdiction court rule

Limited jurisdiction court rule

Small claims court rule

Jurisdiction does not have a debt collection-specific policy

Other

3. What kinds of debt claims does the debt collection-specific law apply to?

All debt

All consumer debt

Credit card debt

Medical debt

Debt buyer debt

Third-party owned debt

State-owned debt

Payday lender debt

Excerpts from the law:

Alaska Stat. § 09.10.210

...

When a past due payment of principal or interest is made upon any evidence of indebtedness, the running of the time within which an action may be commenced starts from the time the last payment is made. §§

...

Alaska R. Civ. P. 1

...

The procedure in the superior court and, so far as applicable, in the district court shall be governed by these rules in all actions or proceedings of a civil nature—legal, equitable, or otherwise. These rules shall be construed to secure the just, speedy and inexpensive determination of every action and proceeding. §§

?

Alaska

1. What type of laws regulate debt collection lawsuits at any stage?

- § • **Laws specifically governing debt collection lawsuits**
- **Laws governing civil procedure generally**

2. What type of debt collection-specific policy does the jurisdiction have, if any?

- § ⚠ • **State statute**

3. What kinds of debt claims does the debt collection-specific law apply to?

- § • **All debt**

4. In what areas of the debt claim litigation process does the law differ based on proceeding in a general jurisdiction court vs.

We Have the Legal Data, Now What?

DEBT COLLECTION LAB

Debt Collection Tracker Research

Debt Collection Tracker

In the 5 states and 216 counties we track, debt collectors filed

797,290

lawsuits from January 2019 to December 2022.

About the Debt Collection Tracker

People who already had trouble paying their bills saw those troubles multiply during the Covid-19 pandemic. Although there were some moratoriums on debt collection, thousands of lawsuits were still being filed in a single county court per month. We have created the Debt Collection Lawsuit Tracker to monitor monthly updates to the number of debt cases being filed across the United States. We will continue to add data to the tracker over time.

<https://debtcollectionlab.org/lawsuit-tracker>

An Overview of Debt Collection Lawsuits

The table shows an overview of debt collection lawsuits in the states and counties we track. View the report for individual states or counties to get a more detailed view, including charts and maps.

[? What is a default judgment?](#)

Last updated: December 2022

View

- States + Counties
- States
- Counties

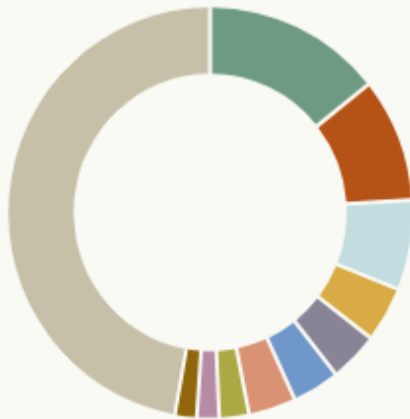
Name	↓ Lawsuits	Lawsuits Trend Jan '19 - Dec '22	Default Judgments	
Indiana	212,461		-	View Report
Marion County	39,428		-	View Report
Lake County	23,246		-	View Report
St Joseph County	10,199		-	View Report
Elkhart County	7,053		-	View Report
Hamilton County	6,873		-	View Report

The top 5 counties by number of lawsuits are shown above. Go to the [Indiana report](#) to see all counties.

Missouri	144,680		53,244	View Report
St Louis County	23,689		8,810	View Report
Jackson County	17,643		6,485	View Report
St Louis City	9,655		3,317	View Report
St Charles County	7,172		2,467	View Report
Clay County	6,763		2,572	View Report

Top Debt Collectors

Out of 1,925 debt collectors in Marion County, the top 10 (0.5%) are responsible for 20,389 (51.7%) of 39,428 lawsuits.

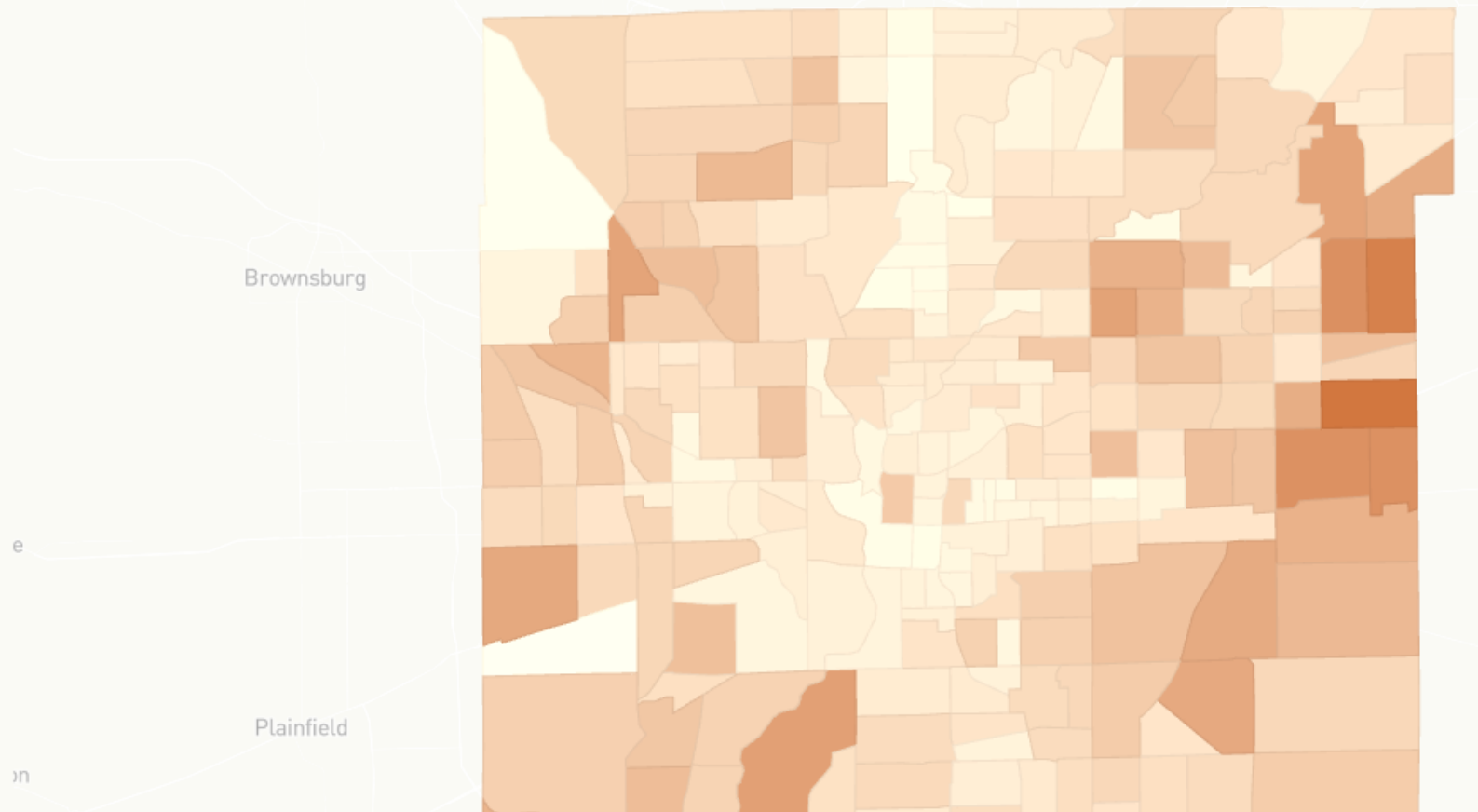


- LVNV Funding LLC**
5,698 lawsuits (14.5%)
- Midland Credit Management Inc**
3,840 lawsuits (9.7%)
- Portfolio Recovery Associates LLC**
2,759 lawsuits (7.0%)
- Jefferson Capital Systems LLC**
1,667 lawsuits (4.2%)
- Discover Bank**
1,485 lawsuits (3.8%)
- Capital One Bank (Usa) Na**
1,430 lawsuits (3.6%)
- Eagle Finance Company**
1,429 lawsuits (3.6%)
- Joe's Auto Sales Inc**
857 lawsuits (2.2%)
- Crown Asset Management LLC**
617 lawsuits (1.6%)
- Credit Acceptance Corp.**
607 lawsuits (1.5%)
- Other**
19,039 lawsuits (48.3%)

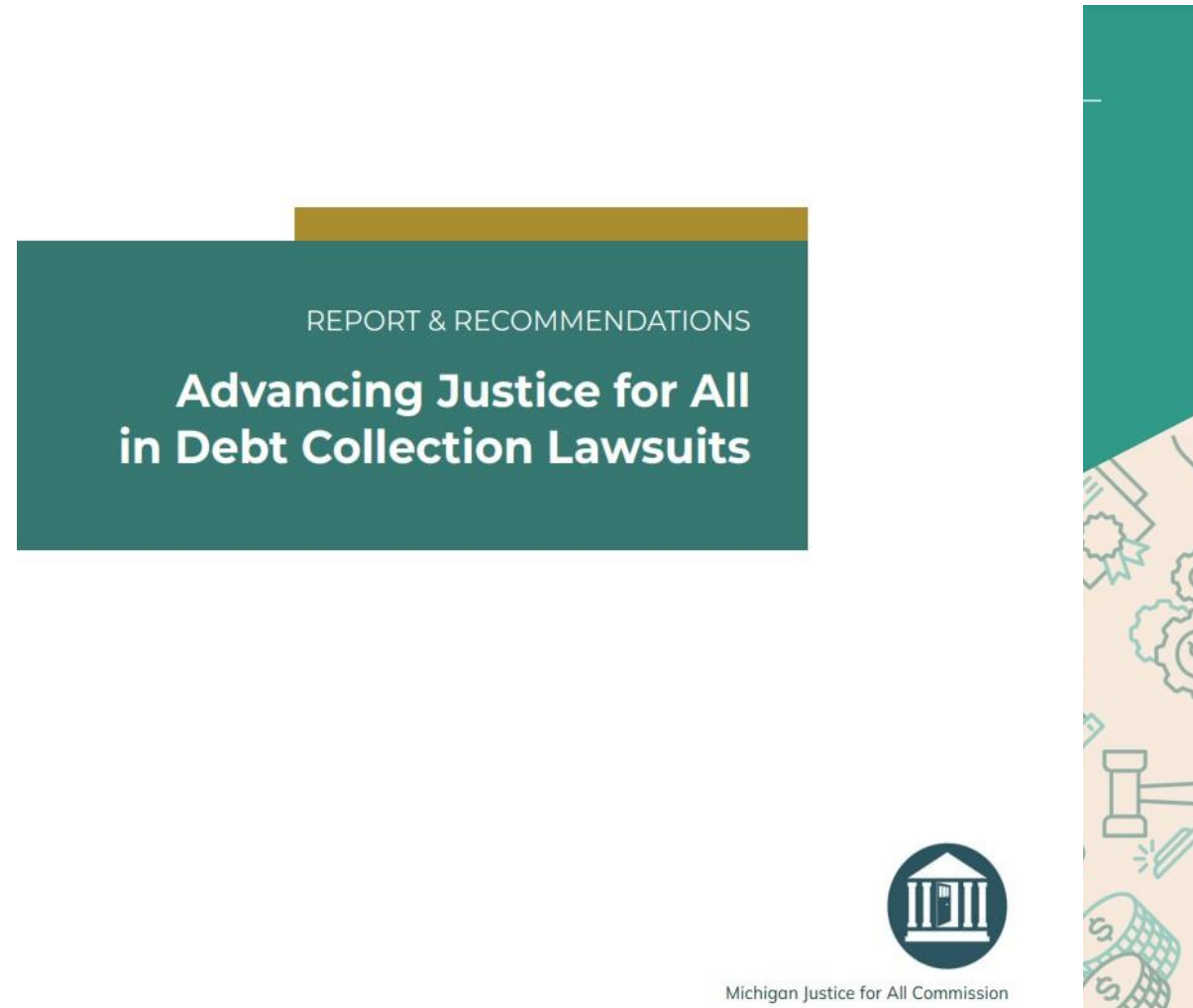
Geography of Debt Collection Lawsuits

Marion County is split into 253 tracts. On the map you can see the number of lawsuits corresponding to each Census Tract.

Lawsuit filings since January 2020



Improving Policymaking



Coming Soon!

- **Debt Collection Litigation Laws dataset (50 states and DC) as of January 1, 2023**
- **Up next:**
 - **Update to State dataset**
 - **Dataset covering select local jurisdictions**

Katie Moran-McCabe

Kathleen.mccabe@temple.edu

Access legal data at LawAtlas.org

Follow us at @PHLR_Temple

THANK YOU

Legal evaluation in action: Using legal epidemiology to evaluate the effect of laws limiting firearm access for perpetrators of intimate partner violence in the United States

Presented by: Lindsay K Cloud, JD, PhD(c)

Center for Public Health Law Research

Temple University Beasley School of Law

The background features a light gray gradient with a white, torn-paper-like shape in the center. The top and bottom edges of this white shape are irregular and jagged, resembling torn paper. The word "BACKGROUND" is centered within this white area.

BACKGROUND

Intimate Partner Violence (IPV)

Describes acts of physical violence, sexual violence, stalking, and psychological abuse or aggression by current or former intimate partners in heterosexual or same-sex relationships and does not require sexual intimacy.

IPV in the United States

- Intimate partner violence affects over **12 million people** each year and **1 in 3 women**.
- **50% of all female homicide victims** are killed by their current or former intimate partner.
- **Firearms** are the most common weapon used in intimate partner homicides.
- Each month, an average of **70 women are killed** by their partners using a firearm.
- A woman is **5 times more likely to be killed** when an abuser has access to a firearm.

Firearm-related morbidity and mortality are not occurring randomly across the U.S. Instead, this violence is concentrated where **firearm ownership is most prevalent and firearm laws are least restrictive.**

Research Question

What is the effect of state laws, which regulate the purchase and possession of firearms for perpetrators of intimate partner violence, as compared to the absence of state laws, on the number of females who experience intimate partner violence involving firearm-related injury and death in the United States?

IPV-Related Laws

- **Domestic Violence Restraining Orders (DVROs)**, also known as protection or no contact orders, are legal orders issued by state courts to protect individuals against abuse or violence. Some DVRO laws have firearm provisions, that allow or require judges to order a firearm prohibition.
- **Temporary Restraining Orders (TROs)**, also known as *ex parte* orders, can be issued without notice to the perpetrator, nor require their presence in court, are short-term in length (though, generally in effect until the full hearing date), and are often filed in exigent circumstances.
- **Extreme Risk Protection Orders (ERPOs)**, also known as red flag laws, are risk-based, temporary, preemptive protection orders that authorize the removal of firearms from individuals determined to be at risk for committing firearm violence against others or themselves.

Why focus on these laws?

- Civil orders allow victims to petition the court directly.
- Gaps in federal law give state legislatures the opportunity to offer greater protections.
- Key features of these prohibitions vary tremendously from state to state and over time.
- Recent legal trends offer a novel enforcement mechanism (e.g., relinquishment and removal).
- Preliminary evidence shows promise.

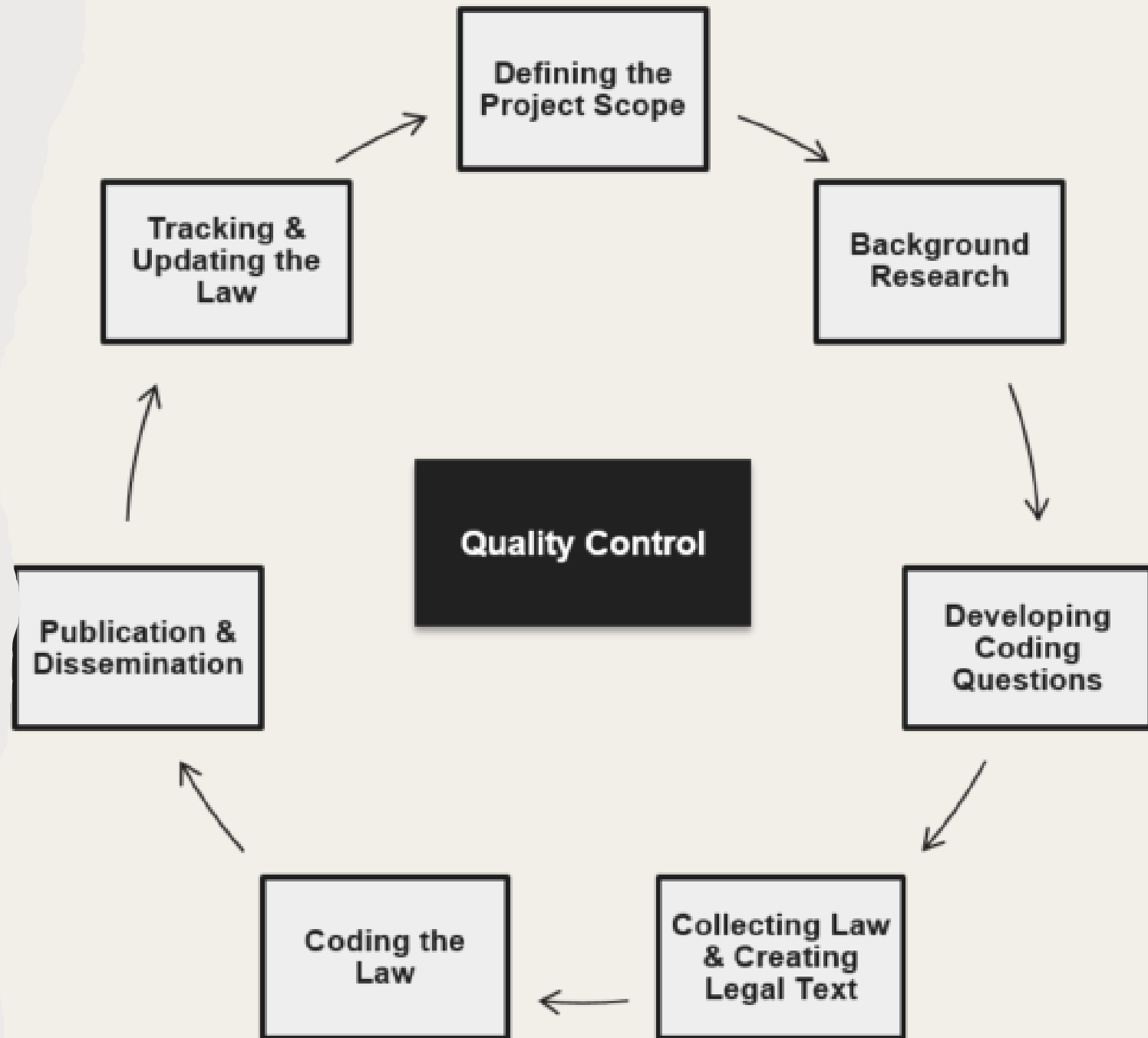
RESEARCH AIMS AND APPROACH

Research Aims

- **Aim 1:** Examine the legal variation in IPV-related laws across jurisdictions and over time by using policy surveillance methodology to create longitudinal legal data of statutes and regulations across all 50 states and Washington, D.C. from January 1, 2014, to January 1, 2020.
- **Aim 2:** Estimate the effect of IPV-related laws by using a difference-in-difference model to compare legal features, or absence thereof, on intimate partner homicide rates in 48 states and Washington, D.C. from January 1, 2014, to January 1, 2020.
- **Aim 3:** Identify intimate partner violence advocates' awareness, perception, and perspectives on IPV-related laws, and their implementation in practice, using qualitative focus group methodology.

Aim 1: Approach

The research team followed the **policy surveillance process** to develop a longitudinal dataset measuring key features of state laws that prohibit subjects of DVROs, TROs, ERPOs from purchasing and possessing firearms, and oftentimes ammunition.

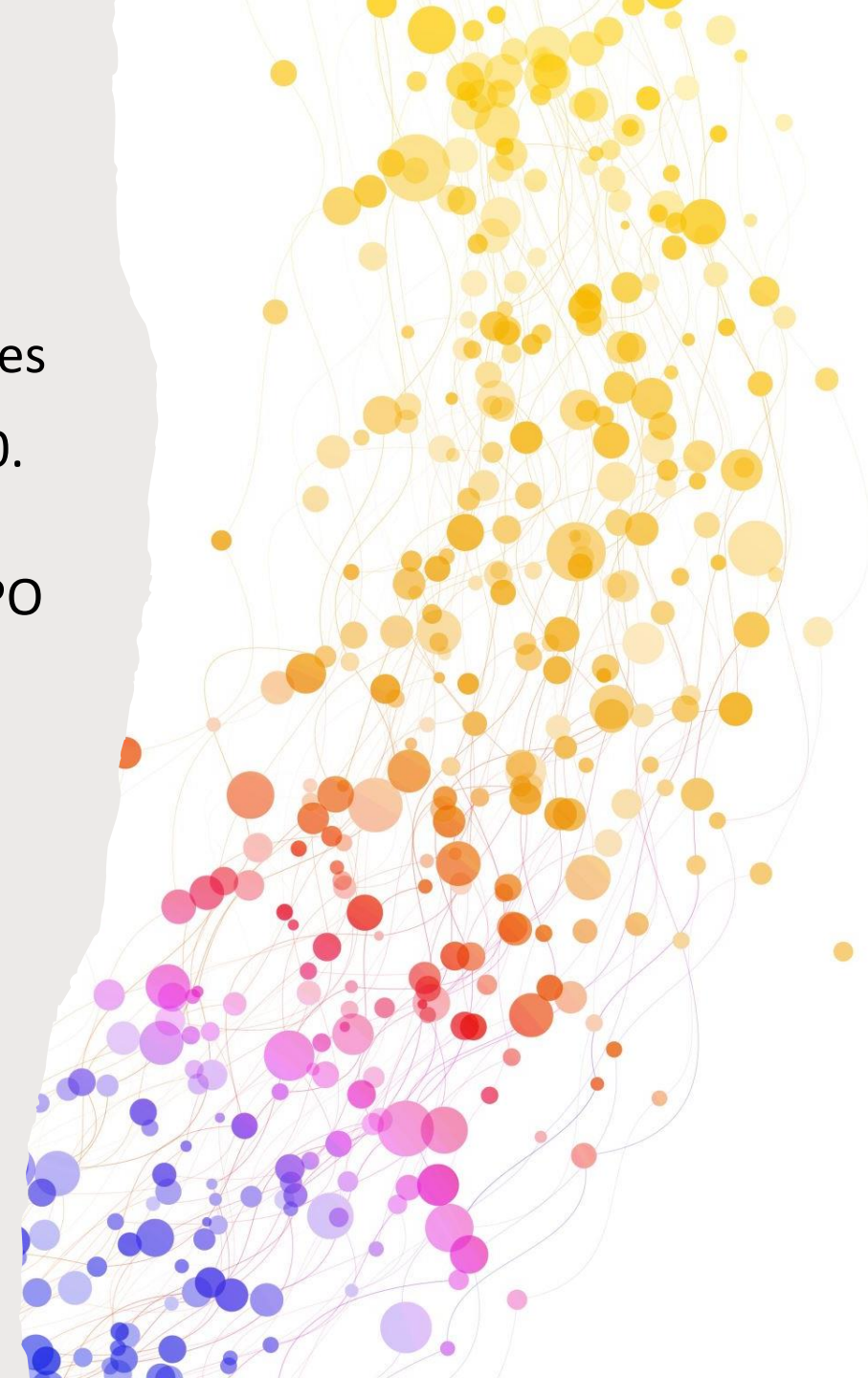


Inclusion Criteria

The jurisdictions selected for measurement included statutes and regulations for all 50 U.S. states and the District of Columbia in effect from January 1, 2014, to January 1, 2020.

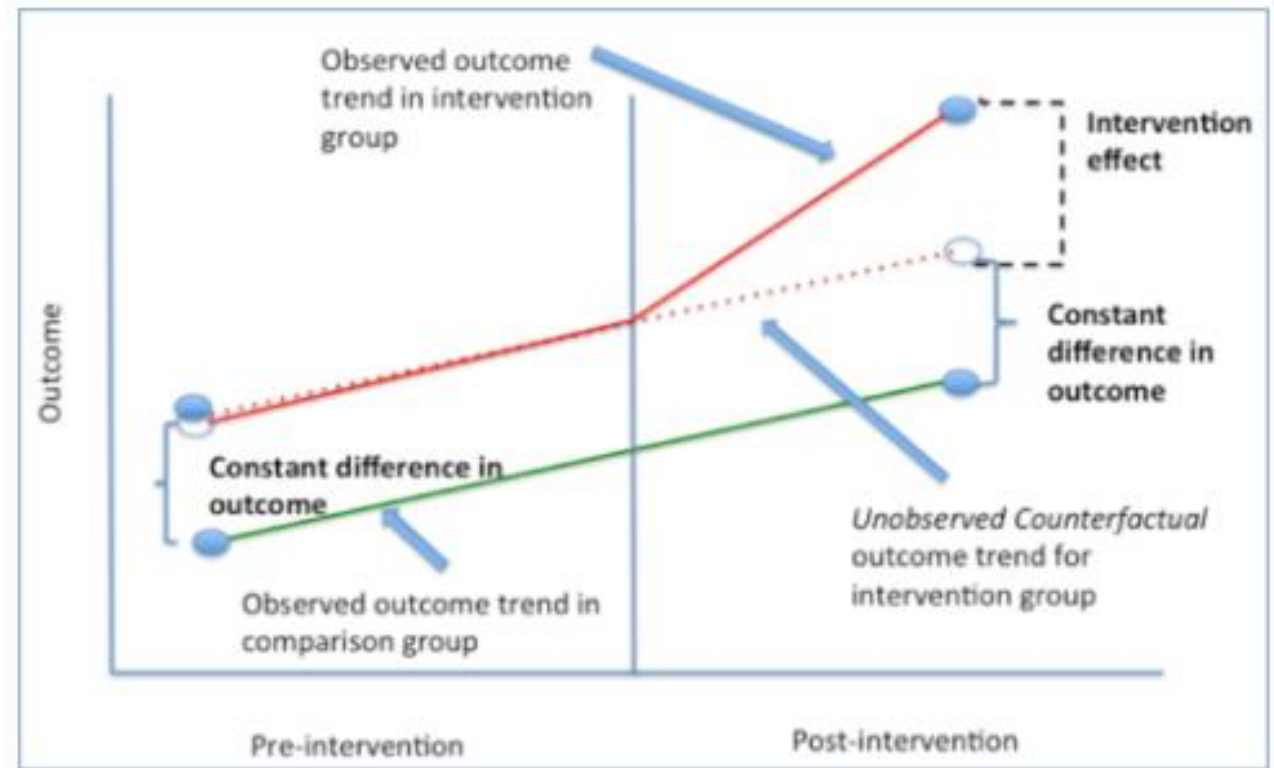
Key features of the law:

- whether the state law includes a DVRO, TRO, or ERPO firearm prohibition
- who qualifies as an intimate partner
- employment exemptions
- notice and hearing requirements
- whether the prohibition occurs automatically or through judicial discretion
- if the law permits or requires the relinquishment or removal of firearms



Aim 2: Approach

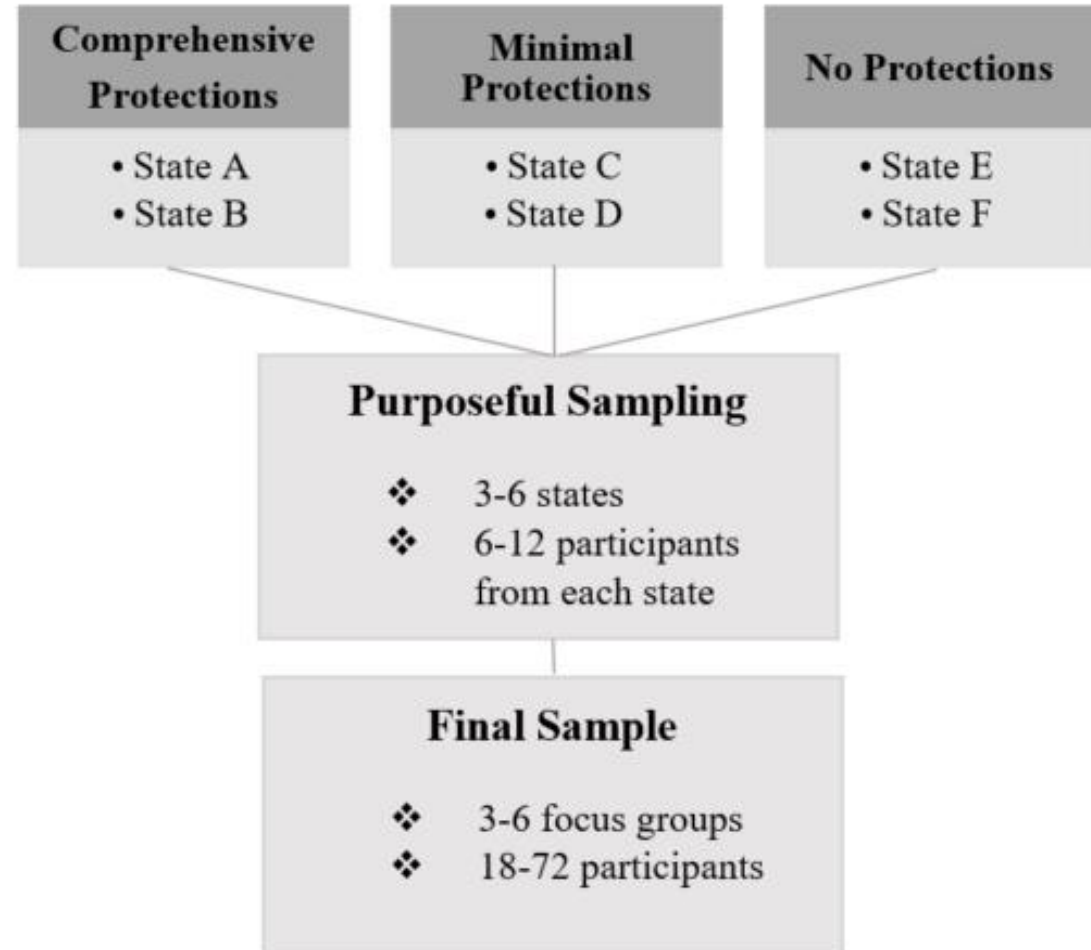
Use a **difference-in-difference** model to evaluate the effect of state laws on the prevalence of victims of IPH by firearm in 48 states and Washington, D.C. from January 1, 2014 – January 1, 2020.



Source: Columbia University Population Health Methods

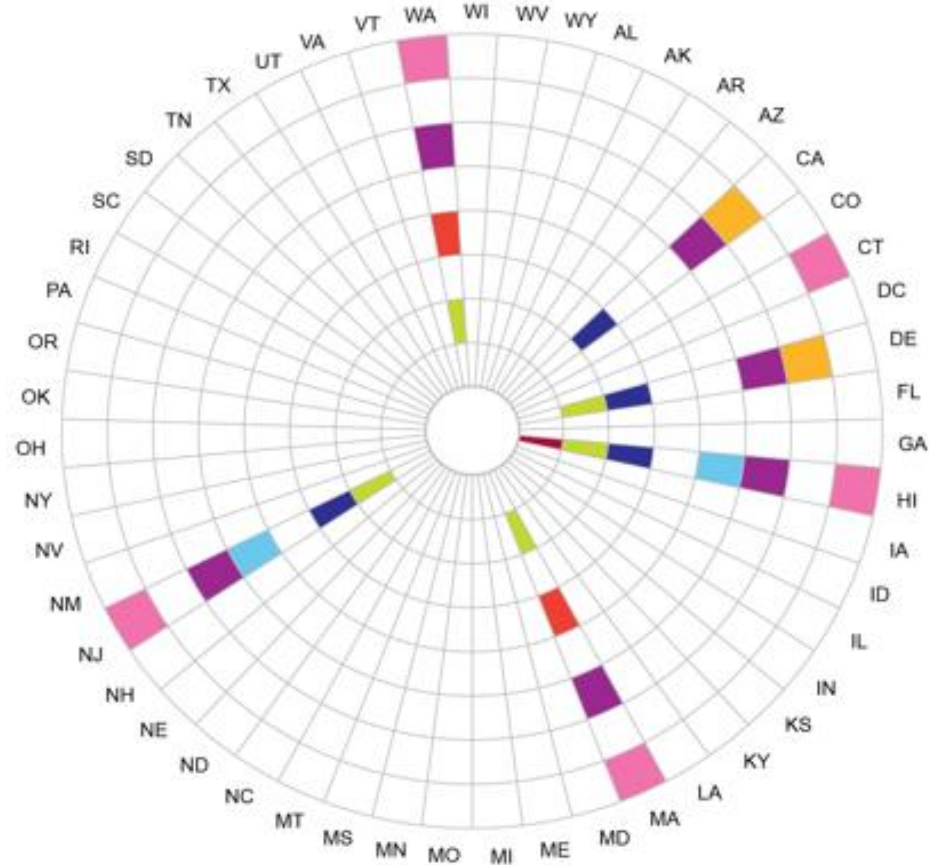
Aim 3: Approach

Use qualitative **focus group methodology** to identify perceptions and perspectives regarding the implementation of IPV-related laws in practice.

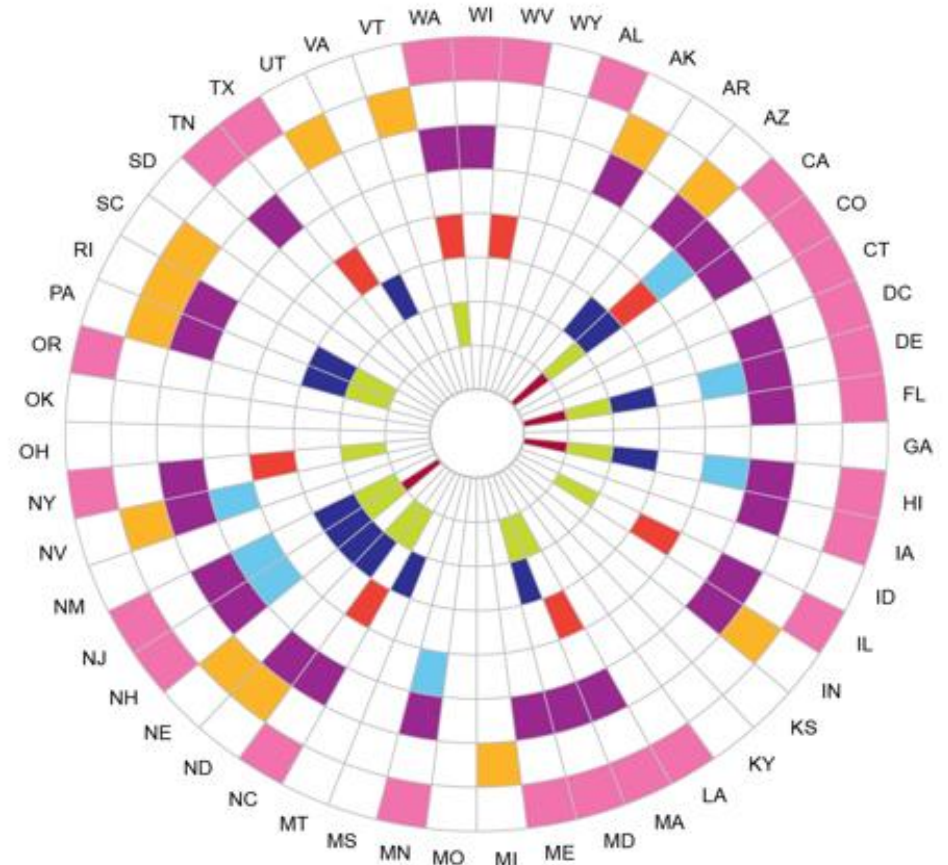


PRELIMINARY RESULTS

January 1, 1995



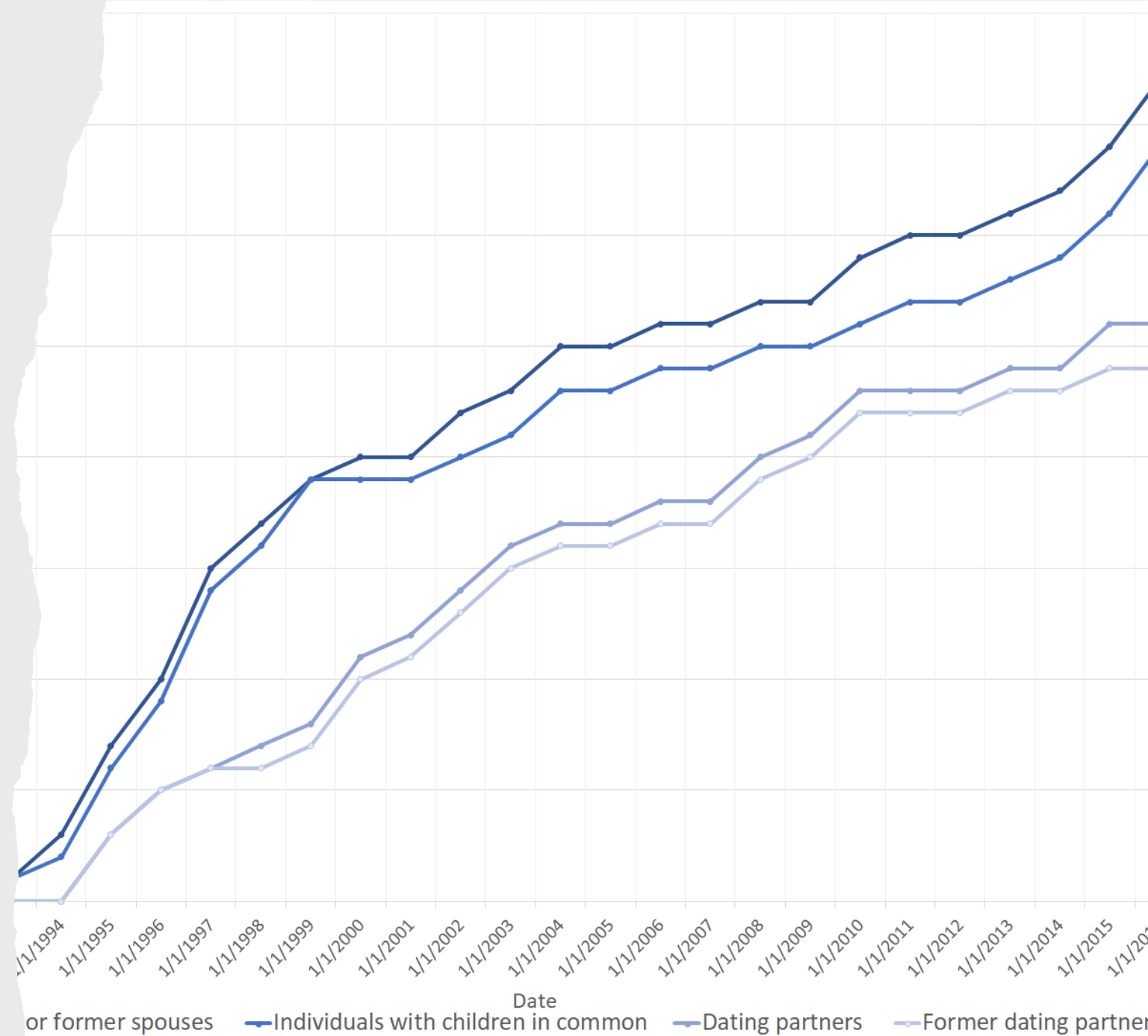
January 1, 2016



- DVRO: Automatic firearm prohibition
- DVRO: Firearm prohibition issued through judicial discretion
- DVRO: Firearm relinquishment (permitted or required)
- DVRO: Firearm removal (permitted or required)

- TRO: Automatic firearm prohibition
- TRO: Firearm prohibition issued through judicial discretion
- TRO: Firearm relinquishment (permitted or required)
- TRO: Firearm removal (permitted or required)

Trends in the legal definition of intimate partners in DVRO laws over time, January 1, 1991 – January 1, 2016.



or former spouses Individuals with children in common Dating partners Former dating partners

From 1991 to 2016,

38 states

enacted a civil firearm prohibitor law through
DVROs (37 states), TROs (20 states),
or both (19 states).

Policy Recommendations

- DVRO and TRO laws should contain a firearm prohibitor provision that restricts IPV offenders from purchasing and possessing firearms and ammunition.
- The legal definition of intimate partners should protect all intimate partner relationships.
- Provide more uniform protection to victims by enacting automatic firearm provisions.
- Strengthen enforcement mechanisms within DVRO laws and TRO laws by requiring the relinquishment or removal of firearms and ammunition.

- Black MC, Basile KC, Breiding MJ, Smith SG, Walters ML, Merrick MT, Chen J, Stevens MR. The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report. National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Published 2011.
- Burris S, Wagenaar AC, Swanson J, Ibrahim JK, Wood J, Mello MM. Making the Case for Laws That Improve Health: A Framework for Public Health Law Research. *Milbank Quarterly*. 2010;88(2):169-210. doi:10.1111/j.1468-0009.2010.00595.x.
- Campbell JC, Webster D, Koziol-McLain J, et al. Risk factors for femicide in abusive relationships: results from a multisite case control study. *Am J Public Health*. 2003;93(7):1089-1097. doi:10.2105/ajph.93.7.1089
- Cloud, L. K., Prood, N., & Ibrahim, J. (2022). Disarming Intimate Partner Violence Offenders: An In-Depth Descriptive Analysis of Federal and State Firearm Prohibitor Laws in the United States, 1991–2016. *Journal of Interpersonal Violence*, 0(0). <https://doi.org/10.1177/08862605221120891>
- Columbia Mailman School of Public Health. (n.d.). *Difference-in-difference estimation*. Population Health Methods. Retrieved from <https://www.publichealth.columbia.edu/research/population-health-methods/difference-difference-estimation>
- Fridel EE, Fox JA. Gender Differences in Patterns and Trends in U.S. Homicide, 1976–2017. *Violence and Gender*. 2019;6(1):27-36. doi:10.1089/vio.2019.0005
- Giffords Courage to Fight Gun Violence. (2021). Retrieved from <https://giffords.org/issues/domestic-violence/>
- National Intimate Partner and Sexual Violence Survey. NISVS Fact Sheet 2010. https://www.cdc.gov/violenceprevention/pdf/nisvs_factsheet-a.pdf. Published 2010.
- Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014. *MMWR Morb Mortal Wkly Rep* 2017;66:741–746. DOI: <http://dx.doi.org/10.15585/mmwr.mm6628a1>
- Velopulos CG, Carmichael H, Zakrisson TL, Crandall M. Comparison of male and female victims of intimate partner homicide and bidirectionality—an analysis of the national violent death reporting system. *Journal of Trauma and Acute Care Surgery*. 2019;87(2):331–336. doi: 10.1097/TA.0000000000002276.

THANK YOU!

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