



CASE ALERT: WASHINGTON

Coercive Control: New case explains how threats of self-harm and intimidating use of firearms are domestic violence by “coercive control.”

[Graser v. Olsen, 28 Wash.App.2d 933, 542 P.3d 1013 \(2023\)](#)

How Could This Case Help? This case can help someone facing a family law or protection order matter where coercive control is involved. It focuses on how threats of suicide can be domestic violence when they are used to manipulate and coerce an intimate partner.

Summary of the Case The parties were married when the wife requested a temporary protection order. She was about to file for divorce and was concerned about the multiple guns that her husband, appellant, owned. She alleged that he had threatened suicide about 8 months prior and had continued to make similar threats about once a month since then. She also claimed that he was physically intimidating her and would hide property until she had “earned the right” to have it back. He denied all these allegations. The judge found the wife credible, and granted the wife’s request for a protection order because the husband’s suicide threats and wielding of firearms were attempts to coerce and intimidate the wife. This order temporarily separated the husband from his guns. The husband appealed, saying that the trial court should have ordered live testimony from the parties to make an accurate ruling. He also argued that there was not sufficient evidence to grant the protection order.

The Court of Appeals agreed with the trial court that the husband committed domestic violence through coercive control. First, live testimony was not required to assess the credibility of the parties, and since the husband did not object to the lack of live testimony, he could not complain about it for the first time on appeal. The wife’s request that her husband temporarily lose access to his guns was reasonable considering the most dangerous time for a person in an abusive relationship is immediately after leaving. The appeals court held that the threats of suicide and use of firearms were a “classic example of coercive control” and were sufficient evidence for granting a protection order. Washington law, in RCW 7.105.010(4)(a) says that threats of self-harm and using a firearm to intimidate or cause alarm about a person’s safety, is considered coercive control and therefore an act of domestic violence.

PRACTICE TIPS

1. If you are **about to leave a relationship**, and are concerned about your safety, show the court this case. Protection orders should be granted when there is increased risk of harm from an intimate partner.
2. **If the other party has threatened self-harm**, show the court this case. Such threats are sometimes a way to manipulate others, which means they are a form of domestic violence.
3. **If the other party has used firearms in an attempt to coerce you**, show the court this case. Using guns to intimidate a family member or intimate partner can be domestic violence.

For questions or clarifications, email or call Family Violence Appellate Project at infoWA@fvaplaw.org or (360) 680-1030. Thank you!