



EVERYTOWNLAW



National
Family Violence
Law Center

THE GEORGE WASHINGTON UNIVERSITY

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Gun Violence Prevention and Domestic Violence Prevention Groups File Amicus Brief to Overturn Dangerous *Rahimi* Decision

Washington, D.C. — Today, a coalition of gun violence prevention and domestic violence prevention groups filed an amicus brief before the U.S. Supreme Court in support of the U.S. Department of Justice’s (DOJ) petition for certiorari in *USA v. Rahimi*.

The brief urges the Court to take up the case in order to overturn the Fifth Circuit’s dangerous and misguided decision. The groups signing onto the amicus brief are GIFFORDS Law Center, Brady, Battered Women’s Justice Project, DC Coalition Against Domestic Violence, DV LEAP, a project of NVRDC, Everytown for Gun Safety, March for Our Lives, National Family Violence Law Center at GW Law, National Network to End Domestic Violence, The Safe Sisters Circle, and Texas Council on Family Violence.

Esther Sanchez-Gomez, Litigation Director, GIFFORDS Law Center:

“The Fifth Circuit’s decision in *USA v. Rahimi* was reckless and endangers many lives, especially those of women and children already suffering domestic violence. We know that firearms in the hands of individuals who have been deemed dangerous by a court leads to gun violence. It is common sense to keep guns out of such hands. We filed this amicus brief today to urge the Supreme Court to grant certiorari and clarify that those subject to domestic violence restraining orders can—consistent with the Constitution—be prevented from accessing firearms.”

Janet Carter, Senior Director of Issues and Appeals at Everytown Law:

“Access to a gun makes it five times more likely that a woman will die at the hands of their abuser. The Fifth Circuit panel’s decision was wrong and it will cost lives; the Supreme Court must reverse this extreme and dangerous ruling.”

Dawn Dalton, Executive Director, DC Coalition Against Domestic Violence

“Firearms protections in cases of domestic violence save lives. Leaving guns in the hands of dangerous abusers threatens the lives of their families and the whole city. In Washington DC, with local ability stalled to define criminal law, we rely on Federal firearms laws even more to keep everyone safe from gun violence. We call on the Court to overturn the dangerous *Rahimi* decision to save lives.”



Makennan McBryde, Legal Associate, March For Our Lives:

“Fundamentally, the decision issued by the Fifth Circuit Court in *USA v. Rahimi* flies in the face of legal precedent and settled constitutional jurisprudence and, most importantly, puts people’s lives at risk. Young people are especially susceptible to becoming victims of domestic violence, both as partners and as children. These are the people who will suffer if the Fifth Circuit Court’s ruling stands, and it’s these people who the Supreme Court must protect. March For Our Lives filed this brief with our partners to protect the women, children, families, and communities who deserve life and safety, and who were cast aside at the hands of the Fifth Circuit Court that issued this egregious ruling. We need to right this wrong.”

Melina Milazzo, Public Policy, Deputy Director, National Network to End Domestic Violence (NNEDV)

“Domestic violence and firearms are a lethal combination. Every day, an average of three women are killed by a current or former partner in America. And when a male abuser has access to a firearm, the risk he will shoot and kill a female partner increases by 1,000%. Leaving guns in the hands of dangerous abusers needlessly puts the lives and safety of survivors, their families, and communities in grave, often deadly, danger.”

Kris Brown, President of Brady:

"The Fifth Circuit's decision in *Rahimi* is egregiously wrong, and is mistaken under the Supreme Court's instructions in the *Bruen* case. We know that firearms are the most common weapons used in domestic violence homicides, with female intimate partners more likely to be murdered with a gun than by all other means combined. Prohibiting domestic violence abusers from accessing firearms is common-sense, life-saving, and constitutional, and Brady is proud to stand in solidarity with other gun violence prevention and domestic violence organizations in asking the U.S. Supreme Court to hear this case and correct the terribly misguided ruling by the court of appeals.”

Amy J. Sánchez, CEO, BWJP

“Violence is violence, whether it is against an intimate partner or a stranger. The American legal system has a long history of disarming people who are a danger to their community. We strongly believe the Fifth Circuit’s decision in *United States v. Rahimi* was wrongly decided because federal provisions disarming dangerous domestic abusers subject to a protection order are proven lifesaving laws. Protection orders have long provided relief for those who escape intimate partner violence, particularly when firearms are involved. Everyone is safer when abusers don’t have access to firearms.”

Alana C. Brown, Esq., Founder and Executive Director, The Safe Sisters Circle



“As an organization that specifically represents Black women survivors of domestic violence, sexual assault, and stalking, The Safe Sisters Circle is concerned with how Rahimi’s decision will affect Black survivors, who will be even more vulnerable to gun violence, should the fire-arm protections be removed from domestic violence civil cases. Black women have higher rates of intimate partner violence and general violence within their communities due to historical, cultural, and systematic factors. Further, due to the aforementioned systemic factors, the disproportionate prevalence of guns and gun-related crimes in Black communities make these provisions and protections important for Black survivors. While Rahimi will have a national effect, our work in Washington D.C. will be especially affected due to reliance on federal laws and regulations. We urge the Supreme Court to review and reverse this dangerous precedent.”

Sasha Drobnick, Director of Appellate Litigation, Domestic Violence Legal Empowerment and Appeals Project of NVRDC

“If allowed to stand, the 5th Circuit's decision in U.S. v. Rahimi, women, children, and men will die. They will die despite their legal right to--and legally recognized need for--protection from domestic abusers, because protection orders will no longer provide a critical remedy to keep them and others safe. This is not theoretical but a reality, born out by ample data on abusers' lethality when they have access to firearms. No reading of history can support failure to regulate individuals who pose the clear danger that abusers with guns represent.”

Gloria Aguilera Terry, CEO of Texas Council on Family Violence

“On behalf of tens of thousands of domestic violence victims in the second most populous state in the U.S., the Texas Council on Family Violence joins with anti-violence advocates on this amicus brief to the Supreme Court to grant certiorari to clarify that individuals deemed dangerous by a court cannot legally possess firearms. Research is abundant and clear on this issue. In 2021 alone, [75% of all female domestic violence victims killed in Texas were killed by a firearm, and some by perpetrators who were respondents of protective or restraining orders](#). We urge the Supreme Court to clarify that Second Amendment rights *can* be upheld while our nation simultaneously continues to take steps to protect victims of violence at highest risk of homicide. With domestic violence firearm related homicides on the rise, we cannot afford the cost and heartbreak of additional loss of life that will result if we roll back or blur the validity of existing firearm laws.”

Joan Meier, Founding Director, National Family Violence Law Center at GW

Too often, not only women but children are murdered by known and adjudicated domestic abusers wielding firearms. The Framers did not believe in - or anticipate - allowing dangerous people with guns to slaughter their families and strangers in



individual and mass killings. Given that the majority of perpetrators of mass shootings are domestic abusers, there can be no doubt that disarming domestic abusers protects not only their families but numerous unrelated strangers. For instance, the “DC sniper” John Muhammed shot several total strangers in a ploy to cover up his intended shooting of his true target, his ex-wife.

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For 30 years, the legal experts at [GIFFORDS Law Center to Prevent Gun Violence](#) have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.

Brady has one powerful mission — to unite all Americans against gun violence. We work across Congress, the courts, and our communities with over 90 grassroots chapters, bringing together young and old, red and blue, and every shade of color to find common ground in the common sense. In the spirit of our namesakes Jim and Sarah Brady, we have fought for over 45 years to take action, not sides, and we will not stop until this epidemic ends. It's in our hands.

Everytown Law, the litigation arm of Everytown for Gun Safety Support Fund, is the largest team of litigators in the U.S. working full-time on advancing gun violence prevention in the courts. Everytown Law fights for the right of every individual to live free from gun violence, including representing survivors of gun violence seeking accountability and reform from the gun industry, challenging dangerous gun laws, and defending gun safety laws against Second Amendment and preemption challenges. Learn more about Everytown Law's work at www.everytownlaw.org.

The National Network to End Domestic Violence (NNEDV) represents the 56 state and U.S. territorial coalitions against domestic violence. NNEDV is a social change organization working to create a social, political, and economic environment in which domestic violence no longer exists. NNEDV works to make domestic violence a national priority, change the way society responds to domestic violence, and strengthen domestic violence advocacy at every level.

Texas Council on Family Violence is the only 501(c) 3 nonprofit coalition in Texas dedicated solely to creating safer communities and freedom from family violence. With a statewide reach and direct local impact, TCFV, with the collective strength of more than 1000 members, shapes public policy, equips service providers, and initiates strategic prevention efforts. Visit us online at <http://www.tcfv.org/>.



March for Our Lives (MFOL) is a youth-led non-profit organization dedicated to promoting civic engagement, education and direct action by youth to achieve sensible gun violence prevention policies that will save lives. Formed after the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida, MFOL immediately began organizing the largest single day of protest against gun violence in the nation's history and has engaged in successful advocacy for dozens of state, local and federal laws. MFOL uses the power of youth voices to create safe and healthy communities and livelihoods for all. MFOL has filed numerous amicus briefs in cases involving firearm regulations.

The Safe Sisters Circle (TSSC) is a Black woman founded and led nonprofit that provides free culturally specific, holistic, and trauma-based services to Black women survivors of domestic violence and/or sexual assault primarily living in Washington, DC's Wards 7 and 8. TSSC supports and advocates for Black women survivors and their interest, giving them a voice in the legal and political systems that have often been a barrier to them. To learn more about our work and organization, please visit: <https://safesisterscircle.org>.

DCCADV is the federally-recognized statewide coalition of domestic violence programs, organizations, and individuals organized to ensure the elimination of domestic violence in the District of Columbia. DCCADV is a resource for the thousands of adults and children experiencing domestic violence in the District each year, as well as the local organizations that serve them. Visit <https://dccadv.org/> to learn more.

BWJP is the National non-profit leader at the intersection of gender-based violence (GBV) and the law. BWJP is organized as a dynamic collection of national policy and practice centers which provide support, education, best practice, and innovation to advocates, systems professionals, community leaders, and policy experts. BWJP works with jurisdictions across the country to improve access to systems while paying attention to not causing further harm and injustice to historically marginalized communities. BWJP will continue this critical work to inform and keep survivors safe while supporting thriving families and communities. Find out more about BWJP at bwjp.org.

The Domestic Violence Legal Empowerment and Appeals Project ("DV LEAP"), a project of Network for Victim Recovery of DC ("NVRDC"), makes the law work for domestic violence survivors through expert appellate advocacy, training on best practices to protect survivors' rights, and leading policy initiatives to strengthen



domestic violence laws. A project of NVRDC, whose unique service model for crime victims spans acute response through litigation, DV LEAP is the only national-level program providing survivors pro bono appellate representation and advocacy. DV LEAP has extensive experience filing amicus briefs in both state and federal courts, and has provided a voice for survivors as amicus in the U.S. Supreme Court on multiple issues, including specifically on the extreme danger posed by abusers' access to firearms.

The National Family Violence Law Center (NFVLC) at GW serves as the preeminent home for national research and expert support for the growing movement to better protect children in contested custody cases. It provides pioneering quantitative and qualitative research, training and education, state and federal policy development, and selective litigation on the intersection of domestic violence and the legal system. Drawing on its own pioneering quantitative and qualitative research along with that of other top researchers, the Center provides professional training, education and evidence-based solutions for policymakers, professionals, advocates, media, and the public. Founded by NFVLC Professor of Clinical Law Joan S. Meier, who previously filed numerous amicus briefs in the Supreme Court on behalf of DV LEAP, the Center also files amicus briefs in the Supreme Court to further its mission. See <https://www.law.gwu.edu/national-family-violence-law-center>.