

# Congress of the United States

Washington, DC 20510

February 25 ,2022

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Garland:

We write to express our continued concern over the rise of domestic violence involving firearms and urge the Department of Justice (DOJ) to strengthen the effectiveness of federal and state domestic violence laws prohibiting the possession of firearms by domestic abusers. DOJ should allocate additional funding to existing grants, clarify the use of existing grants, and issue guidelines to better enforce state domestic violence firearm relinquishment laws.

Access to a firearm drastically increases the rates of violence against women and intimate partner homicides.<sup>1</sup> Unfortunately, these numbers continue to increase throughout the pandemic.<sup>2</sup> Statistics show that every month, an average of 70 women in the United States are shot and killed by an intimate partner.<sup>3</sup> In addition, the risk of intimate partner homicide for women goes up eleven times if the abuser has access to a firearm.<sup>4</sup>

Under federal law, certain individuals who are convicted of domestic violence misdemeanors or are subject to a final domestic violence restraining order are prohibited from owning a firearm. Many state laws also contain additional firearm prohibitions which require domestic abusers to relinquish firearms that are in their possession. More specifically, seventeen states and the District of Columbia require abusers convicted of domestic violence misdemeanors to surrender their firearms. The same applies to twenty-one states and the District of Columbia for individuals subject to final domestic violence restraining orders.

States with existing relinquishment law provisions experience a 10 to 12 percent decrease in intimate partner homicide and a 14 to 16 percent decrease in firearm intimate partner homicide.<sup>5</sup>

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<sup>1</sup> *Racial and ethnic differences in homicides of adult women and the role of intimate partner violence—United States, Morbidity and Mortality Weekly Report (MMWR)*, 2017;66(28):741–746

<sup>2</sup> *Assessing Challenges, Needs, and Innovations of Gender-Based Violence Services during the COVID-19 Pandemic*, University of Texas at San Antonio, February 2021, available at, <https://bit.ly/2OZRx32>

<sup>3</sup> Everytown for Gun Safety Support Fund analysis of CDC, National Violent Death Reporting System, 2019

<sup>4</sup> *Risk Factors for Femicide in Abusive Relationships: Results From a Multisite Case Control Study*, American Journal of Public Health, July 2003, available at, <https://doi.org/10.2105/AJPH.93.7.1089>

<sup>5</sup> *Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations with Intimate Partner Homicide*, American Journal of Epidemiology, November 2018, available at, <https://doi.org/10.1093/aje/kwy174>; See also *State Intimate Partner Violence-Related Firearm Laws and Intimate Partner Homicide Rates in the United States*, Annals of Internal Medicine, October 2017, available at, <https://doi.org/10.7326/M16-2849>.

Although these statistics demonstrate the success of these laws, additional guidance, support, and funding are needed to continue improving upon domestic violence homicide reduction rates.<sup>6</sup>

The DOJ currently administers funding through the Office on Violence Against Women (OVW) to support law enforcement and court responses to violent crimes against women. However, apart from the Firearms Technical Assistance Grant Program, OVW grant solicitations do not provide explicit allowances for firearm relinquishment implementation and enforcement. Furthermore, the Firearms Technical Assistance Grant Program is limited to funding 12 sites through its current solicitation program, well below the number of states, cities, and localities that have existing relinquishment laws.

The DOJ can and should play a larger role in helping states ensure the safe and consistent implementation of domestic violence relinquishment laws. Besides expanding the Firearms Technical Assistance Grant Program and additional OVW grants to support state firearm relinquishment efforts, we are also seeking responses on the below topics:

- 1) How does the DOJ plan to expand the Firearms Technical Assistance Grant Program to reach additional jurisdictions that already have relinquishment laws in place but need assistance in implementing them?
- 2) What level of funding is required for the Firearms Technical Assistance Grant Program to reach at least one jurisdiction in each state with a relevant firearms relinquishment law? Will DOJ commit to seeking additional site funding to better reflect the needs of existing states, localities, and Tribes?
- 3) Will the DOJ issue guidance clarifying that funding from the STOP Violence Against Women Grant Program, and the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking (ICJR) Grant Program can be used to aid law enforcement and courts in their firearm dispossession strategy by: (1) identifying through coordinated systems who is prohibited from possessing firearms; (2) enabling law enforcement and courts to provide a prohibited person with safe and legal ways to surrender firearms; and (3) holding domestic violence offenders accountable for failing to relinquish firearms if the law requires them to do so?
- 4) Will the DOJ include firearm relinquishment as a priority in its solicitations for prevention, response, and enforcement related to survivors of domestic violence?
- 5) Will the DOJ incorporate information and best practices around firearm relinquishment in OVW Technical Assistance Program training, documents, and webinars for all appropriate OVW grantees?

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<sup>6</sup> See *Domestic Violence and Firearm Surrender in Rhode Island*, Everytown for Gun Safety, November 2019, available at, <https://everytownresearch.org/report/domestic-violence-and-firearm-surrender-in-rhode-island/>; *Understanding and Informing Policy Implementation: A Case Study of the Domestic Violence Provisions of the Maryland Gun Violence Act*. Evaluation Review. 2006, available at, <https://journals.sagepub.com/doi/10.1177/0193841X06287684>; *Prohibited and Violent at Home: Implementation and Enforcement of Restrictions on Gun Possession by Domestic Violence Offenders in Four U.S. Localities*. J Fam Violence, 2021, available at, <https://doi.org/10.1007/s10896-020-00241-6>

- 6) Will the DOJ measure the use of OVW funds for firearm relinquishment using grant reporting requirements to solicit quantitative and qualitative information about a recipients' use of funding for firearm relinquishment?
- 7) Will DOJ commit to drafting a best practices guide to better inform states, Tribes, cities, and other eligible grantees on how to more effectively utilize existing DOJ grant programs to enhance state domestic violence relinquishment laws?

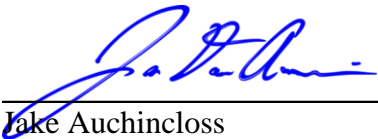
With additional federal funding and guidance to improve enforcement of relinquishment laws, we can better protect survivors from firearm involved domestic violence and intimate partner homicide. We look forward to receiving your responses to these questions by no later than April 30, 2022.

Sincerely,



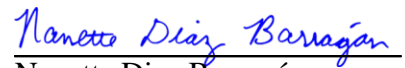
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Eric Swalwell  
Member of Congress



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Jake Auchincloss  
Member of Congress



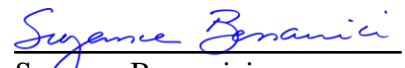
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Nanette Diaz Barragán  
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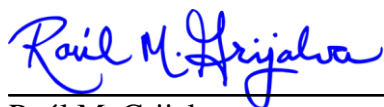
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Bill Foster  
Member of Congress



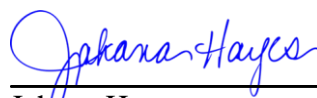
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Jesús G. "Chuy" García  
Member of Congress



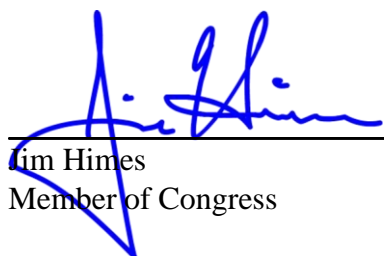
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Raúl M. Grijalva  
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Jahana Hayes  
Member of Congress



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Jim Himes  
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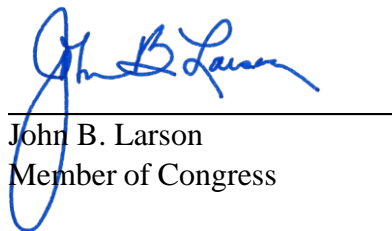
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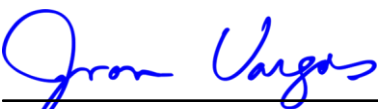
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Jan Schakowsky  
Member of Congress



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Dina Titus  
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Juan Vargas  
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Bonnie Watson Coleman  
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*Frederica S. Wilson*

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