

Local Domestic Violence Agencies stand united in outrage at the recent ruling on February 2, 2023, by the 5<sup>th</sup> US Circuit Court of Appeals declaring a law that restricts those with domestic violence restraining and protective orders from owning firearms unconstitutional. An Nisa, Aid to Victims of Domestic Violence, Bay Area Turning Point, The Bridge Over Troubled Waters, DAYA, Family Ties, Family Time, Fresh Spirit Wellness, The Empowered Survivor, Harris County Domestic Violence Coordinating Council, Houston Area Women's Center, and Northwest Assistance Ministries Family Violence Program stand together in opposition of a ruling that has devastating and deadly consequences for those suffering the trauma of intimate partner violence.

According to the Texas Council on Family Violence's Honoring Texas Victims report, in 2021 204 Texans were killed by their intimate partner, 46 in Harris County alone. Of the 46 killed in Harris County, 35 or 76% were killed by a firearm, and over 50% of those killed were black women. Additionally, 34% of the offenders were prohibited from possessing a firearm under Texas law and 40% were prohibited from possessing a firearm under federal law. The number one predictor of a domestic violence homicide is the threat of homicide and the ownership of a firearm. An 11 city study found "...increased risk of intimate partner femicide included perpetrator's access to a gun and previous threat with a weapon" (Campbell, 2003). Yet three judges – in their infinite wisdom – found it unconstitutional to protect women. Aren't laws intended to err on the side of protecting people rather than harming them? For the record, in Texas, protective orders are civil legal lawsuits that are granted when domestic violence has occurred and there is a strong likelihood that it will continue. Protective orders help create boundaries of safety for a survivor by restricting harm doers from going to survivors' homes, workplaces, and/or schools while also strictly forbidding the person from communicating in a threatening or harassing manner. These orders can be granted for any amount of time, and prior to this decision, required the surrender of a firearm for the duration of the order.

This court ruling is one more devastating decision, especially for survivors in Texas, that creates greater challenges for them to become safer. We know that firearms are the number one method of homicide for victims of intimate partner violence and rulings like this only send the message that the safety of women is not a priority. As Harris County continues to see the highest number of domestic violence related fatalities in the state of Texas, it is incumbent upon us all to ensure access to services and protections including the recognition that underserved communities of color experience the highest rates of homicides and the lowest rates of accessing formal services for protections.

One of the strongest protections has been the requirement of surrendering firearms when there is a protective order in place. This law has SAVED lives even as a voluntary program. Wait, what? Yes, you read that right - **a voluntary gun surrender program**. Currently, in Harris County, if a protective order is granted against a harm doer who owns a gun, they are offered a way to voluntarily surrender it through Harris County's Safe Surrender Program. Thanks to the lax and conflicting laws about gun ownership in Texas, actually requiring someone to surrender it with some type of investigation, enforcement and/or accountability does not happen. While Harris County's Safe Surrender Program is not perfect, it is our best attempt at giving an alternative in adhering to the mandate to surrender firearms when a protective order is granted. It is a step towards increasing safety for survivors. Now even this small step in progress feels insignificant as this court decision strips survivors of more and more protections that should be due to them under the law.

Countless numbers of women have relayed stories to advocates in our community about the threats they received to be shot and killed, and for many women, this threat is made real. In 2022 our community experienced extremely high rates of deadly intimate partner violence and ever-increasing felony level assaults. No one can watch the news on a nightly basis without hearing about another tragic death. Families are suffering and front-line workers are exhausted and cannot keep up with the need. Our community should never have to face losing – a neighbor, a family member, a friend, a Houstonian - due to intimate partner violence. And...now this court ruling supporting the ownership of firearms when there is a protective order – UNACCEPTABLE.

Along with the highest number of homicides, Harris County continues to see the highest turn away rate for emergency shelter, a housing waitlist over 900 families deep, and long wait lists for counseling and therapeutic services. One domestic violence homicide can cost a community close to 15 million dollars (DeLlisis et al., 2010). This cost cannot even begin to account for the loss of a mother to her children, or a family member. Yet – we can put our priority on ensuring that the right to bear firearms is more important than the right to be SAFE.

We will not be quiet, we will not let go, we will unite our voices of outrage and the need to support laws that SAVE lives, not destroy them. Our leaders and decision makers need to hear us and make change to eradicate the laws that support the senseless death of survivors at the hands of a would be loved one. There is still much work to be done and we will not stop advocating for protection for victims and survivors that are affected by the lack of laws and protections from firearms.

NO MORE

[https://nnedv.org/latest\\_update/nnedv-statement-regarding-united-states-v-rahimi/](https://nnedv.org/latest_update/nnedv-statement-regarding-united-states-v-rahimi/)

[BWJP Reacts to the United States Court of Appeals for the Fifth Circuit's Disappointing Ruling Undermining Federal Firearms Prohibitions for Persons Who Have Committed Acts of Domestic Violence - BWJP](#)

<https://tcfv.org/wp-content/uploads/Call-to-Action-Gun-Violence-Final.pdf>