

PAGV

PROSECUTORS AGAINST GUN VIOLENCE

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PROSECUTORS AGAINST GUN VIOLENCE FILES AMICUS BRIEF URGING U.S. SUPREME COURT TO UPHOLD LAW THAT DISARMS DOMESTIC VIOLENCE ABUSERS

In Wake of Bruen Ruling, Fifth U.S. Circuit Court of Appeals Said Second Amendment Allows Alleged Abusers to Keep Their Guns; PAGV Sees Public Safety Threat

Prosecutors Against Gun Violence has filed a “Friend of the Court” brief in support of the government’s challenge of a ruling that held unconstitutional the long-standing federal law prohibiting individuals under domestic violence restraining orders from possessing guns.

The 5th U.S. Circuit Court of Appeals in Texas ruled in the *United States v Rahimi* that the defendant’s indictment by a federal grand jury for possession of a firearm while under a domestic violence restraining order violated his constitutional rights.

On August 21, 2023, PAGV filed an Amicus Curiae brief to support the federal government.

PAGV Co-Chairs Darcel D. Clark, Bronx County District Attorney, and Zach Klein, Columbus City Attorney, said, “The Fifth Circuit’s decision removed a vital tool to disarm abusive or dangerous domestic partners and prevent tragedy. We are alarmed by the prospect that the decision would be upheld, because it will create a grave risk to domestic violence victims/survivors throughout the nation.

“We thank Shipman & Goodwin, LLP for composing and submitting the brief on our behalf.”

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The PAGV brief states that domestic violence offenses are among the most serious, as domestic abuse too often escalates into grievous assaults and even homicides. They are also among the toughest to prosecute, as victims often fear reprisal for pressing charges.

The brief states, “This Court’s decision also could affect the validity of gun prohibitions included in orders of protection or in conditions of pretrial release in Domestic-violence cases—as well as prosecutors’ ability to enforce these provisions via contempt or other means. The outcome will thus have significant consequences on the ability of both federal and state authorities to protect Domestic-violence victims. In the last several centuries, our Nation has made profound strides in shielding intimate partners from domestic violence. There is much work to be done, and PAGV’s members are on the front lines of these efforts.....The Fifth Circuit’s decision should be reversed.”

Click to read brief: <https://adobe.ly/3qFeLyz>

Prosecutors Against Gun Violence is a non-partisan coalition of prosecutors serving over 60 million Americans in 24 states across the country. Since 2014, we have been at the forefront of the fight against gun violence.