



PROMISING PRACTICES

FEDERAL-STATE-LOCAL COORDINATED JUSTICE
SYSTEM RESPONSES TO DOMESTIC VIOLENCE AND
FIREARMS

The National Resource Center on
Domestic Violence and Firearms

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Gender-based violence is shockingly prevalent in many communities.

To solve this problem, communities must meet collaboratively to understand the scope of the problem and identify paths to responding effectively to it. Across the nation, two in five women (41%) and 1 in 4 men (26%) report experiencing at least one impact as a result of intimate partner violence in their lifetime.¹ When a firearm is present it becomes 5 times more likely that a woman will be killed by her male abuser.² More than half of all intimate partner homicides in the United States are committed with firearms.³ More than 5 million American women have been nonfatally shot, shot at, or threatened with a gun by an intimate partner.⁴ Further, offenders of domestic violence (DV) are often offenders of community violence. More than half of mass shootings between 2014-2019 were domestic violence related.⁵ Men who murder an intimate partner are nearly twice as likely to have at least one additional victim as compared with other means of homicide.⁶ Often those additional victims are children and/or law enforcement responding to domestic abuse calls for assistance. This is a public health and public safety crisis.

We have some legal tools available to reduce this harm. Federal law provides that certain adjudicated abusers—those convicted of certain misdemeanor crimes of domestic violence and those subject to certain domestic violence protection orders—are prohibited from purchasing or possessing firearms or ammunition. See the National Center on Domestic Violence and Firearms resource, “[A Brief History and Framework of Federal Firearms Laws Addressing Intimate Partner Violence](#),” in the Resource Library. Many states have laws that mirror or expand on these federal protections, while some have none. These laws, when fully implemented, can increase the safety of survivors and communities. But effective implementation is multifaceted and can only be accomplished with a local coordinated community response which brings together multidisciplinary government entities, victim services agencies, and other community stakeholders that reflect the community. Likewise, enforcement of these domestic violence-related firearms restrictions hinge on the actions and records of local systems.

Over several months in 2024, the National Resource Center on Domestic Violence and Firearms (NRCDVF) conducted site visits in three communities, each of which has developed a multi-jurisdictional collaboration with the specific goal of addressing firearm-facilitated domestic violence and domestic violence-derived community violence through better implementation and enforcement of the federal laws that prohibit certain abusers from accessing firearms. Those communities—DeKalb County, GA; Oklahoma City, OK; and Birmingham, AL—each developed a collaborative initiative that reflects their community and its needs. Each of these three programs are discussed in this resource, including who participates in the initiative, how resources are allocated, the shape the program takes, and the benefits to each community. The aim of this resource is to provide these models as ones which may be adopted, or adapted, for your own community. The partners within each of these community models were gracious and generous in offering honest reflection on the process of developing these initiatives. The last section of this resource is a set of tips taken directly from the experience of these communities.

The NRCDVF is available to provide technical assistance for any community aiming to develop their own multi-jurisdictional collaboration. www.nrcdvf.org

Acknowledgments

The success of the coordinated community responses highlighted in this resource are owed to the many partners and each of their commitment to the collective effort to promote survivor safety and offender accountability. But the existence of each of these models is owed to the innovation, leadership, and determination of certain people including former Solicitor General/current District Attorney Sherry Boston and current Chief Assistant District Attorney Jennifer Stolarski in DeKalb County, GA; Western District of Oklahoma U.S. Attorney Robert Troester, Assistant U.S. Attorneys Jacquelyn Hutzell and Mary Walters, and Palomar Founder Kim Garrett in Oklahoma City, OK; and Northern District of Alabama U.S. Attorney Prim Escalona and Assistant U.S. Attorney Jeremy Sherer, Angelica Melendez of ¡HICA!, and Rebecca McWilliams of One Place in Birmingham, AL. BWJP is grateful to each for bringing their community partners together for open and reflective conversations about their work and their willingness to support other communities aiming to develop similar coordinated community responses.



COMMUNITY MODEL: DEKALB COUNTY, GA

A Federal-State-Local Criminal and Civil Justice Approach

For years local prosecutors in DeKalb County, GA were frustrated by the devastating rates of intimate partner gun violence in their community and were frustrated by the limited options in state law to meaningfully address it. These local prosecutors knew that federal law prohibited people with certain statuses—particularly those subject to certain domestic violence protection orders and those convicted of certain misdemeanor crimes of domestic violence—from purchasing or possessing firearms or ammunition.⁷

Unfortunately, Georgia’s own state law has no such prohibitions and years of effort to advocate for the enactment of such protections were unsuccessful.⁸ The prosecutors understood that access to firearms by those who commit domestic violence increases risk of fatality for their intimate partners and the community, and they recognized that they needed to find creative local approaches to ensure the federal prohibitions were effective in their jurisdiction.

The local effort began with the insistence of leaders in the Office of the Solicitor-General—the prosecutorial office with jurisdiction over misdemeanor crimes—in conversation with others in the local criminal justice system. They realized that there had to be tools available to address intimate partner gun violence in their community. What has emerged are collaborative partnerships that leverage each other’s resources and strengths, and that span the civil and criminal justice systems at the local, state, and federal levels.

Local Approach to Implementing the Federal Misdemeanor Domestic Violence Firearms Prohibitor: Misdemeanor Domestic Violence Probation

In DeKalb County, the Magistrate Court has jurisdiction over misdemeanor crimes which are prosecuted by the Office of the Solicitor-General. Those convicted of a misdemeanor crime and sentenced to probation are supervised by DeKalb County State Court Probation Department. Probation’s charge is to ensure probationers’ compliance with the conditions set by the court and to help probationers reduce their likelihood of reoffending. Often, probation’s role includes identifying underlying issues that have led the probationer to offend and assisting the probationer with the tools to address such issues and prevent re-offending. The DeKalb County State Court Probation and Office of the Solicitor-General recognized that probation was a promising avenue to ensure that those convicted of domestic violence misdemeanors engaged in a domestic violence intervention

program and did not have continued access to firearms, which would be a violation of federal law and thus a violation of the terms of their probation sentence.

DeKalb County State Court Probation Department took two actions which ensure consistency of this effort: they developed a Domestic Violence Unit within the probation department and they developed a firearms protocol to be applied in all cases involving domestic violence.

Domestic Violence Unit

The unit is currently comprised of four probation officers who hold a dedicated case load of domestic violence misdemeanants, handling among themselves approximately 500 cases. These officers receive ongoing training about domestic violence. It is the department's policy that upon receiving a case for supervision, the DV probation officer must contact the victim in the case. The purpose of contacting the victim early in the supervision process is to make sure the victim knows who the probation officer is, what their role is, and how to be in contact with the probation officer if needed. It gives the probation officer an opportunity, at the outset of the supervision period, to understand the victim's perspective on the safety risks which in turn assists the probation officer in developing probation conditions and guidance to the probationer in remaining compliant with any no-contact orders or protection orders in place. The assigned probation officer also contacts the victim before closing a probation period as successfully completed.

The probation department is not equipped to provide any services to the victim, but can connect the victim to the advocates within the Solicitor-General's office. Often, the domestic violence probation officers hear from victims during the period of supervision about further abuse. Because of the probation officer's unique role, some victims who are hesitant to contact law enforcement are willing to engage with the probation officer. Understanding this dynamic, the officers in the domestic violence unit have provided support to victims including moving forward with probation violations based on an affidavit from the victim regardless of whether it was reported to law enforcement, providing victims transportation to reach services, and connecting them with advocates. In turn, the Solicitor-General's office refers information received about potential probation violations to the assigned officer to investigate which can enhance victim safety.



Additional considerations:

It is necessary to be aware of, and properly inform victims/survivors of, the lack of confidentiality in communications between victims/survivors and system professionals. Ensuring victims/survivors are connected with confidential advocacy services remains important.

Firearms Protocol

Those sentenced to probation for a misdemeanor conviction of domestic violence in DeKalb County are assigned to a probation officer within the Domestic Violence Unit. Beginning in 2014, the unit instituted a firearms protocol. At the probationer's first meeting with their assigned probation officer, the officer will provide two separate, clear notices among the probation obligations:

- a notice that they must enroll in a certified family violence intervention program within a specified period of time, and
- a notice that federal law prohibits their possession or purchase of a firearm and they have 24 hours to relinquish any firearm in their possession and provide proof of such.

Failure to meet either of these obligations can provide the basis for a violation of probation.

Under the firearms protocol, the domestic violence probationer receives from their assigned probation officer a firearms/ammunition notice which requires them to provide a sworn statement attesting to, whether at the present time or within six months:

- they own(ed) or possess(ed) any firearms or ammunition;
- what firearms or ammunition they possess(ed) or own(ed)
- whether the listed items have been surrendered or sold.

The notice provides detailed instructions for how the probationer can relinquish any firearms or ammunition in their possession.⁹ It also includes information about the potential penalties for failing to accurately report firearms or ammunition which they possess or own or for remaining in possession of a firearm or ammunition while convicted of a misdemeanor crime of domestic violence.

To facilitate compliance with the condition to relinquish any firearms in their possession, the probation officer will arrange to safely receive any firearms from the probationer and store them. Probationers have the option to surrender their firearms to a law enforcement agency or sell their firearms instead to a licensed federal firearms dealer and provide receipts of those transfers.

The probation officers in the domestic violence unit observed that their explanation of the obligation to relinquish firearms is very often met with resistance. As one officer described, "We try to frame it as 'Let me help you comply with probation so you don't face a violation or a federal charge.'" In their experience, most often probationers eventually comply but that sometimes requires diligent follow up by the assigned probation officer—outreach between scheduled office check-ins, explanations of ways to comply with the relinquishment obligation, etc. Ultimately, failure to comply results in action for noncompliance with probation.

Institutionalizing the work

The DeKalb County State Court Probation Department has consistently implemented this firearms protocol since its inception. There are a few ways in which the work has been institutionalized, ensuring that it remains a department practice despite turnover and leadership changes:

- Formation of a permanent Domestic Violence Unit with dedicated probation officers who receiving ongoing training about domestic violence;
- Creation and use of a firearms/ammunition notice form to educate probationers about their responsibilities and consequences for violations;
- Relationship with the Solicitor-General's office, particularly the victim advocates;
- Leadership has prioritized evaluation of the operations of the Domestic Violence Unit and the firearms protocol and examined ways to strengthen it.

State-Federal Collaborative Approach: Addressing the Risk of High-Risk Domestic Violence Offenders' Access to Firearms by Enforcing the Federal Firearms Prohibitions

While the Office of the Solicitor-General has prosecutorial jurisdiction over misdemeanor crimes in DeKalb County, the Office of the District Attorney has prosecutorial jurisdiction over felony crimes. When the Solicitor General who initiated the probation compliance model described above was elected District Attorney of DeKalb County the new District Attorney leadership team brought with them their focus on finding creative solutions to reduce domestic -violence related gun violence in their community and saw additional opportunities. The United States Attorney's Office for the Northern District of Georgia (NDGA), which has jurisdiction over federal crimes within DeKalb and 45 other counties, seemed a natural partner. The partnership and the solutions they came up with grew organically from mutual motivation and goodwill. As described by Jenni Stolarski, a prosecutor integrally involved in forming the partnership efforts at both the Solicitor General and District Attorney's Office, "We were all looking to round out our toolbox and took an opportunity to explore how we could solve this problem together for our community."

Beginning in March 2018, designated prosecutors from the District Attorney's Office and the U.S. Attorney's Office set up routine phone calls to evaluate the sort of domestic violence-connected gun violence cases the state prosecutors were receiving that may be ripe for federal prosecution. At first, they chose cases in a non-formulaic way. Then the District Attorney's Office started reaching out to others within the office, requesting that they send information about cases that might be appropriate to flag for the U.S. Attorney's Office. At this time, the process was not yet formalized and there were no specific resources available. But what the state and federal prosecutors realized from systematically reviewing cases was that there were many domestic abusers "flying under the radar" that posed a significant risk to their partner and the community. For example, a defendant was arrested for shoplifting during which a gun was recovered from his backpack during the arrest and who, it was learned, had an extensive violent and escalating domestic violence history and was federally prohibited from possessing a firearm. The federal prosecutors realized the need to devote resources to enforcing the federal firearms prohibitions by charging these high-risk domestic abusers.

This exploration revealed to the District Attorney's Office that they needed to formalize the work of the partnership, find resources, and ensure that victim advocacy was available to the domestic violence victims impacted by these cases. In 2022, the District Attorney's Office received county government funding to establish the Firearms Violence Prevention Unit (FVPU) staffed with a prosecutor, investigator, and victim-witness advocate. The prosecutor leading this unit is the liaison to the U.S. Attorney's Office.

The U.S. Attorney's Office developed a set of criteria so the FVPU could determine which cases were appropriate for referral. The FVPU evaluates every gun case that comes into the DeKalb County District Attorney's Office for possible referral to federal prosecutors and uses a point-based system to evaluate the risk of future violence, delving into all available records including police reports and domestic violence protection orders. The FVPU prosecutor and/or advocate attend weekly police department meetings on recent shootings in the community. The FVPU advocate contacts these recent victims to offer support and services. Reaching victims to offer support at this early stage often wasn't possible in the past, as advocates in the District Attorney's Office typically did not have information in order to reach victims until a suspect was identified or arrested. The FVPU advocate can provide information about crime victims' rights and the criminal justice process, can notify the victim of court proceedings, and provide other support. But as an employee of the District Attorney's Office, the FVPU advocate's communications with the victim/survivor would not be privileged. This makes the District Attorney's Office's relationship with local community-based victim advocacy service providers, who do have confidentiality obligations to victims, so crucial. Those relationships keep the District Attorney's Office informed of the availability of community-based victim services such that victims/survivors can be referred to confidential support that may also be able to address other attendant needs of the victim .

The FVPU investigator was designated as a task force officer (TFO) for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which gives him the authority to jointly investigate state and federal offenses and an enhanced working relationship with the ATF Atlanta Field Division. When the FVPU prosecutor determines a case is appropriate for federal referral, the FVPU investigator does the remaining investigation and writes up a summary.

A prosecutor in the U.S. Attorney's Office is designated as the violence against women coordinator, serving as the regular point of contact in the FVPU-USAO partnership. In monthly meetings, the FVPU prosecutor provides the summaries of referred cases and the federal prosecutor provides updates on previously accepted cases, which allows for regular evaluation and data collection. The FVPU provides all available records and evidence for any cases accepted by the U.S. Attorney's Office.

This coordinated focus on domestic violence-derived gun cases (either arising from a domestic violence incident or demonstrating a serious domestic violence history) has resulted in nearly 30 federal prosecutions since 2018. Those prosecuted were the most likely to be an active threat to their intimate partner and/or community and most of them involved charges of violating the federal firearms prohibition. And as a result of this effective partnership, the NDGA has begun discussions with the district attorney's office in another county within its jurisdiction to engage in a similar partnership through the development of a dedicated unit.

Institutionalizing the work

The federal and state prosecution and law enforcement agencies involved in this partnership model have each taken institutional action to ensure the work is not dependent on any one individual, including:

- The formation of a dedicated unit within the state district attorney's office, which incorporates a prosecutor, advocate, and law enforcement investigator and interfaces with all the other units throughout the district attorney's office, through an initial fund by the county government but installed permanently in the agency's budget;
- The established regular collaboration between the ATF and District Attorney Investigator, including the designation of the District Attorney Investigator as an ATF TFO which allows for more easy and efficient investigation and sharing of information;
- A designated Assistant U.S. Attorney, the Violence Against Women Coordinator, to screen all referred cases and maintain regular communication with the state prosecutors; and
- The assignment of cases accepted for federal prosecution is spread throughout the U.S. Attorney's Office to ensure the entire office increases their capacity to address domestic violence-derived gun crimes.

Local Approach to Implementing the Federal Domestic Violence Protection Order Firearm Prohibitor: The Civil Justice System

The federal and state prosecution and law enforcement agencies involved in this partnership model have each taken institutional action to ensure the work is not dependent on any one individual, including:

- They provide flexibility to incorporate a range of provisions to address the safety concerns for a survivor's individual situation, and
- They are initiated by the survivor, providing the survivor with more autonomy to seek the most effective remedies.

While Georgia does not have a state firearm prohibition for those subject to FVPOs, those FVPOs that meet the statutory requirements of the federal firearms prohibition result in making it a federal crime for the respondent to purchase or possess firearms and ammunition for the duration of the FVPO. Thus, in issuing qualifying FVPOs, the Magistrate Court can require, and ensure compliance with, relinquishment of firearms. Since 2011, the Magistrate Court has maintained a compliance docket, which served as a Mentor Court for the Office on Violence Against Women at the U.S. Department of Justice in 2014-2020 to other courts seeking to improve their handling of cases involving domestic violence.

The components of the DeKalb Magistrate Court compliance docket demonstrate robust coordination and collaboration by multidisciplinary agencies in the community:

- All judges presiding over FVPOs receive specific training on domestic violence;
- In issuing qualifying FVPOs, the judge includes a provision for the respondent to surrender any firearms or ammunition in their possession to the DeKalb County Sheriff's Office. The Sheriff's Office created and maintains a protocol to receive surrendered firearms and ammunition and to store items until the Court issues an order permitting their return);
- The Court employs a full-time compliance officer (which they are able to fund with OVW funding through grant programs such as Improving Criminal Justice Responses (ICJR) and STOP). Upon leaving court with an issued FVPO, the respondent immediately meets with the compliance officer and receives information about how to relinquish firearms and ammunition with the Sheriff's Office;
- The respondent is required to appear in the compliance court every two weeks and to report by phone to the compliance officer on the non-appearance weeks. The compliance officer is present at each compliance hearing;
- The Court also employs a domestic violence coordinator who searches, before each compliance hearing, for any additional criminal or civil cases.
- Before termination of the FVPO and issuance of an order permitting the return of surrendered firearms/ammunition, the Court holds a hearing to determine whether the respondent is eligible to receive the items;
- The Court maintains a relationship with the victim advocacy organizations throughout the community and invites them to maintain a presence in the courthouse. Advocates are available in the courthouse for assistance with the FVPO application process and understanding the court process.

The agencies involved in this coordinated community response have been consistent in their effort to foster relationships, understand one another's capacities, and move creatively towards potential solutions while centering victim/survivor-facing advocacy services in their model. They have, as a result, produced a multidimensional approach to promoting effective implementation and enforcement of the federal domestic violence firearms prohibitions in their community.



COMMUNITY MODEL: OKLAHOMA CITY, OKLAHOMA

A Federal-State-Local Coordinated Criminal Justice Approach

Since 2018 the U.S. Attorney's Office for the Western District of Oklahoma (WDOK) has prioritized its "Operation 922" initiative. Named after the federal crime at 18 U.S.C. 922, which prohibits persons with certain statuses (including felony convictions, convictions for a misdemeanor crime of domestic violence, and subject to a domestic violence protection order) from possessing firearms and ammunition, Operation 922 is a strategy to reduce gun violence by targeting domestic violence.

The focus of the strategy is repeat and high-risk domestic abusers who violate federal firearms offenses with the goal of holding them accountable. The strategy enables the U.S. Attorney's Office to protect the abusers' intimate partners and the wider community. In practice, the WDOK has emphasized bringing federal prosecutions for domestic violence-derived crimes with the goal of reducing domestic violence gun homicides. The federal-state-local multidisciplinary coordination behind Operation 922 has redefined Oklahoma City's response to domestic violence and increased each individual system partners' capacity to address these cases.



Operation 922 March 2018 thru July 2024:

- The WDOK charged 341 defendants with federal charges for domestic violence-derived crimes, mostly the federal firearms prohibition (Section 922).
- 323 Operation 922 defendants have been convicted.
- 301 Operation 922 defendants have been sentenced to an average of nearly 74 months in prison.
- Pursuant to these Operation 922 prosecutions, 4,781 firearms and 12,240 rounds of ammunition have been seized from domestic abusers.
- About a third of these Operation 922 defendants have known associations among 43 gangs.
- Operation 922 cases have thus far come from 26 of the 40 counties within the WDOK's jurisdiction.

In addition to the criminal justice accountability that the initiative has achieved, the multilevel coordination of the initiative and the extent to which it is informed by those who serve survivors and know them best has reaped other benefits for the community as well. It is a criminal justice system partnership model replicable in other communities.

The formation of Operation 922

In 2018, the U.S. Attorney’s Office for the Western District of Oklahoma (WDOK) was in the process of developing their strategy for the district’s Project Safe Neighborhood program.¹⁰ The process requires identifying a significant crime problem in the community within the district’s jurisdiction, determining solutions, and then defining a “target area” to implement those solutions coordinated by federal, state, and local partners. Local law enforcement raised the issue of rising domestic violence shootings and homicides. The leadership in the WDOK was cognizant that Oklahoma ranked second in the nation in homicides of women, that the majority of those homicides were committed with a firearm, and that state prosecutors were facing many frustrations attempting to effectively prosecute domestic violence offenses. This prompted the WDOK to gather local partners and available national, state, and local data to get a fuller picture of the intersection of domestic violence and firearms.

The national data demonstrated the high risk of lethality for domestic violence victims associated with the presence of a firearm and the impact on children, law enforcement (given domestic violence-related calls were among the leading precipitators in officer line of duty injury and death), and the community at large (given the connection to mass shootings¹¹). For a local picture, they mapped domestic violence-related 911 calls within a recent time period, which showed that no corner of Oklahoma City was untouched by domestic violence and that these calls were the second most common calls precipitating officer deaths.

At that time Oklahoma had no state law prohibiting domestic violence abusers from possessing firearms. The WDOK U.S. Attorney determined that, to implement a solution to this significant crime problem, the target area for WDOK’s PSN project was not a geographic area but a subject matter area: domestic violence-derived crimes. In particular, using the federal tools available, such as Section 922, to hold violent and repeat domestic violence offenders who violate federal law accountable, with an emphasis on those violating the federal firearms prohibitions. The WDOK formed “Operation 922” to “use the power of federal prosecution to quickly remove abusers from the home, protect victims over whom the abuser exerts control, and safeguard law enforcement responding to domestic violence calls.”¹²

Several years before the WDOK began their focus on domestic violence-derived crime, Kim Garrett was working as an advocate in the Oklahoma City Police Department. She saw how difficult and time consuming it was for a survivor of domestic violence to navigate all of the various systems and supports they might need access to in order to seek and maintain their safety. She sold OCPD leadership on the need for a family justice center that could house all the services and support a survivor might need in one place. After five years of tireless advocacy and planning by Kim and OCPD leadership, Palomar Family Justice Center—an independent nonprofit entity—opened in

February 2017 with 15 on-site partners available to serve survivors in Oklahoma City.¹³ In 2023, Palomar provided more than 41,500 services, meeting a wide range of needs for 5,727 individuals.¹⁴



U.S. Attorney Robert Troester forged a relationship with Kim Garrett and Palomar, gaining a deeper understanding of the unique circumstances and needs faced by domestic violence survivors in Oklahoma City. From that, and their own relationships within the community, a robust partnership was formed that includes:

- WDOK U.S. Attorney’s Office (federal prosecutor)
- Palomar Family Justice Center (including its on-site partners)
- the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) (federal law enforcement)
- the U.S. Marshals Service (federal law enforcement)
- Oklahoma City Police Department (OCPD) (local law enforcement)
- Oklahoma County Sheriff’s Office (OCSO) (county law enforcement)
- Oklahoma County District Attorney’s Office (OCDA) (state prosecutor)

The main activities of the initiative include WDOK working with local law enforcement and prosecution partners to identify high-risk domestic violence cases for which WDOK can bring a federal prosecution and, working with Palomar and its on-site partners, to link every domestic violence survivor connected with those cases to wraparound victim services, and continue to follow up as the case progresses and/or the survivor’s circumstances change.

Operation 922’s work began with weekly meetings between WDOK federal prosecutors, ATF agents, OCPD domestic violence detectives (whose office is co-located at Palomar), and OCDA state prosecutors. Together they explored what cases WDOK’s jurisdiction gave them the capability to handle and how OCDA could identify those cases. The individual case narratives from the OCPD domestic violence detectives and the connections that the WDOK drew to the patterns of domestic violence perpetration and community violence perpetration helped to encourage the ATF agents to focus their resources on domestic violence-derived offenses. Over time WDOK developed criteria for cases they could accept from the OCDA, and the federal prosecutors trained the state prosecutors on how to look for those criteria. ATF and WDOK prosecutors also trained the OCPD domestic violence detectives on the applicable federal charges, what to look for in a potential federal case, and what evidence would be needed to establish those charges.

Benefits Realized

The multi-jurisdiction partnership overcame longstanding challenges preventing interagency criminal justice collaboration and has seen real benefits, all of which enhance the ability of the criminal justice system to respond to domestic violence-related gun violence in Oklahoma City:

- The partnership transformed the thinking of federal prosecutors and law enforcement that Section 922 (the federal firearms prohibition) is a “victimless” crime. In all of the domestic-violence derived cases WDOK has charged, the assigned prosecutor and WDOK victim-witness coordinator make and maintain contact with the domestic violence victim, even where that victim is not a witness to the charged crime and/or their participation is not necessary to the federal 922 prosecution. Recognizing that the WDOK cannot meet the multiplicity of needs that domestic violence victims have and that the WDOK victim-witness coordinator cannot provide privileged services to survivors like community-based advocates, WDOK’s relationship with Palomar ensures WDOK can connect every victim with wraparound, confidential services. Palomar’s leadership, and its partners located within the family justice center, provide WDOK and other partners with a real-world view of the impact domestic violence has on Palomar’s clients’ lives and the multivariate barriers survivors face to obtaining safety and accountability.
- The partnership has repaired and fostered relationships among federal and local law enforcement agencies that have historically been strained and resulted in a lack of coordination. It has re-energized law enforcement to devote resources to addressing domestic violence and increased support for investigating and addressing domestic violence among agency leadership and throughout the ranks. Each agency’s contribution fueled greater energy and contribution by the others.
 - Being embedded in Palomar, the OCPD domestic violence detectives gained a more complete understanding of domestic violence perpetration and the ways it affects every facet of a survivor’s life. As one detective noted, “It goes way past the 911 call. Seeing victims come back to Palomar for services gives perspective beyond the case and shows the difference it makes putting effort into these cases.” As detectives and officers rotate through the domestic violence unit and observe this themselves, it has contributed to a shift throughout the department resulting in greater understanding about domestic violence and support for devoting resources to addressing it. The detective observed that “the entire chain of command has only grown in its support over these last ten years.

In furtherance of Operation 922, WDOK provides local patrol officers with laminated cards to keep in patrol cars which detail the federal firearm prohibitors criteria and provide them with a direct line to reach someone if they have questions about firearms in a situation they are responding to or investigating.

- The Oklahoma County Sheriff’s Office embedded a sheriff full-time in Palomar to serve the protection orders issued to Palomar clients and attempt to retrieve surrendered firearms from respondents. Civil attorneys on-site at Palomar represent Palomar clients in protection order proceedings and, once a protection order is issued by the court, Palomar staff prepare a cover sheet with the information necessary for service. The sheriff then serves the order and provides proof of such. One Palomar partner observed a “complete transformation” in the attitudes within the Sheriff’s Office towards domestic violence and serving protection orders over five years of partnership.
- The ATF’s access to real cases involving victims of firearm-facilitated domestic violence and the impact experienced by victims, as well as learning more about the domestic violence connection to community gun violence and law enforcement safety, convinced the agents that domestic violence-derived cases are precisely the dangerous offenders they are meant to devote their resources to—a shift in mindset from the sort of cases they were used to prioritizing. As one agent described, “By the fourth or fifth case [local law enforcement brought to us] your eyes really start to open—you start to see just how great the [longterm] impact is...When we take a gang member off the street, there is another one right behind them. But when we take a domestic violence offender from the home the whole family changes.” This new energy to work with local officials to address domestic violence-related gun violence helped the local ATF agents to acknowledge the ways they have fallen short of being effective partners with local agencies in the past. To demonstrate their commitment, ATF helped OCPD acquire other greatly needed, and costly, investigative resources.
- Through the Operation 922 initiative the U.S. Marshals Service in Oklahoma City contributed by executing domestic violence warrants to clear the backlog. This started with domestic violence warrant sweep months in October 2018 and 2019. After seeing the impact and continuing to participate in the initiative, the handling of domestic violence-related warrants, not only for federal charges, became part of the agency’s regular work. As a result, the backlog of domestic violence warrants is nearly nonexistent.
- The Operation 922 initiative provided resources to the OCDA, which eased the burden of high case volume on the state prosecutors and allowed for greater focus on the cases that remained for state prosecution. With the initiative funding, WDOK funded an OCDA domestic violence prosecutor to serve as a Special Assistant United States Attorney (SAUSA) and remain embedded in OCDA. The state domestic violence prosecutor designated as the SAUSA acts as a liaison between the state and federal prosecution agencies, and spends one day a week at Palomar. Trained by WDOK prosecutors, the SAUSA screens every domestic violence case received by OCDA for the federal criteria—reviewing 10,000 to 20,000 cases a year. This direct point of contact between the agencies allows for more efficient decision-making and faster action. Additionally, the initiative solves some of the frustrations felt by the lack of options in state law to hold some abusers accountable. It has enabled WDOK to bring federal prosecutions against some high-risk domestic abusers who otherwise would have gone without any accountability in the state system. The partnership has repaired and fostered relationships among federal and local law enforcement agencies that have

historically been strained and resulted in a lack of coordination. It has re-energized law enforcement to devote resources to addressing domestic violence and increased support for investigating and addressing domestic violence among agency leadership and throughout the ranks. Each agency's contribution fueled greater energy and contribution by the others.

Operation 922 has, most importantly, had a beneficial impact on individual survivors, and the community.



Case Example

S had been subjected to various forms of abuse by her partner for a decade. He had utilized guns often, and in various forms, to intimate, control, and harm her. He often told S that he had previously murdered people and gotten away with it and threatened to “take everyone out” if she sought help. He moved the family to a rural location where S was isolated from her support system and was unable to easily reach any other people. After some occasions in which he assaulted S, he would take away all the phones and car keys so S could not leave the house or interact with anyone until the visible bruises were healed. Once he assaulted S with a gun so severely, causing her to bleed so extensively that S believed she was going to die. Believing the same, her partner told her he was going to bury her on the property. Attempts that S made to escape left her in more danger. When she engaged in services at Palomar he had friends follow her there and home. She sought a protection order but showing up to court for the hearings became an opportunity for her partner to follow her home. “Every time I went I feared for my life.” When she sought safety in a domestic violence shelter he surreptitiously obtained the location and texted S the shelter address, letting her know he had found her. When S finally decided to call police she waited until her partner was asleep, called 911 and told the dispatchers to have law enforcement respond with no lights or sirens that would awaken him, and snuck out of the house with her children to meet law enforcement down the street. S knew she probably only had the weekend to hide before her partner was released from local custody—she was right. She and her kids remained in a shelter for months while S’s partner used his resources to hire private investigators to locate her. S’s partner had a previous felony conviction that barred him from possessing guns. WDOK filed federal charges under Section 922. This time S’s partner was detained while awaiting trial. According to S, “this was the first time I felt safe in many years.” S’s partner has since been convicted on the federal charges and sentenced to a period of incarceration. S has been able to return to the community where her support system is. “I have these years [while he’s incarcerated] to be safe and come up with a real safety plan for when he’s out.”



Case Example

A local police officer on patrol responded to a 911 call for domestic violence. The caller provided information including that the male alleged domestic violence offender had access to firearms, though was not armed at the moment. The officer followed his training, parking down the street away from the location and listening as he approached on foot to assess what was happening. As he approached the front of the house he heard “I’m gonna shoot you,” and suddenly saw a door open and a bright muzzle flash as he was ambushed. The next thing the officer knew, he was shot in the center of his chest. A bullet had grazed his hand, likely as he raised it in response, and lodged in his bulletproof vest directly in front of his heart—that vest saving his life. State prosecutors brought charges for the shooting. After conclusion of the state criminal justice process the WDOK conducted a federal investigation and brought charges under Section 922. Ultimately the defendant’s conviction on the federal charge resulted in a maximum sentence permitted under the statute, a longer sentence than the state process had resulted in. Additionally, because of the WDOK’s view that domestic violence-related federal firearms cases are not “victimless” crimes, the officer was notified and consulted throughout the federal criminal justice process and had the opportunity to provide a victim impact statement at the defendant’s sentencing.

Evaluation and Evolution

The starting point for Operation 922 was data and the real-life story it told. Since the initiative launched, WDOK has continued to collect and evaluate data, including the numbers of defendants charged, convictions entered, and lengths of sentences from the federal prosecutions.

The survivor-focused perspective that Palomar and its partners bring to the initiative makes it impossible not to see this data in the context of survivors’ real lives, in which the harm caused by their abuser does not end with a conviction and sentence. Five years into Operation 922, looking at the data indicating that the average sentence the Operation 922 defendants received was approximately five years, U.S. Attorney Troester realized that the earliest among those offenders would be nearing release. Despite WDOK recognizing Section 922 offenses are not victimless crimes, the federal system at large would not. He knew that for many of the Operation 922 cases, it was critical for the domestic violence victim to be notified of the offender’s release so that they could be connected to supportive services and have an opportunity to safety plan.

WDOK established Project RAISE UP (Resources and Aid Initiative for Survivors by Effectively Utilizing Partnerships) in response. Through Project RAISE UP, in cases arising under Operation 922 and other appropriate cases, WDOK is notified of any change in the defendant’s custodial status or release. The WDOK victim-witness coordinator reaches out to the survivor to notify them of the status change or release and to determine if there are services to which the survivor would benefit

from being connected. Engaging their partner Palomar and other victim service and advocacy providers in the community these survivors again have an opportunity to be connected with wraparound services.

Institutionalizing the Work

Operation 922 and Project RAISE UP have several components that support their continuity:

- Naming the program: WDOK leadership was intentional in establishing a name and brand for the initiative which helps it to be seen across the agency, and partner agencies, as a fixture of the work.
- Participation by leaders and emerging leaders: The partners to Operation 922 all have the full support of their leadership at the very top levels. But participation includes staff throughout the ranks. This helps guard against one leader championing an agency's involvement with no succession plan. Additionally, identifying emerging leaders to be involved in the effort gives them an opportunity to develop their expertise around domestic violence and domestic violence-derived community violence and it signals to the entire agency that this is a priority.
- Raising awareness and sharing success: WDOK addresses and provides mentorship to other U.S. Attorneys and potential partners at every available opportunity to explain the benefits and successes of prioritizing domestic violence-related gun violence through a federal-state-local criminal justice partnership.
- Data collection and evaluation: Collecting and analyzing data gives the Operation 922 partners an opportunity to reflect on their efforts and identify opportunities for improvement or expansion. This is precisely what led to the development of the RAISE UP initiative.
- Fostering relationships and leveraging available resources: Operation 922 is primarily funded by the Project Safe Neighborhoods initiative and with that WDOK is able to provide financial resources to some of the partner agencies to support the collaborative work. For example, WDOK funds a SAUSA to remain embedded in the state prosecutor's office. Beyond financial resources, several of the initiative's partners are embedded in other partners' work. For example, WDOK U.S. Attorney Troester is on Palomar's Advisory Council.
- Throughout the partnership there has been a genuine and concerted effort to engage in team building. The group has prioritized non-work-related activities to help people from different disciplines develop a rapport, such as, regular ping pong tournaments at Palomar. One detective explained that, from developing a deeper relationship with advocates than he previously had, he came to understand the reason for some of the things that had previously caused him frustration—like the reason an advocate won't simply give a detective a survivor's phone number or address is not simply stubbornness or lack of trust but confidentiality obligations. Being in a space to hear from one another provides the opportunity to better understand one another. As the Operation 922 partners have shown one another that they fulfill their promises the resulting trust between them has organically grown into other collaborations. All of which enhances the ability of the coordinated community response to serve survivors and the community.



COMMUNITY MODEL: BIRMINGHAM, ALABAMA

A Federal-State-Local Coordinated Criminal Justice Approach

In October 2020, the United States Attorney for the Northern District of Alabama (NDAL) announced the launch of “Operation Safe Families,” inspired by “Operation 922” in Oklahoma City, OK led by the U.S. Attorney’s Office for the Western District of Oklahoma.¹⁵



Modeled after the Oklahoma City initiative, Operation Safe Families takes the form of a federal-state-local criminal justice partnership with the goal of robustly enforcing federal firearms laws to ultimately reduce domestic-violence derived gun violence. The partnership involves active participation by law enforcement, prosecutors, domestic violence service providers, and culturally specific organizations, including:

- Northern District of Alabama United States Attorney’s Office (federal prosecutor)
- Jefferson County District Attorney’s Office (state prosecutor)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) (federal law enforcement)
- Jefferson County Sheriff’s Office (county law enforcement)
- Birmingham Police Department (local law enforcement)
- One Place Family Justice Center
- YWCA
- ¡HICA! (Hispanic Interest Coalition of Alabama)

Institutionalizing the Work

The initiative was born of the Birmingham, AL partners' collective dedication to determining an effective approach to addressing violent crime in their community, particularly domestic violence with a high risk of lethality. The shape the initiative took was driven by data. The partners understood the body of research across the United States that clearly demonstrates the dramatically increased risk of lethality to domestic violence victims when firearms are accessible to their abuser and the connection between domestic violence-related gun violence and other community gun violence.

Setting out to get a picture of the scope within their own community, the Jefferson County District Attorney's Office undertook an extraordinary effort to collect and analyze case records. The District Attorney's Office handles the prosecution of felony charges, which are handled in circuit court. They recognized that domestic violence, when it is prosecuted, is most often prosecuted as misdemeanor charges. In Jefferson County, which encompasses the city of Birmingham and dozens of additional municipalities, the adjudication of misdemeanor charges is scattered throughout multiple district or municipal courts. With no centralized repository of criminal justice court records, collecting these records required a manual effort as the various municipal court records are not universally collected and some do not even maintain electronic records. After collecting case records across the county for several recent years, they observed that more than 70% of homicide offenders¹⁶ in Jefferson County have previously committed acts of domestic violence. As a result of this intense effort, the District Attorney's Office revealed the undeniable connection between domestic violence and community violence. This data helped energize federal partners that historically did not have much involvement in responses to domestic violence to join in local efforts.

As the initiative took shape, its foundation was built in One Place Family Justice Center. With its onsite partners, including Operation Safe Families participants ¡HICA! and YWCA, One Place offers survivor-centered wraparound services to all survivors regardless of whether they choose to navigate the criminal or civil justice system. Within the Operation Safe Families initiative, One Place and its partner agencies keep the initiative partners informed of the real life needs of victims and survivors of domestic violence—within the bounds of privacy and confidentiality obligations—and are uniquely positioned to inform the law enforcement and prosecution partners of the real barriers that victims and survivors in their community face to maintaining their safety and engaging with the justice system.

Rooting the initiative in One Place ensured that the heart of the initiative was to connect every survivor with access to wraparound and culturally responsive services. One of the One Place onsite partners, and a participant in the Operation Safe Families initiative, is ¡HICA! (the Hispanic Interest

Coalition of Alabama), a culturally specific organization serving Latino and immigrant families in Alabama. ¡HICA!'s programming has grown directly to meet the needs of the Latino and immigrant families in the Birmingham area who have sought their services, including their Strong Families Program through which they provide a range of services for survivors.

¡HICA!'s holistic, culturally responsive approach has built incredible trust with community members—some of whom will not see the criminal justice system as a viable option for them. Because of this deep trust, the local Latino and immigrant community entrust ¡HICA! with honest insight into the barriers they face. Their reach within the community provides them the unique position to identify systemic issues and barriers which they then voice within the Operation Safe Families partnership, providing the system partners with a view of the Latino and immigrant communities' unmet needs that they would not otherwise have (e.g., inadequate language access in local courts).

The federal, state, and local prosecution and law enforcement agencies learned from one another about the barriers each face to addressing domestic violence, community safety, and offender accountability. This perspective enabled each to see what gaps they could fill for one another that would have an overall impact on the ability to better address high risk domestic violence.

The Jefferson County District Attorney's Office in Birmingham developed a dedicated high risk domestic violence unit within the office. Within the unit, prosecutors focus on criminal accountability for domestic abusers under available state offenses, while engaging their community partnerships to connect survivors with the supportive services they may need.

The focused nature of the unit allows prosecutors to devote their attention to seeking out critical information in order to identify high-risk offenders, such as civil domestic violence protection orders, dismissed charges, and misdemeanors cases. This unit, with a designated point person, is a direct liaison to the NDAL federal prosecutors, also with a designated point person, to help identify cases ripe for federal prosecution under Operation Safe Families. Simultaneously the NDAL developed criteria for the sort of high-risk domestic violence-derived cases they could prioritize for a federal prosecution considering the gaps in state law and the tools available in federal law.

Similarly, the ATF observed concrete ways their authority filled gaps in local law enforcement's authority to hold accountable some high-risk domestic abusers.



Case Example

Birmingham Police Department was investigating an individual with an extensive domestic violence history for a community shooting. A search of his home yielded recovery of one round of ammunition but no firearms. Under state law, Birmingham police could not move forward as the domestic violence-related firearms prohibitions in state law do not prohibit possession of ammunition. But the ATF field agent realized that ATF could move forward with federal charges as the federal firearms prohibitions include firearms and ammunition. Due to the escalating high-risk the particular abuser presented to both their intimate partner and the larger community, Operation Safe Families was able to move forward with a federal charge, highlighting their ability to fill in previous gaps in offender accountability.

The Operation Safe Families partners also collaborated on public awareness and outreach efforts aimed at increasing the community's knowledge about domestic violence and the risk of firearms, the laws that prevent abusers' access to firearms and how the initiative prioritizes holding armed abusers accountable, and the resources and supports available for victims and survivors. This has included the dissemination of a brochure¹⁷ and the production of a public service announcement featuring leadership from the Birmingham Police Department, Jefferson County Sheriff's Office, Jefferson County District Attorneys, NDAL U.S. Attorney's Office, the ATF, One Place, and YWCA.¹⁸

Resources

The Operation Safe Families partners leverage a variety of funding sources and resources to support the work to achieve their ultimate goal of a federal-state-local coordinated community response to domestic violence and domestic violence-derived firearm violence which leads to a reduction in homicides. NDAL got the initiative off the ground through Project Safe Neighborhoods funding by identifying and prioritizing domestic violence and domestic violence-derived community firearm violence as a significant crime issue to be concentrated on in their community.

One Place and ¡HICA! received funding from the Improving Criminal Justice Responses¹⁹ program administered by the Office on Violence Against Women at the U.S. Department of Justice (OVW) to address barriers faced by survivors seeking assistance, including culturally and linguistically appropriate legal services, and key indicators for lethality in partnership with the Jefferson County department of Health.

One Place received funding from the Firearms Technical Assistance Project administered by OVV to facilitate and implement a coordinated community response to the intersection of domestic violence and firearms in the community.

The Jefferson County District Attorney's Office received funding from the Bureau of Justice Assistance at the U.S. Department of Justice to enhance the response to domestic violence by local law enforcement and prosecutors.

Beyond devoting financial resources, the Operation Safe Families partners devote personnel capacity to ensure the collaborative work progresses. The top leadership in every participating entity is personally involved in the work which demonstrates the commitment to, and importance of, the effort to address domestic violence through a coordinated community response to all those throughout their agencies. Additionally, each entity has prioritized the initiative's work within their office by designating point persons, including a domestic violence prosecutor in the District Attorney's Office to review and refer cases, a federal prosecutor reviewing referred cases and handling or assigning the ones accepted, an ATF agent working cases with Birmingham detectives and federal prosecutors.

A unique aspect to Birmingham's collaborative model is the role played by NDAL's Project Safe Neighborhoods Coordinator, Jeremy Sherer. He devotes extensive time and effort to understanding the role and perspective of each initiative partner and lending support to each of them individually. His coordination keeps a large, varied group communicating regularly, helps identify issues that need to be addressed, and has built a rapport with every initiative partner.

Benefits realized

Each initiative partner's commitment to the effort is demonstrated by the energy they expend to share knowledge and perspective from their work with the other partners. The federal partners, who historically have little involvement in domestic violence cases, have been inspired and energized by the perspective they gained that gave them insight into the very real impact the effort has on survivors' lives and community safety as a whole. In turn, state and local partners were re-energized as the partnership gave them new tools to address domestic violence and domestic violence-derived gun violence, relieving some of their frustrations.

Committing designated personnel to the effort within each entity has the benefit of allowing people to build expertise specific to domestic violence and derivative gun cases so that both survivor safety and offender accountability are fairly and effectively promoted, gives them a vantage point to identify trends, and the rapport built between the point persons in the federal and state/local agencies increases the efficiency of the case evaluation and referral process.



In addition to devoting their resources to fulfilling their promised role within the collaborative, the initiative partners have also stepped up to fill other partners' gaps that would threaten continued progress of the initiative. The clearest example of the multidisciplinary, multilevel commitment to this effort came during a period of transition at One Place. For several months, NDAL's Project Safe Neighborhoods Coordinator was embedded at One Place to serve as their Acting Executive Director between the departure of their former ED and recruitment of their next ED. Without this federal-state-local coordinated community response that places victim services at the center, it would be highly unusual for a U.S. Attorney's Office to expend the personnel and financial resources to detail a federal prosecutor to a local victim services agency for several months. But because NDAL U.S. Attorney Prim Escalona understood the importance of the program and was willing to do so, One Place—and Operation Safe Families—remained a constant for survivors in the community.

The coordinated community response embodied in Operation Safe Families has many other benefits for survivors, including:

- A connection to wraparound services whether a survivor navigates the state or federal criminal justice system, or no system at all;
- For those who do interact with the criminal justice system, they are more likely to encounter system professionals who are better trauma-informed and survivor-centered as a result of One Place's reach;
- The co-location and partnership of various service providers and multilevel agencies relieves some of the burden on survivors to navigate so many offices and systems and re-tell their trauma over and over.
- By prioritizing federal domestic violence-derived firearms cases, some survivors feel their abusers are held accountable in ways they otherwise would not because either there were inadequate options in state law to hold them accountable or the survivor faced other barriers to participating in the criminal justice process, which often is not required in a federal prosecution for a domestic violence-derived firearms offense.
- In this community, the cases suitable for federal prosecutions reach a resolution much faster than those in state court, which has such overwhelmed dockets that a trial for a charge other than homicide is likely to take two years or more.
- With the meaningful inclusion of culturally specific organizations in this coordinated community response the unique barriers faced by a particular community are illuminated for the entire partnership and cultural competence is increased, which lessens barriers for some marginalized survivors engaging with services and/or systems.
- The dedication of the agencies and service providers, which seemed to gain energy as they observed how their collaboration could have real impact on survivors' lives, produced time sensitive, creative solutions to address survivors' acute needs.



Case Example

A domestic violence victim working with a ¡HICA! advocate was identified to be in imminent danger from her abuser and it was determined that her best safety plan given the level of risk was to immediately escape the state with her young children. Two Birmingham detectives volunteered to drive her and her children to the safe location, hours away. ¡HICA!, One Place, the Birmingham detectives, and other Operation Safe Families partners quickly secured the car seats needed to transport the children and other essential needs. The victim spoke only Spanish and the detectives driving the family spoke only English so the ¡HICA! advocate available by phone for the hours-long drive to provide interpretation enabling them to communicate about rest stops, etc. While determining that a survivor's best option is to flee is often not the first or desired choice, the multidisciplinary partnership made it possible for that to even be an option at all for that survivor and her children in that moment.



Case Example

A domestic violence victim seeking services from ¡HICA! had fled her home with no belongings. She wanted to file for a protection order but her identification, typically needed to file, was in the home she fled. Because of the relationships built in the coordinated community response, ¡HICA! advocates were able to reach out to a local judge to understand how a survivor might be able to move forward with a protection order application without identification. The judge gave the ¡HICA! advocates information and connected them with the court clerk. The survivor was able to obtain a protection order without her identification, which contained a provision giving her specified access to the home to retrieve belongings. ¡HICA! was able to coordinate law enforcement escorts to help her safely retrieve necessary belongings. From this coordinated community response effort, this survivor was able to attend to her most urgent needs at the moment and maintain her safety so that she could begin to address other needs.

Overall, these benefits are felt by the community as a whole. As local data revealed, in the Birmingham community more than 70% of homicide offenders commit domestic violence.²⁰ When local, state, and federal criminal justice agencies can leverage each other's knowledge, resources, and authority to more effectively address domestic violence, particularly as it is facilitated by firearms, a derivative impact is felt by the entire community.



Tips for Building and Fostering Federal-State-Local Partnerships to Implement and Enforce Domestic Violence-Related Firearms Prohibitions

Three foundational principles are evident from the three multijurisdictional, multidisciplinary criminal justice partnership models highlighted in this resource:

- The partnership should be formed in a manner that reflects its community and the its unique needs;
- Victim advocates, victim service providers, and survivors themselves should be the central voice within the partnership;
- Evaluation and evolution should be built into how the partnership operates and this should begin with data collection and analysis.

Beginning a multijurisdictional, multidisciplinary partnership can seem daunting. However, it is likely that many of the key partners are already within arm's reach. The following questions aim to serve as a starting point:



Who Should Be a Partner?

The precise list depends on your particular community but a non-exhaustive list includes:

- The United States Attorney's Office for the relevant district (federal prosecutor)²¹
- The state prosecuting agency (e.g., District Attorney's Office)
- Any local prosecuting agency (e.g., town or municipal prosecutor)
- Tribal prosecuting agency
- The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) (federal law enforcement with jurisdiction over criminal firearms enforcement)²²
- State law enforcement agencies
- Local law enforcement agencies
- Tribal law enforcement agencies
- U.S. Department of Probation for the relevant district
- State and local probation agencies
- State and local correctional agencies
- Civil legal services agencies that provide representation to survivors in the family, civil, or criminal justice systems
- Victim service providers and advocacy services serving survivors of gender-based violence, including the family justice center if there is one in the community; shelter programs, etc.
- Culturally-specific organizations
- Any other agency or organization in the community whose work touches the intersection of domestic violence, firearms, and the justice system or which can provide support to the goals of the initiative (e.g., local pawn shops owners willing to be a firearm relinquishment point).



Where Should the Partners Start?

Begin the effort with a review of (1) the scope of intimate partner gun violence/homicides and domestic violence-derived community gun violence in the community; (2) the current state of implementation and/or enforcement of federal (and any applicable state, tribal, or local) firearms laws restricting access to firearms for adjudicated domestic abusers; and (3) the gaps and frustrations experienced by each partner. This initial effort should include review and analysis of available data and identify data collection efforts that should be undertaken before shaping other actions.

Most importantly, humanize these discussions. Intentionally bring the voices and experiences of survivors to the early discussions. Honoring any applicable confidentiality and/or privilege obligations and obtaining consent from the victim/survivor, engage in case reviews. Begin with the full scope of abuse to which the victim/survivor was subjected and do not end the review with the victim/survivor's initial contact with victim services or the justice system—review the victim/survivor's entire experience. Add to that case review the full history of the offender to observe any links between the domestic abuse and community violence. Hear directly from any domestic violence survivors willing to share firsthand their experience with gun violence and/or navigating safety measures, services, the justice system (including surviving family members of those killed by intimate partners and law enforcement harmed in the line of duty related to domestic abuse calls).



How will the activities of the partnership be identified?

Before setting concrete activities, all partners should understand about each partner:

- The scope of their work;
- Their role related to intimate partner gun violence and the implementation and enforcement of laws aimed at reducing access to firearms for domestic abusers;
- Any limitations required of their role that impacts their partnership (e.g., victim advocate confidentiality; attorney-client privilege);
- The frustrations and barriers faced in their role or observed from their perspective.

Next, review the data available about the scope of domestic violence victim and community safety related to domestic violence-related gun violence alongside the current state of implementation and enforcement.

Begin to identify what each partner can contribute. (e.g., the U.S. Attorney's Office setting criteria for cases appropriate for federal prosecution, the District Attorney's Office developing a system to efficiently review and refer appropriate cases, the victim service providers establishing a pipeline for referrals of survivors)

Discuss resources available within each partner agency/organization. Discuss opportunities to obtain additional resources needed.

In consideration of the above, set concrete actions each partner will take. Determine how the group will remain accountable (e.g., set regular meetings, decide who and how data will be collected, enter into a memorandum of understanding).

The participants in DeKalb County, Oklahoma City, and Birmingham, in separate discussions, all had similar responses to the questions “What makes this partnership work?” and “What has been done to institutionalize this work and ensure it continues beyond any individual’s participation?”

Overwhelmingly, the people who participate in these coordinated models pointed to simple concepts about interpersonal dynamics that make a huge difference to them in why the partnership continues to be productive and serve its goals. Their collective tips include:

- **“Check your ego at the door.” “Humble yourself.”** This includes addressing past relationship tensions in honest conversations, accepting responsibility, forgiving and moving forward. For example, in one community the federal law enforcement partner and local police department acknowledged tension from past experiences in which it was felt that the federal law enforcement agency fell short of being a good partner. The federal law enforcement agency acknowledged ways it could have done better and made intentional efforts to demonstrate a commitment to partnership moving forward, including securing equipment and personnel resources to help the local law enforcement agency clear a backlog of evidence to be analyzed. The local law enforcement agency accepted the acknowledgments and moved forward with good intention.
- **“No is not your starting place.”** Make every effort when responding to a request or referral to begin from the place of “figuring out how not to say no.” It may ultimately be that “no” has to be the answer but “no” should be reserved for instances when a request/referral is truly unworkable. This might mean saying yes to requests outside the scope of the partnership, as appropriate within one’s role and as feasible as capacity allows. This helps build confidence and trust. For example, traditionally when law enforcement-involved shootings occur many agencies offer resources to the impacted agency. After the rapport and understanding built through this partnership, when one local law enforcement agency experienced a law enforcement-involved shooting the other agencies did not offer resources. Rather, each one called and simply said “We’re on our way.” To the receiving agency, that felt like a powerful expression of partnership.
- **“Do what you say you are going to do.”** Offering or agreeing to take on a role or task and not following through will destroy efforts at building confidence and trust in the collaborative initiative. As partners see each other fulfill their commitments their own commitment will deepen.
- **“It is easy to criticize people you don’t know.”** Take the time to know the people involved. This means understanding people in the role that they serve—and the limitations of their role—and understanding people as individuals.

- Each partner should designate point person(s). Others are more apt to reach out with questions or for guidance or to problem solve when they know there is a particular person they can reach.
- Relationship building and finding common ground does not have to be limited to the professional focus of the group. In Oklahoma City, they make an intentional effort within the partnership to have “no business” lunches or meetings in which the individuals who participate in the initiative can better learn about each other and find common ground and levity among the heavy work they do. Palomar’s ping pong table has become a popular meeting location. One of the domestic violence detectives directly attributed his work in the Operation 922 initiative to meaningful friendships he now has with people he previously assumed he had nothing in common with and with people who hold different views than him. And with that, communication about work related to the initiative comes easier.
- Share your knowledge and expertise. Numerous participants in these initiatives noted that the time other partners took to educate them on aspects of which they did not have prior knowledge and experience built their capacity to contribute to the group’s overall goals.
- The most important theme, heard across all three of these communities, was the essentiality of understanding the reality of intimate partner gun violence. For the partners who do not typically respond to these calls for assistance, or investigate these offenses, or serve these victims and survivors, seeing the devastating real-life impact was perspective changing. Even for those who see these cases from within the criminal justice system, seeing the holistic impact on victims/survivors and their children and families is a lens that changed their approach to the work. Center survivor experiences in every effort of the work.

Promising practices that these communities have undertaken to institutionalize the work include:

- Leadership in the participating agencies and organizations demonstrating for everyone within their agency/organization the importance and impact of the effort;
- Designating not only leadership staff but also mid-level staff to participate in order to build the capacity of future leaders;
- Naming the initiative and conducting public awareness and engagement;
- Regular data collection and analysis and engaging in discussions about how to evolve the collaborative work;
- Creatively leveraging available resources and assisting one another in identifying opportunities to gain additional resources.

For technical assistance developing or fostering a similar coordinated community response or resources on domestic violence and firearms, visit the National Resource Center on Domestic Violence and Firearms (www.nrcdvh.org) or contact us at info@nrcdvh.org.

Endnotes

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- 6 Aaron J. Kivisto & Megan Porter, Firearm Use Increases Risk of Multiple Victims in Domestic Homicides, 48 J. AM ACAD. PSYCHIATRY & L. 26, 31 (2020).
- 7 18 U.S.C. 922(g)(8) (federal protection order firearm prohibition) and 18 U.S.C. 922(g)(9) (federal misdemeanor crime of domestic violence firearm prohibition).
- 8 Georgia does prohibit those with felony convictions from firearm possession.
- 9 For sample forms see “Firearms Relinquishment in Cases Involving Intimate Partner Violence: How to Structure Effective Protocols For Your Community” in the National Resource Center on Domestic Violence and Firearm’s Resource Library, www.nrcdvh.org
- 10 <https://www.justice.gov/psn>
- 11 See fn. 5
- 12 <https://www.justice.gov/usao-wdok/pr/western-district-oklahomas-operation-922-domestic-violence-initiative-remains-powerful>
- 13 <https://palomarokc.org/about-us/>
- 14 <https://palomarokc.org/impact/>
- 15 <https://www.justice.gov/usao-ndal/operation-safe-families-protecting-families-gun-violence>
- 16 <https://www.justice.gov/usao-ndal/pr/jefferson-county-agencies-awarded-800000-enhance-responses-domestic-violence>
- 17 <https://www.justice.gov/usao-ndal/media/1354446/dl?inline>
- 18 <https://www.youtube.com/watch?v=wsuWp5OqXGk>
- 19 See “Improving Criminal Justice Responses Program”, Office on Violence Against Women, U.S. Department of Justice, <https://www.justice.gov/ovw/improving-criminal-justice-responses-program>
- 20 See fn. 16
- 21 Find your United States Attorney: <https://www.justice.gov/usao/find-your-united-states-attorney>
- 22 Find your local ATF office: <https://www.atf.gov/contact/local-atf-offices>



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