



June 18, 2025

Department of Justice
Attn: Office of the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

RE: Public Comments for Department of Justice's (DOJ) Interim Final Rule, (IFR), RIN 1105-AB78, *Withdrawing the Attorney General's Delegation of Authority*

Futures Without Violence (FUTURES) is grateful for the opportunity to provide public comments on the Department of Justice's (DOJ) interim final rule (IFR), RIN 1105-AB78, *Withdrawing the Attorney General's Delegation of Authority*. FUTURES is a national nonprofit organization that has worked for nearly 40 years to prevent and end violence against women and children in the United States (U.S.) and around the world. We provide groundbreaking programs, policies, and campaigns that empower individuals and organizations working to end violence against women and children. We train health care professionals, advocates, policymakers, judges, athletic coaches, youth and community leaders on improving responses to violence and abuse. We strive to build sustainable community leadership and educate people everywhere about the importance of respect and healthy relationships.

FUTURES appreciates the opportunity to provide perspective on this interim rule for the Withdrawal of the Attorney General's Delegation of Authority from the ATF, which has historically handled individual firearm disability relief applications, to the Office of the Attorney General for the processing of gun rights restoration petitions. We implore the DOJ Office of the Attorney General to utilize extreme caution and incorporate comprehensive processes as you consider an applicant's circumstances, record and reputation, to determine whether the applicant would pose a risk to themselves, intimate relationships or the public should gun rights be restored. FUTURES has worked to reduce firearm harm and violence at the intersection of domestic and sexual violence for many years and urge you to consider the grave danger that victims of

domestic violence will experience should firearms be restored to individuals with past convictions of domestic violence and assault.

In the United States, nearly half of all female and one-tenth of male homicide victims are killed by intimate partners. Data from the CDC's National Intimate Partner & Sexual Violence Survey indicate that about 41% of women in the United States have experienced physical violence, sexual violence and/or stalking by an intimate partner during their lifetime. Approximately 111 million persons in the United States have experienced domestic violence, including physical violence and stalking victimization.¹ Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner and includes any behaviors that could hurt, injure, or wound someone.² Firearms pose a unique and deadly threat to those experiencing domestic violence and are the most commonly used weapon in these relationships to control, coerce, threaten and/or intimidate victims. Women are more likely to be murdered with a gun than by all other means combined. Intimate partner assaults with a firearm *drastically* elevates the risk that a homicide will occur.³ Every year, more than 750 American women are shot to death by intimate partners—roughly one every 12 hours.⁴ Almost 14% of American women and 6% of American men have been threatened by an intimate partner with a firearm.⁵ Of these women, 43% have been shot, pistol-whipped, sexually assaulted, or otherwise physically injured with a firearm.⁶

Domestic violence remains pervasive in the United States. The mere presence of a gun in a domestic violence situation makes it more likely that a woman will be killed. Access to firearms is one of the primary risk factors for intimate partner homicide, with a male abuser's firearm access increasing the risk of intimate partner homicide at least five-fold.⁷ Armed domestic abusers commonly commit violence not only against their intimate partners but also against “collateral” victims and the community at-large. Collateral victims such as children, other family members, and responding law enforcement officials are often victims of fatal domestic violence-related firearm violence.⁸ Abusers who possess firearms not only pose a great risk of harm to others but also to themselves. Murder-suicide is a dramatic, violent event in which a person commits one murder or multiple murders, and then shortly after commits suicide. Murder-suicides are a common form of gun violence in the United States — an estimated 10

¹ Centers for Disease Control. National Intimate Partner and Sexual Violence Survey (NISVS). <https://www.cdc.gov/nisvs/about/index.html>

² Department of Justice Office Against Women. *Domestic Violence*. <https://www.justice.gov/ovw/domestic-violence>

³ Saltzman, L. E., Mercy, J. A., O'Carroll, P. W., Rosenberg, M. L., & Rhodes, P. H. (1992). Weapon involvement and injury outcomes in family and intimate assaults. *Journal of the American Medical Association*, 267(22), 3043-3047. <https://pubmed.ncbi.nlm.nih.gov/1588718/>

⁴ Giffords Law Center to Prevent Gun Violence. [Domestic Violence and Firearms](#).

⁵ Adhia, A., Lyons, V. H., Moe, C. A., Rowhani-Rahbar, A., & Rivara, F. P. (2021). Nonfatal use of firearms in intimate partner violence: Result of a national survey. *Preventive Medicine*. <https://doi.org/10.1016/j.ypmed.2021.106500>

⁶ Ibid.

⁷ Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sach, C., Sharps, P., Ulrich, Y., Wilt, S. A., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Laughon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American Journal of Public Health*, 93(7), 1089-1097. <https://doi.org/10.2105/AJPH.93.7.1089>

⁸ Smith, S. G., Fowler, K. A., & Nolon, P. H. (2014). Intimate partner homicide and corollary victims in 16 states: National Violent Death Reporting System, 2003-2009. *American Journal of Public Health*, 104(3), 461-466. <https://doi.org/10.2105/AJPH.2013.301582>

such incidents each week. Research shows that nearly 1,200 Americans die in murder-suicides each year. Nine out of 10 murder-suicides involve a gun. In nearly two-thirds of all murder-suicides, an intimate partner of the shooter is among the victims.⁹ Murder-suicides are almost always committed by a man with a firearm.

Children and youth are at unique risk for experiencing firearm violence. Firearms are the leading cause of death for youth in the U.S. ages 1-19, with the majority resulting from gun assaults.¹⁰ In the context of domestic violence, children are all too often killed by the firearm of an abusive partner as a result of retaliation or coming to the aid of the victimized parent.¹¹ Children are often injured and/or murdered as a result of a domestic violence relationship. Children may directly be threatened by the abuser with harm or even death if the victim does not comply. A five year study ending in 2022, found that at least 866 kids ages 17 and younger were shot in domestic violence incidents at home; 621 of them died.¹² For children under age 13 who are victims of gun homicides, 85% of those deaths occur in the home, and nearly one-third of those deaths are connected to intimate partner or family violence.¹³ Threats to children or in the presence of a child with a firearm is an especially effective tactic to control the child's other parent, an attempt to often keep their victims "in line" as women generally do what is asked of them to safeguard their children.¹⁴

Firearm related homicide is a significant cause of pregnancy-associated and postpartum deaths in the United States. Homicides rank higher than other medically caused pregnancy complications - including hypertensive disorders, hemorrhage, or sepsis.¹⁵ The Harvard T.H. School of Public Health reports that, "*women in the U.S. who are pregnant or who have recently given birth are more likely to be murdered than to die from obstetric causes—and these homicides are linked to a deadly mix of intimate partner violence and firearms.*" Domestic violence during pregnancy is a serious public health issue with significant negative health consequences for women and infants including preterm birth, low birth weight and other poorer birth outcomes.¹⁶ Almost half (45.3%) of homicides of women who were pregnant or within one year of pregnancy have been found to involve intimate partner violence.¹⁷ In cases of firearm injuries, significant trauma and death can occur in pregnant women as a result of their abusive partner's easy access and the storage of loaded firearms in the home, both increasing the risk of fatal outcomes for pregnant and postpartum women.¹⁸

⁹ Violence Policy Center. American Roulette: Murder-Suicide in the United States (8th edition) October 2023.

¹⁰ Johns Hopkins Center for Gun Violence Solutions. *Gun Violence in the United States 2022: Examining the Burden Among Children and Teens.*

¹¹ Zeoli, A. (2018). Children, Domestic Violence and Guns. The National Resource Center on Domestic Violence and Firearms. <https://nrcdvf.org/wp-content/uploads/2024/07/children-domestic-violence-and-guns-022118.pdf>

¹² "Dangerous Homes: Guns and Domestic Violence Exact A Deadly Toll on Kids," The Trace.

¹³ Fowler KA, Dahlberg LL, Haileyesus T, Gutierrez C, Bacon, S. (2017). Childhood Firearm Injuries in the United States. *Pediatrics*. 2017 Jul;140(1):e20163486. doi: 10.1542/peds.2016-3486.

¹⁴ Ibid.

¹⁵ Lawn RB, Koenen KC. Homicide is a leading cause of death for pregnant women in US. *BMJ*. 2022 Oct 19;379:o2499. doi: 10.1136/bmj.o2499.

¹⁶ Alhusen JL, Ray E, Sharps P, Bullock L. Intimate partner violence during pregnancy: maternal and neonatal outcomes. *J Womens Health (Larchmt)*. 2015 Jan;24(1):100-6. doi: 10.1089/jwh.2014.4872.

¹⁷ Centers for Disease Control. Violence and Pregnancy.

<https://www.cdc.gov/intimate-partner-violence/about/violence-and-pregnancy.html>

¹⁸ Ibid.

Mass shootings often stem from domestic violence relationships with fatalities accounting for a small percentage (1%) of firearm homicide fatalities in the United States. Recent research points to domestic violence (DV) as a precipitating factor for many mass shootings.¹⁹ Perpetrators of some of the country's deadliest shootings have had domestic violence allegations, arrests, or charges in their backgrounds. Johns Hopkins Center for Gun Violence Solutions analyzed 110 gun murders of four or more people between 2014 and 2019 and found that in 68 percent of incidents, the perpetrator either killed an intimate partner or a family member, or had a history of domestic violence. While most domestic violence incidents occur in private settings, mass domestic killings that transpire at home can also kill people who are not related to the gunman or victim within public settings.²⁰ Preventing access to firearms by adjudicated domestic abusers through application of 18 USC § 922 serves to preserve public safety. For more data demonstrating the danger of firearms in the hands of a domestic violence offender, see comment DOJ-OAG-2025-0003-10509, submitted by Jewish Women International and the Battered Women's Justice Project.

The DOJ's interim final rule and request for comments states that 18 USC § 925(c) establishes a relief from disabilities process for applicants "based on a combination of the nature of their past criminal activity and their subsequent and current law-abiding behavior."²¹ While those are factors that the Attorney General must consider in determining whether or not to grant relief from disabilities, the statute mandates that the Attorney General consider the applicant's record and reputation and the "circumstances surrounding the disability." The onus is on the applicant to demonstrate that they are unlikely to "act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest."²²

To effectively carry out the process required by the statute, consideration of an application for relief from disabilities must reflect all we know about the realities of domestic violence. The previous relief from disabilities procedure, established in 27 CFR 478.144, overlooked critical information that should be examined to understand the applicant's character and the potential danger they pose—particularly when the disability arises from domestic violence—including civil court records, law enforcement contacts that did not result in charges, and, crucially, victim input.

The statute clearly requires an individualized, fact-based determination process. Thus, applications must not be assessed using artificial intelligence tools, unless such tools are used only as a means to screen *out* ineligible applications. As a baseline, individuals currently subject to a qualifying civil or criminal domestic violence protection order **should not be eligible** for federal relief from disabilities. And applications from individuals convicted of domestic violence offenses (felony or misdemeanor) **should not be considered** unless **at least** ten years have

¹⁹ Geller, L.B., Booty, M. & Crifasi, C.K. The role of domestic violence in fatal mass shootings in the United States, 2014–2019. *Inj. Epidemiol.* 8, 38 (2021).

²⁰ The Trace. The Many Ways Domestic Violence Foreshadows Mass Shootings. <https://www.thetrace.org/2021/06/mass-shooting-domestic-abuse-assault-data-san-jose/>

²¹ 18 USC § 925(c)

²² *Ibid.*

elapsed since the offender completed their sentence, including successfully completing any post-release probation, parole, or court-ordered treatment such as participating in a domestic violence intervention program, and the offender has fully paid any required victim restitution.

With those parameters in place, consideration of eligible applications should be done by a panel of experts, including individuals with extensive expertise in domestic violence, who should review each case thoroughly to establish whether the individual is likely to act in a manner dangerous to public safety in the future and whether granting relief is contrary to the public interest. Making this determination requires going beyond the individual's conviction record to include reviewing police reports, civil protection orders, and victim input - including input from intimate partners who were not the victims of the prohibiting offense.

For some domestic violence offenders, their past behavior as documented in their criminal and civil court histories should preclude them from relief from disabilities in all circumstances. This includes individuals who have been convicted of repeat domestic violence offenses (including against people with whom they are in a dating relationship) or other violent offenses. This also includes individuals who have violated a domestic violence protection order, who have strangled their intimate partner (or child or intimate partner's child), who have threatened their intimate partner (or child or intimate partner's child) with a deadly weapon, or who have sexually assaulted their intimate partner (or child or intimate partner's child). Research demonstrates that these individuals pose the greatest threat of intimate partner homicide.²³ Individuals with such a record cannot meet the statutory threshold showing for relief from disabilities. Arming domestic abusers who present the greatest risk of killing others poses an unacceptable public safety risk and is contrary to the public interest.

This comment responds to Department of Justice's interim final rule (IFR), RIN 1105-AB78, *Withdrawing the Attorney General's Delegation of Authority*, with a focus on the theme of "a clean slate on which to build a new approach to implementing 18 U.S.C. 925(c)." To prevent rearming adjudicated domestic abusers who continue to pose a threat to their victims and their communities and to comply with the statute, this comment emphasizes the importance of an individualized review process by a panel of experts, including individuals with expertise in domestic violence. It establishes the importance of soliciting input from victims and looking beyond an applicant's conviction record. It also establishes categories of individuals for whom relief from disabilities would pose an unacceptable threat to victims, their families, and their communities. For a more detailed description and support for the individualized, fact-based process laid out herein, please refer to comment DOJ-OAG-2025-0003-10509, submitted by Jewish Women International and the Battered Women's Justice Project.

For additional information about these comments, please contact Tiffany Garner at Futures Without Violence, tgarner@futureswithoutviolence, or Kiersten Stewart, kstewart@futureswithoutviolence.org.

²³ Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sach, C., Sharps, P., Ulrich, Y., Wilt, S. A., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Laughon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American Journal of Public Health*, 93(7), 1089-1097. <https://doi.org/10.2105/AJPH.93.7.1089>