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CONTACT INFORMATION

Sydney Mike-Mayer, Policy & Communications Coordinator

SMike-Mayer@TexasAdvocacyProject.org

(972) 249-8402

Texas Advocacy Project Files Amicus Brief to Challenge USA v. Rahimi

AUSTIN, TX, MAY 22, 2023 – Today Texas Advocacy Project announced that it has filed an amicus brief that urges the Supreme Court to protect victims of domestic abuse by overturning the Fifth Circuit’s recent ruling against federal laws that prohibit dangerous domestic abusers under protective orders from possessing, receiving, shipping, or transporting firearms.

Protecting survivors by restricting their abusers possessing firearms is critical and lifesaving. Research indicates that when a firearm is present in a domestic violence situation, the risk of homicide for women increases by 500 percent. Protective orders provide a vital source of relief for those who flee from intimate partner violence, but when the abuser still has access to firearms, they are frequently used to intimidate, threaten, and control victims. Firearms can quickly escalate a situation from argument to deadly violence.

The Supreme Court must choose to hear the case or the Fifth Circuit’s decision in USA v. Rahimi stands, allowing abusers to continue to have access to firearms while being the subject of a protective order. To urge the Supreme Court to review and overturn the Fifth Circuit’s decision, Texas Advocacy Project filed an amicus (friend of the court) brief supporting the ‘petition for certiorari,’ the legal request for the case to be heard by the Supreme Court.

Texas Advocacy Project helps survivors obtain protective orders every day. Given the alarming statistics demonstrating the dangerous risk posed by access to weapons in domestic violence situations, Texas Advocacy Project argues that the Fifth Circuit’s decision in United States v. Rahimi was wrongly decided.

With over 40 years of experience in serving survivors of power-based abuse, including domestic and dating abuse, sexual assault, stalking, child abuse, and human trafficking, Texas Advocacy Project is a leading statewide nonprofit. The organization is uniquely positioned to represent the collective voice of Texas’ survivors on civil legal and social issues. Annually, the organization provides thousands of protective orders and, therefore, recognizes the immense value that these orders hold, as well as the essential need for their strong enforcement.

Shockingly, over half of all women killed with guns in the United States are killed by intimate partners or family members. To prevent future acts of violence, laws disarming domestic abuse dynamics have proved to be effective. Texas Advocacy Project aims to safeguard the rights of survivors of domestic violence and prevent future tragedies by fighting this ruling and calling on other civil legal service providers to stand in solidarity.

About Texas Advocacy Project: Texas Advocacy Project’s mission is to end dating and domestic violence, sexual assault, and stalking in Texas. TAP empowers survivors through free legal and social services and access to the justice system, and advances



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prevention through public outreach and education. Our vision is that all Texans live free from abuse. In 2022, TAP provided legal services in 4,765 cases, serving 10,502 Texans. If you or someone you know needs help, call 800-374-HOPE or visit TexasAdvocacyProject.org.

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