

No. 22-915

In the Supreme Court of the United States

UNITED STATES OF AMERICA,
Petitioner,

v.

ZACKEY RAHIMI,
Respondent.

**On Writ of Certiorari to the
United States Court of Appeals
for the Fifth Circuit**

**BRIEF OF PUBLIC-HEALTH RESEARCHERS
AND LAWYERS AS *AMICI CURIAE* IN SUPPORT
OF PETITIONER**

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INTEREST OF THE *AMICI CURIAE*

Amici are public-health researchers and lawyers focused on promoting evidence-based solutions to reduce injury and death, particularly from gun violence. They have a strong interest in ensuring that this Court's Second Amendment analysis is informed by empirical public-health research, especially in the context of restrictions on gun ownership for individuals deemed to be dangerous, where significant data exist. Many of them have participated as *amici curiae* in cases involving firearm restrictions in this Court. See, e.g., *New York State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022); *United States v. Castleman*, 572 U.S. 157 (2014); *McDonald v. City of Chi.*, 561 U.S. 742 (2010). A complete list of *amici* is provided in an appendix to this brief. App., *infra*, 1a-11a.¹

This case involves the constitutionality of 18 U.S.C. 922(g)(8), the federal statute that prohibits domestic abusers subject to protective orders from possessing firearms. The Fifth Circuit held that the statute violates the Second Amendment because, in its view, the statute lacks sufficient historical support.

Amici submit this brief to explain how Section 922(g)(8) fits comfortably within our Nation's historical tradition of firearm regulation. There is a long tradition of disarming individuals who are dangerous or are perceived to be dangerous, and the empirical evidence unequivocally establishes that domestic

¹ Pursuant to Rule 37.6, *amici* affirm that no counsel for a party authored this brief in whole or in part and that no person other than *amici* and their counsel made a monetary contribution to its preparation or submission. *Amici* submit this brief in their individual capacities and not on behalf of their organizations or academic institutions.

abusers covered by Section 922(g)(8) are particularly dangerous. *Amici* urge the Court to reverse the judgment below and hold that Section 922(g)(8) is constitutional under the Second Amendment.

INTRODUCTION AND SUMMARY OF ARGUMENT

Section 922(g)(8) is a critical tool for preventing domestic abuse from escalating into deadly violence. As this Court repeatedly has recognized, domestic abuse is a serious and widespread problem in the United States. The presence of a firearm can cause domestic abuse to quickly lead to serious injury or death. The statistics are staggering: Over twelve million U.S. adults are the victims of domestic abuse each year, and the presence of a firearm increases the likelihood that domestic abuse will turn deadly by five-fold.

Congress enacted Section 922(g)(8) to address gun violence by domestic abusers who have been proven dangerous but have not yet been convicted of a domestic-violence crime. Three requirements must be met for the statute to apply. First, the person must be subject to a protective order prohibiting him or her from harassing, stalking, or threatening an intimate partner or the person's or partner's child. Second, the person must have received actual notice of, and an opportunity to participate in, the hearing that led to issuance of the protective order. And third, the order either must include a finding that the person represents a credible threat to his or her partner or the person's or partner's child, or must expressly prohibit the person from using, attempting to use, or threatening to use force against the partner or child. Courts do not enter those protective orders without determining that an abuser is likely to use physical violence, so

only abusers who pose a serious threat of danger are covered by Section 922(g)(8).

The Fifth Circuit held that Section 922(g)(8) is facially unconstitutional under the Second Amendment. That decision is profoundly wrong. In *New York State Rifle & Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022), this Court explained that a firearm regulation is permissible if it is consistent with our Nation’s historical tradition of firearm regulation. The modern regulation does not need to be a “dead ringer” for a historical regulation, particularly where the modern regulation addresses a new societal problem. Instead, the modern regulation needs only to act in a similar way and for a similar purpose as the historical regulation.

Here, the historical evidence shows a longstanding practice of disarming people who presented particular dangers. For example, historical “going armed” laws disarmed individuals who carried arms in a threatening manner in public, and surety laws required potentially dangerous individuals who were carrying weapons to post bonds. Founding-era regulations also prohibited people then perceived to be dangerous – disloyal persons, enslaved persons, free Black persons, and Indians – from owning firearms. Although those historical regulations were based on discriminatory stereotypes and outdated generalizations that would not be accepted today, they reflect the longstanding belief that it was permissible to prohibit dangerous people from owning firearms.

Section 922(g)(8) is fully consistent with that tradition. Indeed, it is more firmly grounded than many historical laws, because it is based on decades of empirical evidence that establishes that individuals subject to Section 922(g)(8) are particularly dangerous.

The evidence shows that those individuals pose a heightened risk of harm to their intimate partners and are particularly likely to misuse guns, often with deadly consequences. The evidence also shows that they pose a serious threat to others, including children and other family members, law enforcement officers, and the general public.

In holding otherwise, the Fifth Circuit adopted an unduly restrictive approach to assessing historical firearm regulations. Under that approach, a modern regulation would need to mirror a historical regulation to pass constitutional muster. That approach, if accepted, would present an unjustified and profoundly dangerous expansion of *Bruen*. It would turn the Second Amendment into the very “regulatory straight-jacket” this Court sought to avoid. 142 S. Ct. at 2133. The Court should reverse the decision below.

ARGUMENT

I. SECTION 922(G)(8) IS AN ESSENTIAL TOOL FOR DISARMING DANGEROUS PERSONS

A. Section 922(g)(8) Addresses The Serious Problem Of Gun Violence Committed By Domestic Abusers

Congress enacted Section 922(g)(8) to address a particular problem: firearm violence committed by domestic abusers.

“Violence is the leading cause of injury to women in the United States between the ages of 15 and 44.” H.R. Rep. No. 395, 103d Cong., 1st Sess. 14 (1993) (citing Antonia C. Novello et al., *From the Surgeon General, U.S. Public Health Service, A Medical Response to Domestic Violence*, 267 J. Am. Med. Ass’n 3132,

3132 (1992)). A CDC report from October 2022 estimated that over twelve million adults in the United States are victims of domestic violence each year. Ruth W. Loomis et al., Nat'l Ctr. for Injury Prevention & Control, CDC, *The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Intimate Partner Violence* 20 tbl.1, 21 tbl.2 (2022).

When an abuser has access to a firearm, that significantly increases the risk that domestic violence will turn deadly. As this Court has explained, “[d]omestic violence often escalates in severity over time, and the presence of a firearm increases the likelihood that it will escalate to homicide.” *United States v. Castleman*, 572 U.S. 157, 160 (2014) (citations omitted); see *Voisine v. United States*, 579 U.S. 686, 689 (2016) (“[F]irearms and domestic strife are a potentially deadly combination.” (quoting *United States v. Hayes*, 555 U.S. 415, 427 (2009))).

Indeed, the evidence shows that a domestic abuser’s access to firearms is one of the most significant risk factors for the escalation of domestic violence. An abused woman is five times more likely to be killed by a male partner when there is a firearm in the house. Jacquelyn C. Campbell et al., *Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study*, 93 Am. J. Pub. Health 1089, 1092 (2003) (Campbell, *Risk Factors*).

Domestic violence involving firearms is widespread. More than half of all women murdered in the United States were killed by current or former intimate partners. Neil Websdale et al., *The Domestic Violence Fatality Review Clearinghouse: Introduction to a New National Data System with a Focus on Firearms*, 6 Injury Epidemiology 1, 1 (2019). More than

half of those homicides were committed with firearms. *Ibid.*

Non-fatal domestic violence often involves firearms as well. Approximately one million U.S. women alive today have had firearms used against them by intimate partners. Susan B. Sorenson & Rebecca A. Schut, *Non-Fatal Gun Use in Intimate Partner Violence: A Systematic Review of the Literature*, 19 *Trauma, Violence & Abuse* 431, 431 (2016) (Sorenson, *Non-Fatal Gun Use*). Approximately 4.5 million U.S. women have had intimate partners threaten them with firearms. *Ibid.* And there are approximately 33,000 additional non-fatal domestic violence incidents involving firearms each year. Jennifer L. Truman & Rachel E. Morgan, Bureau of Justice Statistics, U.S. Dep't of Justice, *Nonfatal Domestic Violence 2003-2012*, at 9 tbl.7 (2014) (Truman & Morgan, *Non-fatal Domestic Violence*).

B. Section 922(g)(8) Is A Crucial Tool For Preventing Domestic Abuse From Escalating To Serious Injury Or Death

Section 922(g)(8) is a particularly important tool for combating domestic violence involving firearms. Other statutory provisions restrict abusers from owning firearms after they have been convicted of felonies, 18 U.S.C. 922(g)(1), or misdemeanor crimes of domestic violence, 18 U.S.C. 922(g)(9). But many abusers are not convicted of crimes of domestic violence. See Tom Lininger, *An Ethical Duty to Charge Batterers Appropriately*, 22 *Duke J. Gender L. & Pol'y* 173, 189-193 (2015). Additionally, victims may not want their abusers charged because their abusers' arrests may lead to the loss of critical financial, childcare, transport, and healthcare support. See *ibid.* Victims also may fear that they will receive discriminatory

treatment from law enforcement, or that they will be arrested along with their abusers. See Natalie Nanas, *Disarming Domestic Abusers*, 14 Harv. L. & Pol’y Rev. 559, 567 n.44 (2020).

Section 922(g)(8) targets individuals who pose a demonstrated threat to their partners but who have not yet been convicted of crimes of domestic violence. The statute bars those individuals from owning firearms when three requirements are met. First, the person must be subject to a court order that expressly prohibits him or her from “harassing, stalking, or threatening” a partner or the person’s or partner’s child. 18 U.S.C. 922(g)(8)(B). Second, he or she must have received actual notice of the hearing that led to the protective order and must have been given the opportunity to participate at that hearing. 18 U.S.C. 922(g)(8)(A). And third, the protective order either must include a finding by the court that the person “represents a credible threat” to the partner or child or must “explicitly” prohibit him or her from using, attempting to use, or threatening to use physical force against the partner or child. 18 U.S.C. 922(g)(8)(C). The statute applies only as long as the underlying protective order is in effect. See 18 U.S.C. 922(g)(8).

Only domestic abusers who are likely to commit violence are covered by Section 922(g)(8). Although in theory a court could issue a protective order prohibiting an abuser from using physical force without expressly finding that the abuser is likely to be violent, see Pet. App. 26a (citing 18 U.S.C. 922(g)(8)(C)(ii)), it is an “almost universal rule of American law” that a court will not issue a protective order enjoining an abuser from using force without first determining that there is a likelihood that the abuser will use force, *United States v. Emerson*, 270 F.3d 203, 262 (5th Cir.

2001); see, e.g., Ala. Code § 30-5-5 (2019); Ky. Rev. Stat. Ann. § 403.740(1) (2022); Or. Rev. Stat. Ann. § 107.710 (2015); Utah Code Ann. § 78B-7-603 (2022). It simply is not true that courts enter these types of orders “automatically” and “despite the absence of any real threat of danger.” Pet. App. 39a (Ho, J., concurring).

Section 922(g)(8) thus applies only to abusers who “reflect[] a real threat or danger of injury” to others. *Emerson*, 270 F.3d at 262. By “detering” those individuals from possessing firearms, Section 922(g)(8) “promote[s] public safety” and prevents serious injury and death. *Castleman*, 572 U.S. at 174 (Scalia, J., concurring in part and concurring in the judgment).

In the decision below, the Fifth Circuit did not acknowledge the serious, widespread problem of domestic abuse or the critical role that Section 922(g)(8) plays in preventing that abuse from escalating. See Pet. App. 11a. Yet for many abuse victims – and their family members, friends, and neighbors, as well as law enforcement officers – Section 922(g)(8) literally means the difference between life or death. See 142 Cong. Rec. S2646 (Mar. 21, 1996) (statement of Sen. Lautenberg) (“Often, the only difference between a battered woman and a dead woman is the presence of a gun.”).

II. SECTION 922(G)(8) IS CONSISTENT WITH THE SECOND AMENDMENT

Bruen established a two-step test for determining whether a firearm regulation comports with the Second Amendment. At step one, the reviewing court considers whether the individual or conduct covered by the regulation at issue comes within the text of the Second Amendment. 142 S. Ct. at 2126. At step two,

the court considers whether the regulation is consistent with the historical tradition of firearm regulation. *Id.* at 2130.

It is not clear that domestic abusers subject to the types of domestic-violence restraining orders described in Section 922(g)(8) come within the scope of the Second Amendment. Compare Pet. App. 16a (individuals covered by Section 922(g)(8) come within the scope of the Second Amendment), with, *e.g.*, *United States v. Bena*, 664 F.3d 1180, 1184 (8th Cir. 2011) (individuals covered by Section 922(g)(8) do not come within the scope of the Second Amendment); *United States v. Doty*, No. 21-cr-21, 2022 WL 17492260, at *2 (N.D. W. Va. Sept. 9, 2022) (same). Assuming that the Second Amendment covers those subject to Section 922(g)(8), the statute is constitutional because it is consistent with the historical tradition of firearm regulation.

A. There Is a Long History Of Disarming Dangerous Individuals And Individuals Perceived To Be Dangerous

1. The *Bruen* Court explained that a modern-day regulation is consistent with historical tradition if “how and why the regulation[] burden[s] a law-abiding citizen’s right to armed self-defense” is “comparable” to a historical regulation. 142 S. Ct. at 2133. The Court emphasized that the Second Amendment is not a “regulatory straightjacket”: The government need only identify “a well-established and representative historical *analogue*, not a historical *twin*.” *Ibid.*; see *Kanter v. Barr*, 919 F.3d 437, 464-465 (7th Cir. 2019) (Barrett, J., dissenting) (modern regulations do not need to “mirror limits that were on the books in 1791” (internal quotation marks omitted)); *Heller v. District of Columbia*, 670 F.3d 1244, 1275 (D.C. Cir. 2011)

(Kavanaugh, J., dissenting) (“[T]he government is [not] powerless to address those new weapons or modern circumstances. Rather, in such cases, the proper interpretive approach is to reason by analogy from history and tradition.”).

In particular, the Court recognized that the Constitution permits the government to enact firearm regulations to address new societal problems. The Court explained that cases “implicating unprecedented societal concerns,” as opposed to “general societal problem[s] that ha[ve] persisted since the 18th century,” “may require a more nuanced approach[]” to historical analysis. *Bruen*, 142 S. Ct. at 2131-2132. “The Constitution can, and must, apply to circumstances beyond those the Founders specifically anticipated.” *Id.* at 2132.

Thus, for firearm regulations that address new societal problems, the government does not need to identify an exact historical parallel. *Bruen*, 142 S. Ct. at 2132-2133. It instead can rely on analogies that operate at a higher level of generality. *Ibid.*; see Jacob D. Charles, *The Dead Hand of a Silent Past: Bruen, Gun Rights, and the Shackles of History*, 73 Duke L.J. (forthcoming) (manuscript at 19-20), <https://perma.cc/HNR8-GVXJ>; Joseph Blocher & Eric Ruben, *Originalism-by-Analogy and Second Amendment Adjudication*, 133 Yale L.J. (forthcoming) (manuscript at 61), <https://perma.cc/K42L-GDBT> (Blocher & Ruben, *Originalism-by-Analogy*); see also *United States v. Silvers*, No. 18-cr-50, 2023 WL 3232605, at *9 (W.D. Ky. May 3, 2023).

The Court used this approach to hold that the “arms” covered by the Second Amendment include modern firearms used in self-defense, and not just the particular firearms in existence at the time of the

Founding. See *Bruen*, 142 S. Ct. at 2132. The Court explained that “even though the Second Amendment’s definition of ‘arms’ is fixed according to its historical understanding,” the term has a more “*general* definition” that “covers modern instruments that facilitate armed self-defense.” *Ibid.* (emphasis added). The Court explained that this more general approach also applies when evaluating modern-day regulations that address modern-day societal problems. *Id.* at 2131-2132; see Blocher & Ruben, *Originalism-by-Analogy*, at 61.

2. Although domestic violence has long existed, there is little evidence that domestic violence historically was perpetrated using firearms.

In the period before and just after the ratification of the Constitution and Second Amendment, firearms were used to commit approximately 40 percent of homicides of unrelated adults. Randolph Roth, *American Homicide* 115 (2009). But only 9 percent of spousal homicides were committed with firearms in New England, and no spousal homicides were committed with firearms in the Chesapeake area during the same period. *Ibid.* In contrast, since 2014, more than 55 percent of intimate partner homicides were committed using firearms. James Alan Fox, *Multiple Imputed Supplementary Homicide Report 1976-2020* (2022) (on file with *amici*) (Fox, *Supplementary Report*). Domestic violence involving firearms thus is a modern-day societal problem, and not a “general societal problem that has persisted since the 18th century.” *Bruen*, 142 S. Ct. at 2131.

Because domestic violence involving firearms was rare during the Founding era, it is not surprising that there were no historical laws that specifically sought

to disarm domestic abusers.² But as *Bruen* explained, that does not necessarily doom Section 922(g)(8): Because the statute addresses a novel issue, the government can rely on more “general” historical analogues that addressed similar kinds of problems. 142 S. Ct. at 2132.

3. Relevant here, there is a longstanding tradition of restricting people who posed or were perceived to pose a heightened risk of danger from possessing firearms. See, e.g., *Kanter*, 919 F.3d at 453-458 (Barrett, J., dissenting); *Binderup v. Attorney General*, 836 F.3d 336, 367-371 (3d Cir. 2016) (Hardiman, J., concurring); *Folajtar v. Attorney General*, 980 F.3d 897, 912 (3d Cir. 2020) (Bibas, J., dissenting); *United States v. Bartucci*, No. 19-cr-244, 2023 WL 2189530, at *7-8 (E.D. Cal. Feb. 23, 2023). Through “going armed” laws, surety laws, and categorical prohibitions, early American policymakers took steps to protect the public from persons perceived to be dangerous.

Going armed laws. Both England and early America had laws prohibiting individuals from carrying arms in an offensive or threatening manner in public. In pre-Revolution England, “go[ing] armed to terrify the King’s subjects [was] a great offence at the common law” when committed with evil intent or malice. *Sir John Knight’s Case*, 87 Eng. Rep. 75, 76 (K.B. 1686) (citations omitted); *Rex v. Sir John Knight*, 90 Eng. Rep. 330, 330 (K.B. 1686); see 4 Blackstone,

² The lack of strong historical laws addressing domestic violence also may reflect the different role of women in society and their lack of access to political institutions. See *United States v. Nutter*, 624 F. Supp. 3d 636, 641 (S.D. W. Va. 2022); Reva Siegel & Joseph Blocher, *Guided by History: Protecting the Public Sphere From Weapons Threats Under Bruen*, 98 N.Y.U. L. Rev. (forthcoming 2023) (manuscript at 31), <https://perma.cc/3H8L-JNKG>.

Commentaries on the Laws of England 144 (Blackstone, *Commentaries*); see also *Bruen*, 142 S. Ct. at 2145. Several colonies in the United States codified that common-law prohibition and some expressly permitted the government to disarm offenders.³ Those laws thus were an early, longstanding means of protecting the public by disarming people who posed a particular risk of danger. See Saul Cornell, *The Long Arc of Arms Regulation in Public: From Surety to Permitting, 1328-1928*, 55 U.C. Davis L. Rev. 2545, 2555, 2560-2561 (2022) (Cornell, *Long Arc*).

Surety laws. Surety laws were firearm restrictions that required potentially dangerous individuals who were carrying weapons to post bonds. Cornell, *Long Arc*, at 2577-2578. If a justice of the peace determined that there was a “just cause to fear” that an individual who was carrying a weapon would injure others or destroy property, he could require that individual to post a bond. 4 Blackstone, *Commentaries*, at 18, 252.

Surety laws have their origins in English common law and later were codified by several States after the ratification of the Bill of Rights. See, e.g., 4 Blackstone, *Commentaries*, at 252; *Bruen*, 142 S. Ct. at 2148

³ See 1 Acts and Resolves, Public and Private, of the Province of the Massachusetts Bay 52-53 (1869) (1692 law); Acts and Laws of His Majesty’s Province of New-Hampshire: In New-England; with Sundry Acts of Parliament 17 (1771) (1701 law); 1 Laws of the State of North-Carolina, including the Titles of Such Statutes and Parts of Statutes of Great Britain as Are in Force in Said State 131-132 (1821) (1741 law); Collection of All Such Acts of the General Assembly of Virginia, of a Public and Permanent Nature, as Are Now in Force 33 (1794) (1786 law); A Compilation of the Statutes of Tennessee of a General and Permanent Nature, from the Commencement of the Government to the Present Time 99-100 (1836) (1801 law).

& n.23 (listing surety statutes enacted post-ratification). Surety laws thus were preventative tools used to mitigate the risks of foreseeable violence. For many, the required bonds likely acted as barriers from owning firearms altogether.

Categorical prohibitions. Many Founding-era laws prohibited firearm possession by certain people who were then perceived to be dangerous. None of those categorical restrictions on firearm possession required individualized determinations of dangerousness or criminal convictions.

For example, Massachusetts, Pennsylvania, and Virginia laws prohibited people who refused to swear loyalty to the government from owning firearms. See Act of Mar. 14, 1776, Ch. VII, 1775-1776 Mass. Acts 31-32, 35; An Act . . . for Disarming Persons Who Shall not Have Given Attestations of Allegiance and Fidelity to this State, §§ 4-5, 1779 Pa. Laws 193; Act of May 5, 1777, Ch. 3 (Va.). The theory behind those laws was that those people posed a threat to the United States government because they remained loyal to Great Britain. See Saul Cornell & Nathan DeDino, *A Well Regulated Right: The Early American Origins of Gun Control*, 73 Fordham L. Rev. 487, 506 (2004).

Other States enacted laws prohibiting enslaved persons, free Black persons, or Indians from possessing weapons. See, e.g., An Act in Relation to Free Negroes and Mulattoes, § 7, 1863 Del. Laws 332, Ch. 305; 1798 Ky. Acts 106, § 5; A Law Respecting Slaves, § 4, 1804 Ind. Acts 108. The theory behind the laws was that those individuals were dangerous and that firearms regulations were needed to prevent violent attacks. See Joseph Blocher & Caitlan Carberry, *Historical Gun Laws Targeting “Dangerous” Groups and Outsiders*, Duke L. Sch. Pub. L. & Legal Theory Series

No. 2020-80, at 5-6 (2020) (Blocher & Carberry, *Historical Gun Laws*).

The historical categorical prohibitions are based on stereotypes that rightly would not be accepted today. *Range v. Attorney General*, 53 F.4th 262, 277 n.19 (3d Cir. 2022), rev'd en banc, 69 F.4th 96 (3d Cir. 2023). But *Bruen* requires the government to analogize to historical laws, and discounting laws that would not be enacted today would “provide an incomplete picture of historical understandings about the scope of legislative power.” Jacob D. Charles, *On Sordid Sources in Second Amendment Litigation*, 76 Stan. L. Rev. Online 30, 37-38 (2023). The government thus can apply the principles behind the historical laws to “present-day judgments about categories of people whose possession of guns would endanger the public safety” based on empirical evidence. *Kanter*, 919 F.3d at 464-465 (Barrett, J., dissenting).

State ratifying conventions. Proposals made at state ratifying conventions confirm that the government could enact legislation disarming dangerous people. This Court has explained that those proposals can be “highly influential” evidence of the Founding-era understanding of the scope of the Second Amendment. *District of Columbia v. Heller*, 554 U.S. 570, 604 (2008).

As relevant here, one proposal presented at Pennsylvania’s convention would have expressly permitted the government to enact laws disarming felons and those who posed a “real danger of public injury.” 2 Bernard Schwartz, *The Bill of Rights: A Documentary History* 665 (1971). In particular, the proposal stated that “no law shall be passed for disarming the people or any of them unless for crimes committed, or real danger of public injury from individuals.” *Ibid.*

Similarly, at the Massachusetts convention, Samuel Adams presented a proposal that stated that Congress should not “prevent the people of the United States, who are peaceable citizens, from keeping their own arms.” Joseph G.S. Greenlee, *The Historical Justification for Prohibiting Dangerous Persons from Possessing Arms*, 20 Wyo. L. Rev. 249, 265-266 (2020) (internal quotation marks omitted). At the time, “peaceable” meant non-violent. *Ibid.* So that proposal would have permitted Congress to enact laws prohibiting dangerous individuals from owning firearms.

Historical surveys of debates held during the ratifying conventions confirm that the understanding that “dangerous persons could be disarmed” was “commonplace.” *Binderup*, 836 F.3d at 367 (Hardiman, J., concurring) (quoting Stephen P. Halbrook, *The Founders’ Second Amendment* 190-215 (2008)). Statements reflecting this view of the scope of the right to bear arms “did not provoke any apparent disagreement” by either Federalists or their opponents. *Id.* at 368.

Taken together, the historical evidence is clear: The government “may disarm those who have demonstrated a proclivity for violence or whose possession of guns would otherwise threaten the public safety.” *Kanter*, 919 F.3d at 454 (Barrett, J., dissenting).

B. Domestic Abusers Subject To Section 922(g)(8) Are Particularly Dangerous

Section 922(g)(8) fits comfortably within the historical tradition of disarming dangerous people. Indeed, Section 922(g)(8) is more protective of the Second Amendment right than many historical regulations, because it requires individualized determinations of dangerousness following a hearing with

substantial due-process protections, rather than relying on generalizations about entire classes of people. See 18 U.S.C. 922(g)(8)(A)-(C). It also applies only while the underlying protective order remains in effect. See *Silvers*, 2023 WL 3232605, at *15.

Section 922(g)(8) is based on robust empirical evidence that demonstrates that the individuals subject to the statute are particularly dangerous. The evidence firmly establishes that they endanger the safety of their intimate partners, children and other family members, law enforcement, and members of the general public.

1. *Domestic abusers are dangerous to their intimate partners*

The evidence establishes that domestic abusers pose present serious risks of harm to their intimate partners, particularly using firearms. One recent study found that, in 2017, there were 2,237 intimate partner homicides, most of which involved firearms. Emma E. Fridel & James Alan Fox, *Gender Differences in Patterns and Trends in US Homicide, 1976-2017*, 6 *Violence & Gender* 27, 34 (2019) (Fridel & Fox, *Gender Differences*). The same study found that the number of intimate partner homicides involving firearms increased by 26 percent between 2010 and 2017. *Ibid.*

Non-fatal domestic abuse using firearms also is widespread. A nationally representative survey found that 3 percent of non-fatal intimate-partner-violence incidents involved firearms – translating to roughly 33,000 incidents annually. Truman & Morgan, *Non-fatal Domestic Violence*, at 9 tbl.7. Another study based on a nationally representative survey found that one million U.S. women have had firearms used

against them by intimate partners. Sorenson, *Non-Fatal Gun Use*, at 431.

Although domestic abuse can occur with and without guns, abuse with guns is uniquely dangerous. Kellie R. Lynch, & T.K. Logan, “*You Better Say Your Prayers and Get Ready*”: *Guns Within the Context of Partner Abuse*, 33 *J. Interpersonal Violence* 686, 687 (2015). Abusers use the presence of a gun in the home to control an intimate partner and deter the partner from seeking help. Leigh Goodmark, *Decriminalizing Domestic Violence* 71 (2018). A study of women in battered women’s shelters across California found that nearly two-thirds of women who lived in households where a gun was kept in the home reported “that the[ir] partner[s] had used one of the guns to scare, threaten, or harm [them].” Susan B. Sorenson & Douglas J. Wiebe, *Weapons in the Lives of Battered Women*, 94 *Am. J. Pub. Health* 1412, 1414 (2004) (Sorenson & Wiebe, *Weapons*). In a follow-up question, 71 percent of those women specified that the partner had threatened to shoot or kill them. *Ibid.*

The evidence shows that the presence of a gun increases the likelihood of intimate partner violence. For example, one study of abusers in Massachusetts found that recent gun owners were approximately eight times more likely to threaten their partners with guns than non-gun-owners. Emily F. Rothman et al., *Batterers’ Use of Guns to Threaten Intimate Partners*, 60 *J. Am. Med. Women’s Ass’n* 62, 63 (2005).

The empirical data also show that an abuser’s access to a firearm significantly increases the risk that domestic violence will turn deadly. An abused woman is five times more likely to be killed by a male partner when there is a firearm in the house. Campbell, *Risk Factors*, at 1092; see David M. Studdert et al.,

Homicide Deaths Among Adult Cohabitants of Handgun Owners in California, 2004 to 2016, 175 *Annals Internal Med.* 804, 807 (2022) (finding that among homicides occurring at home, people who lived with handgun owners were seven times more likely to be fatally shot by their spouses or intimate partners than those who did not live with handgun owners). This violence disproportionately affects women: One study of intimate partner homicides between 2003 and 2017 found that although women accounted for approximately 28 percent of all homicide victims in the United States in that period, they accounted for 73 percent of intimate partner homicide victims in the same period. Aaron J. Kivisto et al., *Firearm Ownership and Domestic Versus Non-domestic Homicide in the U.S.*, 57 *Am. J. Preventative Med.* 311, 313 (2019).

Further, the evidence shows that domestic abusers subject to protective orders in particular pose a heightened risk of danger to their partners. One study, of domestic violence victims in Texas, found that victims who sought protective orders were significantly more likely to report that their abusers threatened them with guns, pointed guns at them, coerced them at gunpoint, or hurt them with guns than victims who did not seek protective orders. Kellie R. Lynch et al., *Firearm-Related Abuse and Protective Order Requests Among 20 Intimate Partner Violence Victims*, 37 *J. Interp. Violence* 12,974, 12,984 tbl.2 (2021) (Lynch, *Firearm Related Abuse*).

Studies have found that Section 922(g)(8) and similar state laws are effective in reducing violence, which confirms that the individuals subject to the statute are dangerous. One study of intimate partner homicides in 45 States between 1980 and 2013 found that laws like Section 922(g)(8) are associated with

significant reductions in intimate partner homicide. April M. Zeoli et al., *Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations with Intimate Partner Homicide*, 187 *Am. J. Epidemiology* 2365, 2368 tbl.1 (2018). Another study found that the rate of intimate partner homicides committed with firearms declined by 9 percent on average after a State enacted a law prohibiting individuals subject to domestic-violence restraining orders from owning firearms. Elizabeth Richardson Vigdor & James A. Mercy, *Do Laws Restricting Access to Firearms by Domestic Violence Offenders Prevent Intimate Partner Homicide?*, 30 *Eval. Rev.* 313, 332 (2006). And one study of homicide rates in 46 major cities found that state laws restricting access to firearms for individuals subject to domestic-violence restraining orders were associated with a 19 percent reduction in intimate partner homicide risk and a 25 percent reduction in firearm intimate partner homicide risk. April M. Zeoli & Daniel W. Webster, *Effects of Domestic Violence Policies, Alcohol Taxes and Police Staffing Levels on Intimate Partner Homicide in Large US Cities*, 16 *Injury Prevention* 90, 92 (2010).

The empirical evidence therefore shows that abusers who are subject to domestic-violence restraining orders are particularly dangerous to their intimate partners, that those individuals are particularly likely to use firearms to commit violence, and that laws prohibiting those individuals from possessing firearms are effective in reducing violence.

2. *Domestic abusers are particularly dangerous to intimate partners who are women of color or are pregnant*

Domestic abusers are particularly dangerous to their intimate partners when the partners are women of color or are pregnant. Women of color experience the highest rates of intimate partner violence. According to a 2022 study by the CDC, 54 percent of Black women, 58 percent of American Indian or Alaska Native women, and 64 percent of multiracial women reported that they had experienced sexual violence, physical violence, and/or stalking by an intimate partner in their lifetimes. Loomis et al., *National Intimate Partner and Sexual Violence Survey* at 26 tbl.7. Those rates are significantly higher than the rate for all women, which is 42 percent. *Id.* at 23 tbl.4.

Women of color also are at particularly high risk of intimate partner homicide. A CDC analysis of female homicide victims of intimate partner violence in 18 states from 2003 to 2014 found that 31 percent of victims were Black, even though Black women comprised just 13 percent of the female population. Emiko Petrosky et al., *Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence – United States, 2003-2014*, 66 *Morbidity & Mortality Weekly Report* 741, 744 (2017) (Petrosky, *Racial and Ethnic Differences in Homicide*); U.S. Dep't of Health and Hum. Servs., Health Res. & Servs. Admin., *Women's Health USA 2011*, at 11 (2011). Similarly, the CDC analysis found that 3 percent of victims were American Indian or Alaska Native, even though American Indian or Alaska Native women comprised less than 1 percent of the female population. Petrosky, *Racial and Ethnic Differences in Homicide*, at 744.

Pregnant people also are at greater risk of intimate partner violence. One study estimated that every year, over 300,000 pregnant women in the United States experience some intimate partner violence. Beth A. Bailey, *Partner Violence During Pregnancy: Prevalence, Effects, Screening, and Management*, 2 Int'l J. Women's Health 183, 185 (2010). Pregnant women of color are disproportionately affected: One study of pregnant women who were murdered by their intimate partners found that "Black women evidenced rates of pregnancy-associated [intimate-partner homicide] more than three times higher than that of White women." Aaron J. Kivisto, Samantha Mills & Lisa S. Elwood, *Racial Disparities in Pregnancy-associated Intimate Partner Homicide*, 27 J. Interpersonal Violence 13, at NP10,951 (2022). Similarly, pregnant women living in rural areas are at especially heightened risk of intimate partner violence. One study determined that of the women surveyed, women in small rural towns reported the highest prevalence of intimate partner violence in the past year. Corinne Peek-Asa et al., *Rural Disparity in Domestic Violence Prevalence and Access to Resources*, 20 J. Women's Health 1743, 1745 (2011).

The evidence thus shows that domestic abusers pose a heightened risk of harm to intimate partners who are women of color or are pregnant. Indeed, one study found that Section 922(g)(8) is associated with a 28 percent reduction in intimate partner homicide among Black people. Mikaela A. Wallin et al., *The Association of Federal and State-Level Firearm Restriction Policies with Intimate Partner Homicide: A Re-Analysis by Race of the Victim*, 37 J. of Interpersonal Violence 17, at NP16,510 (2022).

3. *Domestic abusers are dangerous to their children, extended family, and friends*

The evidence also establishes that domestic abusers pose a heightened risk of danger to family members and friends other than their partners. The Texas study of domestic violence victims found that victims who sought protective orders were significantly more likely to report that their abusers threatened to shoot their children, family, or friends. Lynch, *Firearm Related Abuse*, at 12,984 tbl.2. Another study, of domestic violence victims in North Carolina, found that the most common additional victims of domestic violence were the victim's children, current partner, and friends or roommates. Sierra Smucker et al., *Suicide and Additional Homicides Associated with Intimate Partner Homicide: North Carolina 2004-2013*, 95 J. Urban Health 337, 339 (2018); see Sorenson & Wiebe, *Weapons*, at 1414.

In addition to being killed and threatened with firearms, children also often witness firearm-related intimate partner violence. One study found that 49 percent of victims of intimate partner violence reported having a child at home at the time of the abuse. Avanti Adhia et al., *Nonfatal Use of Firearms in Intimate Partner Violence: Results of a National Survey*, 147 Preventive Med. 106,500, at 4 (2021). Another study, of petitioners for protective orders in California, found that petitioners in 53 percent of cases reported that their children had witnessed the violence. Katherine A. Vittes & Susan B. Sorenson, *Are Temporary Restraining Orders More Likely to Be Issued When Applications Mention Firearms?*, 30 Eval. Rev. 266, 274 (2006).

In short, the evidence establishes that domestic abusers pose a heightened risk of harm to children, other family members, and friends.

4. *Domestic abusers are dangerous to law enforcement officers*

Domestic abusers are dangerous to law enforcement officers. Responding to domestic violence incidents is “among an officer’s most risky duties.” *United States v. Skoien*, 614 F.3d 638, 644 (7th Cir. 2010) (en banc). Domestic-violence-related calls constitute the single largest category of calls received by law enforcement officers. Andrew R. Klein, U.S. Dep’t of Justice, *Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges* 1 (2009).

Responding to those calls can be fatal. One analysis determined that between 2010 and 2014, dispatches for domestic-violence calls accounted for 22 percent of officer deaths in the line of duty. Nick Breul & Mike Keith, *Deadly Calls and Fatal Encounters: Analysis of U.S. Law Enforcement Line of Duty Deaths When Officers Responded to Dispatched Calls for Service and Conducted Enforcement, 2010-2014*, at 13 (2016). Between 2011 and 2020, nationwide 43 law enforcement officers were killed responding to domestic disturbance or domestic-violence calls. Emma Tucker, *Domestic Incidents are Highly Dangerous for Police Officers, Experts Say*, CNN (Jan. 22, 2022), <https://perma.cc/MH33-2RUT>; see also Sharon G. Smith et al., *Intimate Partner Homicide and Corollary Victims in 16 States: National Violent Death Reporting System, 2003-2009*, 104 Am. J. Pub. Health 461, 464 (2014) (Smith, *Corollary Victims*).

Most of those officers were killed with firearms. Between 1996 and 2010, 95 percent of law enforcement officers killed responding to domestic-violence calls were killed with firearms. Cassandra Kercher et al., *Homicides of Law Enforcement Officers Responding to Domestic Disturbance Calls*, 18 *Injury Prevention* 331, 334 (2013). Many other officers are shot at or injured by domestic abusers with firearms. One study analyzing 143 separate incidents involving firearm assaults against 225 law enforcement officers determined that approximately 29 percent of the officers were non-fatally wounded by firearms, and 57 percent were shot at but not injured. Richard R. Johnson, *Officer Firearm Assaults At Domestic Violence Calls: A Descriptive Analysis*, 81 *Police J.* 25, 37 (2008).

The evidence thus shows that domestic abusers pose a heightened risk of harm to law enforcement, particularly through the use of firearms.

5. *Domestic abusers are dangerous to the general public*

Domestic abusers also pose a danger to the general public. One study, of intimate partner homicides in 16 states, found that nearly 20 percent of those homicides involve additional victims. Smith, *Corollary Victims*, at 463. Many of those victims were bystanders or other strangers. *Ibid.* Another study found that approximately 45 percent of women whose abusers had threatened them with guns reported that their abusers had threatened others with firearms, including strangers. T.K. Logan & Kellie Lynch, *Exploring Abuser Firearm-Related Attitudes, Behaviors, and Threats Among Women with (Ex)Partners Who Threatened to Shoot Others*, 8 *J. Threat Assessment & Mgmt.* 20, 27 (2021).

Domestic abusers who are subject to protective orders pose a heightened danger to the public. The Texas study found that victims who sought protective orders were significantly more likely to report that their abusers threatened to shoot others in public, such as strangers. Lynch, *Firearm-Related Abuse*, at 12,983. Indeed, this case demonstrates the threat to the broader public: When respondent realized that a bystander had seen him grabbing his girlfriend's wrist, knocking her to the ground, and dragging her to his car in public parking lot, he retrieved his gun and fired a shot. Pet. 2. That incident led to the protective order that respondent then violated. *Ibid.*

The evidence also shows that domestic abusers are more likely to cause harm to others generally. In particular, one study found that the shooter in 68 percent of mass shootings between 2014 and 2019 either had killed an intimate partner or other family member or had a history of domestic violence. Lisa B. Geller et al., *The Role of Domestic Violence in Fatal Mass Shootings in the United States, 2014-2019*, 8 *Injury Epidemiology* 38, 42 (2021).

The evidence thus is clear: Domestic abusers pose a heightened risk of harm to the public at large.

* * *

In sum, the empirical evidence clearly establishes that the individuals subject to Section 922(g)(8) are particularly dangerous. The statute thus fits neatly within the Nation's longstanding practice of disarming people who are dangerous or perceived to be dangerous.

C. The Fifth Circuit Misapplied *Bruen*

The Fifth Circuit held that Section 922(g)(8) was not sufficiently analogous to historical laws disarming

people perceived to be dangerous. Pet. App. 17a-27a. In particular, it viewed the purpose of historical restrictions as being the “preservation of political and social order” or “disarming those who had been adjudicated to be a threat to society generally,” whereas it viewed the purpose of Section 922(g)(8) as being to protect “identified individuals.” *Id.* at 20a (internal quotation marks omitted). There are three fundamental problems with the Fifth Circuit’s analysis.

First, the court of appeals overlooked the fact that domestic violence perpetrated with firearms is a modern societal problem. See p. 11, *supra*. The government thus could rely on more “general” historical analogues that were “comparably justified” to Section 922(g)(8); the government did not have to identify a historical “twin” with the exact same purpose as Section 922(g)(8). *Bruen*, 142 S. Ct. at 2132-2133.

Second, the court of appeals framed the purpose of the historical laws too narrowly. In particular, it viewed the purpose of loyalty laws and categorical prohibitions as only preserving social order. Pet. App. 20a. But the theory behind those laws was that the classes of persons targeted were viewed as particularly dangerous because they were thought to be particularly likely to use physical violence. Blocher & Carberry, *Historical Gun Laws*, at 5; Joseph G.S. Greenlee, *Disarming the Dangerous: The American Tradition of Firearm Prohibitions*, 16 *Drexel L. Rev.* (forthcoming 2023) (manuscript at 28-31), <https://perma.cc/6KRZ-A3QB>; see pp. 12-16, *supra*. By focusing on only one purpose of the historical laws, the court of appeals missed that the laws reflect the general principle that the government can disarm people deemed to be particularly dangerous.

Third, the Fifth Circuit incorrectly viewed the purpose of Section 922(g)(8) as protecting only certain identified individuals. Although domestic abusers pose a heightened risk of harm to their partners, the evidence also shows that those abusers pose a heightened danger to many other people and to society at large. See pp. 17-26, *supra*. Notably, this was understood even during the Founding era: Although domestic violence generally was viewed as a private matter, the common law viewed particularly serious acts of physical domestic violence as threats to the “political and social order.” Reva Siegel & Joseph Blocher, *Guided by History: Protecting the Public Sphere From Weapons Threats Under Bruen*, 98 N.Y.U. L. Rev. (forthcoming 2023) (manuscript at 30), <https://perma.cc/3H8L-JNKG>. Although courts during the Founding era generally permitted husbands to physically chastise their wives, women occasionally were able to obtain peace warrants against abusive husbands when the violence “disturbed the peace of the community.” Laura Edwards, *Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South*, 65 J. S. History 733, 750 (1999). Those husbands were required to post bond, “legally transform[ing the] husbands’ legitimate governance into illegitimate violence that endangered the public order.” *Ibid.* Thus, both historically and in modern times, serious acts of domestic violence were viewed as threats to society generally, and not merely to “identified individuals.” Pet. App. 20a.

The bottom line is that the Fifth Circuit’s reasons for distinguishing Section 922(g)(8) from historical laws disarming dangerous people do not hold up. The court of appeals’ unduly cramped approach to historical analysis, if accepted, would turn the Second Amendment into precisely the “regulatory

straightjacket” that this Court has warned against.
Bruen, 142 S. Ct. at 2133.

CONCLUSION

The Court should reverse the judgment below.

Respectfully submitted.

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APPENDIX

APPENDIX
List of *Amici Curiae*

1. Kelly Roskam, JD, Director of Law and Policy of the Johns Hopkins Bloomberg School of Public Health's Center for Gun Violence Solutions (the Center)
2. Tim Carey, JD, Law and Policy Advisor at the Center
3. Joshua Horwitz, JD, the Dana Feitler Professor in Gun Violence Prevention and Advocacy and Professor of the Practice at the Johns Hopkins Bloomberg School of Public Health, and the Co-Director of the Center
4. Cassandra Crifasi, PhD, MPH, Associate Professor in the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health and Co-Director of the Center
5. Spencer Cantrell, JD, Director of Federal Affairs at the Center and Co-Director of the Extreme Risk Protection Order Training and Technical Assistance Center
6. Lisa Geller, MPH, Director of State Affairs at the Center and Co-Director of the Extreme Risk Protection Order Training and Technical Assistance Center
7. Alexander McCourt, JD, PhD, MPH, Assistant Professor in the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health and the Director of Legal Research at the Center
8. Jon S. Vernick, JD, MPH, Professor and Associate Chair of the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health

9. Daniel W. Webster, ScD, MPH, Bloomberg Professor of American Health in the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health and Distinguished Scholar at the Center
10. Jacquelyn Campbell, PhD, RN, Professor at the Johns Hopkins University School of Nursing.
11. Ari Davis, MPP, Policy Advisor at the Center
12. Shannon Frattaroli, PhD, MPH, Professor in the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health
13. Katherine Hoops, MD, MPH, Assistant Professor of Anesthesiology and Critical Care Medicine at Johns Hopkins Medicine
14. Odis Johnson, Jr., PhD, Bloomberg Distinguished Professor of Social Policy & STEM Equity at Johns Hopkins University
15. Vanya C. Jones, PhD, MPH, Associate Professor at the Johns Hopkins Bloomberg School of Public Health
16. Mallory O'Brien, MS, PhD, Associate Scientist in the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health and Core Faculty at the Center
17. Ellen Mackenzie, PhD, Bloomberg Distinguished Professor and Dean at the Johns Hopkins Bloomberg School Of Public Health
18. Keshia Pollack Porter, PhD, MPH, Chair of the Department of Health Policy and Management at the Johns Hopkins Bloomberg School of Public Health
19. Silvia Villarreal, MPP, Director of Research Translation at the Center

20. April M. Zeoli, PhD, MOH, Associate Professor of Health Management and Policy Core Director of the Institute for Firearm Injury Prevention at the University of Michigan
21. Avanti Adhia, ScD, Assistant Professor in the Department of Child, Family, and Population Health Nursing at the School of Nursing and Adjunct Assistant Professor in the Department of Epidemiology at the School of Public Health of the University of Washington
22. Kamila A. Alexander, PhD, MPH, RN, Associate Professor at the Johns Hopkins School of Nursing
23. Marice Ashe, JD, MPH, Lecturer at Berkeley Law
24. Ian Ayres, JD, PhD, Oscar M. Ruebhausen Professor at Yale Law School
25. Victoria Banyard, PhD, Distinguished Professor at the Rutgers University School of Social Work
26. Jennifer Bard, JD, MPH, PhD, Professor of Law at the University of Cincinnati School of Law and Professor of Medicine at the University of Cincinnati Medical School
27. Richard J. Bonnie, LLB, Harrison Foundation Professor of Law and Medicine and Director of the Institute of Law, Psychiatry and Public Policy University of Virginia School of Law
28. Charles Branas, PhD, Chair of the Department of Epidemiology and Anna Cheskis Gelman and Murray Charles Gelman Professor of Epidemiology at the Mailman School of Public Health at Columbia University

29. Shani Buggs, PhD, MPH, Assistant Professor at the University of California, Davis, Violence Prevention Research Program
30. Scott Burris, JD, Professor of Law and Director of the Center for Public Health Law Research at Temple Law School
31. Stuart M. Butler, PhD, Senior Fellow in Economic Studies at The Brookings Institution
32. Patrick M. Carter, MD, Associate Professor in the Department of Emergency Medicine at the University of Michigan School of Medicine
33. Vicka Chaplin, MPH, MA, Director of Education and Communication of the University of California, Davis, Violence Prevention Research Program
34. Kami N. Chavis, JD, Professor of Law and Director of the William and Mary Center for Criminal Justice Policy and Reform
35. Philip J. Cook, PhD, Professor Emeritus of Public Policy at Duke University
36. Chiara E. Cooper, PhD, Postdoctoral Research Fellow at the Institute for Firearm Injury Prevention at the University of Michigan
37. John J. Donohue, JD, PhD, C. Wendell and Edith M. Carlsmith Professor of Law at Stanford Law School
38. Angela Downes, JD, Professor of Practice at the UNT Dallas College of Law
39. Coleman Drake, PhD, Assistant Professor for Health Policy and Management at the University of Pittsburgh
40. Alice M. Ellyson, PhD, Acting Assistant Professor at the University of Washington

41. Cynthia Ewell Foster, PhD, Clinical Associate Professor at the University of Michigan Institute for Firearm Injury Prevention
42. Anthony Fabio, PhD, MPH, Associate Professor at the University of Pittsburgh
43. Jeffrey Fagan, PhD, Isidor and Seville Sulzbacher Professor of Law and Professor of Epidemiology at Columbia University
44. Robert I. Field, JD, MPH, PhD, Professor of Law and Professor of Health Management and Policy at Drexel University
45. James Alan Fox, Lipman Family Professor of Criminology, Law & Public Policy at Northeastern University
46. Monte Frank, JD, Member of Pullman & Comley
47. David M. Frankford, JD, Professor of Law at Rutgers Law School and Faculty Director at the Rutgers University Camden, Center for State Health Policy
48. Salama S. Freed, PhD, Assistant Professor of Health Policy and Management at the George Washington University Milken Institute School of Public Health
49. Emma E. Fridel, PhD, Assistant Professor at the College of Criminology and Criminal Justice at Florida State University
50. Leonard Friedman, Professor in the Department of Health Policy at the George Washington University Milken Institute School of Public Health
51. Mark Gius, PhD, Professor of Economics at Quinnipiac University
52. Jason Goldstick, PhD, Associate Professor at the University of Michigan

53. Jhumka Gupta, ScD, MPH, Associate Professor in the College of Public Health at George Mason University
54. Sherry Hamby, PhD, Distinguished Research Professor of Psychology at the University of the South
55. Bethany Hamilton, JD, Co-Director of the National Center for Medical-Legal Partnership at the George Washington University Milken Institute School of Public Health
56. Sharona Hoffman, JD, LL.M., SJD, Professor of Law & Bioethics and Edgar A. Hahn Professor of Jurisprudence at the Case Western Reserve University School of Law
57. Charvonne N. Holliday Nworu, PhD, MPH, Assistant Professor in the Department of Population, Family & Reproductive Health at the Johns Hopkins Bloomberg School of Public Health
58. Hsing-Fang Hsieh, MPH, PhD, Research Assistant Professor at the University of Michigan Institute for Firearm Injury Prevention
59. Peter Jacobson, JD, MPH, Professor Emeritus of Health Law and Policy at the University of Michigan School of Public Health
60. Jonathan Jay, DrPH, JD, Assistant Professor at the Boston University School of Public Health
61. Timothy Jost, Professor Emeritus at Washington and Lee University
62. Julie M. Kafka, PhD, MPH, Postdoctoral scholar at the University of Washington Firearm Injury & Policy Research Program
63. Rose Kagawa, PhD, MPH, Associate Professor at the University of California, Davis

64. Aaron Kivisto, PhD, Associate Professor of Clinical Psychology at the University of Indianapolis
65. Nicole Kravitz-Wirtz, PhD, MPH, Associate Professor in Residence at the University of California, Davis Violence Prevention Research Program
66. Hannah Laqueur, PhD, MA, MPA, Associate Professor in the Department of Emergency Medicine and core faculty in the California Firearm Violence Research Center at the University of California, Davis
67. Sylvia Law, JD, Elizabeth K. Dollard Professor of Law, Medicine, and Psychiatry Emerita at New York University
68. Daniel B Lee, PhD, Research Assistant Professor at the University of Michigan Institute for Firearm Injury Prevention
69. TK Logan, PhD, Professor at the University of Kentucky
70. Kellie Lynch, PhD, Associate Professor in the Department of Criminology and Criminal Justice at The University of Texas at San Antonio
71. Vivian H. Lyons, PhD, MPH, Research Scientist at the Firearm Injury & Policy Research Program
72. Lauren A. Magee, PhD, Assistant Professor at the Paul H. O'Neill School of Public and Environmental Affairs, Indiana University Indianapolis
73. Manya Magnus, PhD, MPH, Professor and Interim Chair at the George Washington University Milken Institute School of Public Health
74. Sarah McMahon, PhD, MSW, Professor and Director of the Center for Research on Ending

- Violence at the Rutgers University School of Social Work
75. Matthew Miller, MD, MPH, ScD, Professor of Health Sciences and Epidemiology at Northeastern University
 76. Natalie Nanasi, JD, Associate Professor and Director of the Judge Elmo B. Hunter Legal Center for Victims of Crimes Against Women at SMU Dedman School of Law
 77. Cheryl Niro, JD, Member of the American Bar Association Standing Committee on Gun Violence
 78. Andrew V. Papachristos, PhD, Professor of Sociology at Northwestern University
 79. Wendy E. Parmet, JD, Matthews Distinguished University Professor of Law and Faculty Director of the Center for Health Policy and Law at Northeastern University School of Law
 80. Veronica Pear, PhD, MPH, Assistant Professor in the Violence Prevention Research Program at the University of California, Davis
 81. Jesenia Pizarro, PhD, Professor at the Arizona State University School of Criminology and Criminal Justice
 82. Jennifer L. Pomeranz, JD, MPH, Associate Professor in the Department of Public Health Policy and Management at the New York University School of Global Public Health
 83. Kerri Raissian, PhD, Associate Professor in the School of Public Policy at the University of Connecticut
 84. Sonali Rajan, PhD, Associate Professor at Columbia University

85. Megan L. Ranney, MD, MPH, C.-E. A. Winslow Professor of Public Health and Dean at the Yale School of Public Health
86. Christen Rexing, PhD, MPH, Executive Director of the Society for Advancement of Injury and Violence Research
87. Joseph B. Richardson, Jr., PhD, is the MPower Professor of African-American Studies and Anthropology at the University of Maryland
88. Therese S. Richmond, PhD, RA, FAAN, Andrea B. Laporte Professor of Nursing at the University of Pennsylvania's School of Nursing
89. Sara Rosenbaum, JD, Professor Emerita in Health Law and Policy at the George Washington University Milken Institute School of Public Health
90. Ali Rowhani-Rahbar, MD, PhD, MPH, Bartley Dobb Professor for the Study and Prevention of Violence and Professor of Epidemiology at the School of Public Health and Interim Director of the Firearm Injury & Policy Research Program at the University of Washington
91. Chiara Sabina, PhD, Associate Professor at Rutgers University
92. Bushra Sabri, PhD, MSW, Assistant Professor at the Johns Hopkins University School of Nursing
93. William Sage, MD, JD, Professor of Law and Medicine at Texas A&M University
94. Magda Schaler-Haynes, JD, MPH, Professor of Health Policy and Management at the Columbia University Medical Center and Mailman School of Public Health
95. Daniel C. Semenza, PhD, Assistant Professor and Director of Interpersonal Violence

- Research at the New Jersey Gun Violence Research Center at Rutgers University
96. Michael Siegel, MD, MPH, Professor at the Tufts University School of Medicine
 97. Michael S. Sinha, MD, JD, MPH, FCLM, Assistant Professor of Law at Saint Louis University's Center for Health Law Studies
 98. Rebekah Sokol, Assistant Professor at the University of Michigan School of Social Work and Affiliated Faculty at the University of Michigan Institute for Firearm Injury Prevention
 99. Susan B. Sorenson, PhD, Professor of Social Policy, Professor of Health & Societies, and Senior Fellow in Public Health at the University of Pennsylvania
 100. Philip Stallworth, JD, Statistician at the University of Michigan Institute for Firearm Injury Prevention and the Michigan Injury Prevention Center
 101. David M. Studdert, ScD, MPH, Professor of Law and of Health Policy at Stanford University
 102. Jeffrey Swanson, PhD, Professor in Psychiatry and Behavioral Sciences at Duke University
 103. Michael R. Ulrich, JD, MPH, Assistant Professor in the Center for Health Law, Ethics, & Human Rights at the Boston University School of Public Health and the Boston University School of Law
 104. Fredrick E. Vars, JD, Ira Drayton Pruitt, Sr. Professor of Law at the University of Alabama School of Law
 105. Sten H. Vermund, MD, PhD, Anna M.R. Lauder Professor of Public Health at the Yale

- School of Public Health and Professor of Pediatrics at the Yale School of Medicine
106. Elizabeth Richardson Vigdor, PhD, MS, Associate Teaching Professor at the Evans School of Public Policy, University of Washington
 107. Jan Warren-Findlow, PhD, Professor and Chair in the Department of Public Health Sciences at the University of North Carolina Charlotte
 108. Douglas Wiebe, PhD, Professor of Epidemiology at the University of Michigan
 109. Kirk R. Williams, PhD, Professor Emeritus in the Department Criminology, Law & Society at the University of California, Irvine
 110. Garen J. Wintemute, MD, MPH, Distinguished Professor of Emergency Medicine and Baker-Teret Chair in Violence Prevention at the University of California, Davis
 111. Marc A. Zimmerman, PhD, MS, Marshall H. Becker Collegiate Professor in Health Behavior and Health Education at the University of Michigan School of Public Health and Co-Director of the University of Michigan Institute for Firearm Injury Prevention