

No. 07-290

In The
Supreme Court of the United States

DISTRICT OF COLUMBIA AND ADRIAN M. FENTY,
MAYOR OF THE DISTRICT OF COLUMBIA,

Petitioners,

v.

DICK ANTHONY HELLER,

Respondent.

**On Writ Of Certiorari To The
United States Court Of Appeals
For The District Of Columbia Circuit**

**BRIEF OF *AMICAE CURIAE* 126 WOMEN
STATE LEGISLATORS AND ACADEMICS
IN SUPPORT OF RESPONDENT**

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INTEREST OF THE *AMICAE CURIAE*¹

Amicae Curiae, listed in the Appendix, are an ad hoc group of over one hundred twenty-six women state legislators and academics. *Amicae* have diverse academic backgrounds and, in many cases, disparate political ideologies and divergent views on particular women's issues. What all *Amicae* share, however, is their devotion to the ability of women to legally and effectively defend themselves in situations that pose serious and immediate bodily injury.

The case now before the Court directly implicates women's capacity for self-defense and is therefore of particular interest to *Amicae*. *Amicae* wish to ensure that the Court takes into consideration how the current handgun restrictions in Washington, D.C. not only effectively abrogate women's right to defend themselves, but indeed prevent women from achieving the same autonomy available to many men. It is therefore with aspiration of further advancement for women that *Amicae* now submit this Brief for the Court's consideration.



¹ Rule 37.6 notice. No counsel for any party authored this brief in whole or in part. No counsel for a party or party made a financial contribution for the preparation or submission of this brief. Funding for printing and submission of this brief was provided by NRA Civil Rights Defense Fund. This brief is filed with the written consent of all parties, reflected in letters filed by the parties with the clerk. *Amicae* complied with the conditions of those consents by providing seven day advance notice of its intention to file this brief.

SUMMARY OF ARGUMENT

This case provides the Court an opportunity to advance the ability of women to free themselves from being subject to another's ill will and to counter the commonly-held prejudice that women are "easier targets" simply because of their gender characteristics. Violence against women in the United States is endemic, often deadly, and most frequently committed by men superior in physical strength to their female victims.

The District's current prohibition against handguns and immediately serviceable firearms in the home effectively eliminates a woman's ability to defend her very life and those of her children against violent attack. Women are simply less likely to be able to thwart violence using means currently permitted under D.C. law. Women are generally less physically strong, making it less likely that most physical confrontations will end favorably for women. Women with access to immediately disabling means, however, have been proven to benefit from the equalization of strength differential a handgun provides. Women's ability to own such serviceable firearms is indeed of even greater importance given the holdings of both federal and state courts that there is no individual right to police protection.

Washington, D.C.'s current firearms regulations are facially gender-neutral, and according to Petitioners, were intended to decrease the incidents of firearms violence equally among both men and women.

Whether those regulations have been effective is a question discussed in other Briefs submitted to the Court. What the District's current firearms laws do is manifest "gross indifference" to the self-defense needs of women. Effectively banning the possession of handguns ignores biological differences between men and women, and in fact allows gender-inspired violence free rein. Those biological differences should, under these limited circumstances, be influential to the Court's decision.

Amicae therefore urge the Court to "Remember the Ladies"² and to find the District's current firearms restrictions unconstitutional.



ARGUMENT

I. THE TIME HAS LONG PASSED WHEN SOCIAL CONDITIONS MANDATED THAT ALL WOMEN EQUALLY DEPEND UPON THE PROTECTION OF MEN FOR THEIR PHYSICAL SECURITY.

For centuries the concept of women's self-defense was as nonexistent as the idea that women were to, and could, provide their own means of financial support. That women themselves could possibly have

² Letter from Abigail Adams to John Adams (March 31, 1776), in *The Feminist Papers: From Adams to De Beauvoir* 10 (Alice S. Rossi ed., Northeastern Univ. Press 1st ed. 1988) (1973).

some responsibility for their own fates was not only not a topic for debate, but would have been deemed a foolish absurdity. Observable gender differences in physical aptitude³ and temperament seemed to establish a natural order that was not significantly disturbed until the mid-20th century. Later legal and social advances, however, have led courts to recognize that gender-based differences do indeed matter and should sometimes be considered.

³ See, e.g., Michael Levin, *Feminism and Freedom* 210 (Transaction Publishers 1987) (explaining that women only have 55-58% of the upper body strength of men, and, on average, only 80% as strong as a man of identical weight.) See U.S. Dep't of Health and Human Servs., CDC, National Center for Health Statistics; 2004), <http://iier.isciii.es/mmwr/preview/mmwrhtml/mm5431a5.htm> (reporting that in 2002, the average height and weight for men 20+ years of age was 5'9" and 190 pounds, respectively, while for women aged 20+ years and older the average height was 5'4" and 163 pounds). See U.S. Army Training Requirements (Feb. 8, 2006), <http://www.armybasic.org/portal/modules.php?name=Content&pa=showpage&pid=9> (listing basic physical standards requiring approximately 40 push-ups for males aged 17-21 and fewer than 20 push-ups for women of the same age). See U.S. Marines Training Requirements, <http://www.usmarines.com/basic-training2.html> (describing that to pass the Basic Training Initial Strength Test, men are required to finish 2 dead-hang pull-ups, while women must perform a flexed-arm hang for 12 seconds.) See Brief of *Amici Curiae* Second Amendment Sisters, *et al.*, in Support of Respondent at section II.A. (discussing the differences between men and women's muscular capacity.)

A. The Defense of Women as Men's Sole Prerogative and Responsibility

Such paternalism reflected widely-accepted views of men's physical prowess vis-a-vis women generally and the roles women were expected to play in society. Few women expected to leave the confines of their families before marriage. Women seldom attended college, especially at schools distant from their families. Women largely stayed at home while waiting to be married, and after marriage were expected to remain homemakers with no outside employment or social pursuits. More importantly to the issue of self-defense, however, there was little understanding that women could be anything but helpless in the face of a serious threat.

Behold these smiling innocents, whom I have graced with my fairest gifts, and committed to your protection; behold them with love and respect; treat them with tenderness and honor. They are timid and want to be defended. They are frail; oh do not take advantage of their weakness! Let their fears and blushes endear them. Let their confidence in you never be abused. But is it possible, that any of you can be such barbarians, so supremely wicked, as to abuse it? Can you find in your hearts to despoil the gentle, trusting creatures of their treasure, or do anything to strip them of their native robe of virtue?⁴

⁴ Dr. James Fordyce, D.D., *The Character and Conduct of the Female Sex and the Advantages to be Derived from the Society of*
(Continued on following page)

Such sentiments are now risible given our understanding that women are not children, do have the capacity to protect their lives and best interests, and that some men may be anything but tender caregivers. They are especially inappropriate given the current number of single mothers who often have sole responsibility for the protection of their children.

Before the legal and social advances of the latter half of the 20th century, equal protection for women therefore meant that women could depend upon the protection of men for their defense and that of their children. All women would have a husband, father, brother, or, if they were remarkably fortunate, some type of social or church organization there to provide for their most basic needs. Women were viewed as largely helpless, and laws precisely differentiated the opportunities and responsibilities for men and women. *E.g., Goesart v. Cleary*, 335 U.S. 464, 466 (1948) (legislatures may draw “a sharp line between the sexes.”) *See also Hoyt v. Florida*, 368 U.S. 57 (1961).

B. Changing Demographics Heighten the Need for Many Women to Provide their Own Physical Security

Throughout history, family and household demographics reinforced the expectation that men would

Virtuous Women; A Discourse in Three Parts Before the Congregation of Monkwell Street Chapel (January 1, 1776), quoted in *Mary Wollstonecraft, Vindication of the Rights of Woman* 192-193 (Miriam Brody ed., Penguin Classics 1983) (1792).

be available to provide protection to women and children. Extended families were the norm across all cultural backgrounds, providing women the immediately available support of fathers, brothers, and husbands. In 1900, only 5% of households in the United States consisted of people living alone, while nearly half the population lived in households of six or more individuals.⁵ Fewer than one percent of women in 1900 were divorced and women were expected to be married by their late teens or early twenties.⁶

Widespread demographic changes now make it far less likely that women will live in households with an adult male present to provide the traditionally-expected protection. In 2000, slightly more than 25 percent of individuals lived in households consisting only of themselves.⁷ Between 1970 and 2000, the proportion of women aged 20 to 24 who had never married increased from 36 to 73 percent; for women aged 30 to 34, that proportion tripled from 6 to 22 percent.⁸ While these statistics do not reflect the

⁵ Frank Hobbs *et al.*, U.S. Census Bureau, *Demographic Trends in the 20th Century*, Series CENSR-4, 141, 139 (Nov. 2002).

⁶ Press Release, U.S. Census Bureau, *A Century of Change: America 1900-1999*, CB99-FF.17 (Dec. 20, 1999), <http://www.census.gov/Press-Release/cb98-228.html>.

⁷ *See supra* note 5 at 140.

⁸ U.S. Census Bureau, *Living Together, Living Alone*, 5 *Population Profile of the United States: 2000*, p. 5-2, www.census.gov/population/www/pop-profile/2000/chap05.pdf.

increasing percentage of women who choose to cohabit without marriage, it should be noted that these percentages of women living alone are likely higher in metropolitan areas of the Northeast and Mid-Atlantic.

These statistics do not emphasize the rapidly increasing number of single mothers in the District. According to a 2005 survey, there are over 46,000 single mothers living within Washington, D.C. Of those single mothers, almost half live in poverty.⁹ These women are the most immediate and often sole source of protection of their children against abusive ex-husbands, ex-boyfriends, or unknown criminals who prey on the District's most vulnerable households. Many do not have the resources to choose neighborhoods in which their children face few threats or to install expensive monitoring systems and alarms. Moreover, many will not have the knowledge or social network to access those violence prevention services available. An inexpensive handgun, properly stored to prevent access to children, could therefore very well be the sole means available for these women to protect themselves and their children. See also Brief of *Amici Curiae* International Law Enforcement Educators and Trainers Association, *et al.*, in Support of Respondent ("Int'l L. Enf.

⁹ Women Work!, *Status Report: Displaced Homemakers and Single Mothers in the District of Columbia* (1994), http://www.womenwork.org/pdfresources/cl_states/cl_dc.pdf.

Educ. & Trainers Assoc. Br.”) at section II.D. (discussing the increasingly rare incidents of gun accidents).

In addition to young women and those who are single mothers, there is an increasing number of elderly women who live alone and feel highly vulnerable to violent crime. Greater improvements in female than in male mortality rates have increased the percentage of women aged 65 and older who live alone. From 1960 to 2000, women aged 65 and over accounted for a single digit percentage of the total population but more than 30 percent of households consisting of only one person.¹⁰ This population of older women living alone will only increase as baby boomers age and fewer children are capable of caring for aging parents. Some 40 percent of elderly and mid-life women have below-median incomes, leaving them with little or no choice of neighborhoods and expensive security measures. Edward R. Roybal, *The Quality of Life for Older Women: Older Women Living Alone*, H.R. Rep. No. 100-693, at 1 (2d Sess. 1989).

Jean-Jacques Rousseau once noted that:

This peculiar cleverness given to the fair sex is a very equitable compensation for their lesser share of strength, a compensation without which women would be not man’s companion but his slave. It is by means of this superiority in talent that she keeps herself his equal and that she governs him

¹⁰ See *supra* note 5 at 137.

while obeying him. Woman has everything against her – our defects, her timidity, and her weakness. She has in her favor only her art and her beauty.¹¹

Such sentiments bring to mind a knight-errant defending against all foes his lady before a castle moat and never thinking of using his sword against her. Whatever truth this may have had in previous centuries, today women face the question of what they are to do when there is no man available to provide protection, when it is a man himself providing the threat, or when “subtility” and “beauty” just will not prevail against a much larger attacker. *Amicae* suggest that a workable firearm may be the only effective tool a woman has in such situations.

Women may therefore not depend upon male relatives, an often inadequate and unaccountable police force, or tools of self-defense that are currently prohibited under Washington, D.C. gun laws. While women have made advances in their ability to participate fully in political life through greater choices of professions, husbands, and child-rearing, the prevalence of violence against women and their constant fear continue to exist.

¹¹ Jean-Jacques Rousseau, *Emile, or on Education* 371 (Allan Bloom trans., Basic Books 1979) (1762).

II. EQUAL PROTECTION IN WASHINGTON, D.C. NOW MEANS THAT WOMEN ARE EQUALLY FREE TO DEFEND THEMSELVES FROM PHYSICAL ASSAULT WITHOUT THE MOST EFFECTIVE MEANS TO TRULY EQUALIZE GENDER-BASED PHYSICAL DIFFERENCES.

The Court has already rejected any disparate impact standard as the basis for gender discrimination. Writing in *Personnel Administrator of Massachusetts v. Feeney*, 442 U.S. 256, 273 (1979), the Court noted that the “Fourteenth Amendment guarantees equal laws, not equal results” and that “uneven effects upon particular groups within a class are ordinarily of no constitutional concern.”¹² The practical results of laws passed with no discriminatory intent are simply “a legislative and not a judicial responsibility.”¹³ *Id.* at 272.

It is not the place of this *Amicus* to dispute the Court’s jurisprudence of Equal Protection and

¹² *But cf.* Sylvia A. Law, *Rethinking Sex and the Constitution*, 132 U. Pa. L. Rev. 955, 966 (1984) (“An assimilationist vision that ignores differences between men and women does not help us to reconcile the ideal of equality with the reality of difference.”)

¹³ *But cf.* David A. Strauss, *Discriminatory Intent and the Taming of Brown*, 56 U. Chi. L. Rev. 935, 941 (1989) ((describing the subordination principle as a road not taken by the Court in *Washington v. Davis*, 426 U.S. 229 (1976) but noting that “the distinctive characteristic of a subordinated group is that its members are systematically subject to violence at the hands of members of another group, or must systematically yield to the command of members of another group.”))

discriminatory intent versus impact. The only purposes of this Brief are to: (1) raise the Court's awareness of how firearms may help women achieve the full place in society they so deserve, and (2) to place the District's firearms restrictions as they relate to women in parallel with scholarly thought regarding women's rights in other areas.

Violence against women is predominately gender-based, most often perpetrated by men against the women in their lives. Men who react with violence against women in the domestic sphere often seek to reassert their control over those whom the men believe should be held as subordinates. Since 1976, approximately 30% of all U.S. female murder victims have been killed by their male, intimate partners.¹⁴

Both international and U.S. commentators recognize that this violence is fomented by gender differences. United Nations' documents declare that "women and girls are victims because they are female," and that such violence against women is a "form of discrimination that prevents women from participating fully in society and fulfilling their potential as human beings."¹⁵ According to feminist legal scholar, Catherine A. MacKinnon, "[s]exual

¹⁴ Callie Marie Rennison, Ph.D. *et al.*, U.S. Dep't of Justice, Bureau of Justice Statistics, *Intimate Partner Violence* (Special Rep. May 2000, revised on July 14, 2000 and January 31, 2002), www.ojp.usdoj.gov/bjs/pub/pdf/ipv.pdf.

¹⁵ UNIFEM, *Issue Brief on Violence*, p. 1, *United Nations Dev. Fund for Women*, <http://www.womenwarpeace.org/node/19>.

assault is a sex-based violation,” explained partly by the “observation that sexual atrocities are inflicted on those who have less social power by those who have more, among whom gender is the most significant cleavage of stratification.”¹⁶ When violence against women is indeed viewed in this light, D.C.’s current firearms regulations barring women from the possession of the most effective means of self-defense reflects a form of complicity in sex-based discrimination or, at the very least, gross indifference to such discrimination.

A. Violence against Women in the District of Columbia and the District’s Response

In 2005, the Metropolitan Police Department (MPD) received over 11,000 calls reporting a domestic violence crime or about 30 calls per day.¹⁷ There were 51 murders attributed to domestic violence between 2001 and 2004, counting only those cases in which the so-called victim-offender relation could be proven.¹⁸ These statistics of course cannot convey the number of women who live in perpetual fear that an

¹⁶ Catherine A. MacKinnon, *A Sex Equality Approach to Sexual Assault*, in 989 *Sexually Coercive Behavior: Understanding and Management* 265, 265 (Robert A. Prentky *et al.* eds., Ann. N.Y. Acad. Sci. 2003).

¹⁷ Washington, D.C. Metro. Police Dep’t, 2004-2006, quoted in *Domestic Violence Statistics*, D.C. Coalition Against Domestic Violence, <http://www.dccadv.org/statistics.html>.

¹⁸ Washington, D.C. Metro. Police Dep’t, UCR Report, 2005.

abuser will return and escalate the violence already experienced. As to those women who are able to report domestic violence-related crimes or who choose to do so, the MPD is often simply unable to take any proactive measures to protect their safety. In 2004, the MPD's Civil Protection and Temporary Protection Unit was able to locate and serve only 49.6% of those against whom a protection order had been issued.¹⁹

Such statistics are even more alarming when it is understood that domestic batterers who ultimately take the lives of women are repeat offenders, most likely those with both a criminal background and repeated assaults against the women they eventually murder. Murray A. Straus, Ph.D., *Domestic Violence and Homicide Antecedents*, 62 Bull. N.Y. Acad. Med. 457 (No. 5 June 1986). These are not men who inexplicably react violently one day and then never again present a threat. One study found that a history of domestic violence was present in 95.8% of the intra-family homicides studied.²⁰ In 2004, the District's

¹⁹ See *supra* Washington, D.C. Metro. Police Dep't, 2004-2006, quoted in *Domestic Violence Statistics*, D.C. Coalition Against Domestic Violence.

²⁰ Paige Hall-Smith *et al.*, *Partner Homicide in Context*, 2 Homicide Studies 400 at 410 (1998). See also, Gerald D. Robin, *Violent Crime and Gun Control* 47 (Cincinnati, Acad. of Crim. Justice Sciences: 1991) (studies in Detroit and Kansas City indicate that 90% of all family homicides were preceded by previous disturbances at the same address, with a median of 5 calls per address.) Compare Linda Langford, *et al.*, *Criminal and Restraining Order Histories of Intimate Partner-Related Homicide Offenders in Massachusetts, 1991-95* in Paul H. Blackman
(Continued on following page)

Police Department reported that of the 7,449 homes from which domestic violence was reported, almost 13% had three or more calls that year alone.²¹ These numbers cannot account for the violence that is never reported, or for which only some incidents are reported.²²

Women who eventually face life-threatening dangers from a domestic abuser or stalker are therefore well aware of the specific threat presented. In fact, Petitioners' *Amici* may well be correct in their claim that "female murder victims were more than 12 times as likely to have been killed by a man they knew than by a male stranger" and that "[o]f murder victims who their knew their offenders, 62% were killed by their husband or intimate acquaintance."

et al., *The Varieties of Homicide and its Research* (F.B.I. Acad., 2000) (23.6% of intimate-partner murderers were under an active restraining order at the time of the homicide; 40% had been under a restraining order at some time prior to the killing, taken out by the victim or some other person.)

²¹ D.C. Metro. Police Dep't, *Metro Police Dep't Domestic Violence Fact Sheet*, received by the National Coalition Against Domestic Violence, the District of Columbia on October 28, 2005 from Lieutenant Angela Cousins of the Metropolitan Police Dept., http://www.ncadv.org/resources/FactSheets_221.html.

²² Callie Marie Rennison, Ph.D., U.S. Dep't of Justice, Bureau of Justice Statistics, Selected Findings, *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000*, p. 3 (August 2002), <http://www.ojp.usdoj.gov/bjs/pub/pdf/rsarp00.pdf> (estimating that three-quarters of completed rapes, attempted rapes, and sexual assaults are not reported to law enforcement when the offender is a current spouse, ex-spouse, or boyfriend).

Brief of *Amici Curiae* National Network to End Domestic Violence, *et al.*, in Support of Petitioners at 23 (“Pets’ Network Br.”). Such knowledge of an individualized threat should allow women to more easily prepare the best defenses they can employ, using their ability to weigh the threat against their ability to protect themselves should the threat ever become one of serious bodily injury or death. Current D.C. gun restrictions on handguns and serviceable firearms in the home simply eliminate that option for women altogether.

Those women who are attacked by strangers or whose children are in danger should also be provided the option of choosing a firearm if they would feel safer having one in their home. Other women who live alone, particularly the elderly who are more likely to be of lower incomes, may not have choices as to where they must live, nor the ability to relocate if stalked. These women too should be able to weigh the threat of an unknown assailant against their ability to defend themselves should they ever be attacked in the privacy of their own homes.

Without the freedom to have a readily available firearm in the home, a woman is at a tremendous disadvantage when attempting to deter or stop an assailant should her attacker allow her no other option. Reflecting upon one of the most notorious tragedies of domestic abuse turned murder, Andrea Dworkin stated directly the stakes involved:

Though the legal system has mostly consoled and protected batterers, when a woman is being beaten, it's the batterer who has to be stopped; as Malcolm X used to say, "by any means necessary" – a principle women, all women, had better learn. A woman has a right to her own bed, a home she can't be thrown out of, and for her body not to be ransacked and broken into. She has a right to safe refuge, to expect her family and friends to stop the batterer – by law or force – before she's dead. She has a constitutional right to a gun and a legal right to kill if she believes she's going to be killed. And a batterer's repeated assaults should lawfully be taken as intent to kill.²³

It must be added, however, that it is not just the physical cost of violence against women that must be considered. A woman who feels helpless in her own home is simply not an autonomous individual, controlling her own fate and able to "participate fully in political life."²⁴ While possessing a handgun or a serviceable long gun in the home will of course not

²³ Andrea Dworkin, *In Memory of Nicole Brown Simpson*, in *Life and Death: Unapologetic Writings on the Continuing War Against Women* 41, 50 (Free Press 1997).

²⁴ See Sarah B. Lawskey, *A Nineteenth Amendment Defense of the Violence Against Women Act*, 109 *Yale L. J.*, 783, 786 (2000) ("[F]or a person to be a political citizen, she must be able to participate, free from domination, as a self-determined equal, in the deliberation that is essential to a republican form of government. But self-determination and equality are difficult, if not impossible, in the face of an omnipresent threat of violence.")

erase all incidents of sex-based violence against women, denying women the right to choose such an option for themselves does nothing but prevent the independent governance women must be afforded.²⁵

Self-defense classes, particularly those involving training women to use handguns, often help to provide women the sense of self-worth necessary for them to feel equals in civil society. See Martha McCaughey, *Real Knockouts: The Physical Feminism of Women's Self-Defense* (N.Y. Univ. Press 1997). Women who take such classes no longer see themselves as powerless potential victims, but as individuals who may demand that their rights be respected. There is some evidence that men recognize this transformation and alter their conduct toward those women. As one study noted, “[t]he knowledge that one can defend oneself – and that the self is valuable enough to merit defending – changes everything.” Jocelyn A. Hollander, “*I Can Take Care of Myself*”: *The Impact of Self-Defense Training on*

²⁵ E.g., Nicholas J. Johnson, *Principles and Passions: The Intersection of Abortion and Gun Rights*, 50 Rutgers L. Rev. 97, 98 (1997) (“[O]ur generation, amidst much controversy, has continued to tolerate both abortion rights and gun rights and their costs . . . [T]his is due substantially to our recognition that these liberties allow what might be crucial private choices in extreme personal crises. However we come down politically, in truly desperate circumstances many of us might want for ourselves or someone we love the option offered by these two most controversial rights.”). Inge Anna Larish, Note, *Why Annie Can't Get Her Gun: A Feminist Perspective on the Second Amendment*, 1996 U. Ill. Law F. 467, 475-479 (1996).

Women's Lives, 10 *Violence Against Women* 205, at 226-227 (2004). Therefore, even if women are never placed in a position to defend themselves with a firearm or their own bodies, there are less material but no less compelling justifications for allowing them that ability. *E.g.*, Mary Zeiss Stange, *From Domestic Terrorism to Armed Revolution: Women's Right to Self-Defense as an Essential Human Right*, 2 *J. L. Econ. & Pol'y* 385-391 (2006).

B. The Benefits of Handguns for Women Facing Grave Threat

For years women were advised not to fight back and to attempt to sympathize with their attackers while looking for the first opportunity to escape. Well-meaning women's advocates counseled that such passivity would result in fewer and less serious injuries than if a woman attempted to defend herself and angered the perpetrator. More recent, empirical studies indicate, however, that owning a firearm is one of the best means a woman can have for preventing crime against her. The National Crime Victimization Survey ("NCVS") indicates that allowing a woman to have a gun has a "much greater effect" on her ability to defend herself against crime than providing that same gun to a man. In fact, the NCVS and researchers have concluded that women who offer no resistance are 2.5 times more likely to be seriously injured than women who resist their attackers with a

gun.²⁶ While the overall injury rate for both men and women was 30.2%, only 12.8% of those using a firearm for self-protection were injured.²⁷ Subjective data from the 1994 NCVS reveals that 65 percent of victims felt that self-defense improved their situation, while only 9 percent thought that fighting back caused them greater harm.²⁸

Studies of the effects of concealed carry legislation offer additional proof. Although the case now before the Court involves keeping a firearm only in the home, studies looking specifically at women granted concealed carry handgun permits have shown that each additional woman carrying a concealed handgun reduces women's murder rate by between three to four times more than an additional man carrying a concealed handgun reduces the male murder rate. John Lott, Jr., *More Guns, Less Crime*, 62, 161 (2d ed., Univ. of Chicago, 2000) (1998). Providing women handguns simply increases their ability to defend themselves far more than does providing handguns to generally more physically able men. See also Paxton Quigley, *Armed and Female* (E.P. Dutton 1989).

²⁶ John R. Lott, Jr. and David B. Mustard, 26 *Journal of Legal Studies* 1, 23 (No. 1, Jan. 1997).

²⁷ Gary Kleck and Jongyeon Tark, *Resisting Crime: The Effects of Victim Action on the Outcomes of Crimes*, 42 *Criminol.* 861, 902 (2005).

²⁸ *Id.* at 2001a.

Given relative size disparities, men who threaten women and children can easily cause serious bodily injury or death using another type of weapon or no weapon at all. Between 1990 and 2005, 10% of wives and 14% of girlfriends who fell victim to homicide were murdered by men using only the men's "force" and no weapon of any type.²⁹ It should also be noted that a violent man turning a gun on a woman or child announces his intent to do them harm. A woman using a gun in self-defense does so rarely with the intent to cause death to her attacker. Instead, a woman in such a situation has the intent only to sufficiently stop the assault and to gain control of the situation in order to summon assistance. This simple brandishing of a weapon often results in the assailant choosing to discontinue the crime without a shot having been fired.³⁰

The value of widespread handgun ownership lies not only in the individual instances in which a violent criminal is thwarted while attempting to harm someone, but in the general deterrent effects created by

²⁹ James Alan Fox, U.S. Dep't of Justice, Bureau of Justice Statistics, *Homicide Trends in the U.S.: Intimate Homicide* (last revised on July 11, 2007), <http://www.ojp.usdoj.gov/bjs/homicide/intimates.htm#intweap>.

³⁰ See also Gary Kleck & Marc Gertz, *Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun*, 86 J. Crim. L. & Crim. 150 (1995); Gary Kleck, *Policy Lessons From Recent Gun Control Research*, 49 Law and Contemporary Problems 35, 44 (No. 1 Winter 1986) (noting that only a small minority, 8.3% of defensive gun uses, resulted in the assailant's injury or death).

criminals' knowledge of firearms ownership among potential victims. Women alarmed by a series of savage rapes in Orlando, Florida in 1966 rushed local gun stores to arm themselves in self-defense. In a widely publicized campaign, the Orlando Police Department trained approximately 3,000 in firearms safety. According to the FBI Uniform Crime Report for 1967, the city then experienced over an 88% reduction in rapes, while rape throughout Florida continued to increase by 5% and nationwide by 7%. Similar crime reduction efforts involving well-publicized firearms ownership in other U.S. cities saw comparable reductions in the rates of armed robbery and residential burglaries. *See also* Don B. Kates, Jr., *The Value of Civilian Handgun Possession as a Deterrent to Crime or a Defense Against Crime*, 18 Am. J. of Crim. L. 113, 153-156 (1991) (describing the deterrent effects handguns create for crimes requiring direct confrontation with a victim such as rape and robbery and for non-confrontational crime such as car theft and the burglary of unoccupied locations); Int'l L. Enf. Educ. & Trainers Assoc. Br. at sections I.B., I.G. (discussing the crime deterrence value of victim armament).

Violent criminals who may view women as easy targets find their jobs far less taxing in communities such as Washington, D.C. Researchers conducting the Institute of Justice Felon Survey confirm the common-sense notion that those wishing to do harm often think closely before confronting an individual who may be armed. According to this survey, some 56% of

the felons agreed that “[a] criminal is not going to mess around with a victim he knows is armed with a gun.” Over 80% agreed that “[a] smart criminal always tries to find out if his potential victim is armed,” while 57% admitted that “[m]ost criminals are more worried about meeting an armed victim than they are about running into the police.” Some 39% said they personally had been deterred from committing at least one crime because they believed the intended victim was armed, and 8% said they had done so “many” times. Almost three-quarters stated that “[o]ne reason burglars avoid houses when people are at home is that they fear being shot during the crime.” James D. Wright and Peter H. Rossi, 145 *Armed and Considered Dangerous, a Survey of Felons and Their Firearms* (Aldine de Gruyter, 1986). Some 34% said they had been “scared off, shot at, wounded, or captured by an armed victim” at some point in their criminal careers, while almost 70% had at least one acquaintance who had a similar previous experience. *Id.* at 154-155.

Stalkers and abusive boyfriends, spouses, or ex-spouses may be even more significantly deterred than the hardened, career felons participating in this survey. Under current Washington, D.C. gun regulations, stalkers and violent intimate partners may be confident that their female victims have not armed themselves since the threats or violence began. Many of these men have already been emboldened by women’s failure to report such threats and previous violence, or by the oftentimes inadequate resources

available to help such women. Allowing women the option to purchase a serviceable handgun will not deter all stalkers and abusive intimate partners willing to sacrifice their own lives. However, the fact that men inclined toward violence will know that women have that choice and may well have exercised it will no doubt inhibit those less willing to pay that price.

The District would like to restrict women's choice of firearm to those it gauges most appropriate rather than to allow rational women the ability to decide whether a handgun is more suited to their needs. Petitioner's Brief cites two articles from firearms magazines in which a shotgun is mentioned as appropriate for home defense. Pet. Br. at 54-55. An assembled shotgun is certainly better than nothing and could provide deterrence benefits provided it is accessible to a woman. However, most women are best served by a handgun, lighter in weight, lighter in recoil, far less unwieldy for women with shorter arm spans, and far more easily carried around the home than a shotgun or rifle. Moreover, women who are holding a handgun are able to phone for assistance, while any type of long gun requires two hands to keep the firearm pointed at an assailant. *See also* Int'l L. Enf. Educ. & Trainers Assoc. Br. at section III. The fact that two articles in firearms magazines suggest a long gun for home defense should not impinge upon the constitutional right for a woman to select the firearm she feels most meets her needs.

Petitioner's *Amici* claims that allowing firearms in the home will only increase women's risk of being

murdered. In fact, Petitioners' *Amici Curiae* opens its argument by stating that, when a gun is in the home, an abused woman is "6 times more likely" to be killed than other abused women. Pets' Network Br. at 20. However, this statistic has some verifiable basis only when particular adjustments for other risk factors are weighed. Most importantly, any validity that statistic holds is only for battered women who live with abusers who have guns. The odds for an abused woman living apart from her abuser, when she herself has a firearm, are only 0.22, far below the 2.0 level required for statistical significance. The presence of a firearm is simply negligible compared to obvious forewarnings such as the man's previous rape of the woman, previous threats with a weapon, and threats to kill the woman. Moreover, the "most important demographic risk for factor for acts of intimate partner femicide," is the male's unemployment. Jacquelyn C. Campbell, Ph.D., RN, *et al.*, *Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study* in 93 Am. J. Pub. Health 1090-1092 (No. 7 July 2003). Programs that help women leave an already terribly violent situation and that decrease unemployment should therefore be keys to the abatement of femicide, not laws that serve only to disarm potential victims.

It must also be noted that allowing women handguns will not increase the type of random, violent crime that causes such uneasiness among District residents. Women are far less likely to commit murder than are men. Despite being roughly half of the

U.S. population, women comprised only 10% of murder offenders in 2006 and 2004, only 7% in 2005.³¹ Even more important to note are the circumstances under which women kill. Some estimates indicate that between 85% and 90% of women who commit homicides do so against men who have battered them for years. Allison Bass, *Women Far Less Likely to Kill than Men; No One Sure Why*, Boston Globe, February 24, 1992, at 27. See also Int'l L. Enf. Educ. & Trainers Assoc. Br. at Section II.A. One 1992 study by the Georgia Department of Corrections reported that of the 235 women serving jail time for murder or manslaughter in Georgia, 102 were deemed domestic killings. Almost half those women claimed that their male partners had regularly beaten them. The vast majority of those who claimed previous beatings had repeatedly reported the domestic violence to law enforcement. Kathleen O'Shea, *Women on Death Row in Women Prisoners: A Forgotten Population* 85 (Beverly Fletcher et al. eds., Praeger, 1993). See also Angela Browne, *Assault and Homicide at Home: When Battered Women Kill*, in 3 *Advances in Applied Soc. Psych.* 61 (Michael Saks & Leonard Saxe, eds., 1986) (including FBI data that 4.8% of all U.S. homicides are women who have killed an intimate partner in self-defense.) While these deaths are of course tragic,

³¹ F.B.I., Uniform Crime Reports, Murder – Crime in the United States, multiple years, http://www.fbi.gov/ucr/cius_04/offenses_reported/violent_crime?murderhtml, http://www.fbi.gov/ucr/05cius/offenses/expanded_information/data/shrtable_03.html, http://www.fbi.gov/ucr/cius2006/offenses/expanded_information/data/shrtable_03.html.

their occurrences do not indicate that women with access to handguns will commit the random acts of violence law-abiding residents most fear.

Men and women with a history of aggression, domestic violence, and mental disturbance are already prohibited from possessing firearms under both federal and District of Columbia law. Federal law bars possession to any individual who has been convicted of a “crime punishable by imprisonment for a term exceeding one year,” who is an “unlawful user of or addicted to any controlled substance,” who has been “adjudicated as a mental defective or who has been committed to a mental institution,” who is under an active restraining order, or who has been “convicted in any court of a misdemeanor crime of domestic violence.” 18 U.S.C. §§ 922(g)(1), (3), (4), (8), (9) Washington, D.C. law contains similar provisions, but adds as prohibited persons chronic alcoholics and those who have been “adjudicated negligent in a firearm mishap causing death or serious injury to another human being.” D.C. Code §§ 7-2502.03(a)(5), (a)(8). Rigorous enforcement of existing law should therefore minimize the risk that both men and women with histories of violence, mental instability, or negligence with a firearm will have a firearm in their homes.

C. Women May Not Depend upon the District’s Law Enforcement Services

The situation now in Washington, D.C. is that women can no longer depend upon the men in their

lives to provide protection against violent crime, nor do women themselves have access to handguns that equalize the inherent biological differences between a woman victim and her most likely male attacker. The traditional emphasis of men's duty to protect women not only increases this defenselessness, but in fact has proved of less worth as increasingly more women live alone. Women in the District have therefore been compelled to rely upon the protections of a government-provided police force.

Courts have found that such reliance is unfounded. *See*, Licia A. Esposito Eaton, Annotation, *Liability of Municipality or Other Governmental Unit for Failure to Provide Police Protection from Crime*, 90 A.L.R.5th 273 (2001). Despite women's expectations, courts across the nation have ruled that the Due Process Clause does not "requir[e] the State to protect the life, liberty, and property of its citizens against invasion by private actors." *DeShaney v. Winnebago County Soc. Servs.*, 489 U.S. 189, 194 (1989). Women simply have no legal right to law enforcement protection unless they are able to prove special and highly narrow circumstances. Just how special and highly narrow those circumstances are were proven in this Court's *Castle Rock v. Gonzales* decision. 545 U.S. 748 (2005) In *Castle Rock*, the Court found that a temporary restraining order, a mandatory arrest statute passed with the clear legislative intent of ensuring enforcement of domestic abuse restraining orders, and Jessica Gonzalez's repeated pleas for help were insufficient for her to demand protection. *Castle Rock* therefore left open

the question of just what a woman and a well-meaning legislature would have to do to create such a right to expect police protection from a known and specific threat.

There is no case that better illustrates both how little individual citizens may demand of their local police forces and the utility of a serviceable firearm than Washington, D.C.'s own *Warren v. District of Columbia*. 444 A.2d 1 (D.C. 1981). One morning two men broke down the door and climbed to the second floor of a home where a mother and her four-year-old daughter were sleeping. The men raped and sodomized the mother. Her screams awoke two women living upstairs, who phoned 911 and were assured that help would soon arrive. The neighbors then waited upon an adjoining roof while one policeman simply drove past the residence and another departed after receiving no response to his knock on the door. Believing the two men had fled, the women climbed back into the home and again heard their neighbor's screams. Again they called the police. This second call was never even dispatched to officers.

After hearing no further screams, the two women trusted that that police had indeed arrived and called down to their neighbor. Then alerted to the presence of two other victims nearby, the men proceeded to rape, beat, and compel all three women to sodomize each other for the next fourteen hours. Upon their seeking some compensation from the District for its indifference, the women were reminded that a government providing law enforcement services "assumes a duty only to the public at large and not to

individual members of the community.” *Id.* at 4. The District thus simultaneously makes it impossible for women to protect themselves with a firearm while refusing to accept responsibility for their protection.

D. Congress Speaks: The Violence Against Women Act of 1994

The Congressional history behind the passage of the 1994 Violence Against Women Act shows the introduction of study after study showing the prevalence of gender-based violence and its human toll. Pub. L. No. 103-322, 108 Stat. 1796 (1994) Eleanor Smeal, representative of the Fund for the Feminist Majority, testified that Title III of the Act was to “provide women federal civil remedies to compensate in part for the inefficient, ineffective, and often unsympathetic police response at state and local levels.” *Violence Against Women Act: Hearing on H.B. 3355 before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary House of Representatives*, 103 Cong. 51 (November 16, 1993) (Testimony by Eleanor Smeal, President, Fund for the Feminist Majority). The creation of these federal civil remedies indicates one of Congress’ first and most powerful acknowledgments that, at least within the goals of the 1994 VAWA, women should be given some greater legal protection because of their gender.

Although the Act was expanded in 2006 to include male victims of sexual assault and domestic violence, the title of the original act and its text make

evident that Congress was originally concerned only with the special dangers facing women and so offered federal protection only to them. Rather than viewing any existing bias or discrimination in state and local courts as a matter to erode over time, Congress deemed it necessary to guarantee equal protection of the laws to women disadvantaged under existing law. The Court should view this legislative precedent not as justification to find constitutional the District's firearms laws as applied to all but women, but as the judgment of a coequal branch that the disparities between male and female should not be overlooked.

III. GENDER CHARACTERISTICS SHOULD AT LEAST BE CONSIDERED BEFORE BARRING LAW-ABIDING WOMEN HANDGUNS, THE MOST SUITABLE MEANS FOR THEIR SELF-PROTECTION

Women are at a severe disadvantage when confronting a likely stronger male assailant. In general, women simply do not have the upper body strength and testosterone-driven speed to effectively defend themselves without help. A firearm, particularly an easily manipulable handgun, equalizes this strength differential and thereby provides women the best chance they have of thwarting an attacker. Even more statistically likely, a firearm in the hands of a threatened woman offers the deterrence empty hands and an often unavailing 911 call do not. *E.g.*, Int'l L. Enf. Educ. & Trainers Assoc. Br. at section I.E. (noting that in 2003, Washington, D.C.'s average police

response time for the highest-priority emergency calls was almost 8 and a half minutes.) Even in cases in which a 911 response would be effective, an attacker in control of the situation will not allow a woman to pick up the phone to make that call.

Women have made such advances in equality under the law that it is altogether too easy to disregard the innate gender-based biological inequality when it comes to self-defense. Television provides countless examples of strong women standing toe-to-toe against male evildoers and emerging with only minor cuts and bruises. Our invariably gorgeous heroines manage to successfully defend themselves without so much as smudging their make-up or breaking a heel off their stilettos. Women with children are commonly depicted imploring their children to be silent until a caravan of police cars arrives with sirens blaring to finally arrest the assailant. Such images do not conform with most people's experiences and do nothing to decrease the level of violence actual women often suffer.³²

³² There are occasional cases in which women are able to successfully defend themselves without a firearm against a male attacker. Self-defense training for women has provided countless women the physical know-how to use their bodies effectively against assailants and has no doubt contributed to women's self-confidence and esteem. However, self-defense training that does not involve the use of a firearm is of little avail to a woman facing a much stronger male armed with some type of weapon. Such training is of even less avail to a woman who has taken a self-defense course in the distant past but who has not maintained her skills.

Advocates of women's reproductive choice commonly argue that pregnancy disproportionately affects women due to their innate gender-based characteristics. Thus, they argue, courts failing to recognize the right to terminate a pregnancy therefore discriminate against women and bar their ability to participate as equal and full members of civil society.³³ While choices about pregnancy no doubt impact a woman's ability to determine the course of part of her life, it is not clear why such a right should be due greater protection than a woman's ability to defend her very existence.³⁴ A woman who is murdered, a woman who is so badly injured that she may never recover emotionally and/or physically, and a woman who feels constantly helpless faces even greater barriers to her ability to function as an equal member of society.

Amicae therefore contend that depriving women of the right to possess a handgun in the privacy of their own homes reflects at best an insensitivity to women's unique needs created by their inherent

³³ See *supra* note 12 at 1028 ("Control of reproduction is the *sine qua non* of women's capacity to live as equal people. The high place of equality in our constellation of democratic and constitutional values demands that something more compelling than traditionalist moral conviction justify state actions denying women that which is indispensably necessary to their ability to act as moral beings and to participate in civil society.")

³⁴ *Amicae* have divergent views on the Court's reproductive rights jurisprudence, as they do on many other issues. However, it must be recognized that the Court's abrogation of an explicit textual right could further challenge the perceived validity of its non-textual reproductive choice doctrine.

gender characteristics. A handgun simply is the best means of self-defense for those who generally lack the upper body strength to successfully wield a shotgun or other long gun. To therefore deny half the population a handgun, as the District and the Office of the Solicitor General urge, evinces the “blindness or indifference” to women that only perpetuates women’s vulnerability to physical subordination.³⁵

◆

CONCLUSION

Upholding the lower court’s decision will not eliminate sexual discrimination as it manifests itself most forcefully in violence against women. No ruling from this Court or any legislation should be expected to accomplish that. Moreover, many women will choose not to exercise the right to own a

³⁵ See Laurence H. Tribe, *American Constitutional Law* 1520 (The Foundation Press 2d ed., 1988). (applying racial discrimination and antisubjugation principles to those involving gender, “[t]he antisubjugation principle thus does not argue for adopting disparate impact as a *per se* rule; strict judicial scrutiny would be reserved for those government acts that, given their history, context, source, and effect, seem most likely not only to perpetuate subordination but also to reflect a tradition of hostility toward an historically subjugated group, or a pattern of blindness or indifference to the interests of that group.”) See Paul Brest, *Forward: In Defense of the Anti-Discrimination Principle*, 90 Harv. L. Rev. 1, 14 (1976) (suggesting that “selective indifference” and the antidiscrimination principle apply to both race and gender.)

firearm. Even fewer will be presented the agonizing decision to actually use a handgun in the defense of themselves or their children. A large segment of women were likewise averse, moderately supportive or even downright indifferent to female suffrage and women's reproductive choice. However, the fact that only some will choose to exercise their right to self-defense should in no way prove a legal impediment to those women for whom owning a firearm is necessary to their ability to determine the course of their lives and consequently their place in society.

The Court should therefore consider the effect the District's handgun ban has on women who have no other significant options when facing a life and death situation. While the basis of the Court's decision should of course revolve around its determination that the Second Amendment guarantees for all D.C. residents the ability to own a handgun in their own homes, this case presents a special opportunity for the Court to advance its gender-related jurisprudence. *Amicae* therefore pray that the Court upholds

the decision of the Court of Appeals for the District of Columbia.

Respectfully submitted,

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APPENDIX

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Prof. Carol K. Oyster, Ph.D.
Professor of Psychology
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Prof. Mary Zeiss Stange, Ph.D.
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Professor of Women's Studies and Religion
Skidmore College

Women State Legislators

Assemblywoman Francis O. Allen (NV-04)
Senator Marsha Arzberger (AZ-25)
Representative Lenore Hardy Barrett (ID-35)
Representative Nancy K. Barto (AZ-07)
Representative Maxine T. Bell (ID-26)
Senator Jean Berkey (WA-38)
Senator Diane Bilyeu (ID-29)
Senator Diane Black (TN-18)

Representative Sharon L. Block (ID-24)
Representative Karen Boback (PA-117)
Senator Joyce M. Broadsword (ID-02)
Representative Michele Brooks (PA-017)
Representative Betty Brown (TX-04)
Delegate Kathy J. Byron (VA-22)
Assemblywoman Nancy Calhoun (NY-96)
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Senator Barbara K. Cegavske (NV-08)
Senator Catherine C. Ceips (SC-46)
Representative Marge Chadderdon (ID-04)
Senator Lydia Chassaniol (MS-14)
Representative Sharon Cissna (AK-22)
Representative Debbie A. Clary (NC-110)
Representative Dawn Creekmore (AR-27)
Delegate Anne C. Crockett-Stark (VA-06)
Representative Nancy Dahlstrom (AK-18)
Senator Bettye Davis (AK-K)
Representative Katie Dempsey (GA-13)
Senator Julie C. Denton (KY-36)
Representative Andrea Doll (AK-04)
Representative Candy Spence Ezzell (NM-58)
Senator Karen L. Facemyer (WV-04)

Representative Anna Fairclough (AK-17)
Representative Diana M. Fessler (OH-79)
Representative Linda Flores (OR-51)
Representative Margaret K. Flory (VT-06)
Assemblymember Jean Fuller (CA-32)
Assemblymember Cathleen Galgiani (CA-17)
Assemblywoman Heidi S. Gansert (NV-25)
Assemblywoman Bonnie Garcia (CA-80)
Senator Pamela Gorman (AZ-06)
Senator Linda Gray (AZ-10)
Senator Lyda N. Green (AK-G)
Representative Dolores R. Gresham (TN-94)
Representative Barbara Gronemus (WI-91)
Representative Nikki Randhawa Haley (SC-87)
Senator Debbie DeFrancesco Halvorson (IL-40)
Representative Patricia Harless (TX-126)
Representative Donna Hutchinson (AR-98)
Senator Cindy Hyde-Smith (MS-39)
Senator Nancy Jacobs (MD-34)
Senator Karen Johnson (AZ-18)
Representative Linda P. Johnson (NC-83)
Representative Jan Jones (GA-46)
Representative Carolyn K. Justus (NC-117)

Senator Shawn Keough (ID-01)

Representative Phylis K. King (ID-18)

Senator Katherine Klausmeier (MD-08)

Assemblywoman Ellen Koivisto (NV-14)

Representative Lois W. Kolkhorst (TX-13)

Representative Jodie Laubenberg (TX-89)

Representative Gabrielle LeDoux (AK-36)

Senator Patti Anne Lodge (ID-13)

Representative Debra Young Maggart (TN-45)

Representative Kathy A. McCoy (NM-22)

Representative Pat McElraft (NC-13)

Representative Janice K. McGeachin (ID-32)

Representative Barbara McGuire (AZ-23)

Senator Lesil McGuire (AK-N)

Assemblywoman Allison Littell McHose (NJ-24)

Representative Nancy McLain (AZ-03)

Representative Kim Meltzer (MI-033)

Representative Geanie Morrison (TX-30)

Representative Judy Morrison (KS-23)

Representative Carol A. Mumford (RI-41)

Representative Donna G. Nelson (OR-24)

Senator Jane Nelson (TX-12)

Representative Mary Sattler Nelson (AK-38)

Representative Merlynn T. Newbold (UT-50)
Representative Betty Olson (SD-28B)
Senator Patricia Pariseau (MN-36)
Senator Linda Evans Parlette (WA-12)
Assemblywoman Nicole Parra (CA-30)
Representative Donna L. Pence (ID-25)
Senator Cheryl Pflug (WA-05)
Representative Jane E. Powdrell-Culbert (NM-44)
Senator Jean Preston (NC-02)
Representative Beverly Pyle (AR-83)
Senator Amanda Ragan (IA-07)
Representative Diane Rice (MT-71)
Representative L. Candy Ruff (KS-40)
Assemblywoman Sharon Runner (CA-36)
Senator Nancy Schaefer (GA-50)
Representative Donna Sheldon (GA-105)
Delegate Beverly J. Sherwood (VA-29)
Assemblywoman Debbie Smith (NV-30)
Representative Jane H. Smith (LA-08)
Senator Lois Snowe-Mello (ME-15)
Senator Nancy Spence (CO-27)
Delegate Sharon Spencer (WV-30)
Delegate Margaret Anne Staggers (WV-29)

Senator Katie Kratz Stine (KY-24)
Assemblywoman Audra Strickland (CA-37)
Representative Kim Thatcher (OR-25)
Representative Diana L. Thomas (ID-09)
Representative Pamela J. Thornburg (DE-29)
Senator Lois Tochtrop (CO-24)
Senator Sharon Trusty (AR-04)
Representative Jodi Tymeson (IA-73)
Senator Renee S. Unterman (GA-45)
Representative Jessica Sibley Upshaw (MS-95)
Senator Kathleen Vinehout (WI-31)
Senator Jill Holtzman Vogel (VA-27)
Representative Amy Sue Vruwink (WI-70)
Representative Jackie Walorski (IN-21)
Representative Judy Warnick (WA-13)
Assemblywoman Valerie Weber (NV-05)
Representative Fran Wendelboe (NH-01)
Representative Susan Westrom (KY-79)
Representative Peggy Wilson (AK-02)
Senator Jackie Winters (OR-10)
Representative JoAn E. Wood (ID-35)
Representative Annette D. Young (SC-98)
