



Domestic Violence in Texas

In 2013, 119 women were killed by their intimate partner. Additionally, in the 2013 Crime in Texas report, the Texas Department of Public Safety reported that there were 185,453 incidents of domestic violence, which involved 199,752 victims and 194,756 offenders. While these numbers may seem staggering, it is important to note that many studies indicate that less than 50 percent of all family violence incidents are actually reported to the police.

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Domestic Violence Resource Program

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OCA's Domestic Violence Resource Program offers the following resources:

Protective Order Resource Attorney

The Protective Order Resource Attorney provides technical assistance and training to courts and others on protective orders and protective order reporting as part of the Texas OCA Protective Order Record Improvement Project. This project, funded through a grant from the Bureau of Justice Statistics, was created to increase the reporting of protective orders to the National Instant Background Check System (NICS). Please contact Kimberly Piechowiak for more information, or to request facilitation or training on this issue in your jurisdiction.

Protective Orders and TCIC Reporting Webinars

Protective Orders and the Importance of TCIC Reporting: Clerks - This training module provides an overview of the protective order reporting process with additional information specific to court clerks.

Protective Orders and the Importance of TCIC Reporting: Judges - This training module provides an overview of the protective order reporting process with additional information specific to judges.

Protective Orders and the Importance of TCIC Reporting: The Big Picture - This training module provides an overview of the protective order reporting for all participants in the process.

Texas Family Violence Benchbook

The Benchbook is a compilation of state and federal statutes, case law, and other resources related to domestic violence issues.

These FREE resources can be found at

<http://www.txcourts.gov/dvrp/domestic-violence-resource-program.aspx>

Protective Orders and the Importance of TCIC Reporting: The “Big Picture” and the Clerks’ Perspective

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WHAT, WHY, WHO, HOW?

- **What...**
 - Is NCIC, TCIC, NICS...?
 - Types of protective orders should be entered?
- **Why** do we care about POs and entry into TCIC?
 - Safety and accountability—prevalence of DV, dynamics, and barriers
 - Funding impact
 - Research
- **Who** participates in the process?
- **How** to improve the process?
 - Obstacles
 - Best Practices

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WHAT? Alphabet soup...

- **TCIC**—Texas Crime Information Center
 - Via Texas Law Enforcement Telecommunications System(TLETS)
 - Provides responses within 12 seconds
 - Links to NCIC so that Texas law enforcement officers know instantly about stolen property, wanted persons, and protective orders anywhere in the country
- **III**—Interstate Identification Index; federal criminal history database
- **NCIC**—National Crime Information Center
- **NICS**—National Instant Criminal Background Check System; checks available records in NCIC, III, and the NICS Index to determine if prospective transferees are disqualified from receiving firearms

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What Is NICS?

- National Instant Criminal Background Check System
- The Brady Act passed by Congress in 1993 provided for the development of National Instant Criminal Background Check System (NICS)
- NICS is a computerized system established to provide information on whether a prospective gun purchaser is eligible to receive or possess gun
 - Searches criminal, mental health, protective order, and other records
 - FBI makes follow-up requests (if needed) to police, prosecutors, or courts for additional information demonstrating whether or not the person is prohibited from buying a gun

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- April 16, 2007 – shooting at Virginia Tech
- 32 people killed, 17 wounded

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Importance of NICS:

- The Virginia Tech shooter was able to purchase firearms from a licensed seller because information about his prohibiting mental health history was not available to the NICS.
- Therefore, the system was unable to deny the transfer of the firearms used in the shootings.
- NICS Improvement Amendments Act: 2009
 - Addressed gap in information available to NICS about prohibiting mental health adjudications and commitments and other prohibiting factors
 - Passed after shootings at Virginia Tech in 2007

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Title search: Protective Orders and the Importance of TCIC Reporting: The Clerk's Perspective

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