



A Metro Atlanta County Creates an Effective Surrender Protocol Utilizing the Federal Surrender Laws

Battered Women's Justice Project
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DeKalb County Georgia criminal justice partners set out to save lives with a firearm reduction initiative. Though initially met with reluctance, committed individuals stayed the course until they created an effective protocol for removing guns from the hands of domestic violence offenders.

Gun owners convicted of domestic violence in DeKalb County have few choices.

Under the firearm surrender program run by the DeKalb County State Court Probation Department, anyone convicted of misdemeanor domestic violence must surrender his or her weapons to probations officers. Convicted defendants are given 24 hours to surrender their guns at DeKalb's probation office. They aren't allowed to keep their guns and they aren't allowed to sell them.

We are all in the homicide prevention business.

Georgia does not have state legislation that mirrors the federal legislation on firearm surrender for misdemeanor domestic violence offenses, however, there were two attempts in DeKalb county to establish a protocol enforcing the federal ban. The first attempt, in 2006, lost momentum for a lack of commitment by necessary stakeholders. Several individuals, including probation officer Jennifer Waindle, remained committed to the mission and a second attempt at enforcing federal gun laws began 2011 and this time it was successful. With committed stakeholders from the probation department, Solicitor General's Office, Clerk of State Court and State Court Judges involved, the team developed an effective protocol for the notification and surrender of firearms following a conviction for a domestic violence offense. According to Jennifer Waindle this collaboration was crucial because, "we're all in the homicide prevention business."

Probation Officer Waindle makes it look easy.

Sometimes, offenders make it easy for law enforcement to catch and punish them. Kenneth Favors, was found guilty of misdemeanor domestic violence and placed on probation. He was sentenced in 2012 to 12 months' probation. Later that year, Favors produced a music video entitled, "I Make It Look Easy," showing himself repeatedly firing an assault rifle at an Atlanta area shooting range. He posted that video to youtube. The earlier work of Ms. Waindle, having Favors sign an acknowledgement that he was not allowed to possess guns, identifying the shooting range where the video was filmed, and collecting the records, made the probation violation hearing easy. Favors was sent to jail for the 11 months that remained on his probation for possessing that gun. This was the first of many firearm surrender victories for DeKalb County Probation.