



Promising Practices for Improved Record Reporting

Many states faced challenges in creating state estimates for the NIAA records report over the three years of data collection. Often, these challenges in estimating were direct results of structural or reporting problems of actual NICS records. This brief presents a strategy that at least one state has implemented to address that problem.

Estimation Problem

Inability to separate out prohibiting domestic violence crimes from other misdemeanor convictions.

Reporting Problem

Misdemeanor crimes of domestic violence are not flagged in a way that indicates they meet the specific federal requirements for relationship and force, so these records cannot be reported to NICS.

Strategy

Create a statute that establishes a misdemeanor crime of domestic violence that conforms to the federal standards.

Establish a Misdemeanor Crime of Domestic Violence through Legislation

About this strategy

Reporting and estimating misdemeanor crimes of domestic violence (MCDV) is challenging for many states. Often, the criteria for MCDV are different at the state level than at the Federal level. This creates a problem reporting the records to Federal databases, because the reporting agencies have no way to distinguish which records meet Federal requirements and which do not. By drafting legislation that includes the exact elements of the federal MCDV crimes, states can accurately report and estimate these records.

Why this strategy makes a difference

Well-crafted legislation enables states to match their MCDV convictions with the Federal criteria. Legislation will make identifying these records possible and thus improve the reporting of MCDV convictions.

Who's Doing It? New York

New York's NICS Task Force played a pivotal role in recommending legislation that established a misdemeanor crime of domestic violence (MCDV). The new law conforms to federal standards. New York's MCDV conviction data is now being collected and reported to NICS.

For more information:

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