



GUNS, DOMESTIC VIOLENCE AND HOMICIDE

Every day, victims are killed or severely injured due to the lethal combination of guns and domestic violence. A staggering number of women are killed at the hands of their abusers, and handguns are the most frequently used weapon in domestic violence homicides. When abusers have access to firearms, victims' lives are put in grave danger.

Gun Possession Increases Women's Risk of Violence and Death

- Nearly one-third of all women murdered in the United States in recent years were murdered by a current or former intimate partner. In 2010, 1,017 women, more than three a day, were killed by their intimate partners.ⁱ
- More than three times as many women are murdered by guns used by their husbands or intimate partners than are murdered by strangers' guns, knives, or other weapons combined.ⁱⁱ
- Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.ⁱⁱⁱ
- Of females killed with a firearm, almost two-thirds were killed by an intimate partner.^{iv}
- In 2010, 52 percent of female homicide victims were shot and killed with a gun.^v
- Handguns are more likely than rifles or shotguns to be used in homicides in which men kill women. In 2010, handguns were used in 70 percent of cases where men used firearms to kill women.^{vi}
- Homes with guns have a 3-fold increased homicide risk as compared to homes without guns. This risk increases to 8-fold when the perpetrator is an intimate partner or relative of the victim. When previous domestic violence exists, the risk of homicide is 20 times higher.^{vii}
- Access to firearms yields a more than 500% increase in risk of intimate partner homicide when considering other factors of abuse, according to a recent study, suggesting that abusers who have access to guns tend to inflict the most severe abuse on their partners.^{viii}

Background Checks Can Help Prevent Domestic Violence Homicides and Save Lives

Background checks are the most effective, systematic way to prevent domestic violence offenders from purchasing firearms. Since its creation in 1998, the National Instant Background Check System (NICS) has successfully resolved over 90% of checks instantaneously and effectively blocked more than two million gun purchases by prohibited buyers.

But there are two critical problems in the background checks system: data that would disqualify an abuser from purchasing firearms is not always fully or accurately entered into the relevant databases, and prohibited purchasers are able to buy guns from alternative sources. In fact, an estimated 6.6 million guns are sold each year without a background check.^{ix} Stories like that of Zina Daniel of Brookfield, WI, illustrate the lethal nature of these loopholes. Zina obtained a restraining order against her abusive husband, Radcliffe Haughton, on October 18, 2012; yet he was able to obtain a gun over the internet without a background check, and on October 21, 2012, he murdered his wife at her place of work and also killed two bystanders before committing suicide. These gaps must be remedied in order to save lives by preventing abusers from accessing firearms.

Legislative Solutions

To keep victims of domestic violence safe from deadly gun violence, Congress must pass legislation that:

- **Ensures that data is promptly and completely entered into NICS databases:** Courts need additional resources in order to automate their recordkeeping systems so that restraining orders and domestic violence convictions, along with all of the necessary data elements, can be entered and uploaded immediately to NICS databases. Too often, abusers are able to purchase firearms simply because the data designating them as prohibited purchasers fails to make it into the NICS system. For example, from 1998 to 2001, more than 2,800 people with misdemeanor domestic violence convictions were able to purchase guns without being identified by NICS, in part because required data elements were missing.^x In domestic violence cases, where the risk of lethality is especially high immediately after the issuance of a restraining order or a criminal conviction, it is imperative that abusers' prohibited purchaser status is swiftly and consistently identified through NICS. We urge Congress to provide incentives to ensure that all states promptly and completely enter both civil and criminal prohibited purchaser data to improve the efficient operation of NICS.
- **Expand background checks to close the "private sale loophole":** The "private sale loophole" gives domestic violence offenders and other prohibited purchasers easy access to guns. In more than 40 states, criminals convicted of domestic violence offenses and other prohibited purchasers can avoid background checks by buying handguns or long guns — often at gun shows or through anonymous online transactions — from unlicensed "private sellers" who are not required by current federal law to conduct background checks. Federal legislation is urgently needed to close this dangerous loophole and to keep guns out of the hands of those who would murder their intimate partners.

ⁱ Rennison, Callie Marie and Sarah Welchans. 2003. *Intimate Partner Violence 1993-2001*. U.S. Department of Justice Bureau of Justice Statistics. Washington, DC; *When Men Murder Women: An Analysis of 2010 Homicide Data: Females Murdered by Males in Single Victim/Single Offender Incidents*. 2012. Violence Policy Center. Washington, DC. <http://www.vpc.org/studies/wmmw2012.pdf>.

ⁱⁱ Violence Policy Center. (2004). *When Men Murder Women: An Analysis of 2002 Homicide Data: Females Murdered by Males in Single Victim/Single Offender Incidents*.

ⁱⁱⁱ D. Hemenway and E.G. Richardson, "Homicide, Suicide, and Unintentional Firearm Fatality: Comparing the United States with Other High-Income Countries, 2003," 70 *Journal of Trauma* 238-42 (2011), available at doi: 10.1097/TA.0b013e3181dbaddf.

^{iv} *When Men Murder Women: An Analysis of 2010 Homicide Data: Females Murdered by Males in Single Victim/Single Offender Incidents*. 2012. Violence Policy Center. Washington, DC. <http://www.vpc.org/studies/wmmw2012.pdf>.

^v *When Men Murder Women: An Analysis of 2010 Homicide Data: Females Murdered by Males in Single Victim/Single Offender Incidents*. 2012. Violence Policy Center. Washington, DC. <http://www.vpc.org/studies/wmmw2012.pdf>.

^{vi} *When Men Murder Women: An Analysis of 2010 Homicide Data: Females Murdered by Males in Single Victim/Single Offender Incidents*. 2012. Violence Policy Center. Washington, DC. <http://www.vpc.org/studies/wmmw2012.pdf>.

^{vii} Kellermann AL, Rivara FP, Rushforth NB, et al. Gun ownership as a risk factor for homicide in the home. *New England Journal of Medicine*. 1993;329(15):1084-1091

^{viii} J. C. Campbell, J.C., Webster, D., Koziol-McLain, J. and et al. (2003). Risk Factors For Femicide in Abusive Relationships: Results From A Multi-Site Case Control Study. *American Journal of Public Health*. 93(7).

^{ix} *Mayors Against Illegal Guns*. http://libcloud.s3.amazonaws.com/9/0fff/1721/Background_Checks_Fact_Sheet.pdf

^x *Opportunities to Close Loopholes in the National Instant Criminal Background Check System*. 2002. Report to the Ranking Member, Committee on the Judiciary, House of Representatives. General Accounting Office. Washington, DC.