

Iowa Domestic Violence and Guns

July 2014

Iowa has some restrictions on access to firearms by domestic abusers. However, more can be done to prevent access to guns by convicted stalkers and abusers.

State gun and domestic violence overview

Iowa is home to a significant amount of gun violence.

- From 2001 to 2010, 1,976 people were killed with guns in Iowa. That is more than the number of all U.S. combat deaths in the war in Afghanistan.¹
- Somebody is killed with a gun in Iowa almost every day: In 2010 alone, there were 213 gun deaths in the state.²

Domestic violence fatalities are prevalent in Iowa, and they are frequently a result of gun crime.

- According to the FBI, there were 71 intimate partner homicides in Iowa from 2003 to 2012.
- Of those homicides, more than one-third of the victims—39.4 percent—were killed with guns.³

Women are far more at risk to be victims of fatal domestic violence, and guns play a significant role in that violence.

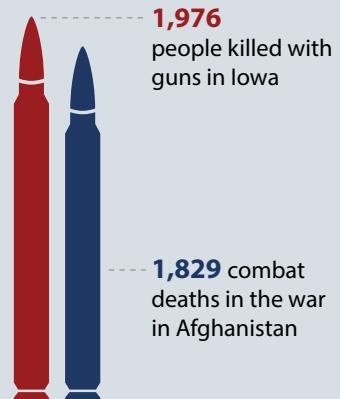
- Of the 170 female homicide victims in Iowa from 2003 to 2012, 60 were the result of a domestic violence incident.⁴
- Firearms accounted for the murders of 83 women in Iowa from 2001 to 2010.⁵

Overview of Iowa laws to protect women from abusers and stalkers

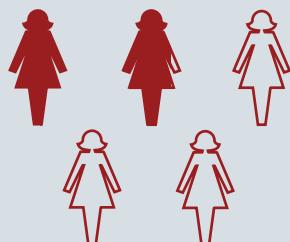
Iowa law currently prevents some domestic abusers from possessing guns.

- Iowa state law mirrors federal law by preventing individuals convicted of domestic violence misdemeanors or subject to domestic violence protective orders from possessing or purchasing guns.⁶
- Iowa law requires courts to order individuals to surrender any firearms or ammunition in their possession if they are convicted of a domestic violence misdemeanor or are the subject of a domestic violence restraining order.⁷

From 2001 to 2010, 1,976 people were killed with guns in Iowa. That is more than the number of all U.S. combat deaths in the war in Afghanistan.



From 2003 to 2012, 38.3 percent of female domestic violence homicide victims in Iowa were killed with a gun.



- In Iowa, upon a conviction for domestic violence or issuance of a protective order, the court must inform the person who is the subject of the order or conviction that the person may not possess, ship, transport, or receive a firearm, offensive weapon, or ammunition while the order is in effect, until the conviction is vacated, or the person's rights have been restored under state law.⁸
- Iowa requires all handgun purchasers to first obtain a permit, which is issued after a background check.⁹

However, the state still has loopholes that can let some abusers have easy access to guns.

- Iowa does not bar convicted misdemeanor stalkers from possessing guns.
- Iowa does not require point-of-sale background checks for the private transfer of either long guns or handguns. The permit requirement applies only to handguns, which creates a loophole for long-gun purchasers.
- Iowa law does not require the removal of firearms at the scene of domestic violence incidents

Case study

We need universal background checks and other important measures to keep guns out of the hands of dangerous abusers.

- Harold Duncan was convicted of first-degree murder after he shot Karen Kay Duncan, his wife of forty-three years, with a shotgun in their Iowa home in January 2003. Harold also attempted suicide by shooting himself in the face following the murder, but he survived. During his trial, one of the couple's daughters testified that he was an abusive alcoholic throughout the duration of her parents' marriage and frequently threatened his children as well.¹⁰

Where does Iowa stand on laws to protect women from abusers and stalkers?

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|  | Stalkers prohibited? |
|  | Dating partner abusers prohibited? |
|  | Mandatory surrender provisions? |
|  | Background checks required on all gun sales? |



Endnotes

1. Centers for Disease Control and Prevention, "WISQARS™ (Web-based Injury Statistics Query and Reporting System)," available at <http://www.cdc.gov/injury/wisqars/fatal.html> (last accessed May 2014); U.S. Department of Defense, U.S. Casualty Status (2014), available at <http://www.defense.gov/NEWS/casualty.pdf>.
2. Ibid.
3. Federal Bureau of Investigation, Supplemental Homicide Data (U.S. Department of Justice, 2003–2012).
4. Ibid.
5. Arkadi Gerney, Chelsea Parsons, and Charles Posner, "America Under the Gun: A 50-State Analysis of Gun Violence and Its Link to Weak State Gun Laws" (Washington: Center for American Progress, 2013), available at <http://www.americanprogress.org/wp-content/uploads/2013/03/AmericaUnderTheGun.pdf>.
6. Iowa Code § 724.26(2).
7. Iowa Code § 724.26(4).
8. Iowa Code § 724.26(3).
9. Iowa Code §§ 724.15–724.20.
10. Sioux City Journal, "Supreme Court upholds Spencer man's murder conviction," February 18, 2006, available at http://siouxcityjournal.com/news/supreme-court-upholds-spencer-man-s-murder-conviction/article_e1e4e67c-e527-549f-9fdf-4ee192d27c6a.html; State of Iowa v. Harold Duncan, 2006 IA 142, Iowa 04-0062.