



FACT SHEET

How Congress Can Protect All Women from Abusers and Stalkers

January 2015

Although violent crime in the United States has declined over the past two decades, domestic violence remains unacceptably high:

- From 2001 to 2012, 6,410 women were murdered by an intimate partner with a gun. This is more than the total number of U.S. soldiers killed in combat during the wars in Iraq and Afghanistan combined.¹
- From 2003 to 2012, 34 percent of all female homicide victims were killed by a current or former intimate partner.² Fifty-five percent of those murders were committed with a gun.³

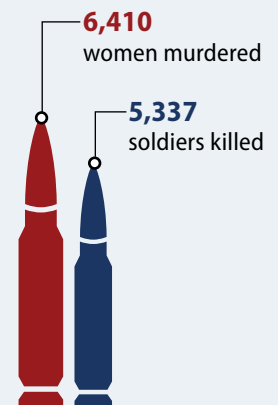
Federal law currently prohibits only some abusers and stalkers from purchasing or possessing guns:

- Individuals convicted of misdemeanor crimes of domestic violence against a current or former spouse, parent or guardian, co-parent of a child in common, or current or former cohabitating dating partner
- Individuals subject to a domestic violence restraining order against the same categories of victims listed above
- Individuals convicted of felony crimes that involve domestic abuse or stalking⁴

However, there are many gaps in federal law that allow dangerous abusers to have access to guns:

- The current bar does not include those convicted of misdemeanor crimes of domestic violence—or those subject to a domestic violence restraining order—in dating partner relationships, yet dating partners commit nearly half of all intimate partner homicides.⁵
- Convicted misdemeanant stalkers are not prohibited at the federal level.
- Background checks are not required on all gun sales, so prohibited purchasers can easily evade federal law by buying guns through private sales without a background check and with no questions asked.
- Even once an individual is prohibited following a domestic violence conviction or a permanent restraining order, there are no federal laws in place that require the prohibited individual to surrender firearms he or she already owns.
- Some states are failing to provide records of prohibited domestic abusers to the National Instant Criminal Background Check System, or NICS.⁶

From 2001 to 2012, 6,410 women were murdered by their intimate partner with a gun in the United States. That is more than the total number of U.S. soldiers killed in combat during the wars in Iraq and Afghanistan combined.



A woman is murdered with a gun in the United States **every five hours.**¹²

Legislation was previously introduced to address weaknesses in federal law. A number of bills were introduced in the 113th Congress to address these issues, and the Senate Judiciary Committee held the first-ever hearing on the role of guns in domestic violence homicides of women in July 2014.

- **S. 1290: *Protecting Domestic Violence and Stalking Victims Act of 2013***—Sen. Amy Klobuchar (D-MN)⁷
- **S. 2483: *Lori Jackson Domestic Violence Survivor Protection Act of 2014***—Sen. Richard Blumenthal (D-CT)⁸
- **H.R. 4906: *Protecting Domestic Violence and Stalking Victims Act of 2014***—Rep. Lois Capps (D-CA)⁹
- **H.R. 1914: *Preventing Victims of Stalking Act of 2013***—Rep. Janice Hahn (D-CA)¹⁰
- **H.R. 3566: *Domestic Violence Criminal Disarmament Act of 2013***—Rep. Gwen Moore (D-WI)¹¹

There are many opportunities in the 114th Congress to build bipartisan support to protect victims of domestic violence and stalking from gun violence using the following strategies:

- Reintroduce standalone legislation that addresses the weaknesses in federal law.
- Pass legislation that requires a background check for every gun sale.
- Seek to increase federal funding for NICS to help states submit records of prohibited individuals and to allow more states to participate in the National Violent Death Reporting System, a crucial public health research tool.

Endnotes

1 Federal Bureau of Investigation, *Supplemental Homicide Data* (U.S. Department of Justice, 2001–2012); U.S. Department of Defense, *U.S. Casualty Status Fatalities* (2015), available at <http://www.defense.gov/news/casualty.pdf>.

2 Federal Bureau of Investigation, “Uniform Crime Reports,” available at <http://www.fbi.gov/about-us/cjis/ucr> (last accessed January 2015).

3 Federal Bureau of Investigation, *Supplemental Homicide Data* (U.S. Department of Justice, 2003–2012).

4 18 U.S.C. 921(32), (33); 922(d)(8), (9); 922(g)(8), (9).

5 Bureau of Justice Statistics, *Homicide Trends in the United States, 1980-2008* (U.S. Department of Justice, 2011), available at <http://www.bjs.gov/content/pub/pdf/htus8008.pdf>.

6 For an in-depth discussion of these states, see Arkadi Gerney and Chelsea Parsons, “Women Under the Gun” (Washington: Center for American Progress, 2014), available at <http://cdn.americanprogress.org/wp-content/uploads/2014/06/GunsDomesticViolencereport.pdf>.

7 *Protecting Domestic Violence and Stalking Victims Act*, S. 1290, 113 Cong., 1 sess. (2013).

8 *Lori Jackson Domestic Violence Survivor Protection Act*, S. 2483, 113 Cong., 2 sess. (2014).

9 *Protecting Domestic Violence and Stalking Victims Act*, H. Rept. 4906, 113 Cong., 2 sess. (2014).

10 *Preventing Victims of Stalking Act*, H. Rept. 1914, 113 Cong., 1 sess. (2013).

11 *Domestic Violence Criminal Disarmament Act*, H. Rept. 3566, 113 Cong., 1 sess. (2013).

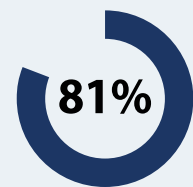
12 Center for American Progress analysis of data from Centers for Disease Control and Prevention, “Injury Prevention & Control: Data & Statistics (WISQARS),” available at <http://www.cdc.gov/injury/wisqars/fatal.html> (last accessed January 2015).

13 Louisiana State Legislature, H.B. 753, 2014 Regular Sess. (2014), available at <http://www.legis.la.gov/legis/BillInfo.aspx?s=14rs&b=HB753&sb=y>; Everytown for Gun Safety, “Minnesota Becomes Third State in 2014 to Pass Legislation to Protect Women and Children by Keeping Guns From Domestic Abusers, Defeating Decade-Long NRA Resistance,” Press release, May 5, 2014, available at <http://everytown.org/press/minnesota-becomes-third-state-in-2014-to-pass-legislation-to-protect-women-and-children-by-keeping-guns-from-domestic-abusers-defeating-decade-long-nra-resistance/>; Kathleen Ronayne, “N.H. Senate passes ‘Joshua’s Law’ bill making domestic violence a crime,” *Concord Monitor*, February 13, 2014, available at <http://www.concordmonitor.com/home/10681328-95/senate-passes-joshuas-law-bill-making-domestic-violence-a-crime/>; “New Vt. law aims to keep guns from abusers,” WCAX-TV, June 18, 2014, available at <http://www.wcax.com/story/25813396/new-vt-law-aims-to-keep-guns-from-abusers>; Washington State Legislature, H.B. 1840, 63 Leg. (2014), available at <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=1840&year=2014>; Christopher Schmalzing, “SAFE Act keeps guns from domestic abusers,” *Milwaukee Journal Sentinel*, March 17, 2014, available at <http://www.jsonline.com/news/opinion/safe-act-keeps-guns-from-domestic-abusers-b99227228z1-250703801.html>.

14 Purple Insights, “Memorandum: Results of a National Survey of Women Voters” (2014), available at <http://everytown.org/wp-content/uploads/2014/07/Purple-Strategies-Everytown-Poll-Memo-Final.pdf>.

In 2014, six states passed laws to help keep guns out of the hands of abusers:

- Louisiana
- Minnesota
- New Hampshire
- Vermont
- Washington
- Wisconsin¹³



Women support expanding protections for victims of stalking and domestic violence. In a July 2014 poll, **81 percent of women** said they would support expanding the category of those prohibited from gun access to include stalkers and dating partner abusers.¹⁴

#PROTECT ALL WOMEN

For more information about how gun violence affects women in each state, visit www.protectallwomen.org.