



# GUN LAWS AND VIOLENCE AGAINST WOMEN

To fully combat violence against women in America, Congress must act to strengthen our gun laws. Women in the United States are far more likely to be murdered with guns than they are in any other developed nation. More than half of women murdered with guns in the U.S. are killed by intimate partners, and more than half of mass shootings are acts of domestic or family violence. This violence is directly related to our weak gun laws — and requiring a background check for every gun sale would reduce violence against women and save lives.

## Violence against women in America is directly related to our weak gun laws.

Women in the U.S. are killed at alarming rates by intimate partners, and firearms play a key role in turning domestic abuse into murder.

- Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.<sup>1</sup>
- Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.<sup>2</sup>
- People with a history of committing domestic violence are more likely to murder an intimate partner. And firearms play a special role in increasing lethality rates in domestic violence incidents.
- The presence of a gun in domestic violence situations increases the risk of homicide for women by 500 percent.<sup>3</sup>
- In states that require a background check for every handgun sale, 38 percent fewer women are shot to death by intimate partners.<sup>4</sup>

<sup>1</sup> 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.

<sup>2</sup> Professor April M. Zeoli, Letter to the Hon. Patrick J. Leahy & Charles Grassley, January 28, 2013.

<sup>3</sup> J.C. Campbell, D.W. Webster, J. Koziol-McLain, et al., "Risk factors for femicide within physically abusive intimate relationships: results from a multi-site case control study," 93 Amer. J. of Public Health 1089-1097 (2003).

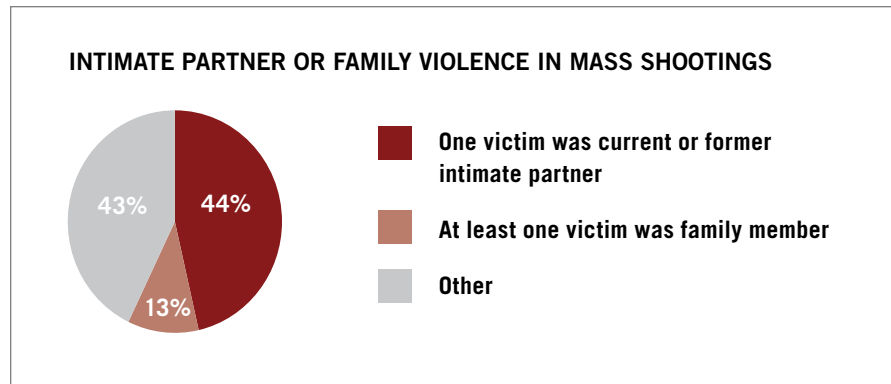
<sup>4</sup> U.S. Department of Justice, Federal Bureau of Investigation, Supplementary Homicide Reports, 2010, available at <http://bit.ly/V1GvFe> (excludes New York due to incomplete data).

**A significant amount of gun violence in America—including a majority of mass shootings—are incidents of domestic violence.**

More than half (54%) of women murdered with guns in the U.S. in 2011 were killed by intimate partners or family members.<sup>5</sup> Of the women murdered with guns in 2011 where the relationship to the offender was known, 70% were shot to death by a current or former intimate partner.<sup>6</sup>

More than half (57%) of mass shootings involve domestic violence.<sup>7</sup>

- Mayors Against Illegal Guns conducted an analysis of every identifiable mass shooting between January 2009 and January 2013. In at least 53 of those 92 incidents (57%), the shooter killed a current or former intimate partner or other family member. In at least 17 of those shootings, the perpetrator had a prior domestic violence charge.



**When it works properly, the background check system keeps guns out of the hands of domestic violence offenders.**

Domestic abusers subject to certain restraining orders or convicted of certain domestic violence misdemeanors, as well as felons, are federally prohibited from purchasing or possessing guns.<sup>8</sup>

- Background checks keep guns out of abusers' hands. Since its inception in 1998, the National Instant Criminal Background Check System (NICS) has blocked more than two million attempted gun sales to prohibited purchasers.
- Domestic violence prohibitions are second only to felonies as a basis for NICS denials of gun sales at licensed dealers.<sup>9</sup>

**However, the “private sale loophole” makes it easy for dangerous domestic abusers to avoid background checks and buy guns.**

Domestic violence offenders who are federally prohibited from purchasing guns can avoid a background check by buying guns from unlicensed “private sellers”—often at gun shows or through anonymous online transaction—who are not required by federal law to conduct background checks on potential buyers.

In 2012, an estimated 6.6 million guns were exchanged in private transfers without a criminal background check.<sup>10</sup>

Online private gun sales play a role in fueling domestic violence. In October 2012, Zina Daniel obtained a domestic violence restraining order against her estranged husband, Radcliffe Houghton, making him prohibited under federal law from buying a gun. But several days later he bought a Glock .40 caliber semiautomatic handgun

<sup>5</sup> Federal Bureau of Investigation, “Supplementary Homicide Report,” 2011.

<sup>6</sup> Ibid.

<sup>7</sup> A 2005 FBI crime classification report defines a mass murderer as having killed four or more people in a single incident. Available online: <http://1.usa.gov/Vs05uQ>

<sup>8</sup> 18 U.S.C. §§ 922(g)(1),(8),(9).

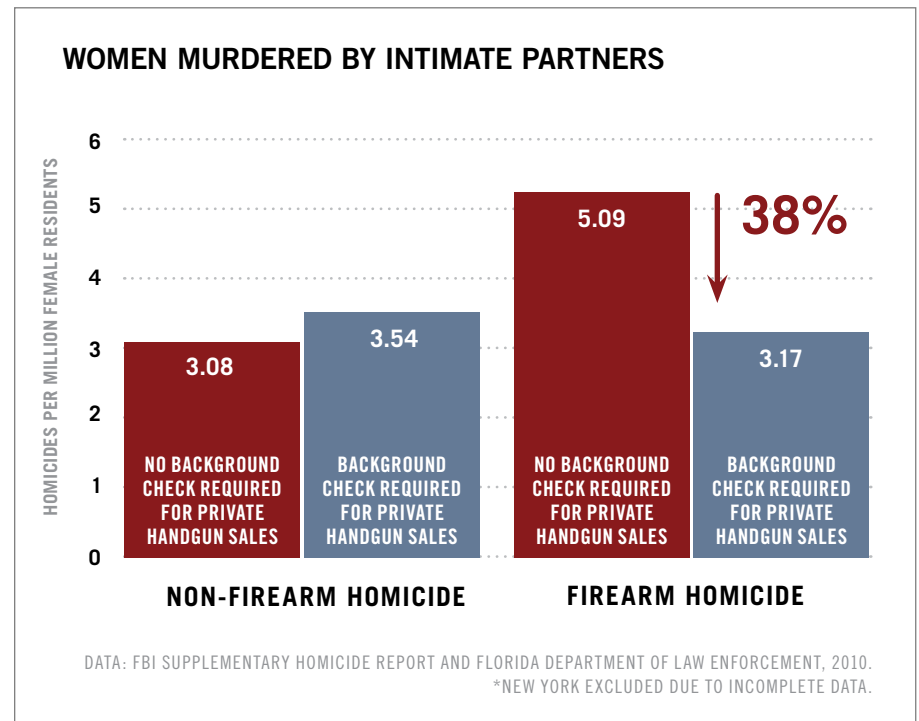
<sup>9</sup> Department of Justice, “Reasons for denial of firearm transfer applications,” Available at: <http://1.usa.gov/13zmTOD>

<sup>10</sup> In the 38 states that have not fully closed the private sale loophole, an estimated 9,856,984 background checks were conducted between Nov.2011 and Nov. 2012 – 40 percent of which is an estimated 6.6 million gun sales without background checks.

from a private seller he met on Armslist.com who was not required to conduct a background check. The next day, Haughton used the gun to murder his wife and two other women and injure four others at the spa where she worked in Brookfield, WI.

### Requiring a background check for every gun sale saves women's lives.

In states that require a background check for every handgun sale, 38 percent fewer women are shot to death by intimate partners. In contrast, the number of women killed by intimate partners with other weapons is nearly identical in these groups of states.<sup>11</sup>



#### Do guns keep women safer?

**Fact:** In 2007, there were 270 million firearms in civilian hands in the U.S., or nearly one per person. Yet in the U.S., women are 11 times more likely to be murdered with a gun than women in other high income countries.<sup>12</sup>

**Fact:** The presence of a gun in a domestic violence situation increases the risk of homicide for women by 500 percent.<sup>13</sup>

#### Do women need high-capacity magazines to defend themselves?

**Fact:** In most cases of self-defense, no shots are fired at all.<sup>14</sup>

<sup>11</sup> U.S. Department of Justice, Federal Bureau of Investigation, Supplementary Homicide Reports, 2010, available at <http://bit.ly/V1GvFe> (excludes New York due to incomplete data).

<sup>12</sup> D. Hemenway, T. Shinoda-Tagawa, & M. Miller, "Firearm availability and female homicide victimization rates among 25 populous high-income countries," 57 J. Amer. Med. Women's Ass'n 100-104 (2002).

<sup>13</sup> J.C. Campbell, D.W. Webster, J. Koziol-McLain, et al., "Risk factors for femicide within physically abusive intimate relationships: results from a multi-site case control study," 93 Amer. J. of Public Health 189-1097 (2003).

<sup>14</sup> David Hemenway & D. Azrael. "The Relative Frequency of Offensive and Defensive Gun Uses; Results From a National Survey," Violence and Victims 15(3), at 257-72.