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Domestic Violence and Guns in Maine

Domestic abuse impacts the lives of hundreds of thousands of Americans every year, and guns in the hands of domestic abusers can turn abuse into murder.

Indeed, the presence of a gun in a domestic violence situation increases the risk that the woman will be murdered fivefold.¹ And over the last 25 years, more homicides of intimate partners in the United States have been committed with guns than with **all other weapons combined.²**

This connection between firearms and domestic violence homicides is especially stark in Maine. In 2013, **nearly half of all gun homicides in Maine** were perpetrated by an intimate partner, a former intimate partner, or a family member of the victim.³

Because of the high risk involved when people with domestic abuse records have access to guns, it is illegal under federal and Maine law for certain dangerous abusers subject to domestic violence restraining orders or convicted of domestic violence offenses to buy or possess guns. However, we know that domestic abusers are still actively trying to purchase guns in Maine at alarming rates. In the last five years, 22 percent of people who tried to buy a gun but failed their criminal background check at licensed gun dealers in the state were blocked due to a history of domestic violence. That's nearly **double the national rate** of 12 percent.⁴

A gap in the gun background check laws makes it far too easy for domestic abusers who fail background checks at licensed gun dealers in Maine to turn around and get their hands on a gun through the unlicensed marketplace.

Criminal background checks are only required if a person buys a gun from a licensed gun dealer, leaving a loophole that enables dangerous individuals—including domestic abusers—to buy guns from unlicensed sellers, with no background check and no questions asked.

In Maine today, **unlicensed sales, even those arranged on the internet between total strangers, are *not* subject to the same background check requirement in place at every licensed gun store.** This enables an abuser who fails a background check at a licensed dealer to simply go online, or get a copy of Uncle Henry's classified ad circular, and buy one of the nearly 3,000 guns offered in Maine every year by an unlicensed seller with no questions asked.⁵

In November, Mainers will have the opportunity to vote to protect victims of domestic violence by voting yes on Question 3, a background check initiative that will close the loophole and **require that everyone buying a gun in Maine passes a criminal background check**, no matter where they buy the gun and no matter who sells it to them.

Evidence shows that closing this loophole will have an impact on domestic violence risks and prevent future tragedies. In the states that already require background checks for all handgun sales, there are **46 percent fewer women shot to death by intimate partners.⁶**

1. J.C. Campbell, S.W. Webster, J. Koziol-McLain, et al., "Risk factors for femicide within physically abuse intimate relationships: results from a multi-state case control study," 93 *Amer. J. of Public Health* 1089-97 (2003).

2. Professor April M. Zeoli, Letter to the Hon. Patrick J. Leahy and Charles Grassley, Jan. 28, 2013.

3. Department of Public Safety, *Crime in Maine, 2013*, (ME, 2014). Accessed August 26, 2015. <http://1.usa.gov/1h4LjR>. In 2013, there were 12 gun homicides in Maine, 5 of which involved intimate partners or family members. 2013 is the most recent year for which these data are available.

4. Everytown for Gun Safety analysis of NICS denials data obtained directly from the FBI, 2010-2014.

5. Everytown for Gun Safety, *Thousands of Guns, No Background Check Required* (2016), available at: <http://every.tw/2cV0IL9>.

6. Everytown for Gun Safety, *State Background Check Requirements and Rates of Domestic Violence Homicide, January 2015*, available at <http://every.tw/1VbgEbq>.