

Guns and Violence Against Women:

America's Uniquely
Lethal Intimate Partner
Violence Problem

Everytown for Gun Safety would like to acknowledge all domestic and gun violence survivors, especially those who shared their personal stories for this report.

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Executive Summary

Intimate partner violence and gun violence in the US are inextricably linked, impacting millions of women, families, and communities across the country. Abusers with firearms are five times more likely to kill their victims, and guns further exacerbate the power and control dynamic used by abusers to inflict emotional abuse and exert coercive control over their victims.

Every month, an average of 57 women are shot and killed by an intimate partner. Nearly 1 million women alive today have reported being shot or shot at by intimate partners, and 4.5 million women have reported being threatened with a gun. In more than half of mass shootings over the past decade, the perpetrator shot a current or former intimate partner or family member as part of the rampage. The ripple effects of firearms in the hands of an abuser extend far beyond the intimate relationship— affecting children who witness or live with it and the family members, coworkers, and law enforcement officers who respond to it.

While the deadly intersection of guns and intimate partner violence affects all women, it has a disproportionate impact on Black, American Indian/Alaska Native, and Hispanic women. In addition, segments of the LGBTQ community and people with disabilities are highly vulnerable to severe forms of relationship abuse, but there is alarmingly little data on the intersection of firearms and intimate partner violence among these populations because of chronic underreporting.

Every month, an average of **57 women** are shot and killed by an intimate partner.

Nearly **1 million women** alive today have reported being shot or shot at by intimate partners.

While intimate partner violence involving guns presents a bleak problem, research shows that the following federal and state policies and practices that disrupt abusers' access to guns can save lives.

- 1**— Strengthening state laws prohibiting domestic abusers from possessing guns and requiring abusers to relinquish guns they already have.
- 2**— Focusing on implementation and enforcement of existing state firearm relinquishment laws by state and local courts and law enforcement agencies.
- 3**— Strengthening the federal background check system to keep guns out of dangerous hands by closing deadly loopholes and addressing deficiencies including:
 - The boyfriend loophole, which allows abusers to purchase and possess guns even if they have been convicted of abuse or are under a restraining order for abusing a dating partner;
 - The Charleston loophole, which permits abusers to purchase guns without a completed background check if their background check isn't completed in three business days;
 - The unlicensed sale loophole, which allows abusers to purchase guns from unlicensed, private sellers without a background check; and
 - Improving civil and criminal domestic violence records in the background check system.
- 4**— Requiring dealers to notify state or local law enforcement when a domestic abuser or convicted stalker attempts to buy a gun and fails a background check.
- 5**— Funding comprehensive research on the nexus of guns and intimate partner violence.

4.5 million women have reported being threatened with a gun.

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What is IPV?

The terms intimate partner violence (IPV) and domestic violence are often used interchangeably. IPV can take many forms, including physical, sexual, emotional, and economic abuse, as well as stalking by a current or former intimate partner.¹ Domestic violence is generally considered to encompass any abuse in the context of the home or family, including child or elder abuse. Intimate partner violence refers specifically to abuse committed by an intimate partner.

Historically, IPV was referred to as domestic violence at a time when most relationships were marital and involved cohabiting partners. As the nature of intimate relationships has changed considerably in society, IPV is a more inclusive term to cover abuse in the context of varied relationships, including dating partners and partners who have a child in common but do not cohabit. Today, most international organizations and national agencies such as the World Health Organization (WHO), Centers for Disease Control and Prevention (CDC), and the National Institute of Justice (NIJ) use the term IPV.

The Nexus of Intimate Partner Violence and Guns

In the United States, more than one in three women report experiencing abuse from a partner in their lifetime.² Intimate partner violence (IPV) is a serious public health problem that affects millions of American women, with far-reaching impacts not only for individual victims, but also for their families, their communities, and our economy. Although IPV affects people of all genders and sexual orientations, the impact of abuse, including higher rates of severe physical violence and violence inflicted with a firearm, is predominantly experienced by women with male partners.³ Guns amplify the inherent power and control dynamics characteristic of abusive intimate relationships, whether as lethal weapons to injure and kill or as tools to inflict emotional abuse without ever firing a bullet.

La'Shea's Survivor Story

La'Shea was at her aunt's house with her children when her ex-boyfriend shot her five times and then shot himself. "He used to show up at my work and threaten me," she recalls, citing several similar incidents. La'Shea went into a coma as a result of the shooting but miraculously survived. Today, the five bullets are still inside her. Her daughter is now an adult, and La'Shea advocates for gun violence prevention, sharing her story to draw attention to the deadly role of guns in intimate partner violence.⁴

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In the US, the crisis of intimate partner violence is inextricably linked to the widespread and growing use of guns by abusers.

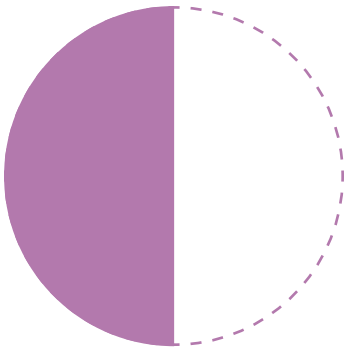
Over half of female victims of intimate partner homicide in the US are killed with a gun,⁵ which translates to at least 57 women shot and killed by an intimate partner in an average month in the US.⁶ The rate of killings of women by violent partners with a firearm has accelerated in recent years. Over the 10-year period between 2008 and 2017, there was a reduction in intimate partner homicides of women involving weapons—except homicides by guns, which increased by 15 percent.⁷ Guns are also used with alarming frequency by abusers to injure victims or attempt to do so—nearly 1 million women in the US alive today have reported being shot or shot at by an intimate partner.⁸

Intimate partner homicides of women by guns are on the rise.⁹

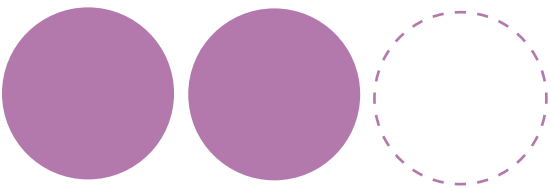


5x

Access to a gun makes it **five times more likely** that the abusive partner will kill his female victim.¹³



Nearly **half** of female firearm homicide victims were killed by a current or former intimate partner.¹²



Nearly **two-thirds** of all domestic violence–related mass shootings ended with a shooter killing themselves.¹⁷

Intimate partner gun violence makes the US uniquely dangerous for women.

When it comes to gun violence, the US is the most dangerous country for women among high-income nations. In 2015, an astounding 92 percent of all women killed with guns in these countries were from the US.¹⁰ In fact, women in the US are 21 times more likely to die by firearm homicide than women in peer nations.¹¹ And much of this is driven by IPV. Nearly half of female firearm homicide victims were killed by a current or former intimate partner.¹² Public health researchers have established that in relationships where violence is present, abusers' access to a gun significantly increases the risk of death for women. Access to a gun makes it five times more likely that the abusive partner will kill his female victim.¹³

IPV has a tragic link to mass shootings and suicide.

From the 2016 Pulse nightclub massacre in Orlando, Florida, to the recent tragedy in Dayton, Ohio, the men using firearms to inflict public terror often share histories of violence against women.¹⁴ An Everytown analysis of mass shootings—incidents in which four or more people are shot and killed, not including the shooter—revealed that in at least 54 percent of these incidents, the perpetrator shot a current or former intimate partner or family member.¹⁵ While research examining the connections between IPV, misogyny, and mass shootings is severely limited, analysis of recent mass shootings indicates shooters often had histories of IPV, stalking, or harassment.¹⁶ IPV gun homicide is also connected with gun suicide: Nearly two-thirds of all domestic violence–related mass shootings ended with a shooter killing themselves,¹⁷ and it is not uncommon for abusers who threaten or commit gun violence against their partners or children to end up dying by firearm suicide.¹⁸

Angela's Survivor Story

Angela is a mother, grandmother, former law enforcement officer, and a survivor of intimate partner violence who has lived with the fear of being shot and killed by her ex-husband. Her ex-husband became abusive over time. “I would often be woken up in the middle of the night with the sound of ‘spin click spin click’ from a gun while it was pressed to the back of my neck,” she remembers.¹⁹

In a 2018 survey of victim calls to the National Domestic Violence Hotline, over **one-third** of callers reported being threatened with a gun, and over **three-fourths** of those who experienced such threats reported their partner also stalked them.²²

Abusers use guns to threaten and control their victims, and threats often escalate to lethal violence.

It is widely known that guns are exploited by abusers to exert power and control over their partners.²⁰ About 4.5 million women in the US today report having been threatened with a gun by an intimate partner.²¹ In a 2018 survey of victim calls to the National Domestic Violence Hotline, over one-third of callers reported being threatened with a gun, and over three-fourths of those who experienced such threats reported their partner also stalked them.²² Stalking is a predictor of lethality in intimate partner relationships: One study found that 76 percent of intimate partner homicides and 85 percent of attempted homicides of women were preceded by at least one incident of stalking in the year before the attack.²³

Indeed, many abusers follow a common pattern of predetermined threats against and intimidation of their partners, even explicitly telling victims that a gun will be used against them. For this reason, law enforcement officials and victim advocates have learned to recognize the use of a gun by an abuser to threaten or intimidate their partner as a key predictor for intimate partner homicides.²⁴

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“The fear of a firearm threat—just the fear of the threat, not even the actual threat—is significantly associated with PTSD. It’s stronger even than the link between physical or sexual abuse and PTSD.”²⁶

A California study found that women who purchased a gun died by firearm homicide at twice the rate of women who did not.²⁹

States with the highest rates of firearm ownership have a 65 percent higher rate of IPV firearm homicide than states with the lowest rates of gun ownership.³⁰

Even when abusers do not ultimately pull the trigger, the abuser’s use of and access to a firearm creates psychological terror for the victim. One study found that women who had been threatened with a gun by their abuser or feared one would be used against them suffered more severe PTSD symptoms than those who had not endured threats with a gun.²⁵ According to the study author, “the fear of a firearm threat—just the fear of the threat, not even the actual threat—is significantly associated with PTSD. It’s stronger even than the link between physical or sexual abuse and PTSD.”²⁶

Arming victims with guns increases their risk.

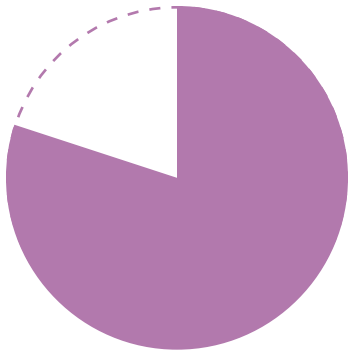
The claim that intimate partner homicide can be prevented by arming victims with firearms is a harmful distraction from what we know actually works to protect women from gun violence. There is no research to support the idea that women’s gun ownership increases their safety, regardless of whether they are IPV victims. In fact, studies show the opposite—that women living in households with a firearm are at greater risk of homicide.²⁷ A study of female intimate partner homicide risk factors found that even for women who lived apart from their abuser, there was no evidence of protective impact from owning a gun.²⁸ And a California study found that women who purchased a gun died by firearm homicide at twice the rate of women who did not.²⁹ New research reinforces the inverse relationship between IPV victim safety and gun ownership. States with the highest rates of firearm ownership (i.e., the top quartile of states) have a 65 percent higher rate of IPV firearm homicide than states with the lowest rates of gun ownership (i.e., the lowest quartile).³⁰ Therefore, advocating for women to be armed with guns blatantly ignores what researchers, survivors, and law enforcement know too well: Access to a firearm is associated with an increased risk of IPV homicide, and disrupting that access reduces the likelihood of IPV becoming deadly.³¹

Abusers with guns not only kill their partners, but too often also take the lives of family, friends, coworkers, and responding law enforcement officers.

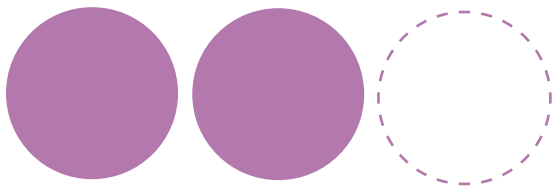
The impact of IPV with guns extends beyond the intimate partner relationship, significantly impacting others, especially children. A study of intimate partner homicides in 16 states found that one in five victims were family members (including children), friends, persons who intervened, first responders, and strangers. In roughly 70 percent of these deaths, the perpetrator used a firearm.³² It is widely known among law enforcement officers that IPV incidents (domestic disturbance calls) are the most dangerous assignments they take on the job, in large part due to abusers' use of guns.³³

Hollie's Survivor Story

Hollie dropped off her 2½-year-old son, Michael, for a supervised visit with her ex-husband on March 23, 2013, in Petersburg, Pennsylvania. Hollie survived being shot in the legs and face by her ex, but he killed Michael before fatally shooting himself. Hollie had a restraining order against him, which prohibited him from possessing a firearm, but he was not required to surrender his gun. “The system failed my son again and again: when the judge decided not to extend my ex-husband’s hospitalization; when he was arrested and quickly released for violating the protection from abuse order twice; when he was allowed visitations to our son; when his firearms were not made inaccessible... I couldn’t protect Michael from the system that failed him, but I can try to protect others whose lives are still at stake. As Americans, we need to reevaluate the system that puts thousands of lives at risk every day. My son was just 2½ years old when his life was stolen. We need to do more to protect those who cannot protect themselves.”³⁴



80 percent of child victims of mass shootings died in incidents connected to domestic or family violence.³⁶



Data drawn from 16 states indicates that nearly **two-thirds** of child fatalities involving domestic violence were caused by guns.³⁷

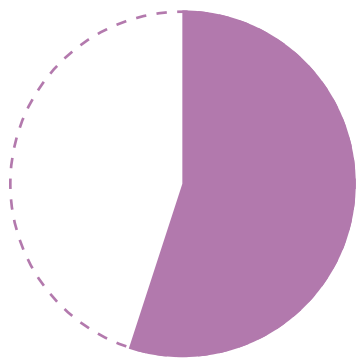
Children who survive and witness the death of their parent from IPV suffer life-altering consequences, including **severe PTSD, behavioral problems, and suicidal thoughts.**³⁸

Children's exposure to IPV gun violence is permanently damaging, if not deadly.

Children are particularly affected by IPV with guns. For children under age 13 who are victims of gun homicide, nearly one-third are connected to intimate partner or family violence.³⁵ Between 2009 and 2018, 80 percent of child victims of mass shootings died in incidents connected to domestic or family violence.³⁶ Data drawn from 16 states indicates that nearly two-thirds of child fatalities involving domestic violence were caused by guns.³⁷

There is also ample evidence that children who survive and witness the death of their parent from IPV suffer life-altering consequences, including severe PTSD, behavioral problems, and suicidal thoughts.³⁸ These impacts significantly disrupt children's school performance,³⁹ and the trauma can follow them into adulthood.⁴⁰ Tragically, children can also be caught in the crosshairs of dangerous relationship violence when courts mandate continued contact with their abusive parent.

The Unequal Burden of Firearm-Related Intimate Partner Violence on Communities at Highest Risk



**Black, American Indian/
Alaska Native, and
Hispanic women are
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People of all races and ethnicities experience IPV, but the burden of relationship violence, including with firearms, is not shared equally by all women.⁴¹ Women from communities with histories of racial discrimination, often intertwined with higher poverty rates, have less access to protective services that reduce the risk of lethal violence.⁴² As seen in Table 1, Black, American Indian/Alaska Native, and Hispanic women are victims of homicide at the highest rates, and over 55 percent of these killings are committed by an intimate partner.⁴³ In more than half of these deaths, a firearm is involved.⁴⁴ Robust research documents the structural disadvantages in non-white neighborhoods,⁴⁵ which lack trust in the criminal justice system, making them less likely to report abuse,⁴⁶ and are hurt by inadequately resourced social support such as schools, housing, and healthcare.⁴⁷ These disparities can drive community violence, which is linked with higher rates of IPV⁴⁸ in large part because witnessing violence of any kind as a child can normalize abuse and increase the chances that the child experiences or inflicts violence in their adolescent and adult relationships.⁴⁹

Table 1

	Black Women	American Indian/ Alaska Native Women	Hispanic Women	White Women
US Female Population (%) ⁵⁰	12.4	0.8	13.2	68.3
Females Experiencing IPV in Their Lifetime (%) ⁵¹	44	46	37	35
Female Homicide Rate (per 100,000) ⁵²	4.4	4.3	1.8	1.5

2x

Black women are **twice as likely** to be fatally shot by an intimate partner compared to white women.⁵³

3x

Younger Black women—between the ages of 18 and 34—are nearly **three times more likely** to be shot and killed by an intimate partner than are white women in the same age group.⁵⁴

Compared to non-Hispanic white women, Black women are twice as likely to be fatally shot by an intimate partner,⁵³ and younger Black women—between the ages of 18 and 34—are at the greatest risk: They are nearly three times more likely to be shot and killed by an intimate partner than are white women in the same age group.⁵⁴

The history of trauma, discrimination, and dispossession inflicted upon indigenous communities by federal policies continues to influence their health and well-being today, including leading to extremely high rates of IPV.⁵⁵ More than half of American Indian/Alaska Native women have experienced physical violence by intimate partners in their lifetime, a rate nearly twice as high as that among non-Hispanic white women.⁵⁶ While the disproportionate rate of gender violence impacting Native communities is clear, the national epidemic of missing and murdered indigenous women and girls is not well-recorded.⁵⁷ This means violent crimes against women in Tribal lands and Alaska Native villages are not consistently reflected in national crime statistics.⁵⁸

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Approximately one in three Hispanic women have experienced IPV in their lifetime.⁵⁹

Approximately one in three Hispanic women have experienced IPV in their lifetime.⁵⁹ Fear of deportation, language barriers, and cultural stigma discourage many Hispanic victims from reporting abuse, seeking help, or filing for a protective order.⁶⁰ For these reasons, this statistic is likely to be an undercount.⁶¹ While Hispanic victims of violence have long been hindered in accessing support for abuse, recent federal policies—including the removal of immigrants by ICE officers showing up in schools and at hearings for protective orders—have heightened the climate of fear to record levels.⁶²

Structural disadvantages explaining the disproportionate impact of gun-related IPV on Black, American Indian/Alaska Native, and Hispanic women^{45, 46, 47}

- Histories of racial discrimination
- High poverty rates
- Limited access to services
- Lack of trust in criminal justice system
- Poorly resourced schools, housing, health care

Segments of the LGBTQ⁶³ population experience elevated rates of IPV, yet a lack of data limits our understanding of the full scope of gun-related IPV in this community.

Research on intimate partner homicides involving firearms among LGBTQ people is limited due to lack of sexual orientation and gender identity data recorded on death records.⁶⁴ However, the growing body of research on this topic suggests that lesbian women, bisexual women and men, and transgender individuals report the highest rates of lifetime IPV compared to their heterosexual and cisgender⁶⁵ counterparts.⁶⁶ In a recent report on LGBTQ adults and gun violence, the Williams Institute at UCLA School of Law identified this as a significant research gap.⁶⁷

Women with disabilities are significantly more likely to experience intimate partner violence than women without disabilities.⁷¹

People with disabilities are disproportionately impacted by abuse, but there is alarmingly little research on the intersection of firearms and IPV for this population.

People with disabilities are particularly susceptible to IPV due to a variety of factors, including physical dependence on an abuser, perceived vulnerability by abusers, and higher levels of social isolation.⁶⁸ It is undisputed that this group is more likely to be victims of violent crime and IPV compared to people without disabilities,⁶⁹ yet what is known likely accounts for just a fraction of the true impact.⁷⁰ Women with disabilities are significantly more likely to experience IPV, including psychological aggression and stalking by an intimate partner, than women without disabilities⁷¹—behaviors that have been linked to increased trauma among victims when abusers have access to firearms.⁷²

Giovanna's Survivor Story

When Giovanna first met the man who would one day hold a gun to her head, he seemed perfect. He was charming, friendly, and respected in the community. Slowly, he isolated her from her loved ones and began controlling her every move. She was living with constant abuse. He started using a gun to intimidate her. He would threaten to shoot himself or her, sometimes in front of her two children. Giovanna requested a protective order, and the judge granted it—but allowed her abuser to keep his weapons, leaving her and her children vulnerable.⁷³

Policy Recommendations

Common-sense laws that keep guns out of the hands of abusive partners reduce gun violence and IPV.⁷⁴ However, existing loopholes in federal and state law leave guns in the hands of abusive partners and stalkers, often with deadly results. This nation's weak gun laws fail many women across the US each year. There are clear policies that members of Congress and state lawmakers can enact now to save lives. These include:

- 1— Strengthening state laws prohibiting domestic abusers from possessing guns and requiring abusers to relinquish guns they already have.**
- 2— Focusing on implementation and enforcement of existing state firearm relinquishment laws by state and local courts and law enforcement agencies.**
- 3— Strengthening the federal background check system to keep guns out of dangerous hands by closing deadly loopholes and addressing deficiencies including:**
 - A. The boyfriend loophole;
 - B. The Charleston loophole;
 - C. The unlicensed sale loophole; and
 - D. Improving domestic violence records.
- 4— Requiring dealers to notify state or local law enforcement when a domestic abuser or convicted stalker attempts to buy a gun and fails a background check.**
- 5— Funding comprehensive research on the nexus of guns and intimate partner violence.**

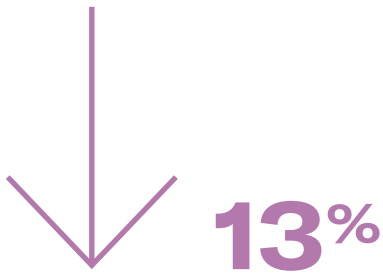
1—

States should adopt or strengthen laws prohibiting abusive partners from possessing guns and require these abusers to relinquish their guns once they become prohibited from having them.

Over the past six years, survivors of IPV and volunteers with Moms Demand Action for Gun Sense in America have successfully advocated in 29 states and Washington, DC, to pass 51 new laws that help keep guns away from abusive partners. Despite this progress, many states do not prohibit abusers subject to domestic violence restraining orders or abusers convicted of misdemeanor domestic violence crimes from possessing firearms.⁷⁵

Even if a domestic abuser is barred by federal law from owning a gun, without similar state law prohibitions, state or local prosecutors do not have jurisdiction to enforce federal laws, making it less likely that abusers are prosecuted for violating the law.⁷⁶ It is therefore critical for states to adopt these laws, which are proven to be effective. States that prohibit abusers subject to domestic violence restraining orders from possessing guns have seen a 13 percent reduction in intimate partner firearm homicide rates.⁷⁷ The impact is even greater at a local level: Cities in states that prohibit firearm possession by abusers subject to domestic violence restraining orders have seen a 25 percent reduction in intimate partner firearm homicide rates.⁷⁸

Congress and the states should also ensure that abusive partners actually relinquish their firearms when they become prohibited from possessing them.⁷⁹ The results in states that have enacted laws that encourage or require abusers subject to domestic violence restraining orders to relinquish their firearms speak for themselves: There was a 14-16 percent lower intimate partner firearm homicide rate.⁸⁰



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States that encourage or require abusers subject to domestic violence restraining orders to relinquish their firearms experience a **14-16 percent lower intimate partner firearm homicide rate.**⁸⁰

2—

State and local courts and law enforcement agencies should focus on implementation and enforcement of laws that require abusive partners to relinquish their guns.

Despite the above evidence of the effectiveness of laws requiring abusers to relinquish their firearms, many states have not fully implemented these laws, leaving survivors at risk. Full application and enforcement of firearm relinquishment laws requires all parts of the justice system to contribute:

State and local leaders should facilitate law enforcement training about relinquishment laws and how to safely enforce them.

Court administrators should ensure that all judges receive training about firearm prohibition and relinquishment laws and that court forms provide survivors and abusers with information about their rights and obligations.

Judges should order firearm relinquishment in all cases required by state law, ensure that abusers understand the requirement to relinquish firearms, and monitor compliance with firearm relinquishment orders.

State executives such as state attorneys general and governors' offices should review court and law enforcement practices and implementation data to verify that prohibited abusers have relinquished their firearms.

Law enforcement agencies should develop a protocol for storage of firearms and should regularly communicate compliance and non-compliance by respondents to the courts and prosecutors.

District attorneys should fully prosecute abusers found to be non-compliant or in unlawful possession of firearms.

Jurisdictions that have fully implemented these laws have seen immediate safety improvements. For example, in King County, Washington, a regional domestic violence firearms enforcement unit staffed by law enforcement, prosecutors, and members of the City Attorney's Office works to ensure that defendants subject to a domestic violence protective order relinquish their firearms. The result: The team more than quadrupled the number of firearms recovered in domestic violence cases in the region in 2018, as compared to 2016.⁸¹

Jurisdictions without state-based firearm prohibition and relinquishment laws have also provided leadership in protecting survivors of domestic violence.⁸² Local law enforcement officers in these jurisdictions should report cases where domestic abusers are found in possession of a firearm to federal prosecutors' offices for prosecution on unlawful firearms possession charges—a policy supported by the US Department of Justice.⁸³

3—

Congress and state legislatures should strengthen the background check system by closing deadly loopholes and improving records that will keep guns out of the hands of people with dangerous histories, including domestic abusers.

A—

Congress should close the boyfriend and stalking loopholes in the federal gun prohibition laws.

Current federal law prohibits people convicted of domestic violence crimes and abusers under restraining orders from possessing guns only if the abuser has been married to, lives with, or has a child in common with the victim. It does not cover abusive dating partners.⁸⁴ The exclusion of abusive dating partners from firearms restrictions is especially outdated given the changing nature of relationships.⁸⁵ This gap in the law has become increasingly deadly: The share of homicides committed by dating partners has been increasing for three decades,⁸⁶ and now women are as likely to be killed by dating partners as by spouses.⁸⁷ Additionally, current federal law does not prohibit people convicted of misdemeanor stalking crimes from having guns.⁸⁸ A number of states have addressed this federal loophole through policies that prohibit abusive dating partners and convicted stalkers from possessing guns.⁸⁹ Research shows that when states broadened their firearm prohibition laws beyond federal law to cover abusive dating partners, the states experienced a 16 percent reduction in intimate partner firearm homicide rates.⁹⁰

B—

Congress and state legislatures should close the Charleston loophole that puts victims of IPV at heightened risk.

Federal law requires that licensed gun dealers run background checks on all potential gun buyers. But due to a National Rifle Association-backed provision added to the 1993 Brady Bill, the law allows sales to proceed by default after three business days—even in the absence of confirmation that the buyer is legally allowed to have guns.⁹¹ From 2006 to 2015, 30 percent of gun sale denials by licensed dealers to buyers convicted of misdemeanor domestic abuse took longer than three business days.⁹² That means licensed dealers were legally authorized under federal law to transfer guns to 18,000 people who were prohibited domestic violence misdemeanants simply because their background checks took longer than three days.⁹³ Congress and state legislatures should prohibit a firearm transfer until the results of a National Instant Criminal Background Check System (NICS) check indicate that the buyer is not prohibited from possessing guns.⁹⁴

The share of homicides committed by dating partners has been increasing for three decades,⁸⁶ and now **women are as likely to be killed by dating partners as by spouses.**⁸⁷

Licensed dealers were legally authorized under federal law to transfer guns to **18,000 people who were prohibited domestic violence misdemeanants** simply because their background checks took longer than three days.⁹³

C—

States should improve the quality of domestic violence records in the background check system.

Convicted domestic abusers and subjects of domestic violence restraining orders are prohibited from having guns under federal law, but a Government Accountability Office report indicates that some court records for these abusers are missing from the background check system, and others are not identifiable as prohibiting.⁹⁵ When a prohibited abuser tries to buy a gun and undergoes a NICS check, the sale will be stopped only if their record is in the system and contains sufficient information to identify it as prohibiting. States need to ensure that all domestic violence criminal records and domestic violence restraining orders are entered into the NICS database in a timely manner.⁹⁶

D—

Congress and state legislatures should ensure that prohibited domestic abusers and stalkers cannot evade background checks by purchasing guns from unlicensed, private sellers.

Since the introduction of the NICS in 1998, nearly 400,000 firearm sales to domestic abusers have been blocked. Every year, one in nine prohibited purchasers denied by a background check are domestic abusers.⁹⁷ However, federal law requires background checks only for sales by licensed dealers. While 21 states and Washington, DC, go further and require background checks on all handgun sales,⁹⁸ domestic abusers and convicted stalkers can circumvent the system in states that do not require checks for private sales by purchasing firearms from private sellers online or at a gun show.⁹⁹

Since the introduction of the NICS in 1998, nearly 400,000 firearm sales to domestic abusers have been blocked.

4—

Congress and state legislatures should require notification when a domestic abuser or convicted stalker attempts to buy a gun and fails a background check.

Current federal law does not require federal authorities to notify state or local authorities when a prohibited person attempts to purchase a firearm and fails the background check—even though the attempted purchase is a crime. Nine states have laws requiring such notification.¹⁰⁰ Legislatures should pass laws requiring the entities that run background checks to notify law enforcement when a person fails a background check. Federal and state law enforcement agencies and prosecutors should also dedicate resources to investigate and prosecute abusers who falsely state that they are not prohibited from possessing firearms when they attempt to purchase guns.

5—

Congress and states should support more comprehensive research on intimate partner gun violence.

Since 1996, a budget restriction known as the Dickey Amendment has dramatically curtailed the ability of the CDC to conduct firearms research and has prevented the agency from spending funds to “advocate or promote gun control.” Subsequently, Congress also placed a similar funding prohibition on the National Institutes of Health (NIH), having a profoundly chilling effect on federal efforts to develop research on all aspects of gun violence.¹⁰¹ Research and data are integral to prevention. Congress should provide funding to researchers to better our understanding of all aspects of guns and IPV, including fatal and non-fatal gun use in IPV, the vulnerable communities most impacted by it, and the policies and programs that work best to address this issue. States can support research by dedicating funding to violence prevention centers aimed at studying these issues, such as those at the University of California, Davis, and Rutgers University.¹⁰² Federal and state governments should also support the improvement and expansion of data collection and reporting systems to enable further research on IPV and guns.

Conclusion

Gun violence and IPV are deeply interconnected, with devastating impacts on not only individual victims, but also their families, communities, and the nation. Research has clearly shown that guns can turn IPV deadly. Abusers with access to a gun are five times more likely to kill their female victims. But because of loopholes in federal and state laws and failures to implement and enforce them, many women live in states where current laws do little to curb the uniquely lethal problem of guns and violence against women in the US. The evidence is clear: Laws keeping guns out of the hands of abusers are associated with lower rates of intimate partner homicides. Congress and state legislatures should pass comprehensive gun safety laws to disarm abusive partners and save lives. Similarly, steps should be taken by state and local courts and law enforcement agencies to implement existing laws. Finally, it is important to fund comprehensive research on the nexus of IPV and gun violence to support the development of solutions that address victims' disproportionate experiences of abuse.

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Everytown for Gun Safety Support Fund seeks to improve our understanding of the causes of gun violence and the means to reduce it—by conducting groundbreaking original research, developing evidence-based policies, and communicating this knowledge to the American public. Learn more at everytownresearch.org.

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91. This loophole is the one through which the shooter at Emanuel AME Church in Charleston, South Carolina, obtained the firearm he used in the shooting on June 17, 2015. The shooter, who was prohibited from possessing firearms due to an earlier drug arrest, was able to purchase the gun he used in the shooting because the default proceed period had elapsed, and the dealer made the sale even though the background check was not complete.
92. United States Government Accountability Office. Report to the Acting Ranking Member, Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives. Gun control: analyzing available data could help improve background checks involving domestic violence records. <https://bit.ly/2CkTs94>.
93. Ibid. In 2017 alone, licensed dealers sold guns to 1,120 prohibited domestic abusers because a federal background check could not be completed within three business days. United States Department of Justice, Office of Justice Programs, Criminal Justice Information Services Division. National Instant Criminal Background Check System (NICS) operations report. <https://bit.ly/2Hu9H7j>. 2017. This is likely to be an undercount since it is based on solely on background checks conducted by the FBI and does not include data from Point of Contact states that conduct their own background checks.
94. CA, CO, CT, DE, HI, IL, MA, MD, MI, NC, NE, NJ, NM, NV, NY, OR, PA, RI, VA, VT, and WA. Seventeen of these states require background checks on all firearm sales.
95. Eleven states require only a point-of-sale check for sales by unlicensed handgun sellers (CA, CO, DE, NM, NV, OR, PA, RI, VA, VT, and WA); six states require only a background check on those sales pursuant to a purchase permit (HI, IL, MA, MI, NC, and NE); and four states (CT, MD, NJ, and NY) and DC require a background check at both occasions.
96. Misdemeanor crime of domestic violence (MCDV) records may be flagged through the Identification for Firearm Sales program, and domestic violence restraining order (DVRO) records may be flagged with a Brady indicator or the point-of-contact (POC) code 07. It is also important for states to place special flags on these records when submitting them to the system to indicate that they prohibit a person from possessing firearms under federal law. If a record is flagged as prohibiting and the offender attempts to buy a gun, the background check operator will see the flag and will instantly know that the sale should be denied, reducing the possibility of selling to a prohibited domestic abuser due to the Charleston loophole.
97. United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Publications & products: background checks for firearm transfers. <https://bit.ly/2F4vMYw>. Data on federal- and state-level denials was obtained from the BJS reports for the years 1999-2010 and 2012-2015. Local-level denials were available and included only for the years 2012 and 2014-2015 from the BJS reports. Data for the years 2011 and 2016-2017 was obtained by Everytown for Gun Safety from the FBI directly. Though the majority of the transactions and denials reported by the FBI and BJS are associated with a firearm sale or transfer, a small number may be for concealed-carry permits and other reasons not related to a sale or transfer. Totals include both those who are prohibited due to a misdemeanor crime of domestic violence (MCDV) conviction and those who are denied due to restraining or protection orders for domestic violence.
98. CA, CO, CT, DE, HI, IA, IL, MA, MD, MI, NC, NE, NJ, NM, NV, NY, OR, PA, RI, VT, and WA. Sixteen of these states requires background checks on all firearm sales.
99. Ten states require a point-of-sale check for sales by unlicensed handgun sellers (CA, CO, DE, NM, NV, NC, OR, PA, VT, and WA), seven states require a background check on those sales pursuant to a purchase permit (HI, IA, IL, MA, MI, NE, and RI), and four states (CT, MD, NJ, and NY) and Washington, DC, require a background check at both occasions.
100. CA, CO, HI, IL, LA, OR, TN (DV orders and mental health), UT, and WA.
101. Consolidated Appropriations Act, 2012, Public Law 112-74 (2011). In 2013, President Barack Obama issued an executive order calling for the NIH to support research on firearm violence, which resulted in increased funding in the three years to follow. The funding program has since lapsed.
102. University of California, Davis Health. UC firearm prevention research center launched at UC Davis. UC Davis Health Newsroom. July 24, 2017. <https://bit.ly/2BNMOrQ>. Stainton L. New Jersey looks to California for gun violence research model. *NJ Spotlight*. April 3, 2018. <https://bit.ly/2BYbjmn>.

If you or someone you know is experiencing domestic violence, call the **National Domestic Violence Hotline** at **1-800-799-7233**, available 24/7, for confidential assistance from a trained advocate. You can also find more resources on legal assistance in English and Spanish at **WomensLaw.org**. For additional resources on emotional, medical, financial, and legal consequences of gun violence for individuals and communities, please visit **everytownsupportfund.org/resources**.