

Talking Points

The Intersection of Guns and Intimate Partner Violence

NCJW Message: The National Council of Jewish Women (NCJW) resolves to work for laws, policies, and programs that regulate firearms and ammunition to promote gun safety and prevent gun violence. We support measures to: require a criminal background check for all gun sales; ban military-style assault weapons and high-capacity magazines; make gun trafficking a federal crime; and eliminate loopholes that allow convicted stalkers and domestic abusers access to guns. These common-sense proposals would close deadly gaps in our nation's gun laws.

One out of every four women in the United States faces domestic violence in her lifetime, and when her abuser has a gun, the consequences can be deadly. In an average month, **50 women are** killed by current or former intimate partners.¹ Here is what you need to know about how stronger gun violence prevention laws would save women's lives.

- **The statistics are harrowing. Ninety-six Americans are killed every day** with guns, and domestic violence accounts for many these deaths.² In fact, abusers are more likely to kill a current or former partner with a gun than with all other weapons combined, and abusers with access to guns are more than **500 times more likely to kill** a partner than those without firearms.³
- **There are gaps in our nation's background checks system.** Federal law prohibits some abusers from buying a gun. However, **22%** of all firearm sales occur without a background check,⁴ which means that abusers have **easy access to weapons**. Sales that do not require a background check include those at many gun shows, and transactions between private individuals, including internet sales. However, in the sixteen states that require background checks for all handgun guns, **38%** fewer women are killed by their intimate partner with a gun since the laws went into effect.⁵

¹ Everytown for Gun Safety. (2017). "Guns and Domestic Violence." www.everytownresearch.org/

² Everytown for Gun Safety. (2017). "Gun Violence by the Numbers." www.everytownresearch.org/

³ Everytown for Gun Safety. (2015). "When Domestic Abuse Becomes Murder." www.everytownresearch.org/

⁴ Everytown for Gun Safety. (2018). "The Background Check Loophole." <https://everytownresearch.org/>

⁵ Everytown for Gun Safety. (2014). "Guns and Violence Against Women." www.everytownresearch.org/

- **Protection orders are not a guarantee of safety.** Protection orders are court orders that are supposed to prevent an abuser from coming near or harming his or her victim. In some states, judges can order abusers to relinquish their guns and/or prohibit them from buying new ones. Such provisions are far from universal, though, and, even if such an order is in place, there is usually no effort on the part of police to remove guns from abusers' homes.⁶
- **Domestic violence plays a role in many mass shootings.** Of the 156 mass shootings between January 2009 and December 2016, in 85 — **54%** — the shooter killed a former or current spouse, intimate partner, or other family member as well. The shooter had prior domestic violence charges in 21 of these incidents.⁷
- **Gun violence disproportionately affects women of color.** Black women are disproportionately affected by fatal domestic violence. According to a study from the Violence Policy Center, in 2015, black women were killed at a rate twice as high as white women. Additionally, black women are more likely to be killed by an intimate partner than by a stranger.⁸
- **The public supports common-sense gun safety measures.** Polls show that NRA members and gun owners overwhelmingly support a variety of laws designed to keep firearms out of dangerous hands.⁹ Gun advocates are **risking women's lives** by preventing this necessary legislation.

Frequently Asked Questions:

Is current federal law enough to keep guns out of the hands of abusers? No. Although the Violence Against Women Act (VAWA) prohibits some individuals with orders of protection from purchasing guns, perpetrators of dating violence and stalkers, and individuals under a temporary restraining order are not covered under current prohibitions.¹⁰ Even if an abuser is ordered to relinquish his or her weapons, there may be little or no effort by law enforcement to confiscate those weapons.¹¹

⁶ Stachelberg, W. et al. (2013). "Preventing Domestic Abusers and Stalkers from Accessing Guns." Center for American Progress.

⁷ Everytown for Gun Safety. (2017). "Analysis of Mass Shooting." www.everytownresearch.org

⁸ Violence Policy Center. (2017). "When Men Murder Women." www.vpc.org

⁹ Mayors Against Illegal Guns. (2012). "Gun Owners Poll." <http://www.everytownresearch.org>

¹⁰ 18 U.S.C. §§ 922(g)(1),(8),(9).

¹¹ Stachelberg, W. et al. (2013). "Preventing Domestic Abusers and Stalkers from Accessing Guns." Center for American Progress. www.americanprogress.org

Did previous gun safety legislation make a difference? Yes. The 1996 Lautenberg Amendment to the Gun Control Act of 1968 prohibits the ownership of a gun by people convicted of a misdemeanor domestic violence offense.¹² Since 1998, more than **300,000 gun applications** have been denied based on a conviction for domestic violence.¹³ Domestic violence is a top reason that people are denied a gun when background checks are in place.

How do gun purchasers avoid background checks? Currently, gun transfers between private individuals are not subject to federal background check requirements. For example, people can purchase a gun at a gun show, over the internet, or through a classified ad as a private individual. At least **1 in 3 individuals** who post “want to buy ads” on Armslist.com have prohibiting criminal records.¹⁴

Does enacting gun violence prevention legislation violate the Second Amendment? No. The Supreme Court’s 2008 decision in *District of Columbia v. Heller* regarding gun rights stated that some restrictions on gun ownership are constitutional. NCJW believes that Americans can find common ground on keeping guns out of the hands of dangerous people. Universal background checks, which would stop abusers from buying more guns, fall well within the government’s right to provide for public safety and just make common sense.

How does this issue impact domestic violence victims? Domestic violence survivors face many challenges in leaving abusive partners and in keeping themselves and their families safe even after they have left. Today, one of these dangers is their **abusers’ easy access to guns**. A woman is five times more likely to be killed in a domestic violence situation when a gun is present.¹⁵ At least 52 percent of American women murdered with guns are killed by intimate partners or family members. And women are 16 times more likely to be murdered with guns in the US than in other high income countries.¹⁶

What can I do to make a difference? Contact your members of Congress by dialing the US Capitol Switchboard: 202-224-3121. Tell your representative and senators to support commonsense gun safety measures, like bipartisan background checks. You can also contact your local NCJW section to find out what local and state gun safety measures might be up for debate.

¹² 18 U.S.C. §§ 922(g)(1),(8),(9).

¹³ Everytown for Gun Safety. (2015). “Guns and Violence Against Women.” www.everytownresearch.org/

¹⁴ Everytown for Gun Safety (2015). “Background Checks Save Lives Infographic.” www.everytownresearch.org

¹⁵ Everytown for Gun Safety (2017). “Guns and Domestic Violence.” www.everytownresearch.org

¹⁶ Ibid.