

GIFFORDS LAW CENTER

TO PREVENT GUN VIOLENCE

MEMORANDUM

TO Interested Parties

FROM Giffords Law Center to Prevent Gun Violence

DATE March 24, 2020

RE Domestic Violence and Firearms during the COVID-19 Pandemic

In light of the coronavirus pandemic, families across America are being asked or required to remain at home and practice social distancing. While such steps are crucial to slowing the spread of COVID-19, we must also be mindful of how dangerous the home can be for the many adults and children experiencing domestic or intimate partner violence and abuse, and take additional steps to protect domestic abuse survivors at this time. This is especially critical as we witness an [increase in gun and ammunition purchases](#) nationwide.

[Every year, millions of Americans report domestic violence.](#) Although women are disproportionately affected, no demographic is immune from the threat of domestic violence—and access to firearms compounds this risk. The current global crisis has significantly increased isolation and economic hardship and created additional stress for families, raising serious concern about the elevated risk many survivors may face.

Coronavirus may elevate risk for domestic abuse survivors

During the current public health crisis, we need to be cognizant that domestic abuse survivors may face increased danger in their homes. Risks increase when protected parties are isolated, have limited access to legal remedies, and when safety planning, shelters, and counseling resources become unavailable. Additionally, many people may be experiencing increased anxiety and depression during this time. Data shows that when a person is experiencing a mental health crisis, easy access to guns [significantly increases the risk of death by suicide](#).

Possible increased risks associated with domestic violence during this time include:

- Requiring survivors to stay in a home that may be dangerous
- Increasingly limited access to safe shelter
- Limited access to emergency room care and medical assistance
- Decreased access to financial resources and increased stress for families
- Isolation from friends, family, and support services
- Difficulties maintaining connections with counselors who provide in-person services for those experiencing violence and those who have perpetrated violence
- Elimination of children's access to mandated reporters at schools

Protecting the lives of American women and families requires lawmakers to take steps to ensure that individuals convicted of domestic abuse and stalking don't have access to guns. It is critical that all jurisdictions enact gun safety laws that recognize the very real risks associated with firearms and intimate partner violence and that communities fully implement and enforce laws prohibiting those found to be at risk of harming themselves or others from accessing firearms.

The deadly nexus of domestic violence and firearms

[When an abusive partner has access to firearms, a victim of domestic violence is five times more likely to be killed.](#) Domestic violence assaults involving a gun are [12 times more likely to result in death](#) than those involving other weapons or bodily force. Every year, [600 American women are shot to death](#) by intimate partners. In fact, firearms are used to commit more than half of all intimate partner homicides in the United States. Nearly a million women alive today have survived being shot at by an intimate partner and even more have been [threatened with a gun by an intimate partner.](#)

The deadly repercussions of domestic violence extend to mass shootings. In more than [half of mass shootings where four or more people were killed](#), the shooter killed an intimate partner. One analysis found that nearly a [third of mass shooters had a history of domestic violence.](#) In many instances of mass shootings, the perpetrator [sent threatening messages](#) to family members or committed acts of domestic violence prior to the attack.

Additionally, far too many children live in homes where they experience the trauma of domestic violence and the very real threat associated with firearms being present in these situations. Such violence can have lasting consequences for children and the broader community. **Failing to remove firearms from those perpetrating domestic violence puts everyone at risk.**

Background checks can prevent those perpetrating domestic violence from getting guns

[One in nine background check denials](#) are connected to domestic abuse, and more than 300,000 people found to have perpetrated domestic violence have been blocked from buying guns by the federal background check system since its inception. Yet federal law does not require a background check to be performed before every gun sale, including sales by unlicensed, private sellers. This allows too many people who have been violent turn to private sellers to acquire deadly weapons. **Jurisdictions should take immediate steps to ensure that background checks are appropriately implemented to ensure prohibited people aren't able to access firearms.**

Emergency protective orders save lives

States that restrict gun access among individuals subject to domestic violence restraining orders have seen a [13% reduction](#) in firearm intimate partner homicides. Existing laws in this area can be further strengthened by closing additional loopholes:

- More than [half of all intimate partner homicides](#) are committed by dating partners. States that broadened their firearm prohibition laws to cover dating partners who have perpetrated violence experienced a 16% reduction in intimate partner gun homicides.
- States with laws that cover emergency protective orders in addition to final protective orders experience a [16% reduction in intimate partner gun homicides](#).
- Current federal law does not prohibit people convicted of misdemeanor stalking crimes from having guns. One study found that [76% of women murdered and 85% who survived a murder attempt](#) by an intimate partner were stalked in the year before the murder. Closing the “stalking gap” could help protect women from intimate partner homicides.

Courts and law enforcement should continue to provide access to emergency protective orders and proceedings that can provide protection for families during this crisis.

Firearms relinquishment procedures ensure firearm removal from prohibited individuals

Some communities are taking [concrete and proactive steps](#) to ensure those who are prohibited from accessing guns as a result of restraining orders and other prohibitions [surrender their firearms](#). These local efforts that decrease the time between prohibition and relinquishment can be the difference between life and death for protected family members. States that require that those prohibited from owning or possessing firearms provide proof that they actually relinquished their firearms are linked to a [16% reduction in intimate partner gun homicides](#).

These efforts should continue during this critical period and receive additional investment going forward.

Now more than ever, it is critical that federal, state, and local policymakers take the steps necessary to keep families safe. All jurisdictions should be aware of the particular challenges COVID-19 poses for families experiencing domestic violence and connect those in need to key resources, including:

- [The National Domestic Violence Hotline](#): 1-800-799-7233 or text LOVEIS to 22522
- [The National Suicide Prevention Lifeline](#): 1-800-273-8255

As difficult budget decisions are made in the coming weeks and months, policymakers must keep in mind the prevalence of domestic violence and the risks associated with access to firearms in this context and prioritize funding for safe housing and other critical services.

Experts Available for Comment

Giffords experts are available to talk about domestic violence and other aspects of how gun violence will be impacted by the COVID-19 outbreak. Please don't hesitate to reach out to media@giffords.org to speak with any of our experts.

For over 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.