



Reauthorize the Violence Against Women Act (H.R. 1585 / S.2843)

- ❑ **Bottom Line:** The Violence Against Women Reauthorization Act of 2019 (H.R. 1585 and S.2843) contains live-saving provisions that will keep firearms away from dangerous domestic abusers and provide law enforcement important tools to intervene when domestic abusers are trying to illegally obtain firearms. The firearm provisions in H.R. 1585 and S.2843 are common sense provisions that close loopholes in federal law and block domestic abusers from accessing guns. The gun safety policies in H.R. 1585 and S.2843 have previously been introduced in bipartisan standalone bills and enjoy broad public support. In April, the House of Representatives passed H.R. 1585 with support from 33 Republican representatives.
- ❑ **Guns in the hands of domestic abusers and stalkers have deadly results.**
 - Women in the United States are 21 times more likely to be killed with a gun than women in any other high-income country. Put another way, 92 percent of all women killed with guns in high-income countries in 2015 were from the United States.¹
 - The presence of a gun in a domestic violence situation makes it five times more likely that a woman will be shot and killed.²
 - More than 90 percent of voters want Congress to strengthen “laws that help keep guns out of the hands of domestic abusers,” including 88 percent of Republicans and 87 percent of gun owning households.³
- ❑ **H.R. 1585 and S.2843 close the Boyfriend Loophole.**
 - Federal law bans gun possession by people convicted of or under a restraining order for abusing their spouses, but generally does not cover abuse between dating partners.⁴
 - This gap in the law has become increasingly deadly: The share of homicides committed by dating partners has been increasing for three decades, and now women are as likely to be killed by dating partners as by spouses.⁵
 - H.R. 1585 and S.2843 would protect women from abusive dating partners, by ensuring that their abusers are prohibited from possessing guns under federal law—using the definition of “dating partner” already contained in the Violence Against Women Act.
 - At a July 2014 Senate Judiciary Committee hearing, all five witnesses expressed support for provisions of S.1290, The Protecting Domestic Violence and Staking Victims Act of 2013, which contained this same language.
 - In the words of Racine County (WI) Sheriff Christopher Schmaling, who testified at the hearing, “dangerous boyfriends can be just as scary as dangerous husbands; they hit just as hard and they fire their guns with the same deadly force.”
- ❑ **H.R. 1585 and S.2843 close the Stalker Loophole**
 - Current law prohibits stalkers convicted of felony offenses from gun possession, but does not prohibit misdemeanor stalking offenders, even though stalking is also a predictor of intimate partner homicide.⁶



- In fact, a study of intimate partner homicides and attempted homicides involving female victims in 10 major U.S. cities found that 76 percent of those murders and 85 percent of attempted murders of women were preceded by at least one incident of stalking in the year before the attack.⁷
 - At the 2014 Senate hearing, Sheriff Schmaling said, “When we look at stalking, in looking at statistics, from 2005-2013, the state of Wisconsin suffered 29 DV homicides. Of those 29, all of them were preceded by incidents of stalking behavior.”
- H.R. 1585 and S.2843 would protect women from stalkers by ensuring that those convicted of stalking offenses are prohibited from possessing guns under federal law.

❑ **H.R. 1585 and S.2843 alert law enforcement when domestic abusers try to buy guns.**

- H.R. 1585 and S.2843 would protect women from domestic abusers by ensuring FBI informs state law enforcement when domestic abusers fail a background check and are stopped from purchasing a firearm. This notice gives state law enforcement an opportunity to intervene before the abuser can obtain a firearm or do further harm.
- Three in 10 people who try to buy guns illegally and are denied due to a criminal conviction or indictment are re-arrested within the next five years.⁸
- From November 1998 through November 2019, the FBI reported it denied more than 150,000 gun sales to domestic abusers convicted of misdemeanor crimes and more than 63,000 sales to people subject to a domestic violence restraining order.⁹
- In March 2019, bipartisan members of the House and Senate introduced companion bills that would notify state law enforcement each time a person who is not allowed to have guns tries to buy a firearm and fails the background check.¹⁰

¹ Grinshteyn E, Hemenway D. Violent death rates in the U.S. compared to those of the other high-income countries, 2015. *Preventive Medicine*. 2019; 123: 20-26.

² Campbell, J. C., Webster, D., Koziol-McLain, J. et al. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American journal of public health*, 93(7), 1089-1097.

³ Oct. 2018 poll *available at* https://everytown.org/documents/2018/10/guns-and-the-2018-election.pdf?utm_source=newsletter&utm_medium=email&utm_campaign=sendto_newslettertest

⁴ 18 U.S.C. § 922(g)(8); 18 U.S.C. § 921(a)(32). The law does cover abusers who share a child in common with their victims, or have cohabited with their victims.

⁵ Alexia Cooper and Erica L. Smith, *Homicide Trends in the United States, 1980-2008* (Washington, D.C.: U.S. Department of Justice, Nov. 2011), *available at* <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=2221>; Everytown for Gun Safety analysis of FBI Supplementary Homicide Reports, 2000-2012.

⁶ 18 U.S.C. § 922(g)(1).

⁷ Judith MacFarlane, Jacquelyn Campbell, et. al., *Stalking and Intimate Partner Femicide*, 3 *Homicide Studies* No. 4, 300-16 (Nov. 1999).

⁸ James Tien et al., *Structured Decisions Corporation, Recidivism of Denied Prospective Firearm Purchases*, May 2008, at <http://1.usa.gov/1Dm1ISG>.

⁹ FBI release on Federal Denials *available at* https://www.fbi.gov/file-repository/federal_denials.pdf/view.

¹⁰ See press release issued about introduction by Senators Coons (D-DE) and Toomey (R-PA) *available at* <https://www.coons.senate.gov/newsroom/press-releases/coons-and-toomey-renew-fight-in-support-of-gun-safety-legislation> and press release about introduction by Representatives Quigley (D-IL-05), Fitzpatrick (R-PA-01), Swalwell (D-CA-15) and Diaz-Balart (R-FL-25) *available at* <https://quigley.house.gov/media-center/press-releases/quigley-introduces-nics-denial-notification-act>.