

Domestic Violence, Mass Shootings, and Gun Control: A Public Health, Criminal Justice, and Civil Rights Issue

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Stories of gun violence are ubiquitous in the United States. An article in *The New Yorker* in June, 2016, regarding mass shootings, terrorism, and a possible connection to domestic violence caught my attention and led me to review current research on this topic, culminating in this brief analysis.

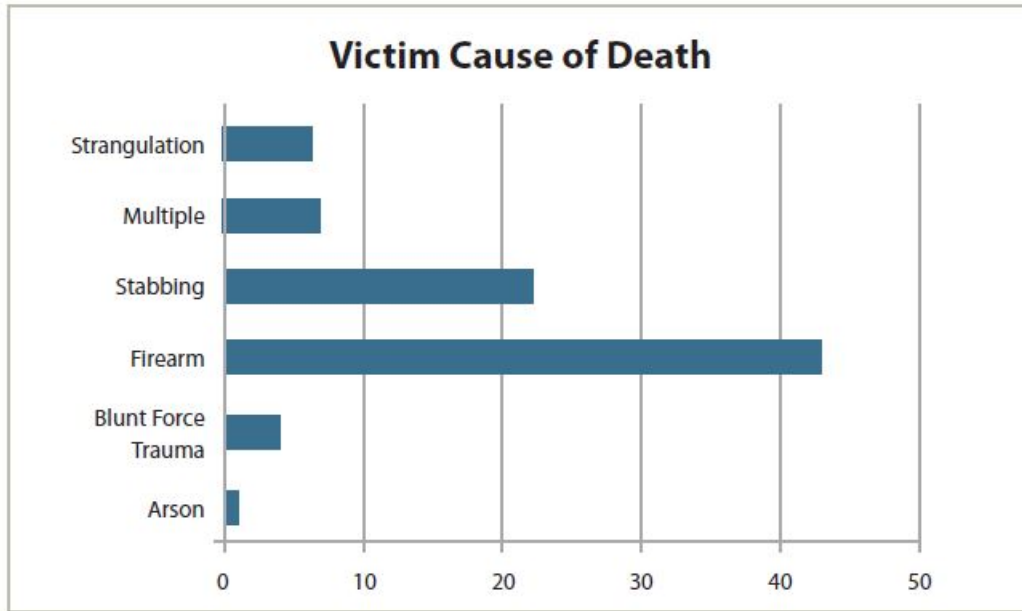
By way of background, and full disclosure, I am a managing attorney with Delaware's oldest and largest civil legal services program, Community Legal Aid society, Inc., where my colleagues and I represent victims of domestic violence in obtaining orders of protection. I also hold a Masters and PhD in social work and so bring an academic and research-based framework to the challenges confronting our clients.

In the low income communities we serve, domestic violence can often have a more severe and wide-reaching impact due to the intersection of a multitude of societal challenges and the lack of resources facing this population. Domestic violence has often been referred to as domestic terrorism because domestic violence and terrorism are similar—both rely on the use of violence and intimidation to obtain certain objectives, and the threat of gun violence is employed frequently.

Given the increase in gun violence throughout American society, it is more important than ever to provide free legal services to individuals in poverty who find themselves in dangerous domestic situations. I have heard many stories from clients who had been emotionally and physically abused during the time that they were with their partners. Most of them experienced being isolated by their abuser from family and friends, as well as being denied access to joint economic resources. Although men can be victims of domestic abuse in both same-sex and heterosexual relationships, statistically, many more women suffer domestic abuse than men and are more seriously injured by their abusers.¹

While physical, emotional, and verbal abuse are the major techniques through which abusers exercise for power and control over their victims, all too often their conduct escalates to threats of, and in some cases actual, gun violence (see Figure 1). Luckily, clients who leave their abusers in time and seek an Order for Protection from Abuse from the family court, have the chance to experience a home life absent of threats and/or serious injury or death.

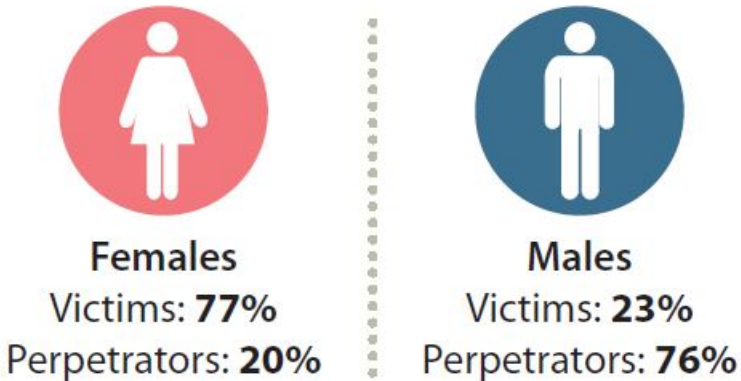
Figure 1. Graph of the Intimate Partner Data, Victim Cause of Death. Reprinted from DVCC²
Both Figure 1 and 1.1 were reprinted with the permission of DVCC.



The idea of living in one's own home without fear may be taken for granted by many, but it is a new experience for many of my clients, and for many victims of abuse in the United States and around the world. In the most recent center for Disease control (CDC) large scale survey, The National Intimate Partner and Sexual Assault survey summary report, found that more than 1 in 3 women (35.6%) have experienced certain aspects of intimate partner violence such as, rape, physical violence, and/or stalking by an intimate partner.³ Most men and women who experience domestic violence have their first encounter before they reach the age of 25: 69% of female victims, and 53% of males experienced their first incidence of domestic violence as defined above before age.³

In Delaware, in fiscal year 2015, there were 22,678 reported incidents of criminal, and non-criminal (police involvement but no arrest) domestic violence (defined as violence between family members), and of those incidents, 5,607 were intimate partner violence, and 75% were female victims (see Figure 1.1).² A 2015 report by the Delaware Domestic Violence Coordinating Council, Fatal Incident Review, found that between 1996 and 2015 there were 111 domestic violence homicides reviewed, of which 83 were intimate partners. Of the intimate partner homicides, 77% were female victims and 52% of the perpetrators used firearms.²

Figure 1.1. Chart of the Intimate Partner Data, Victims and Perpetrators by Gender. Adapted from DVCC Annual Report 2015²

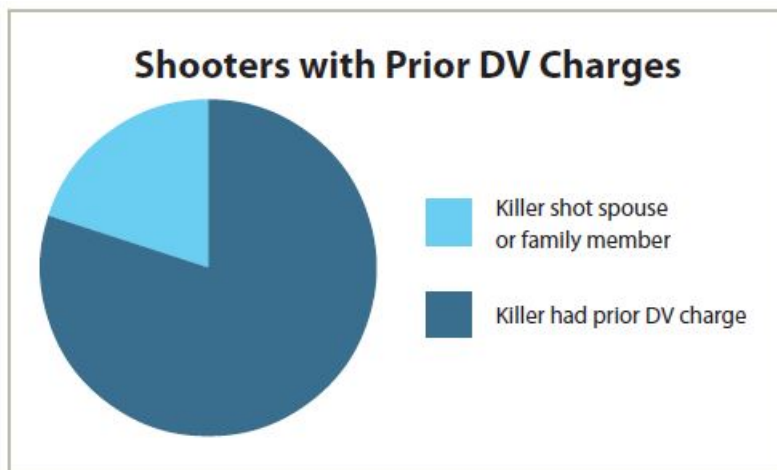


Researchers have only recently begun to examine a potential connection between access to guns, mass shootings, and domestic violence. According to Clark McCauley, a professor at Bryn Mawr College, there has been no empirical support for the assertion of a causal connection between mass shootings of strangers and domestic violence,⁴ however, it may not simply be a coincidence that a number of perpetrators of mass shootings had also committed acts of domestic violence. Micah Johnson, the shooter in Dallas, had a report of sexual harassment and a request for a protective order against him while he was stationed in Afghanistan in the military⁵; the killer in the Orlando shootings, among other incidents of abuse, had beaten his first wife for not finishing the laundry; the Virginia Tech killer had been charged with stalking a female student; one of the two Boston Marathon bombers had been arrested for domestic assault and battery of a woman⁶; in February, 2016, a man shot 17 people at his Kansas workplace, killing three, 90 minutes after being served with a restraining order filed by an ex-girlfriend⁴; and, the mass shooting of a Planned Parenthood Healthcare Center in Colorado Springs, Colorado, that left three people dead and nine wounded was perpetrated by a man who had incident(s) of domestic violence.⁷

Battered spouses, their families, and friends have been victims of mass shootings for years. “An analysis of the criminal justice history of hundreds of thousands of offenders in Washington state,” writes Pamela Shifman and Salamishah Tillet in a February 3, 2015 Op-ed piece for The New York Times, “suggests that a felony domestic violence conviction is the single greatest predictor of future violent crime among men.”⁸ Everytown for Gun safety issued a report in August 2015, which analyzed FBI mass shootings statistics and domestic violence, and concurs with Shifman and Tillet.⁹ Among other interesting findings, Everytown found that the link between intimate partner mass shootings, those where four or more people were killed with a gun, and prior reports of domestic violence is significant: in 57% of cases of mass shootings from 2009 to 2015, the perpetrator shot and killed a current or ex-spouse, girlfriend, or other family member, and at least 16% of those perpetrators had previously been charged with domestic violence offenses.⁹ Further, the Everytown for Gun Safety Report indicates that in 87% of the cases of mass shootings where there was sufficient information to determine whether the shooter was a person prohibited by law from possessing a gun: 38% of the shooters had been adjudged to be a person prohibited from possessing a gun. During this relevant time period, 133 mass shootings occurred in 39 states, or almost two per month from 2009 to 2015.⁹ In 11% of the mass shooting incidents, high-capacity magazines (assault weapons) were used and 155% more people were shot, resulting in 47% more fatalities.⁹ What possible cause could an average citizen have to obtain an assault weapon?

All perpetrators of domestic violence do not escalate to mass shootings, but the connection between access to guns, mass shooting, and domestic violence may be significant, because for many intimate partner homicides, if a gun had not been readily available, lethal violence would likely not have occurred. David Adams in his book, *Why Do They Kill?*, interviewed men who had shot and killed an intimate partner. He asked specifically if they would have killed their partner if a gun was not readily available (Adams, 2007). Adams found that 78% of the killers would not have killed if a gun had not been available (2007), while the other perpetrators said they would have simply used another weapon. These men said that a gun readily available made it easier to kill (see Figure 2).¹⁰

Figure 2: Graph of the perpetrators of domestic violence shooting with past DV charges. Adapted from August, 2015, Everytown for Gun Safety.⁹ Reprinted with permission of Everytown for Gun Safety.



Equally important to providing direct services, including legal services, to victims already experiencing domestic violence, is the need to find and implement strategies designed to prevent future tragedies. One of these strategies is to enact better gun control laws. Yet, currently people with restraining orders associated with intimate partner violence are prohibited from owning and buying guns in fewer than half of the states in the U.S.¹¹

Thankfully, three important events related to gun control have occurred nationally and in Delaware. First, HB325 was signed into law by Governor Markell in June, 2016. This law closes the loop hole that allowed gun purchasers in Delaware to obtain a weapon before a background check was completed. The law extends the allowable waiting period for completion of a background check from 3 day to 25 days, with the aim of eliminating the possibility of a prohibited person from gaining access to a gun if they purchase arms through a licensed arms dealer.¹²

On June 20, 2016, the U. S. Supreme Court, in a case from Maine involving gun restrictions and domestic violence perpetrators, ruled that people convicted of intimate partner crimes, even misdemeanors, or crimes related to reckless conduct, could be prohibited from owning firearms. While these measures represent a step forward, more than 80 incidents of gun violence took place while the Democratic leadership in Washington, D.C., lodged a sit-in to try to force congress to enact better gun control legislation. Delaware was one of the states that incurred an incident of gun violence during that 72 hour period.

It is also important to recognize from a civil rights perspective, as Amie Newman writes in a June 17, 2016 article about the connection between domestic violence and mass shootings in *Our Bodies Ourselves*, “Violence against women has become normalized in our culture. We allow for and excuse street harassment, sexual harassment, and media depictions of violence against women and girls – all of which desensitize us and contribute to an epidemic of gender-based violence in the us.¹³” Consequently, one strategy for reducing gun violence, she suggests, is “to raise awareness of how deeply imbedded violence against women is in the United States, and how important it is to believe women, intervene early, and address the ‘toxic masculinity’ that contribute to violence.¹³”

And, as Soraya Chemaly stated in her June 13, 2016 article on domestic violence and mass shootings in *Rolling Stone*, “Acts of public terrorism . . . would be less unpredictable if intimate partner violence were understood as a public health and safety issue, instead of as a private problem.”¹⁴ Based on statistics and numerous studies, it is clear that violence against women, particularly domestic violence, is a civil rights issue in the United States and worldwide.

Evan Stark insists that the effects of incidents of coercive control are cumulative and generally lead to serious injury or death,¹ and studies of mass shooters confirm that a mass shooting is not an isolated incident for many perpetrators. There is also evidence that nationally, and likely internationally, there is a culture of power, coercive control, and oppression underlying the violence, and we are not simply dealing with random acts of violence, or religious extremism. As long as people define others as unequal, inferior, and less than human because of their gender, race, ethnicity, religion, sexual identity and/or orientation, ability/disability, or any other apparent difference, violence will likely occur, thus the problem must be attacked from a civil rights perspective, with collaborations from the criminal justice, behavioral and mental health professions, and public health systems. Preventions and interventions measures will need to be devised that can work to invalidate and treat these perceptions that lead to gun violence.

References

1. Stark, E. (2007). *Coercive control*. New York, NY: Oxford University Press.
2. DVCC. (2015). Annual report. Retrieved from: <http://dvcc.delaware.gov/pdf/final%20Annual%20report%202015.pdf>
3. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention. (2010). National intimate partner and sexual violence survey: 2010 summary report. Retrieved from: http://www.cdc.gov/ViolencePrevention/pdf/NISVs_report2010-a.pdf
4. Taub, A. (2016, Jun 16). Mass attacks: Domestic abuse and a pattern of total control. *The New York Times*, p. A1-A14.
5. Welker, K. (2016, Jul 9). A call for unity. *NBC Nightly News*. [Video file]. Retrieved from: <http://www.nbc.com/nightly-news/video/nbc-nightly-news-jul-9-2016/3060402>
6. Talbot, M. (2016, Jun). Terror begins at home. *The New Yorker*. Retrieved from: <http://www.newyorker.com/news/daily-comment/terror-begins-at-home>
7. Turkewitz, J., Fausset, R., Blinder, A., Mueller, B., Healy, J., Philipps, D., . . . Begg, J. (2015, Nov 29). Suspect left a trail of conflict. *The New York Times*, p. 1-27.

8. Shifman, P., & Tillet, S. (2015, Feb 3). To stop violence, start at home. The New York Times. Retrieved from: http://www.nytimes.com/2015/02/03/opinion/to-stop-violence-start-at-home.html?_r=0
9. Everytown for Gun Safety. (2015). Everytown for Gun safety. Retrieved from: <https://everytownresearch.org/reports/mass-shootings-analysis/>
10. Adams, D. (2007). Why do they kill? Nashville, TN: Vanderbilt University Press.
11. Mascia, J. (2015, Dec 1). Domestic abusers often graduate to other violent crimes. The Trace. Retrieved from: <https://www.thetrace.org/2015/12/domestic-abuse-gun-ownership-planned-parenthood-shooting/>
12. Osienski, E. (2016). Delaware House Bill 325. Retrieved from: <http://legis.delaware.gov/BillDetail/24476>
13. Newman, A. (2016, Jun 17). We need to talk about the role of domestic violence in mass shootings. Our Bodies Ourselves. Retrieved from: <http://www.ourbodiesourselves.org/2016/06/we-need-to-talk-about-the-role-of-domestic-violence-in-mass-shootings/>
14. Chemaly, S. (2016, June 13). In Orlando, as usual, domestic violence was ignored red flag. Rolling Stone. Retrieved from: <http://www.rollingstone.com/politics/news/in-orlando-as-usual-domestic-violence-was-ignored-red-flag-20160613#ixzz4DYqioBwi>

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