

# Nebraska Domestic Violence and Guns

October 2014

Nebraska has some restrictions on access to firearms by domestic abusers. More can be done to prevent access to guns by convicted stalkers and non-cohabitating dating partners.

---

## State gun and domestic violence overview

*Nebraska is home to a significant amount of gun violence.*

- From 2002 to 2011, 1,406 people were killed with guns in Nebraska.<sup>1</sup>
- Somebody is killed with a gun in Nebraska every three days: In 2011 alone, there were 161 gun deaths in the state.<sup>2</sup>

*Domestic violence fatalities are prevalent in Nebraska, and they are frequently a result of gun crime.*

- According to the FBI, there were 41 domestic violence homicides in Nebraska from 2003 to 2012, which include both male and female victims.
- Of those homicides, more than half of the victims—56.1 percent—were killed with guns.<sup>3</sup>

*Women are far more at risk to be victims of fatal domestic violence, and guns play a significant role in that violence.*

- Of the 105 female homicide victims in Nebraska from 2003 to 2012, 38 were killed as a result of a domestic violence incident.<sup>4</sup>
- Firearms accounted for the murders of 70 women in Nebraska from 2002 to 2011.<sup>5</sup>

---

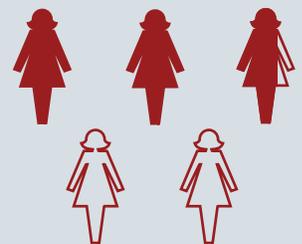
## Overview of Nebraska laws to protect women from abusers and stalkers

*Nebraska has some laws to prevent abusers from having easy access to guns.*

- Nebraska prohibits a person who has been convicted of misdemeanor domestic violence within the past seven years from possessing a firearm.<sup>6</sup>
- In 2012, Nebraska enacted a law authorizing—but not requiring—a court to prohibit an abuser subject to a domestic violence protective order from purchasing or possessing firearms.<sup>7</sup>

From 2002 to 2011,  
**1,406 people**  
were killed with guns in  
**Nebraska.**

From 2003 to 2012, 55.3  
percent of female domestic  
violence homicide victims in  
Nebraska were killed with  
a gun.



*Nebraska can do more to protect its citizens from domestic violence.*

- Nebraska has no law requiring the removal or surrender of firearms when a domestic abuser becomes prohibited from possessing them.
- Unlike federal law, Nebraska does not generally prohibit a person subject to domestic violence protective order from possessing firearms or ammunition, unless he or she is knowingly violating the order.<sup>8</sup>
- Nebraska does not bar stalking misdemeanants from purchasing or possessing firearms.
- Nebraska does not require a background check for all gun buyers, including those at gun shows or over the Internet.

---

### Case study

*We need universal background checks and other important measures to keep guns out of the hands of dangerous abusers.*

- Mitchel Hadan shot and killed his girlfriend, Rita Eckhout, on January 3, 2011, while parked on the side of a highway outside of Omaha, Nebraska, before attempting to kill himself. Hadan is a convicted felon and served 10 years in prison, which should have barred him from owning a gun. Hadan pled guilty to second-degree murder in 2012.<sup>9</sup>

### Where does Nebraska stand on laws to protect women from abusers and stalkers?



Misdemeanant domestic abusers prohibited?



Individuals subject to a domestic violence protective order prohibited?



Stalkers prohibited?



Background checks required on all gun sales?

---

## Endnotes

1. Centers for Disease Control and Prevention, "WISQARS™ (Web-based Injury Statistics Query and Reporting System)," available at <http://www.cdc.gov/injury/wisqars/fatal.html> (last accessed August 2014).
2. Ibid.
3. Federal Bureau of Investigation, Supplemental Homicide Data (U.S. Department of Justice, 2003–2012).
4. Ibid.
5. Centers for Disease Control and Prevention, "WISQARS™ (Web-based Injury Statistics Query and Reporting System)."
6. Neb. Rev. Stat. § 28-1206(1)(b).
7. Neb. Rev. Stat. § 42-924(1)(g).
8. Neb. Rev. Stat. § 28-1206(1)(a).
9. World-Herald News Service, "Amherst native becomes Omaha's first homicide victim of year," Kearney Hub, updated June 5, 2012, available at [http://www.kearneyhub.com/news/local/article\\_04dd91ee-1763-11e0-aebf-001cc4c002e0.html](http://www.kearneyhub.com/news/local/article_04dd91ee-1763-11e0-aebf-001cc4c002e0.html).