

Rhode Island Domestic Violence and Guns

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Rhode Island has weak laws to restrict access to firearms by domestic abusers. Few abusers are barred from possessing firearms under state law; more can be done to prevent access to guns by convicted stalkers and domestic violence misdemeanants.

State gun and domestic violence overview

Rhode Island is home to a significant amount of gun violence.

- From 2002 to 2011, 436 people were killed with guns in Rhode Island.¹
- Somebody is killed with a gun in Rhode Island every 11 days: In 2011 alone, there were 33 gun deaths in the state.²

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

- According to the FBI, there were 30 domestic violence homicides in Rhode Island from 2003 to 2012, which includes both male and female victims.
- Of those homicides, almost one-quarter of the victims—23.3 percent—were killed with guns.³

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

- Of the 67 female homicide victims in Rhode Island from 2003 to 2012, 27 were the result of a domestic violence incident.⁴

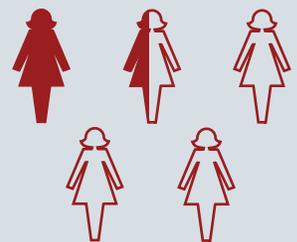
Overview of Rhode Island laws to protect women from abusers and stalkers

Rhode Island law currently prevents some domestic abusers from possessing guns.

- Rhode Island law authorizes courts to prohibit subjects of a protective order from possessing firearms.⁵ This differs from federal law, which automatically prohibits firearm possession by certain protective order respondents, even if the order does not specifically contain such a prohibition.
- Rhode Island courts that issue protective orders are authorized, but not required, to direct the subjects of the orders to surrender any firearms they own or possess.⁶
- Rhode Island also requires universal background checks for all firearm purchases, including sales from unlicensed sellers.⁷

From 2002 to 2011,
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From 2003 to 2012, 25.9
percent of female domestic
violence homicide victims in
Rhode Island were killed with
a gun.



However, the state still has many loopholes that can let some abusers have easy access to guns.

- Rhode Island does not prohibit domestic violence misdemeanants from purchasing or possessing firearms.
- Rhode Island law does not prohibit misdemeanor stalkers from possessing firearms.

Case study

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

- In July 2013, Evelyn Burgos applied for a temporary restraining order against her ex-boyfriend, Daniel Rodriguez, a previously-convicted felon who was charged with first-degree murder in 2004 and with kidnapping an ex-girlfriend in 2007. Evelyn was afraid that he was going to murder her; two weeks after she submitted her application for a restraining order she was found dead, shot by Rodriguez in her apartment in Rhode Island. Rodriguez also shot and killed her 25-year-old daughter, all in the presence of Burgos' small sons, ages 2 and 8, and 3-year-old granddaughter. Rodriguez is now serving two consecutive life terms, plus 50 years, in prison.⁸

Where does Rhode Island 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. R.I. Gen. Laws §§ 8-8.1-3(a)(4), (c), 15-15-3(a)(5), (c).
6. R.I. Gen. Laws §§ 8-8.1-3(c), 15-15-3(a)(5).
7. R.I. Gen. Laws §§ 11-47-35(a)(2), 11-47-35.2(b); A similar but somewhat expedited procedure exists for persons seeking to purchase a handgun from out of state, see R.I. Gen. Laws § 11-47-36.
8. Mark Reynolds, "Failure to protect: Most agree R.I. can do more to prevent domestic murders," Providence Journal, March 22, 2014, available at <http://www.providencejournal.com/breaking-news/content/20140322-failure-to-protect-most-agree-r.i.-can-do-more-to-prevent-domestic-murders.ece>.