

Illinois Domestic Violence and Guns

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Illinois has strong restrictions on access to firearms by domestic abusers. More can be done, however, to prevent access to guns by prohibited individuals.

State gun and domestic violence overview

Illinois is home to a staggering amount of gun violence.

- From 2002 to 2011, 10,799 people were killed with guns in Illinois. That is more than twice the number of all U.S. combat deaths in the wars in Iraq and Afghanistan combined.¹
- Somebody is killed with a gun in Illinois every eight hours: In 2011 alone, there were 1,114 gun deaths in the state.²

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

- According to the FBI, there were 171 domestic violence homicides in Illinois from 2003 to 2012, which includes both male and female victims.
- Of those homicides, more than one-quarter of the victims—26.9 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 565 female homicide victims in Illinois from 2003 to 2012, 105 were killed as the result of a domestic violence incident.⁴
- Firearms accounted for the murders of 621 women in Illinois from 2002 to 2011.⁵

Overview of Illinois laws to protect women from abusers and stalkers

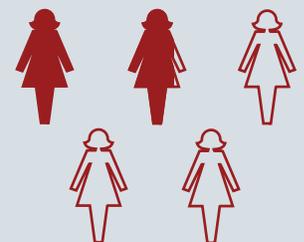
Illinois law currently prevents some domestic abusers from possessing guns.

- Illinois has laws that specifically prohibit firearm purchase or possession by persons convicted of misdemeanor domestic violence offenses.⁶
- Domestic violence laws in the state apply to people in past or present dating relationships or household members who have had an intimate or romantic relationship.⁷
- Illinois prohibits persons subject to temporary restraining orders or final protection orders from purchasing or possessing firearms. When orders are issued, restrained individuals must relinquish their weapons to a qualified individual.⁸

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From 2003 to 2012, 37 percent of female domestic violence homicide victims in Illinois were killed with a gun.



- Illinois requires firearms purchasers to obtain a permit before the purchase of a firearm. To obtain the permit, applicants must pass a background check. Private sellers must verify that the potential purchaser's permit is valid before transferring a firearm.⁹

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

- Illinois could significantly strengthen its laws by requiring private sellers to conduct background checks at the point of all gun sales.

Support for doing more to protect women from abusers and stalkers in Illinois

Most Illinois voters strongly support expanding background checks to keep guns from criminals, domestic abusers, and other dangerous people.

- In an April 2013 poll conducted by Greenberg Quinlan Rosner Research, 91 percent of Illinois voters supported universal background checks, including 88 percent of gun owners and 89 percent of Republicans. The poll also found that 92 percent of voters supported a requirement that all gun dealers be licensed by the state.¹⁰

Case study

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

- Jitka Vesel and Dmitry Smirnov briefly dated in 2008 after meeting on an online-gaming website; Vesel, however, broke off the relationship. Following the breakup, Smirnov began harassing Vesel via email and phone calls, and she filed a complaint with the local police department in 2009. Smirnov, a Canadian resident who was prohibited from owning a gun in the United States because of his immigration status, entered the country in April 2011 and bought a gun from a private seller in Washington state who had advertised the gun online. Smirnov then drove to Vesel's home outside of Chicago, placed a GPS tracking device on her car, and followed her for several days. On April 13, 2011, Smirnov approached Vesel in a parking lot and shot her repeatedly, killing her. He was apprehended by police shortly after the shooting, pleaded guilty to stalking and first-degree murder, and was sentenced to life in prison without parole.¹¹

Where does Illinois 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?

A majority of Illinoisans support universal background checks.



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); U.S. Department of Defense, U.S. Casualty Status (2014), available at <http://www.defense.gov/NEWS/casualty.pdf>.
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)," available at <http://www.cdc.gov/injury/wisqars/fatal.html> (last accessed August 2014).
6. 430 Ill. Comp. Stat. 65/2(a)(1), (2), 65/8(k), (l); 720 Ill. Comp. Stat. 5/12-3.2; 725 Ill. Comp. Stat. 5/112A-3; 720 Ill. Comp. Stat. 5/12-7.3(b).
7. 725 Ill. Comp. Stat. 5/112A-3(2).
8. 725 Ill. Comp. Stat. 5/112A-14(14.5)(A)-(B).
9. 430 Ill. Comp. Stat. 65/1 – 65/15a; 720 Ill. Comp. Stat. 5/24-3(k).
10. Al Quinlan and Angela Kuefler, "Illinoisans widely favor candidates who support stronger gun laws," Greenberg Quinlan Rosner Research, April 17, 2013, available at <http://gqrr.com/articles/2013/04/17/illinois-voters-want-stronger-gun-laws/>.
11. Winnie Stachelberg, Arkadi Gerney, Chelsea Parsons, and Megan Knauss, "Preventing Domestic Abusers and Stalkers from Accessing Guns" (Washington: Center for American Progress, 2013), available at <http://americanprogress.org/issues/civil-liberties/report/2013/05/09/60705/preventing-domestic-abusers-and-stalkers-from-accessing-guns/>.