

Indiana Domestic Violence and Guns

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Indiana has certain restrictions on firearms access by domestic abusers. However, more can be done to prevent access to guns by stalkers, abusive dating partners, and subjects of domestic violence protective orders.

State gun and domestic violence overview

Indiana is home to a staggering amount of gun violence.

- From 2002 to 2011, 6,980 people were killed with guns in Indiana. That is more than the number of all U.S. combat deaths in the wars in Iraq and Afghanistan combined.¹
- Somebody is killed with a gun in Indiana every 14 hours: In 2011 alone, there were 638 gun deaths in the state.²

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

- According to the FBI, there were 270 domestic violence homicides in Indiana from 2003 to 2012, which include both male and female victims.
- Of those homicides, more than half of the victims—58.5 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 673 female homicide victims in Indiana from 2003 to 2012, 212 were killed as a result of a domestic violence incident.⁴
- Firearms accounted for the murders of 435 women in Indiana from 2002 to 2011.⁵

Overview of Indiana laws to protect women from abusers and stalkers

Indiana law currently prevents some domestic abusers from possessing guns.

- Indiana, like federal law, prohibits domestic violence misdemeanants from buying or possessing guns.⁶
- In regard to handguns, Indiana mirrors federal law by requiring federally licensed dealers to conduct background checks prior to sale.⁷

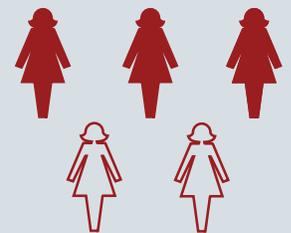
However, the state still has loopholes that can let some abusers have easy access to guns.

- Indiana does not ban gun possession by people who have been convicted of domestic violence misdemeanors against current or former dating partners.⁸

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From 2003 to 2012, 59 percent of female domestic violence homicide victims in Indiana were killed with a gun.



- Indiana does not require background checks for private gun buyers, including those at gun shows or over the Internet.
- Indiana law authorizes, but does not require, courts to prohibit subjects of a domestic violence protection order from possessing firearms.⁹
- Indiana authorizes, but does not require, courts to issue protective orders that specifically direct an abuser to surrender to law enforcement all firearms and ammunition in his or her possession.¹⁰

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

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

- In a March 2013 poll conducted by Mayors Against Illegal Guns, 89 percent of Indiana voters supported background checks for all gun buyers.¹¹

Case study

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

- Michelle Fischer’s abusive ex-boyfriend, Richard Petrick, had been threatening and stalking her since she broke up with him in 2009. Petrick violated the protective order Fischer had against him multiple times and was charged with aggravated stalking after police found him sitting in front of Fischer’s house with two rifles, ammunition, binoculars, and a 10-inch hunting knife. On the morning of April 9, 2010, Petrick shot a gun on Fischer’s porch before entering her house and threatening to kill her. Fischer’s daughter, who had been asleep upstairs, jumped out of her second-story bedroom window to escape from Petrick. The police arrived before Petrick could reach Fischer or her daughter, and he was convicted and sentenced to 17 years in prison. As a convicted stalker and domestic abuser, Petrick should never have had access to the guns he used to threaten Fischer and her family.¹²

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



Stalkers prohibited?



Misdemeanant domestic abusers prohibited?



Individuals subject to a domestic violence protective order prohibited?



Background checks required on all gun sales?

A majority of Indiana voters support background checks for all gun buyers.



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™."
6. Ind. Code Ann. §§ 35-47-2-1(c), 35-47-4-6.
7. Ind. Code Ann. § 35-47-2.5-4(a).
8. Ind. Code Ann. § 35-42-2-1.3(a).
9. Ind. Code Ann. § 34-26-5-9(c)(4), (f).
10. Ind. Code Ann. § 34-26-5-9(c)(4), (f).
11. Mayors Against Illegal Guns, "New Poll Finds 89 Percent in Indiana Favor Mandatory Background Checks for all Gun Buyers," Press release, March 5, 2013, available at http://libcloud.s3.amazonaws.com/9/ce/5/1395/IN_MAIG_Release_030513.pdf.
12. Steve Schmadeke, "Indiana man gets 17 years in stalking case," *Chicago Tribune*, August 17, 2011, available at http://articles.chicagotribune.com/2011-08-17/news/ct-met-panic-button-sentencing-0818-20110818_1_indiana-man-home-invasion-hunting-knife.