

# Massachusetts Domestic Violence and Guns

October 2014

Massachusetts has strong laws to restrict access to firearms by domestic abusers. However, more can be done to keep guns out of the hands of dangerous persons.

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## State gun and domestic violence overview

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

- From 2002 to 2011, 2,239 people were killed with guns in Massachusetts. That is more than the number of all U.S. combat deaths in the war in Afghanistan.<sup>1</sup>
- Somebody is killed with a gun in Massachusetts every 1.5 days: In 2011 alone, there were 254 gun deaths in the state.<sup>2</sup>

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

- According to the FBI, there were 129 domestic violence homicides in Massachusetts from 2003 to 2012, which include both male and female victims.
- Of those homicides, almost one-quarter of the victims—22.5 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 342 female homicide victims in Massachusetts from 2003 to 2012, 113 were killed as a result of a domestic violence incident.<sup>4</sup>
- Firearms accounted for the murders of 121 women in Massachusetts from 2002 to 2011.<sup>5</sup>

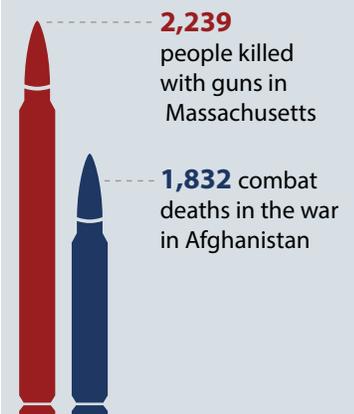
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## Overview of Massachusetts laws to protect women from abusers and stalkers

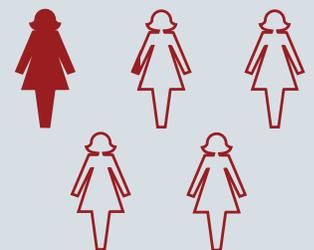
*Massachusetts has several laws to prevent abusers from having easy access to guns.*

- In 2014, Massachusetts enacted legislation to prohibit domestic violence misdemeanants from possessing guns.<sup>6</sup>
- State law prohibits individuals subject to temporary restraining orders or permanent orders of protection from obtaining a Firearms Identification Card, or FID. A FID is required to purchase or possess a firearm.<sup>7</sup>
- State law prohibits individuals convicted of stalking from obtaining a FID.<sup>8</sup>
- At the time when an individual's application for a FID card is denied, suspended, or revoked, the individual must surrender his or her firearms.<sup>9</sup>

**From 2002 to 2011, 2,239 people were killed with guns in Massachusetts. That is more than the number of all U.S. combat deaths in the war in Afghanistan.**



**From 2003 to 2012, 23.9 percent of female domestic violence homicide victims in Massachusetts were killed with a gun.**



- Massachusetts’s domestic violence laws include some people in dating relationships, as determined by the length of time of the relationship; type of relationship; frequency of interaction between the parties; and length of time elapsed since the termination of the relationship.<sup>10</sup>

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

- Currently, private sellers must verify the status of a buyer’s FID card and firearms license prior to or at the time of sale. A law enacted in 2014 strengthens this provision by providing real-time checks via a web portal.<sup>11</sup> However, state law could be strengthened by requiring private sellers to conduct background checks through both the state and FBI criminal databases at the point of sale.

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### Case study

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

- Bruce Brissette, Jr. attempted to shoot his ex-wife and their children in her Ludlow, Massachusetts, home before killing himself. Brissette’s firearm permit had been suspended after his estranged wife was granted a restraining order against him during their divorce proceedings. Police had confiscated a number of weapons from Brissette following the suspension of his firearm permit, but he was able to retain a 9 mm Beretta that had belonged to his grandfather, which the police were unaware of.<sup>12</sup>

### Where does Massachusetts 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?

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## 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. 2014 MA H.B. 4376.
7. Mass. Gen. Laws ch. 140, § 129B.
8. Mass. Gen. Laws ch. 140, § 129B.
9. Mass. Gen. Laws ch. 140, § 129D.
10. Mass. Gen. Laws ch. 209A, § 1.
11. 2014 MA H.B. 4376.
12. George Graham, "Bruce Brissette Jr., 41, identified by Ludlow police as man who fatally shot himself after firing gun into estranged wife's home," *The Republican*, updated July 22, 2014, available at [http://www.masslive.com/news/index.ssf/2014/07/ludlow\\_police\\_identify\\_man\\_who.html](http://www.masslive.com/news/index.ssf/2014/07/ludlow_police_identify_man_who.html).