

North Dakota Domestic Violence and Guns

October 2014

North Dakota has certain restrictions on firearms access by domestic abusers. Much can be done to keep guns out of the hands of dangerous persons, including convicted domestic violence misdemeanants, stalkers, and subjects of domestic violence protective orders.

State gun and domestic violence overview

North Dakota is home to a significant amount of gun violence.

- From 2002 to 2011, 574 people were killed with guns in North Dakota.¹
- Somebody is killed with a gun in North Dakota every six days: In 2011 alone, there were 61 gun deaths in the state.²

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

- According to the FBI, there were 18 domestic violence homicides in North Dakota from 2003 to 2012, which include both male and female victims.
- Of those homicides, almost one-half of the victims—44.4 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 38 female homicide victims in North Dakota from 2003 to 2012, 17 were killed as a result of a domestic violence incident.⁴
- Firearms accounted for the murders of 20 women in North Dakota from 2002 to 2011.⁵

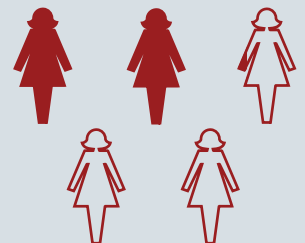
Overview of North Dakota laws to protect women from abusers and stalkers

North Dakota law currently prevents some domestic abusers from having easy access to guns.

- North Dakota prohibits some stalking misdemeanants from possessing firearms if they used or possessed a gun during the commission of that crime.⁶
- North Dakota authorizes a court that is issuing a domestic violence protective order to require the respondent to surrender to law enforcement any firearm in the respondent's possession, if the court has probable cause to believe that the respondent is likely to use, display, or threaten to use the firearm in further acts of violence.⁷

From 2002 to 2011,
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were killed with guns in
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From 2003 to 2012, 41.2
percent of female domestic
violence homicide victims in
North Dakota were killed
with a gun.



North Dakota can do more to prevent abusers from having easy access to guns.

- North Dakota does not bar domestic violence misdemeanants from possessing guns, unlike federal law.
- North Dakota does not bar individuals subject to domestic violence protective orders from possessing guns, unlike federal law.
- North Dakota does not bar all stalking misdemeanants from possessing guns.
- North Dakota could strengthen its laws by requiring all domestic abusers to surrender their firearms to law enforcement at the time they become prohibited from possessing them.
- North Dakota does not require a background check for all gun buyers, including those at gun shows or over the Internet.

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

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

- In a June 2013 poll conducted by Greenberg Quinlan Rosner Research, 79 percent of North Dakotans surveyed support requiring background checks on all gun sales.⁸

Case study

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

- Omar Mohamed Kalmio began brutally abusing his girlfriend, with whom he had a young daughter, long before he went on a shooting rampage and murdered her and the rest of her family on January 28, 2011, in Minot, North Dakota, sparing only his five-month-old daughter. As a convicted felon and Somali national, Kalmio was legally banned from possessing firearms.⁹

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



Misdemeanant domestic abusers prohibited?



Individuals subject to a domestic violence protective order prohibited?

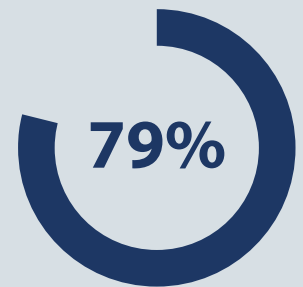


Stalkers prohibited?



Background checks required on all gun sales?

A majority of North Dakotans support background checks on all gun purchases.



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. N.D. Cent Code § 62.1-02-01(1)(b).
7. N.D. Cent. Code § 14-07.1-02(4)(g).
8. Greenberg Quinlan Rosner Research, "Support for Background Checks Continues in States Where Senators Voted 'No,'" Press release, June 27, 2013, available <http://gqrr.com/articles/2013/06/26/support-for-background-checks-continues-in-states-where-senators-voted-no/>.
9. Associated Press, "Omar Mohamed Kalmio Sentenced to Life in Prison for Murdering 4 in North Dakota," The Huffington Post, April 30, 2013, available at http://www.huffingtonpost.com/2013/04/30/omar-mohamed-kalmio-sente_n_3187410.html.