

# New Jersey Domestic Violence and Guns

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New Jersey has some restrictions on access to firearms by domestic abusers. However, more can be done to prevent access to guns by convicted stalkers and domestic violence misdemeanants.

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## State gun and domestic violence overview

*New Jersey is home to a significant amount of gun violence.*

- From 2002 to 2011, 4,477 people were killed with guns in New Jersey. That is more than double the number of all U.S. combat deaths in the war in Afghanistan.<sup>1</sup>
- Somebody is killed with a gun in New Jersey every 18 hours: In 2011 alone, there were 482 gun deaths in the state.<sup>2</sup>

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

- According to the FBI, there were 269 domestic violence homicides in New Jersey from 2003 to 2012, which includes both male and female victims.<sup>3</sup>
- Of those homicides, more than one quarter of the victims—30.5 percent—were killed with guns.<sup>4</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 712 female homicides victims in New Jersey from 2003 to 2012, 216 were killed as a result of a domestic violence incident.<sup>5</sup>
- Firearms accounted for the murders of 286 women in New Jersey from 2002 to 2011.<sup>6</sup>

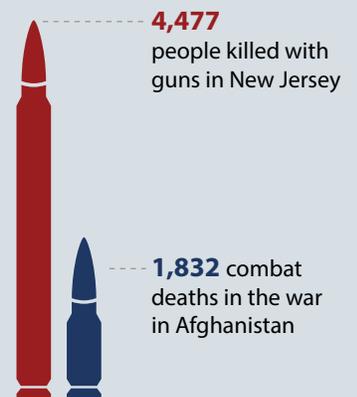
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## Overview of New Jersey laws to protect women from abusers and stalkers

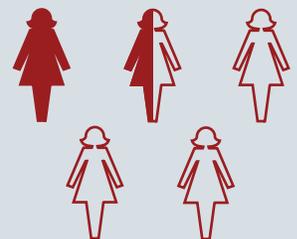
*New Jersey law currently prevents some domestic abusers from possessing guns.*

- New Jersey prohibits gun possession by anyone convicted of a domestic violence misdemeanor, including any person who has been convicted of abusing a dating partner, household member, or person with whom he or she has a child in common.<sup>7</sup>
- New Jersey prohibits gun possession by anyone convicted of stalking.<sup>8</sup>
- New Jersey prohibits gun possession by anyone subject to a domestic violence protective order, which is available to anyone abused by a dating partner or household member or person with whom they have a child in common.<sup>9</sup> The court may also order a search and seizure for guns.<sup>10</sup>
- New Jersey requires all gun purchasers to first obtain a permit, issued after a background check.<sup>11</sup>

From 2002 to 2011, more than twice as many people were killed with guns in New Jersey than U.S. soldiers killed in combat in the war in Afghanistan.



From 2003 to 2012, 30.3 percent of female domestic violence homicide victims in New Jersey were killed with a gun.



*New Jersey state law has loopholes that can let some abusers have easy access to guns.*

- There is no clear process or requirement for an abuser or other person who has lost his or her eligibility to possess guns to surrender guns already in possession.
- New Jersey could do more to prevent abusers and other people prohibited from possessing guns from using counterfeit or invalid permits to purchase guns.

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## Support for doing more to protect women from abusers and stalkers in New Jersey

*New Jersey voters overwhelmingly support expanding background checks to keep guns out of the hands of criminals, domestic abusers, and other dangerous people.*

- In a January 2013 poll by Quinnipiac University, 96 percent of those polled supported “background checks on people buying guns at gun shows,” including 95 percent of gun-owning households.<sup>12</sup>

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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.*

- Following weeks of domestic disputes, Stacey Ann Guillette was gunned down by her estranged husband, Ewart Guillette, while taking her two children to a shelter in Elizabeth, New Jersey, on August 30, 2010. Guillette shot her 16 times in the back before fleeing the scene.<sup>13</sup>

### Where does New Jersey 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 New Jerseyans support background checks required at gun shows.**



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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, Supplementary Homicide Data (U.S. Department of Justice, 2003–2012).
4. Ibid.
5. Centers for Disease Control and Prevention, "National Violent Death Reporting System (NVDRS)," available at <http://wisqars.cdc.gov:8080/nvdrs/nvdrsDisplay.jsp> (last accessed May 2014).
6. 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).
7. N.J. Stat. §§ 2C:25-19, 2C:39-7.
8. N.J. Stat. § 2C:39-7.
9. N.J. Stat. §§ 2C:25-19, 2C:25-29, 2C:39-7.
10. N.J. Stat. § 2C:25-29.
11. N.J. Stat. § 2C:58-3.
12. Quinnipiac University, "Quinnipiac University Poll Finding Near 100% Support for Wider Background Checks for Gun-Buyers," Press release, January 31, 2013, available at [http://www.quinnipiac.edu/images/polling/pa/gun01312013\\_%20BACKGROUND%20CHECKS.pdf/](http://www.quinnipiac.edu/images/polling/pa/gun01312013_%20BACKGROUND%20CHECKS.pdf/).
13. Qudsia Raja, "To Keep Women Healthy, We Must Protect Them from Gun Violence," Huffington Post, May 16, 2014, available at [http://www.huffingtonpost.com/qudsia-raja/to-keep-women-healthy-we-\\_b\\_5338906.html](http://www.huffingtonpost.com/qudsia-raja/to-keep-women-healthy-we-_b_5338906.html); Ryan Hutchins, "Domestic violence opponents mourn slain woman in Elizabeth," The Star-Ledger, September 14, 2010, available at [http://www.nj.com/news/local/index.ssf/2010/09/domestic\\_violence\\_opponents\\_mo.html](http://www.nj.com/news/local/index.ssf/2010/09/domestic_violence_opponents_mo.html).