

# Nevada Domestic Violence and Guns

October 2014

Nevada has weak restrictions on access to firearms by domestic abusers. Few abusers are barred from possessing firearms under state law; 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

*Nevada is home to a staggering amount of gun violence.*

- From 2002 to 2011, 3,926 people were killed with guns in Nevada—more than the number of all U.S. combat deaths in the Iraq War.<sup>1</sup>
- Somebody is killed with a gun in Nevada every 23 hours: In 2011 alone, there were 376 deaths from gun violence in the state.<sup>2</sup>

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

- According to the FBI, there were 221 domestic violence homicides in Nevada from 2003 to 2012, which includes both male and female victims.
- Of those homicides, more than half of the victims—52.9 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 461 female homicides victims in Nevada from 2003 to 2012, 185 were killed as a result of a domestic violence incident.<sup>4</sup>
- Firearms accounted for the murders of 208 women in Nevada from 2002 to 2011.<sup>5</sup>

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

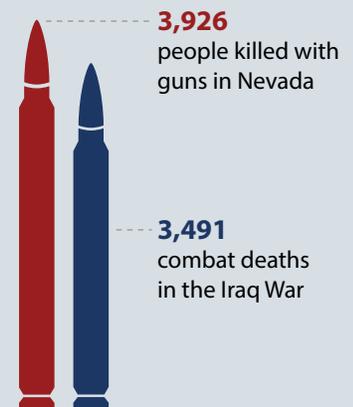
*Nevada law currently prevents some domestic abusers from possessing guns.*

- In Nevada, protective orders that prohibit guns may be available to people abused by family or household members or current or former dating partners.<sup>6</sup>
- A court issuing a protective order may also require the abuser to surrender guns already in his possession, but this is not a mandatory provision.<sup>7</sup>

*Nevada state law has loopholes that provide some abusers easy access to guns.*

- Nevada does not require a background check for all gun buyers, including those at gun shows or over the Internet.

From 2002 to 2011, more people were killed with guns in Nevada than U.S. soldiers killed in combat in the Iraq War.



From 2003 to 2012, 40 percent of female domestic violence homicide victims in Wyoming were killed with a gun.



- Unlike federal law, Nevada does not prohibit domestic violence misdemeanants from possessing guns.
- Nevada does not bar convicted misdemeanor stalkers from gun possession.
- A court that issues a domestic violence protective order in Nevada may choose not to include a gun prohibition or surrender provisions—even though federal law prohibits abusers subject to certain protective orders from possessing guns.<sup>8</sup>

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

*Nevadans overwhelmingly support expanding background checks to keep guns from criminals, domestic abusers, and other dangerous people.*

- In a January 2014 poll by Public Policy Polling, 78 percent of Nevadans supported requiring a criminal background check for all gun sales, and 77 percent supported “prohibiting anyone convicted of stalking or subject to a restraining order for domestic violence” from buying a gun.<sup>9</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.*

- Maria Flores dated Manuel Mata for three years, during which time he became increasingly abusive. Flores had decided to end the relationship; however, she never had the chance. On June 1, 2013, Mata shot and killed Flores and her 17-year old daughter, shot and injured her 4-year old daughter, and attempted to kill himself in the Las Vegas home they shared. Mata was charged with murder and attempted murder.<sup>10</sup>

### Where does Nevada 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 Nevadans support 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 (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. Nev. Rev. Stat. Ann. § 33.031.
7. Nev. Rev. Stat. Ann. § 33.031.
8. Nev. Rev. Stat. Ann. § 33.031.
9. Center for American Progress Action Fund, "ProgressNow Nevada Joins CAP Action at Nevada Strategy Summit for Stronger Gun Violence Prevention," Press release, January 24, 2014, available at <http://www.americanprogressaction.org/press/release/2014/01/24/82723/release-progressnow-nevada-joins-cap-action-at-nevada-strategy-summit-for-stronger-gun-violence-prevention/>.
10. Colton Lochhead, "Police: Man charged in fatal shooting of girlfriend and her daughter had turbulent relationship," Las Vegas Review Journal, June 3, 2013, available at <http://www.reviewjournal.com/news/crime-courts/police-man-charged-fatal-shooting-girlfriend-and-her-daughter-had-turbulent-0>.