

Oklahoma Domestic Violence and Guns

October 2014

Oklahoma has some restrictions on firearms access by domestic abusers. Much more can be done to prevent access to guns by stalkers, abusive same-sex dating partners, and subjects of domestic violence protective orders.

State gun and domestic violence overview

Oklahoma is home to a significant amount of gun violence.

- From 2002 to 2011, 5,002 people were killed with guns in Oklahoma. That is almost the same as the number of all U.S. combat deaths in the wars in Iraq and Afghanistan combined.¹
- Somebody is killed with a gun in Oklahoma every 14 hours: In 2011 alone, there were 628 gun deaths in the state.²

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

- According to the FBI, there were 257 domestic violence homicides in Oklahoma from 2003 to 2012, which include both male and female victims.
- Of those homicides, more than one-half of the victims—60.3 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.

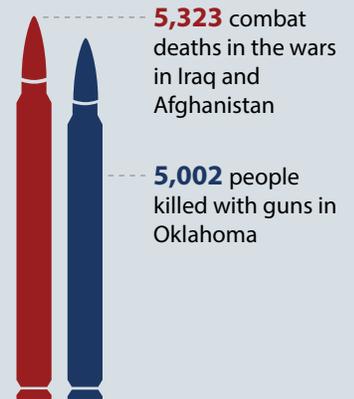
- Of the 516 female homicide victims in Oklahoma from 2003 to 2012, 184 were killed as a result of a domestic violence incident.⁴
- Firearms accounted for the murders of 280 women in Oklahoma from 2002 to 2011.⁵

Overview of Oklahoma laws to protect women from abusers and stalkers

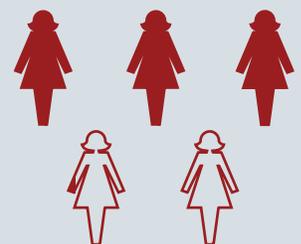
Oklahoma has few laws to prevent abusers from having easy access to guns.

- Oklahoma requires law enforcement to remove a weapon when an officer has probable cause to believe it has been used to commit an act of domestic abuse, but only if the abuser is simultaneously arrested.⁶
- Domestic violence protection orders in Oklahoma may be brought against family or household members and non-cohabitating dating or former dating partners.⁷

From 2002 to 2011, 5,002 people were killed with guns in Oklahoma. That is almost the same as the number of all U.S. combat deaths in the wars in Iraq and Afghanistan combined.



From 2003 to 2012, 62.5 percent of female domestic violence homicide victims in Oklahoma were killed with a gun.



Oklahoma can do much more to prevent abusers from having easy access to guns.

- Oklahoma does not ban gun possession by people who have been convicted of domestic violence misdemeanors.
- Oklahoma does not prohibit all subjects of a domestic violence protective order from purchasing or possessing firearms.
- Oklahoma does not require the surrender or removal of firearms from persons who have become prohibited from possessing them due to domestic violence.
- Oklahoma does not prohibit stalking misdemeanants from purchasing or possessing firearms.
- Oklahoma does not require background checks for all gun purchases, including those conducted over the Internet or at gun shows.

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

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

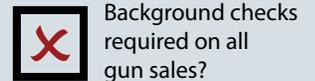
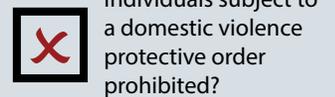
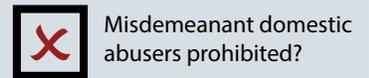
- In a March 2013 poll conducted by Mayors Against Illegal Guns, 87 percent of Oklahoma voters supported mandatory background checks for all gun buyers.⁸

Case study

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

- Joshua Mahaffey broke into the Kingston, Oklahoma, home of his pregnant ex-girlfriend, Ashleigh Lindsey, and shot her before killing himself in July 2012. Mahaffey had previously threatened and attacked Lindsey, and police were looking for him at the time of the shooting. Lindsey had been planning to move into a domestic violence shelter to escape from Mahaffey.⁹

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



A majority of Oklahomans support mandatory 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™ (Web-based Injury Statistics Query and Reporting System)."
6. Okla. Stat. Ann. tit. 22, § 60.8(A).
7. Okla. Stat. Ann. tit. 22, § 60.1(1), 60.2(A).
8. Mayors Against Illegal Guns, "New Poll Finds 87 Percent in Oklahoma Favor Mandatory Background Checks for All Gun Buyers," Press release, March 5, 2013, available at http://libcloud.s3.amazonaws.com/9/30/b/1407/OK_MAIIG_Release_030513.pdf.
9. Kristen Shanahan and Amanda Brown, "Update: More deaths in Marshall County shooting," KXII NBC News, July 17, 2012, available at http://www.kxii.com/home/headlines/UPDATE_More_deaths_in_Marshall_County_shooting__162484296.html; Associated Press, "Oklahoma man pleads no contest to 3 murder charges," NewsOK, November 1, 2013, available at <http://newsok.com/oklahoma-man-pleads-no-contest-to-3-murder-charges/article/3899882>.