

Utah Domestic Violence and Guns

October 2014

Utah has weak laws restricting access to firearms by domestic abusers. Much more can be done to keep guns out of the hands of dangerous persons, including convicted domestic abusers, stalkers, and subjects of domestic violence protective orders.

State gun and domestic violence overview

Utah is home to a significant amount of gun violence.

- From 2002 to 2011, 2,486 people were killed with guns in Utah. That is more than the number of all U.S. combat deaths in the war in Afghanistan.¹
- Somebody is killed with a gun in Utah almost every day: In 2011 alone, there were 308 gun deaths in the state.²

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

- According to the FBI, there were 73 domestic violence homicides in Utah from 2003 to 2012, which includes both male and female victims.
- Of those homicides, more than half of the victims—56.2 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.

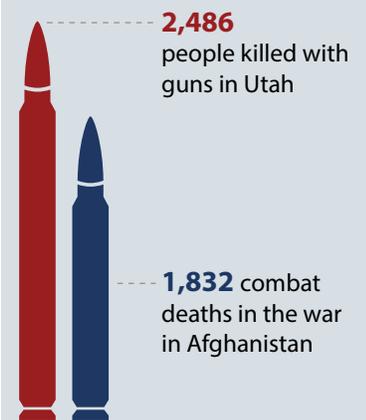
- Of the 170 female homicide victims in Utah from 2003 to 2012, 60 were the result of a domestic violence incident.⁴
- Firearms accounted for the murders of 90 women in Utah from 2002 to 2011.⁵

Overview of Utah laws to protect women from abusers and stalkers

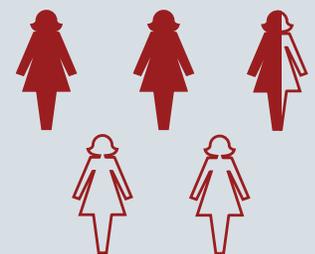
Utah law currently prevents some domestic abusers from possessing guns.

- Utah law authorizes courts to prohibit subjects of protective orders from possessing firearms.⁶
- Utah passed legislation in 2013 to provide domestic violence restraining orders for individuals in dating relationships.⁷
- Utah mirrors federal law by requiring licensed dealers to conduct a background check.⁸

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From 2003 to 2012, 53.3 percent of female domestic violence homicide victims in Utah were killed with a gun.



However, the state still has loopholes that can let some abusers have easy access to guns.

- Utah does not prohibit domestic violence misdemeanants from purchasing or possessing firearms.
- Utah does not bar misdemeanor stalkers from possessing firearms.
- Utah does not require the surrender of firearms or ammunition by domestic abusers who have become prohibited from possessing firearms.
- Utah could significantly strengthen the impact of its laws by requiring private, as well as licensed, sellers to conduct background checks at the point of all gun sales.

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

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

- In a January 2013 poll conducted by Key Research Solutions, 86 percent of Utah voters favored a federal law requiring background checks on all potential gun buyers.⁹

Case study

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

- David Scott Donaldson shot his wife, Shaniel Donaldson, at their home in Utah before calling police to report the murder and to tell them that he was going to commit suicide. The couple had four young children, who were all unharmed. David had been dealing with depression, and police reported that the couple had been experiencing marital issues. Shaniel had filed a cohabitant abuse case against David in 2006, but it was dismissed several days later.¹⁰

Where does Utah 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 Utah voters support universal background checks.



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)," available at <http://www.cdc.gov/injury/wisqars/fatal.html> (last accessed August 2014).
6. Utah Code Ann. §§ 78B-7-106(2)(d), 78B-7-107(2).
7. Utah Code Ann. §§ 78B-7-402, 403.
8. Utah Code Ann. § 76-10-526.
9. Key Research Solutions, "Key Research Utah Statewide Voter Survey, 2013 1st Quarter" (2013), available at <http://utahdatapoints.com/abrown/utahdatapoints/wp-content/uploads/2013/01/Topline-Key-Research-2013-Q1.pdf>.
10. Bob Mims and Jim Dalrymple II, "Police: Depression, health issues factors in Utah murder-suicide," *The Salt Lake Tribune*, February 11, 2013, available at <http://www.sltrib.com/sltrib/news/55808383-78/domestic-donaldson-suicide-utah.html.csp>.