

# New Hampshire Domestic Violence and Guns

June 2014

New Hampshire prohibits some domestic abusers from accessing firearms, but overall, the state restrictions are weak. 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 Hampshire is home to a staggering amount of gun violence.*

- From 2001 to 2010, 873 people were killed with guns in New Hampshire.<sup>1</sup>
- Somebody is killed with a gun in New Hampshire every three days: in 2010 alone, there were 118 gun deaths in the state.<sup>2</sup>

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

- According to the New Hampshire Domestic Violence Fatality Review Board, more than 50 percent of all homicides from 2000 to 2010 were cases of domestic violence involving family members or intimate partners.<sup>3</sup>
- Almost half—48 percent—of these victims of domestic violence 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.*

- From 2003 to 2012, nearly half of all female homicide victims in New Hampshire were killed in a domestic violence incident—a total of 22 women were murdered in domestic violence disputes.<sup>5</sup>
- Firearms accounted for the murders of 32 women in New Hampshire from 2001 to 2010.<sup>6</sup>

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

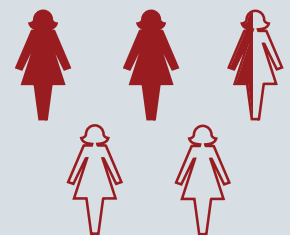
*New Hampshire law currently prevents few domestic abusers from possessing guns.*

- New Hampshire bars a defendant subject to a domestic violence protective order from possessing or purchasing a firearm.<sup>7</sup>
- New Hampshire requires an abuser to relinquish firearms when he is barred from possessing a firearm due to a protective order, but there is no clear process for surrender.<sup>8</sup>
- These laws are broader than federal law because they apply to people who have abused current and former dating partners and family and household members.<sup>9</sup>

In the past 10 years, nearly half as many people were killed with guns in New Hampshire than were killed in combat in the war in Afghanistan.



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

- New Hampshire does not require a background check for all gun buyers, including those at gun shows or over the Internet.
- New Hampshire law, unlike federal law, does not prohibit individuals convicted of domestic violence misdemeanors from purchasing or possessing firearms.
- New Hampshire does not bar people convicted of misdemeanor stalking—or similar crimes—from gun possession.

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

*Voters in New Hampshire strongly support expanding background checks to keep guns from criminals, domestic abusers, and other dangerous people.*

- In a January 2013 poll conducted by New England College, 88 percent of those polled supported universal background checks, and 72 percent supported a ban on assault weapons in New Hampshire.<sup>10</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.*

- In early 2014, the New Hampshire state legislature unanimously passed a bill that will make domestic violence a crime. In 2013, Muni Savyon used a gun to murder his son, Joshua, and commit suicide while the two were on a court-ordered supervised visit at a Manchester YMCA center. Savyon had previously threatened to kill both Joshua and the boy's mother, Becky. Although Savyon was subject to a domestic violence protective order, he was still allowed to carry a gun because domestic violence was not a crime under New Hampshire law.<sup>11</sup>

### Where does New Hampshire stand on laws to protect women from abusers and stalkers?



Stalkers prohibited?



Dating partner abusers prohibited?



Mandatory surrender provisions?



Background checks required on all gun sales?

**A majority of New Hampshire residents 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 May 2014).
2. *Ibid.*
3. New Hampshire Governor's Commission on Domestic and Sexual Violence, "Domestic Violence Fatality Review Committee" (2012), available at [http://www.ndvfri.org/reports/new-hampshire/NewHampshire\\_Statewide\\_AnnualReport\\_2012.pdf](http://www.ndvfri.org/reports/new-hampshire/NewHampshire_Statewide_AnnualReport_2012.pdf).
4. *Ibid.*
5. Federal Bureau of Investigation, Supplemental Homicide Data (2003–2012).
6. Arkadi Gerney, Chelsea Parsons, and Charles Posner, "America Under the Gun: A 50-State Analysis of Gun Violence and Its Link to Weak State Gun Laws" (Washington: Center for American Progress, 2013), available at <http://americanprogress.org/issues/civil-liberties/report/2013/04/02/58382/america-under-the-gun/>.
7. N.H. Rev. Stat. Ann. §§ 159-D:3, 173-B:5(II).
8. N.H. Rev. Stat. Ann. § 173-B:5.
9. N.H. Rev. Stat. Ann. § 173-B:1.
10. WMUR9, "Poll Shows New Hampshire Voters Support Tougher Gun Control Laws," January 25, 2013, available at <http://www.wmur.com/news/nh-news/Poll-shows-New-Hampshire-voters-support-tougher-gun-control-laws/18276146#W4FmP>.
11. Marc Fortier, "NH Senate Approves Joshua's Law," Amherst Patch, February 13, 2014, available at <http://amherst.patch.com/groups/politics-and-elections/p/nh-senate-approves-joshuas-law>.