

Alaska Domestic Violence and Guns

October 2014

Alaska has certain restrictions on firearms access by domestic abusers. However, more can be done to keep guns out of the hands of dangerous persons.

State gun and domestic violence overview

Alaska is home to a significant amount of gun violence.

- From 2002 to 2011, 1,227 people were killed with guns in Alaska.¹
- Somebody is killed with a gun in Alaska every three days: In 2011 alone, there were 126 gun deaths in the state.²

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

- According to the FBI, there were 42 domestic violence homicides in Alaska from 2003 to 2012, which include both male and female victims.
- Of those homicides, 50 percent were committed 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 103 female homicide victims in Alaska from 2003 to 2012, 27 were killed as a result of a domestic violence incident.⁴
- Firearms accounted for the murders of 49 women in Alaska from 2002 to 2011.⁵

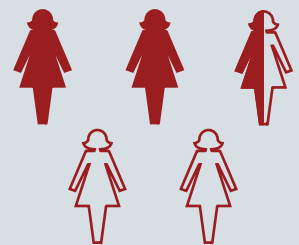
Overview of Alaska laws to protect women from abusers and stalkers

Alaska law currently prevents some domestic abusers from having easy access to guns.

- Alaska law provides that protective orders issued after notice and a hearing may prohibit firearm possession and order the surrender of firearms if the court finds that the respondent was in the actual possession of, or used, a firearm during the commission of domestic violence.⁶
- Alaska's domestic violence laws include former and current dating partners, co-habitants, and family members.⁷
- Alaska allows but does not require a peace officer at a domestic violence scene to seize a firearm in plain view if necessary to protect the victim, the victim's family, the officer, or the public during the investigation. If a firearm was actually possessed during or used in the domestic violence incident, the officer may seize all firearms owned, used, possessed, or within the control of the alleged perpetrator.

From 2002 to 2011,
1,227 people
were killed with guns in
Alaska.

From 2003 to 2012, 48.1
percent of female domestic
violence homicide victims in
Alaska were killed with a gun.



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

- Alaska does not ban gun possession by people who have been convicted of domestic violence misdemeanors or stalking misdemeanors.
- Alaska's laws allowing seizure of firearms at the scene of a domestic violence incident could be strengthened to require, rather than simply authorize, law enforcement to seize firearms.
- Alaska does not require surrender of firearms by the subject of a protective order.
- Alaska does not require background checks prior to firearms sales by private sellers, including Internet sales and sales at gun shows.

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

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

- In a June 2014 poll conducted by Greenberg Quinlan Rosner Research, 82 percent of Alaskan women and 61 percent of Alaskan men favored requiring background checks for all gun sales.⁸

Case study

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

- After failing to appear in court on a charge of domestic violence, James Vue shot his pregnant girlfriend, Michelle Moua, in the neck, paralyzing her from the head down. The couple were arguing at their Anchorage home about missing money, when he shot her in front of their four children and his own parents. Vue had a long history of domestic violence: In 2011 he was found guilty of family violence and pleaded guilty to fourth degree assault and with interfering in Moua's attempt to report domestic violence. He again plead guilty to fourth degree assault in 2013. These convictions should have prevented him from being about to buy or possess a gun.⁹

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



Stalkers prohibited?



Misdemeanant domestic abusers prohibited?



Individuals subject to a domestic violence protective order prohibited?



Background checks required on all gun sales?

A majority of Alaskan women support background checks for all gun sales.



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).
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™."
6. Alaska Stat. § 18.66.100(c)(6).
7. Alaska Stat. § 18.66.990(5).
8. Greenberg Quinlan Rosner Research, "Women of All Parties Key to Stronger Gun Laws," Press release, June 17, 2014, available at <http://gqrr.com/articles/2014/06/17/women-of-all-parties-key-to-stronger-gun-laws/>.
9. Hope Miller, "Anchorage man charged with attempted murder of pregnant woman," KTVA Alaska, June 21, 2014, available at <http://www.ktva.com/man-charged-with-attempted-murder-of-pregnant-woman-421/>; Devin Kelly, "Man charged with attempted murder after shooting pregnant woman," Alaska Dispatch News, June 21, 2014, available at <http://www.adn.com/article/20140621/man-charged-attempted-murder-after-shooting-pregnant-woman-0>.