

North Carolina Domestic Violence and Guns

October 2014

North Carolina 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.

State gun and domestic violence overview

North Carolina is home to a staggering amount of gun violence.

- From 2002 to 2011, 11,163 people were killed with guns in North Carolina, which is more than all U.S. combat deaths in the wars in Iraq and Afghanistan.¹
- Somebody is killed with a gun in North Carolina every eight hours: in 2011 alone, there were 1,154 gun deaths in the state.²

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

- According to the Centers for Disease Control and Prevention, more than one in five—23.9 percent—of all 519 homicides in North Carolina in 2011 were cases of domestic violence involving family members or intimate partners.³
- More than half of these victims—55.6 percent—were killed with guns.⁴

Women are far more at risk to be victims of fatal domestic violence, and guns play a significant role in that violence.

- In 2011, more than 60 percent of female homicide victims in North Carolina were killed in a domestic violence incident—a total of 73 women were murdered in domestic violence disputes.⁵
- Firearms accounted for the murders of 745 women in North Carolina from 2002 to 2011.⁶

Overview of North Carolina laws to protect women from abusers and stalkers

North Carolina law currently prevents few domestic abusers from possessing guns.

- North Carolina requires domestic abusers subject to protective orders to surrender their firearms in certain circumstances.⁷
- Individuals subject to a protective order may be prohibited from possessing firearms if they have abused household and family members, as well as current and former dating partners; however, such restrictions are limited to opposite sex couples.⁸

From 2002 to 2011, more than twice as many people were killed with guns in North Carolina than U.S. soldiers killed in combat in the wars in Afghanistan and Iraq.



In 2011, more than 60 percent of all female homicide victims in North Carolina were killed in cases of domestic violence involving family members or intimate partners.



North Carolina state law has loopholes that can let some abusers have easy access to guns.

- North Carolina requires handgun purchasers to obtain a permit necessitating a background check before the purchase, but this background check requirement does not apply to purchasers of rifles or shotguns, including those sold at gun shows or over the Internet.⁹
- North Carolina law, unlike federal law, does not automatically bar a domestic violence misdemeanor from possessing a firearm.
- North Carolina does not generally bar misdemeanor stalkers from possessing a firearm.

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

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

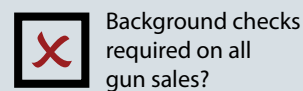
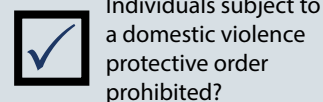
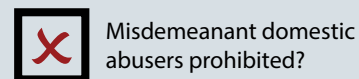
- In a February 2013 poll conducted by Elon University, 93 percent of those polled supported universal background checks—including 91 percent of Republicans and 95 percent of Democrats.¹⁰

Case study

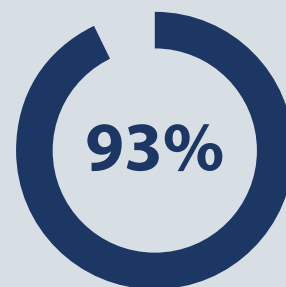
We need universal background checks and other important measures to keep guns out of the hands of dangerous abusers.

- Christen Naujoks and John Peck, students at the University of North Carolina, Wilmington, dated for a time before Naujoks ended the relationship. Peck, a convicted felon for a prior sexual assault of another woman, began stalking Naujoks. In March 2004, Naujoks reported Peck to campus security, and the local police and ultimately obtained a restraining order against him. On May 14, 2004, Peck bought an SKS assault rifle from a private seller—who was not required to conduct a background check, which would have revealed Peck as barred from gun ownership because of his felony conviction. On June 4, 2004, Peck gunned Naujoks down in front of her apartment building, fatally shooting her 11 times. Peck committed suicide after a shootout with police three days later.¹¹

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



A majority of North Carolinians support background checks required on 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); U.S. Department of Defense, U.S. Casualty Status (2014), available at <http://www.defense.gov/NEWS/casualty.pdf>.
2. Ibid.
3. Centers for Disease Control and Prevention, "National Violent Death Reporting System (NVDRS)," available at <http://wisqars.cdc.gov:8080/nvdrs/nvdrsDisplay.jsp> (last accessed May 2014).
4. Ibid.
5. Ibid.
6. 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).
7. N.C. Gen. Stat. § 14-269.8; N.C. Gen. Stat. §§ 50B-3, 50B-3.1.
8. N.C. Gen. Stat. § 14-269.8; N.C. Gen. Stat. §§ 50B-1, 50B-3.
9. N.C. Gen. Stat. §§ 14-402 – 14-404.
10. Elon University Poll, "Attitudes on Gun Control in North Carolina" (2013), available at http://www.elon.edu/docs/e-web/elonpoll/030413_ElonPoll_guncontrol.pdf.
11. Winnie Stachelberg, Arkadi Gerney, Chelsea Parsons, and Megan Knauss, "Preventing Domestic Abusers and Stalkers from Accessing Guns" (Washington: Center for American Progress, 2013), available at <http://americanprogress.org/issues/civil-liberties/report/2013/05/09/60705/preventing-domestic-abusers-and-stalkers-from-accessing-guns/>.