

South Carolina Domestic Violence and Guns

October 2014

South Carolina has almost no laws to restrict access to firearms by domestic abusers. Much can be done to keep guns out of the hands of dangerous persons, including convicted domestic abusers, stalkers, and persons subject domestic violence protective orders.

State gun and domestic violence overview

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

- From 2002 to 2011, 6,132 people were killed with guns in South Carolina. That is more than the number of all U.S. combat deaths in the wars in Iraq and Afghanistan combined.¹
- Somebody is killed with a gun in South Carolina every 12 hours: In 2011 alone, there were 705 gun deaths in the state.²

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

- According to the Centers for Disease Control and Prevention, there were 297 homicides in South Carolina in 2011. Of those, more than one-fifth—23.2 percent—were related to domestic violence.³
- Fifty-eight percent of domestic-violence-related murders in South Carolina in 2011 were committed with a gun.⁴

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

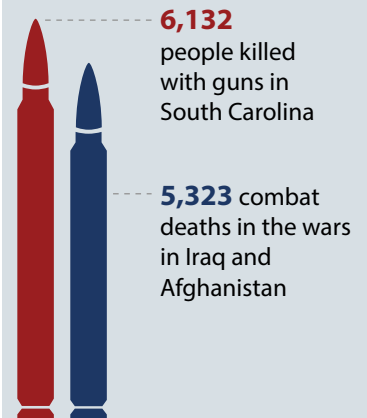
- From 2003 to 2012, 296 women were killed as a result of domestic violence in South Carolina, and 61.5 percent of those victims were killed with a gun.⁵
- Firearms accounted for the murders of 452 women in South Carolina from 2002 to 2011.⁶

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

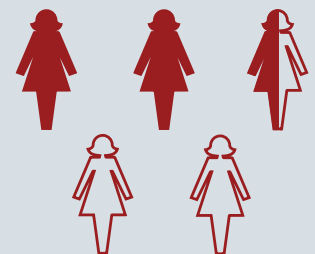
South Carolina has few laws to prevent abusers from having easy access to guns.

- South Carolina enacted a law in 2009 requiring a court to deliver to the abuser a written notice of the federal law prohibiting possession of firearms at the time the abuser is convicted of domestic violence.⁷

From 2002 to 2011, more people were killed with guns in South Carolina than U.S. soldiers killed in combat during the wars in Iraq and Afghanistan combined.



In 2011, 54.8 percent of domestic-violence-related homicides of women were committed with a gun.



- However, South Carolina, unlike federal law, does not prohibit domestic violence misdemeanants or defendants subject to domestic violence protective orders from purchasing or possessing firearms. As a result, people convicted of abusing non-cohabitating dating partners and family members, such as siblings, can legally own guns.
- South Carolina does not require the surrender of firearms owned by a person who has become prohibited from possessing firearms under federal law.
- State law also does not bar stalking misdemeanants from purchasing or possessing firearms.
- South Carolina does not require a background check for all gun buyers, including those shopping at gun shows or over the Internet.

Case study

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

- After being arrested for stalking, Michael James Young Jr. had been released on \$75,000 bail for several weeks before he shot his estranged wife, Shaunna Lynn Bell, and her father outside of a mall in Columbia, South Carolina. Bell survived the attack and her father was killed. Young had previous convictions related to firearm possession and drugs; however, police confiscated three handguns from a residence he had access to prior to the shooting.⁸

Where does South Carolina 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?

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. Federal Bureau of Investigation, Supplementary Homicide Data (U.S. Department of Justice, 2003–2012).
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. S.C. Code § 16-25-30.
8. WTOC NEWS, "Suspect in Columbiana Centre shooting charged with murder," available at <http://www.wtoc.com/story/6655329/suspect-in-columbiana-centre-shooting-charged-with-murder>; Wave 3 News, "Man accused of fatal S.C. mall shooting had been charged with stalking wife earlier," available at <http://www.wave3.com/story/6660403/man-accused-of-fatal-sc-mall-shooting-had-been-charged-with-stalking-wife-earlier>.