

WHAT IS DOMESTIC VIOLENCE?

Domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, threats, and emotional abuse. The frequency and severity of domestic violence can vary dramatically.

DOMESTIC VIOLENCE IN ALABAMA

- 37.5% of Alabama women and 29.5% of Alabama men experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes.¹
- 16 percent of violent offenses in Alabama in 2017 were domestic violence incidents.²
- A firearm was used in 4 percent of these offenses.³
- 30 domestic violence victims were killed in Alabama in 2017.⁴
- In 2017, there were 3,867 domestic violence aggravated assaults and 32,178 domestic violence simple assaults in Alabama.⁵
- A firearm was used in 70% of 2017 Alabama domestic violence homicides.⁶
- As of December 31, 2019, Alabama had submitted one domestic violence misdemeanor record and zero protective orders to the NICS Index.⁷

DID YOU KNOW?

- 1 in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner.⁸
- On a typical day, domestic violence hotlines receive approximately 19,159 calls, approximately 13 calls every minute.⁹
- In 2018, domestic violence accounted for 20% of all violent crime.¹⁰
- Abusers' access to firearms increases the risk of intimate partner femicide at least five-fold. When firearms have been used in the most severe abuse incident, the risk increases 41-fold.¹¹
- In 2017, 65% of all murder-suicides involved an intimate partner; 96% of the victims of these crimes were female.¹²

DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN ALABAMA

- Under Alabama law, domestic violence misdemeanants and respondents to final protective orders are prohibited from possessing firearms.¹³ This prohibition does not apply to dating abusers.
- Although Alabama law does not prohibit respondents to ex parte protective orders from possessing firearms, judges are authorized to order whatever relief they deem necessary to protect plaintiffs in both ex parte and final orders. This may include prohibiting respondents to ex parte orders from possessing firearms and requiring surrender. This provision applies to both domestic and dating abuse protective orders.¹⁴

If you are in crisis, contact The National Domestic Violence Hotline at 1-800-799-SAFE (7233) or www.TheHotline.org.

Please visit the **National Coalition Against Domestic Violence's** website at www.ncadv.org for more fact sheets, membership information, and valuable resources.

DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN ALABAMA (continued)

- A judge can prohibit a defendant accused of misdemeanor domestic violence and/or of violating a protection order from possessing firearms while out of jail on bond.¹⁵
- Alabama laws can be strengthened by
 - Prohibiting dating violence misdemeanants, stalking misdemeanants and respondents to ex parte protective orders from possessing firearms;
 - Requiring persons prohibited due to domestic violence, dating violence and/or stalking to surrender their firearms;
 - If requested by the survivor, requiring law enforcement to recover all firearms when responding to domestic violence calls; and
 - Requiring background checks for all gun sales and transfers.

For more information on domestic violence and firearms in Alabama, go to <https://www.disarmdv.org/state/alabama/>.

¹ Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). *The national intimate partner and sexual violence survey (NISVS): 2010-2012 state report*. Atlanta: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Retrieved from <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>.

² Alabama Law Enforcement Agency, Criminal Justice Services Division. (2018). *Domestic violence in Alabama 2017*. Retrieved from [https://www.alea.gov/sites/default/files/inline-files/Domestic Violence in Alabama 2017.pdf](https://www.alea.gov/sites/default/files/inline-files/Domestic%20Violence%20in%20Alabama%202017.pdf).

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ FBI Criminal Justice Information Services (CJIS) Division: National Instant Criminal Background Check System (NICS) Section (2020). *Active records in the NICS index as of December 31, 2019*. Retrieved from <https://www.fbi.gov/file-repository/active-records-in-the-nics-indices-by-state.pdf/view>.

⁸ Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M. (2011). The national intimate partner and sexual violence survey: 2010 summary report. Retrieved from http://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf.

⁹ National Network to End Domestic Violence (2020). *14th annual domestic violence counts report*. Retrieved from https://nnedv.org/wp-content/uploads/2020/03/Library_Census-2019_Report_web.pdf.

¹⁰ Morgan, R.E., & Oudekerk, B.A. (2019). *Criminal victimization, 2018*. Bureau of Justice Statistics. Retrieved from <https://www.bjs.gov/content/pub/pdf/cv18.pdf>.

¹¹ Campbell, J.C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., Wilt, S., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Lauphon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American Journal of Public Health*, 93(7), 1089-1097.

¹² Violence Policy Center (2018). *American roulette: murder-suicide in the United States*. Washington, DC. Retrieved from <https://vpc.org/studies/amroul2018.pdf>.

¹³ Ala. Code § 13A-11-72(a)

¹⁴ Ala. Code § 30-5-7(b)(9), Ala. Code § 30-5-2(5)(d), Ala. Code § 30-5-7(c)(1)

¹⁵ Ala. Code § 15-13-190(b)

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