



Domestic Violence in FLORIDA

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 FLORIDA

- 37.9% of Florida women and 29.3% of Florida men experience intimate partner dating violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes.¹
- In 2019, 105,298 domestic violence incidents were reported to police in Florida.² Many more incidents went unreported.
- In 2019, 221 Floridians were killed in domestic violence incidents.³ 42% of these murders were committed with firearms.⁴
- In one day in 2019, Florida domestic violence shelters and programs served 3005 adults and children; an additional 172 requests for services were unmet due to a lack of resources.⁵
- An estimated 721,000 Florida women have experienced stalking by an intimate partner in their lifetimes.⁶
- As of December 31, 2019, Florida had submitted 248 misdemeanor domestic violence and five active protective order records to the NICS Index.⁷

DID YOU KNOW?

- 1 in 3 women and 1 in 4 men in the United States have experienced some form of physical violence by an intimate partner.⁸
- On a typical day, local domestic violence hotlines receive approximately 19,159 calls, an average of 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
- 65% of all murder-suicides involve an intimate partner; 96% of the victims of these crimes are female.¹²

DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN FLORIDA

- Florida statute prohibits respondents to final domestic violence protective orders from owning firearms, excluding dating abusers.¹³ Courts *may* require said persons to surrender their firearms.¹⁴
- Although respondents to ex parte domestic violence protective orders are not statutorily prohibited from owning firearms, Florida law authorizes the judge issuing an ex parte domestic violence protective order to order whatever relief (s)he deems necessary to protect the victim/survivor.¹⁵
- Courts are authorized to order whatever relief they deem necessary when issuing ex parte¹⁶ and final dating violence protective orders.¹⁷ This may include prohibiting respondents from possessing firearms and requiring them to surrender their firearms.
- Florida requires law enforcement doing background checks for federally licensed dealers to confirm the buyer is not prohibited by 18 USC 922(g)(9), including misdemeanants whose sentences were suspended or adjudications withheld in the past three years.¹⁸

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.



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DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN FLORIDA (continued)

- Florida could strengthen its firearms laws to protect victims and survivors by:
 - Prohibiting domestic violence, dating violence and stalking misdemeanants from owning firearms;
 - Prohibiting respondents to dating violence protective orders from possessing firearms;
 - Prohibiting respondents to ex parte domestic violence and dating violence protective orders from possessing firearms;
 - Requiring prohibited persons to relinquish their firearms upon prohibition;
 - If requested by the survivor, requiring law enforcement to recover all firearms when responding to domestic violence calls; and
 - Requiring background checks for all firearm sales and transfers.

For more information about domestic violence and firearms in Florida, go to

<https://www.disarmdv.org/state/florida/>.

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 Florida Department of Law Enforcement (2020). *Crime in Florida abstract*. Retrieved from <https://www.fdle.state.fl.us/FSAC/UCR/2019/UCR-Crime-in-Florida-Abstract-Statewide-2019A.aspx>.

³ Ibid.

⁴ Florida Coalition Against Domestic Violence (2020). *Faces of Fatality*. Retrieved from <https://www.myflfamilies.com/service-programs/domestic-violence/docs/FACES%20OF%20FATALITY%20IX.pdf>.

⁵ National Network to End Domestic Violence (2020). *14th annual domestic violence counts report*. Washington, DC. Retrieved from https://nnedv.org/wp-content/uploads/2020/03/Library_Census-2019_Report_web.pdf.

⁶ 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>.

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*. Washington, DC. Retrieved from [NNEDV.org/DVCounts](https://nnedv.org/DVCounts).

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 Fla. Stat. §§ 790.233.

¹⁴ Fla. Stat. §§ 741.31(4)(a)(8); Fla. Stat. §§ 741.30(6)(a)(7).

¹⁵ Fla. Stat. §§ 741.30(5)(a).

¹⁶ Fla. Stat. § 784.046(6)(a).

¹⁷ Fla. Stat. § 784.046(7)(b).

¹⁸ Fla. Stat. § 790.065(2)(a)(2) & (3).

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