

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, economic, and emotional/psychological abuse. The frequency and severity of domestic violence varies dramatically.

DOMESTIC VIOLENCE IN UTAH

- 33.6% of Utah women¹ and 21.4% of Utah men² experience intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes.
- On one day in 2020, the domestic violence programs in Utah served 1,205 victims of domestic violence and received 359 hotline calls. These programs were unable to meet the needs of 309 individuals due to lack of resources.³
- The Utah Domestic Violence Coalition reports that every year approximately 80 Utah children will witness the murder or attempted murder of their mother.⁴
- In 2020, there were 103 homicides in Utah; 22.7% homicide victims died in an intimate partner or domestic violence related incident. 85.9% of these victims were female.⁵
- In 2020, 3,168 adult and child clients were served in domestic violence shelters; 2,191 requests for shelter went unmet.⁶
- In 2012, 39% of Utah women reporting IPV said the perpetrator was their husband or male live-in partner. 27% said the perpetrator was a former husband or former male live-in partner and 25.7% said the abuser was a former boyfriend.⁷
- As of December 31, 2020, Utah had submitted 1,683 misdemeanor domestic violence and 1,403 active domestic violence records to the NICS Index.⁸
- In 2015, there were 8,788 active protection orders in the National Crime information Center for Utah, none of which had a disqualifying Brady Indicator.⁹

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.¹⁰
- On a single day in 2020, domestic violence hotlines received 21,321 calls, an average of almost 15 calls every minute.¹¹
- In 2018, domestic violence accounted for 20% of all violent crime.¹²
- Abusers' access to firearms increases the risk of intimate partner femicide approximately 1,000%.¹³ When firearms have been used in the most severe abuse incident, the risk increases 41-fold.¹⁴
- 65% of all murder-suicides involve an intimate partner; 96% of the victims of these crimes are female.¹⁵

DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN UTAH

- Utah law prohibits domestic violence, but not dating violence, misdemeanants from possessing firearms.¹⁶
- Respondents to final domestic violence protective orders are prohibited by Utah law from possessing firearms, excluding dating partners.¹⁷ Judges are authorized, but not required, to prohibit dating partners subject to final protective orders from possessing firearms in certain circumstances.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.

Domestic Violence in UTAH

- Judges may, but are not required to, prohibit respondents, excluding dating partners, to ex parte protective orders from possessing firearms.¹⁹
- Judges in Utah are authorized, when issuing final domestic²⁰ and (some) dating violence²¹ protective orders, to order whatever relief they deem necessary to protect victims and survivors. This can include requiring respondents to relinquish their firearms and prohibiting (some) dating abusers from possessing or purchasing firearms.
- Judges are similarly authorized to order whatever relief they deem necessary when issuing ex parte domestic violence protective orders.²² However, this excludes prohibiting dating abusers from possessing firearms.²³
- When responding to domestic violence incidents, including dating violence,²⁴ law enforcement is required to confiscate all firearms alleged to have been used in the abuse.²⁵
- Utah can strengthen its laws to protect victims and survivors by
 - Prohibiting dating violence and stalking misdemeanants from possessing firearms;
 - Prohibiting respondents to final dating violence protective orders from possessing firearms;
 - Prohibiting respondents to ex parte protective orders, including dating partners, from possessing firearms;
 - Requiring all persons prohibited due to intimate partner violence or stalking to surrender their firearms;
 - Requiring law enforcement to confiscate all firearms when responding to domestic violence calls at the request of the survivor; and
 - Requiring background checks for all firearm sales and transfers.

For more information about firearms-related domestic violence laws in Utah, go to <https://www.disarmdv.org/state/utah/>.

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. National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>

² Ibid.

³ National Network to End Domestic Violence. (2020). *15th annual domestic violence counts reports*. NNEDV.org/DVCounts

⁴ Utah Domestic Violence Coalition. *Statistics and reports*. <https://www.udvc.org/resources/policy-reports/reports.html>

⁵ Utah Department of Health. (2020). *Intimate partner and domestic violence fatalities report 2020*. <https://vipp.health.utah.gov/wp-content/uploads/IP-DV-Fatalities-2020.pdf>

⁶ Utah Department of Human Services Child and Family Services. (2020). *Annual report fiscal year 2020*. <https://dcfs.utah.gov/wp-content/uploads/2020/12/DCFS-2020-Annual-Report.pdf>

⁷ Utah Department of Health Violence and Injury Prevention Program. (2014). *Domestic violence 2014*. <http://www.health.utah.vob/vipp/topics/domestic-violence/>

⁸ FBI Criminal Justice Information Services (CJIS) Division: National Instant Criminal Background Check System (NICS) Section (2021). *Active records in the NICS Index as of December 31, 2020*. <https://www.fbi.gov/about-us/cjis/nics/reports/active-records-in-the-nics-index-by-state>

⁹ United States Government Accountability Office (GAO) (2016). *Gun Control: Analyzing Available Data Could Help Improve Background Checks Involving Domestic Violence Records*. <https://www.gao.gov/assets/680/678204.pdf>

¹⁰ 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*. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence prevention. http://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf

¹¹ National Network to End Domestic Violence. (2021). *15th annual domestic violence counts report*. <https://nnedv.org/wp-content/uploads/2021/05/15th-Annual-DV-Counts-Report-Full-Report.pdf>

¹² Morgan, R.E., & Oudekerk, B.A. (2019). *Criminal victimization, 2018*. Bureau of Justice Statistics. <https://www.bjs.gov/content/pub/pdf/cv18.pdf>

¹³ Spencer, C. M. & Stith, S. M. (2020). Risk factors for male perpetration and female victimization of intimate partner homicide: A meta-analysis. *Trauma, Violence, & Abuse*, 21(3), 527-540. doi: 10.1177/1524838018781101

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¹⁴ 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.

¹⁵ Violence Policy Center (2018). *American roulette: murder-suicide in the United States*. Washington, DC. Retrieved from <https://vpc.org/studies/amroul2018.pdf>.

¹⁶ Utah Code Ann. § 76-10-503(1)(b)(xi)

¹⁷ Utah Code 76-10-503(1)(x)

¹⁸ Utah Code § 78B-7-106(2)(d); Utah Code § 78B-7-106(3)(a); Utah Code § 78B-7-404(3)(b)

¹⁹ Utah Code § 78B-7-106(2)(d)

²⁰ Utah Code § 78B-7-106(2)(h), Utah Code § 78B-7-106(3)(a)

²¹ Utah Code § 78B-7-404(2)(e)

²² Utah Code § 78B-7-106(2)(h)

²³ Utah Code § 78B-7-405(2)

²⁴ Utah Code 78B-7-408(1)(b)

²⁵ Utah Code § 77-36-2.1(1)(b)

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