



## Domestic Violence in Delaware

### 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 DELAWARE

- 34.9% of Delaware women<sup>i</sup> and 36.7% of Delaware men<sup>ii</sup> experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes.
- In 2012, 27,014 domestic violence incidents were reported in Delaware.<sup>iii</sup>
- Delaware domestic violence hotlines field an average of 3,684 calls annually.<sup>iv</sup>
- On a given day, Delaware domestic violence services report that they are unable to meet approximately 30 requests for services.<sup>v</sup>
- From 2003 to 2012, 74 females were victims of homicide in Delaware. 25 of these homicides were the result of domestic violence.<sup>vi</sup>
- 48% of these female homicide victims were murdered with firearms.<sup>vii</sup>

- As of December 31, 2015, Delaware had not submitted any domestic violence misdemeanor or protective order records to the NICS Index.<sup>viii</sup>

### DID YOU KNOW?

- 1 in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner.<sup>ix</sup>
- On a typical day, domestic violence hotlines receive approximately 21,000 calls, approximately 15 calls every minute.<sup>x</sup>
- Intimate partner violence accounts for 15% of all violent crime.<sup>xi</sup>
- The presence of a gun in the home during a domestic violence incident increases the risk of homicide by at least 500%.<sup>xii</sup>
- 72% of all murder-suicides involved an intimate partner; 94% of the victims of these crimes are female.<sup>xiii</sup>

### DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN DELAWARE

- Delaware law prohibits domestic violence misdemeanants from owning firearms for five years after the date of conviction.<sup>xiv</sup> This prohibitor will apply to dating abusers beginning in 2017.<sup>xv</sup>
- Stalkers are prohibited from owning firearms, because stalking is a felony in Delaware.<sup>xvi</sup>
- Respondents to permanent domestic violence protective orders, including dating abusers, are prohibited from owning firearms for the duration of the order.<sup>xvii</sup> Judges *may*, but are not required to, prohibit respondents to temporary protective orders from owning firearms.<sup>xviii</sup>
- Delaware courts *may* require respondents to protective orders to surrender any firearms in their possession.<sup>xix</sup>
- Background checks are required for all gun sales and transfers in Delaware.<sup>xx</sup>
- Delaware laws can be strengthened to protect victims and survivors by:

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#### If you need help:

Call The National Domestic Violence Hotline 1-800-799-SAFE (7233)  
Or, online go to [TheHotline.org](http://TheHotline.org)

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- Extending the five-year misdemeanor prohibition to a lifetime ban;
- Prohibiting respondents to temporary protective orders from owning firearms (optional under current statute);
- Requiring persons prohibited due to domestic violence misdemeanors and protective orders to surrender their firearms; and
- Requiring law enforcement responding to domestic violence incidents to confiscate firearms.

### DOMESTIC VIOLENCE PROGRAMS IN DELAWARE

Child, Inc.,  
Wilmington  
(302) 762-8989

Dover Air Force Base, Family Advocacy Program  
Dover Air Force Base  
302-677-2711

People's Place II,  
Milford  
(302) 422-8033

Community Legal Aid Society, Inc.,  
Wilmington  
(302) 575-0660

La Esperanza,  
Georgetown  
302-854-9262

YWCA Delaware,  
Wilmington  
(302) 655-0039

Delaware Center for Justice,  
Wilmington  
(302) 658-7174

<sup>i</sup> Centers for Disease Control and Prevention (2014). *Lifetime prevalence of rape, physical violence, and/or stalking by an intimate partner by state of residence—U.S. women, NISVS 2010*. Retrieved from [http://www.cdc.gov/violenceprevention/nisvs/state\\_tables\\_74.html](http://www.cdc.gov/violenceprevention/nisvs/state_tables_74.html).

<sup>ii</sup> Centers for Disease Control and Prevention (2014). *Lifetime prevalence of rape, physical violence, and/or stalking by an intimate partner by state of residence—U.S. men, NISVS 2010*. Retrieved from [http://www.cdc.gov/violenceprevention/nisvs/state\\_tables\\_75.html](http://www.cdc.gov/violenceprevention/nisvs/state_tables_75.html).

<sup>iii</sup> Domestic Violence Coordinating Council (2013). *2013 Annual Report and Fatal Incident Review Report*. Retrieved from: <http://dvcc.delaware.gov/documents/2013AnnualReportFinal.pdf>

<sup>iv</sup> Domestic Violence Coordinating Council (2013). *2013 Annual Report and Fatal Incident Review Report*. Retrieved from: <http://dvcc.delaware.gov/documents/2013AnnualReportFinal.pdf>

<sup>v</sup> National Network to End Domestic Violence (2007). *Domestic Violence Counts: the National Census of Domestic Violence Services Executive Summary for Delaware*. Retrieved from: [http://nnedv.org/downloads/Census/DVCounts2006/DVCounts06\\_StateSnapshots\\_DE.pdf](http://nnedv.org/downloads/Census/DVCounts2006/DVCounts06_StateSnapshots_DE.pdf)

<sup>vi</sup> U.S. Department of Justice (2012). *Supplementary Homicide Data*. Retrieved from: <https://cdn.americanprogress.org/wp-content/uploads/2014/10/CAP-DV-DE.pdf>

<sup>vii</sup> U.S. Department of Justice (2012). *Supplementary Homicide Data*. Retrieved from: <https://cdn.americanprogress.org/wp-content/uploads/2014/10/CAP-DV-DE.pdf>

<sup>viii</sup> FBI Criminal Justice Information Services (CJIS) Division: National Instant Criminal Background Check System (NICS) Section (2016). *Active records in the NICS Index as of December 31, 2015*. Retrieved from <https://www.fbi.gov/about-us/cjis/nics/reports/active-records-in-the-nics-index-by-state>.

<sup>ix</sup> 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](http://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf).

<sup>x</sup> National Network to End Domestic Violence (2015). *2014 domestic violence counts: A 24-hour census of domestic violence shelters and services*. Retrieved from [http://nnedv.org/downloads/Census/DVCounts2014/DVCounts14\\_NatSummary\\_Color-2.pdf](http://nnedv.org/downloads/Census/DVCounts2014/DVCounts14_NatSummary_Color-2.pdf).

<sup>xi</sup> Truman, J. & Morgan, R. (2014). *Nonfatal domestic violence, 2003-2012*. Retrieved from <http://www.bjs.gov/content/pub/pdf/ndv0312.pdf>.

<sup>xii</sup> 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.

<sup>xiii</sup> Violence Policy Center. (2012). *American roulette: murder-suicide in the United States*. Retrieved from: [www.vpc.org/studies/amroul2012.pdf](http://www.vpc.org/studies/amroul2012.pdf)

<sup>xiv</sup> 11 DE Code § 1448(a)(7), (d).

<sup>xv</sup> 11 DE Code § 1448(a)(7) as amended by DE 2015 SB-83.

<sup>xvi</sup> 11 DE Code § 1312 (b).

<sup>xvii</sup> 11 DE Code § 1448, 10 DE Code § 1041(2)(b).

<sup>xviii</sup> 10 DE Code § 1043(e), 10 DE Code § 1045(8 & 11), 10 DE Code § 1041(2)(b).

<sup>xix</sup> 10 DE Code § 1045(a)(8 & 11).

<sup>xx</sup> 2 DE Code § 1448B(a).

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