

# Nebraska Domestic Violence and Guns

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Nebraska has some restrictions on access to firearms by domestic abusers. More can be done to prevent access to guns by convicted stalkers and non-cohabitating dating partners.

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## State gun and domestic violence overview

*Nebraska is home to a significant amount of gun violence.*

- From 2002 to 2011, 1,406 people were killed with guns in Nebraska.<sup>1</sup>
- Somebody is killed with a gun in Nebraska every three days: In 2011 alone, there were 161 gun deaths in the state.<sup>2</sup>

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

- According to the FBI, there were 41 domestic violence homicides in Nebraska from 2003 to 2012, which include both male and female victims.
- Of those homicides, more than half of the victims—56.1 percent—were killed with guns.<sup>3</sup>

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

- Of the 105 female homicide victims in Nebraska from 2003 to 2012, 38 were killed as a result of a domestic violence incident.<sup>4</sup>
- Firearms accounted for the murders of 70 women in Nebraska from 2002 to 2011.<sup>5</sup>

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## Overview of Nebraska laws to protect women from abusers and stalkers

*Nebraska has some laws to prevent abusers from having easy access to guns.*

- Nebraska prohibits a person who has been convicted of misdemeanor domestic violence within the past seven years from possessing a firearm.<sup>6</sup>
- In 2012, Nebraska enacted a law authorizing—but not requiring—a court to prohibit an abuser subject to a domestic violence protective order from purchasing or possessing firearms.<sup>7</sup>

From 2002 to 2011,  
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From 2003 to 2012, 55.3  
percent of female domestic  
violence homicide victims in  
Nebraska were killed with  
a gun.



*Nebraska can do more to protect its citizens from domestic violence.*

- Nebraska has no law requiring the removal or surrender of firearms when a domestic abuser becomes prohibited from possessing them.
- Unlike federal law, Nebraska does not generally prohibit a person subject to domestic violence protective order from possessing firearms or ammunition, unless he or she is knowingly violating the order.<sup>8</sup>
- Nebraska does not bar stalking misdemeanants from purchasing or possessing firearms.
- Nebraska does not require a background check for all gun buyers, including those at gun shows or over the Internet.

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### Case study

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

- Mitchel Hadan shot and killed his girlfriend, Rita Eckhout, on January 3, 2011, while parked on the side of a highway outside of Omaha, Nebraska, before attempting to kill himself. Hadan is a convicted felon and served 10 years in prison, which should have barred him from owning a gun. Hadan pled guilty to second-degree murder in 2012.<sup>9</sup>

### Where does Nebraska 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?

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## 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).
2. Ibid.
3. Federal Bureau of Investigation, Supplemental Homicide Data (U.S. Department of Justice, 2003–2012).
4. Ibid.
5. Centers for Disease Control and Prevention, "WISQARS™ (Web-based Injury Statistics Query and Reporting System)."
6. Neb. Rev. Stat. § 28-1206(1)(b).
7. Neb. Rev. Stat. § 42-924(1)(g).
8. Neb. Rev. Stat. § 28-1206(1)(a).
9. World-Herald News Service, "Amherst native becomes Omaha's first homicide victim of year," Kearney Hub, updated June 5, 2012, available at [http://www.kearneyhub.com/news/local/article\\_04dd91ee-1763-11e0-aebf-001cc4c002e0.html](http://www.kearneyhub.com/news/local/article_04dd91ee-1763-11e0-aebf-001cc4c002e0.html).