



Domestic Violence in TEXAS

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.

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- 40.1% of Texas women¹ and 34.9% of Texas men² experience intimate partner physical violence, intimate partner rape and/or intimate partner stalking in their lifetimes.
- In 2019, it is estimated that 71,637 victims received services through family violence agencies funded through the Texas Health and Human Services Commission (HHSC).³
- HHSC estimates that funded agencies received 281,816 emergency hotline calls in 2019.⁴
- In 2019, 150 women in Texas were killed by a male intimate partner;⁵ one woman was killed by a same-sex partner;⁶ 31 men were killed by a female intimate partner;⁷ and three men were killed by a same-sex partner.⁸ 63% of intimate partner homicides of women by men,⁹ 68% of intimate partner homicides of men by women,¹⁰ and 50% of homicides by a same-sex partner were committed using firearms.¹¹
- In 2019, 48% of victims seeking assistance were denied shelter due to lack of space, an increase over nine years of 28%.¹²
- Firearm-facilitated intimate partner femicides in Texas increased from an average of 77 women annually between 2010-2014 to 96 women annually between 2015-2019.¹³
- 75% of Texas 16-24-year-olds have either experienced dating violence or know another young person who has.¹⁴
- On one day in 2020, domestic violence shelters in Texas served 5,950 victims of domestic violence and received 1,563 hotline calls. 948 requests for services on this day were unmet due to a lack of resources.¹⁵
- As of December 31, 2020, Texas had submitted 32 domestic violence misdemeanor convictions and no domestic violence protective orders to the NICS Index.¹⁶
- Between 2006 and 2015, there were 20,738 active protection orders in the National Crime Information Center for Texas, 2,169 of which had a disqualifying Brady Indicator.¹⁷

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.¹⁸
- On a single day in 2020, domestic violence hotlines received 21,321 calls, an average of almost 15 calls every minute.¹⁹
- In 2018, domestic violence accounted for 20% of all violent crime.²⁰
- Abusers' access to firearms increases the risk of intimate partner femicide approximately 1,000%.²¹ When firearms have been used in the most severe abuse incident, the risk increases 41-fold.²²
- 65% of all murder-suicides involve an intimate partner; 96% of the victims of these crimes are female.²³

DOMESTIC VIOLENCE-RELATED FIREARMS LAWS IN TEXAS

- Texas law prohibits domestic violence misdemeanants from possessing firearms for five years after

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

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release from confinement or community supervision.²⁴

- Respondents to ex parte and final protective orders are prohibited from possessing firearms for the duration of the order.²⁵
- Although Texas statute does not require prohibited persons to surrender their firearms, judges issuing protective orders are authorized to order whatever relief they deem necessary to protect victims/survivors.²⁶ Texas can strengthen its laws to protect victims and survivors by:
 - Prohibiting dating violence misdemeanants from possessing firearms;
 - Changing the existing domestic violence misdemeanor prohibitor from five years to the duration of the individual's status as a domestic violence misdemeanor;
 - Prohibiting stalking misdemeanants from possessing firearms;
 - Requiring persons prohibited due to domestic violence to surrender their firearms upon prohibition;
 - Requiring law enforcement to confiscate firearms when responding to domestic violence incidents at the request of the survivor; and
 - Requiring background checks for all firearms and ammunition sales and transfers.

More information about domestic violence and firearms in Texas can be found at

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

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 Texas Department of Health and Human Services. (2020). *Texas family violence program statewide report*.

<https://www.hhs.texas.gov/sites/default/files/documents/laws-regulations/reports-presentations/2020/tx-family-violence-program-statewide-2020.pdf>

⁴ Texas Council on Family Violence. (2020). *Honoring Texas victims: Family violence fatalities in 2019*. http://tcfv.org/wp-content/uploads/2021/02/2019HTV_FullReport_Web.pdf

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Busch-Armendariz, N. B., Kalergis, K., Little, A., Woo, H., Garza, J. & Ross, T. (2008). *An evaluation of the Texas team's teen dating violence awareness and prevention toolkit*. <https://socialwork.utexas.edu/dl/files/cswr/institutes/idvsa/publications/tdv.pdf>

¹⁵ National Network to End Domestic Violence. (2020). *15th annual domestic violence counts report*. <https://www.NNEDV.org/DVCounts>

¹⁶ 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, 2020*. <https://www.fbi.gov/about-us/cjis/nics/reports/active-records-in-the-nics-index-by-state>

¹⁷ 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>

¹⁸ 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

¹⁹ 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>

²⁰ Morgan, R.E., & Oudekerk, B.A. (2019). *Criminal victimization, 2018*. Bureau of Justice Statistics. <https://www.bjs.gov/content/pub/pdf/cv18.pdf>

²¹ 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

²² 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.

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²³ Violence Policy Center. (2018). *American roulette: murder-suicide in the United States*. <https://vpc.org/studies/amroul2018.pdf>.

²⁴ Tex. Penal Code § 46.04(b); Tex. Penal Code § 22.01(a); Tex. Family Code § 71.004(3)

²⁵ Tex. Penal Code § 46.04(c); Tex. Penal Code § 25.07(a)(4); Tex. Family Code § 85.026; Tex. Family Code § 71.004(3)

²⁶ Tex. Family Code § 83.001(b); Tex. Family Code §§ 85.022

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