

What High Schools and Colleges Need to Know About Dating Violence and Firearms

The intersection of teen dating violence and firearms

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The Centers for Disease Control and Prevention recognizes teen dating violence (also referred to as adolescent dating violence) as a form of intimate partner violence that can include behaviors such as physical violence, sexual violence, psychological aggression, and stalking perpetrated in-person, online, or through technology.¹ The term encompasses violence to which someone aged 12 to 19 was subjected by a dating partner—though some research considers through age 21 or 24. This means that every high school and college community is impacted by teen dating violence. In the United States, one in eight high school students reports having been subjected to dating violence (physical, sexual, or both) within the last year.² Female and LGBTQ high school students are subjected to physical and sexual dating violence at higher rates than male and heterosexual students, respectively.³ Among the college population, approximately 23% of U.S. undergraduate students report having been subjected to emotional, physical and/or sexual violence by a dating partner in the preceding year.⁴ The risk of teen dating violence is as sobering as adult intimate partner violence.

While dating as an adolescent might look different than dating in adulthood, adolescent intimate relationships—and the violence perpetrated by one partner against another—are no less serious. Intimate partner violence across the lifespan takes many different forms: emotional, physical, sexual, technological/digital, financial, etc.; all aimed at one partner exerting and maintaining power and control over the other. With alarming frequency, firearms are used by abusive partners to further this exertion of power and control.

Like intimate partner violence among adults, the presence of firearms increases the dangerousness of teen dating violence. In recent years, firearms have been used to cause more deaths among children 17 and under than any other injury or illness⁵—more than car accidents, more than cancer—a rate that rose 50% between 2019 and 2021.⁶ In an analysis of teen dating violence-related fatal incidents that included incidents of single homicides, multiple victim homicides, and incidents of murder-suicide, 72% of victims were killed with a firearm.⁷ This is consistent with overall intimate partner homicides, the majority of which are perpetrated with firearms and the majority of which are committed by dating partners.⁸

What does domestic/dating gun violence look like?

Besides fatal and nonfatal shootings, abusive intimate partners use firearms to intimidate and coerce in a multitude of ways. This might look like:

- Making verbal threats to harm a dating partner with a firearm
- Discussing access to firearms to create a feeling of fear/intimidation (e.g., awareness of how to access their parents' guns in their home or ability to obtain firearms from friends)
- Sending photos of themself handling a firearm to create a feeling of fear/intimidation
- Making threats to harm themself with a gun (threats of suicide) to coerce/control
- Pointing/waving a gun
- Making verbal threats to shoot others (e.g., school, work, etc.)

Why do schools need to understand and respond to the risk of teen dating gun violence?

With the known rates of teen dating violence and intimate partner gun violence, every school community is impacted by this issue. As part of maintaining a safe school community, schools should understand the dynamics of firearm-involved teen dating violence as described above, as well as the policies that can mitigate those risks and the role a school plays. Schools can be a source of support and a place of safety for victims and survivors, but they can also be a place in which a victim is forced to continue encountering their abuser in order to continue their education.

There is clear data demonstrating that intimate partner gun violence often extends to the community at large: more than half of mass shootings in recent years were domestic violence-related and those who kill their intimate partner with a gun are more than twice as likely to also kill additional victims compared to those who kill by other means.⁹ Schools have been the site of some of this fatal teen dating-related violence, including the 2018 shooting at Marjory Stoneman Douglas High School.¹⁰ Under federal law, someone may purchase a rifle (including assault rifles) or shotgun at 18 years old and may purchase a handgun at age 21. Sales of firearms to a person under age 21 are contingent on an enhanced background check process that involves contacting state/local law enforcement and state/local courts for relevant information. However, this applies to purchases from a licensed gun dealer, so someone 18 years old can purchase any type of firearm in an unlicensed gun sale, such as from a private individual. This means that by high school and college a substantial portion of the student population can legally obtain firearms. Many more live in homes in which they can access firearms. In fact, approximately threequarters of perpetrators of shootings on school grounds acquired the firearms used from the home of a parent or close relative.¹¹ Schools can use their role as community educators to provide students and their families with information about safe firearm storage practices, informed by local partners with such expertise, so that firearms do not fall into the hands of those either not permitted to have them or those in crisis and at risk of harming themselves or others.

What legal interventions related to teen dating violence and firearms might impact the school community?

Federal law—and many state laws—prohibits those subject to certain domestic violence protection orders, as well as those convicted of a qualifying misdemeanor crime of domestic violence or a felony crime, from accessing firearms and ammunition.¹² Someone subject to these prohibitions cannot continue to possess a previously acquired firearm/ammunition and cannot purchase a firearm/ ammunition.

For a further explanation of which protection orders and convictions activate these federal prohibitions, see <u>A Brief History and</u> <u>Framework of Federal Firearms Laws Addressing Intimate Partner</u> <u>Violence</u>.

One factor that has to be met for the federal firearm prohibitions to apply is that the person who would be subject to the firearm prohibition has to have a certain relationship to the victim-survivor. Both the domestic violence misdemeanor conviction prohibitor and the domestic violence protection order prohibitor include current/former spouses, current/former cohabitants, and those who share a child together as qualifying relationships. The federal misdemeanor domestic violence conviction prohibitor also includes, since 2022, current or recent former dating partners. While dating partners are not included in the federal domestic violence protection order prohibitor, many states have included dating partners in mirroring state law firearm prohibitors.¹³ Members of the school community may be subject to these firearm prohibitions.

Relatedly, because members of the school community will at times be either protected by or subject to a court-issued protection order, it is important for schools to understand the distinction between a court-issued domestic violence protection order and a school-issued no contact order, the latter of which would not activate the federal firearms prohibition nor be enforceable by law enforcement or a court. Protection orders are governed by state laws, which do vary (including in terms of the age at which someone can petition on their own for a protection order as well as whether dating partners are a qualifying relationship for the purpose of the protection order firearm prohibition). Domestic/dating violence protection orders can provide for a wide range of protections to minimize the risk of harm to the protected dating violence survivor, such as refraining from being in the physical proximity of the survivor or specific spaces the survivor occupies for work or school or from communicating with the survivor by any means, in addition to addressing the risk of gun violence. If the protected person or the restrained person (or both) to a protection order are students, that court order remains in effect on school grounds. Other than a protection order reaching its expiration date, only a court can modify a protection order. Schools cannot permit someone subject to a protection order to violate any provision in the order while on campus.

As of early 2025, the law in 21 states and Washington, D.C. also permits courts to issue extreme risk protection orders (ERPOs) in certain situations.¹⁴ ERPOs are also civil court orders and serve the unilateral purpose of prohibiting the person subject to the order from accessing firearms—including continuing to possess previously acquired firearms as well as purchasing any firearms. Again, should someone subject to an ERPO also be a student, that order would remain in effect while the person is on school grounds and the prohibitions in the order cannot be modified by anyone other than the issuing court.

When a student is subject to, or protected by, a civil protection order schools should be proactive about understanding how the provisions in the order may impact the affected students' ability to access their education and the school community, which may include their school-controlled residence. This might mean making adjustments to class schedules, access to campus buildings or residential buildings, or other adjustments to ensure the provisions of the protection order can be adhered to. Research has documented a significant association between fully implemented domestic/dating violence protection order firearms prohibitions and reductions in intimate partner violence overall. In the teen dating violence context, schools are an important part of ensuring these protections are effective at reducing the risk of fatal harm to the intimate partner victim and the community.

How can schools minimize the risk of gun violence in adolescent dating relationships?

- Overall, focusing on creating and maintaining a supportive school community is important to be able to identify and address any of the multitude of reasons that a student may be in crisis.
- Staff that support students should have accurate knowledge about teen dating violence and the risk of gun violence within teen dating violence.
- Schools should facilitate age-appropriate trauma-informed conversation throughout the school community about the dynamics of teen dating violence and dating-related gun violence. Schools should invite and encourage student leaders to offer recommendations as to how to most effectively hold such conversations with their peers.
- The entire school community must be aware of, and trust in, when and how to report concerns about teen dating violence and/or concerns about the risk of gun violence. There should be multiple trusted pathways consistently available for reporting teen dating violence, the risk of gun violence, and other information indicating someone in the school community may be in crisis. In establishing these pathways, it is important to ensure that the school community understands the bounds of confidentiality that those pathways can/cannot afford.
- Schools should have clear and consistently followed policies and practices for addressing reports of dating violence and risk/threat of gun violence.
- Schools should develop relationships with local teen dating violence programs in your community and make information about these programs and how to reach them available to students or staff.

Additional resources include:

- Love is Respect <u>https://www.loveisrespect.org/</u>
- National Resource Center on Domestic Violence and Firearms <u>www.nrcdvf.org</u>

Endnotes

- 1 Centers for Disease Control and Prevention, "About Teen Dating Violence," (May 16, 2024) <u>https://www.cdc.gov/intimate-partner-violence/about/about-teen-dating-violence.html</u>
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- 9 Lisa Geller, et al., The role of domestic violence in fatal mass shootings in the United States, 2014-2019. 8 Inj. Epidemiol. 1, 38 (2021); Emma E. Fridel and James Alan Fox, Gender Differences in Patterns and Trends in U.S. Homicide, 1976-2017, 6 Violence and Gender 1, 27-36 (2019); Aaron J. Kivisto & Megan Porter, Firearm Use Increases Risk of Multiple Victims in Domestic Homicides, 48 J. Am Acad. Psychiatry & L. 26, 31 (2020).
- 10 Lily Herman, "Teen Dating Violence is an Indicator of Gun Violence," (May 19, 2018) Teen Vogue, <u>https://www.teenvogue.com/story/teen-dating-violence-is-an-indicator-of-gun-violence</u>
- 11 National Threat Assessment Center, "Protecting America's Schools: A US Secret Service Analysis of Targeted School Violence," US Secret Service, Department of Homeland Security, 2019, <u>https://bit.ly/2U7vnwa</u>.
- 12 18 U.S.C. §§ 922(g)(1), (g)(8), (g)(9)
- 13 For more information about particular state laws, see Giffords Law Center <u>https://nrcdvf.org/resources/</u> partnership-with-giffords-law-center/
- 14 For information about state ERPO laws, see Extreme Risk Protection Order Toolkit at <u>https://bwjp.org/site-resources/erpo-toolkit/?section_slug=protection-orders-and-full-faith-credit</u>.



www.nrcdvf.org

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