

# PROGRAMS OF INTEREST

# BRADY HANDGUN ACT

The U. S. Congress enacted the “Brady Handgun Violence Protection Act” on Nov. 28, 1993, and it became effective Feb. 28, 1994. The “Brady Bill” imposes a national five business day waiting period for the purchase of a handgun.

- Total Kentucky Handgun Purchase Applications Received 79,574
  - Total Kentucky Purchase Denials 1,630
  - Percent Kentucky Denials 2%
- (January 1, 1997 - December 31, 1997)

### Handgun Purchase Facts:

|   |   |
|---|---|
| <p>1) A person must be 21 to purchase a handgun.</p> <p>2) No one under 21 may pawn a handgun or retrieve it from pawn.</p> <p>3) An individual cannot buy a handgun outside of his state of residency.</p> | <p>4) Law enforcement officers may purchase a handgun in another state if it is necessary for his/her job and has written authorization to this effect from his/her administrator. Identification and background check are still necessary.</p> <p>5) Single shot, antique, or black powder pistols are not considered handguns - no check is required.</p> |
|---|---|

### Reasons for Denial of Handgun Sale

Any individual who:

- Has been convicted of a felony.
- Is under indictment for a felony but has not yet gone to court.
- Is an unlawful user of a controlled substance.
- Is drug dependent.
- Has been committed to a mental institution or adjudicated as mentally defective.
- Is an illegal or unlawful US alien.
- Received a dishonorable discharge from the military.
- Has renounced US citizenship.
- Is subject to court order restraining him/her from harassing, stalking, or threatening another.
- Cannot prove residency (Ky.) with proper identification.
- Has an outstanding warrant on the statewide warrant system.
- Cannot prove the disposition as being dismissed or amended to a misdemeanor, or found not-guilty.



### Purchase Denials By Reason

(January 1, 1997 - December 31, 1997)

|   |            |            |                                 |            |            |
|---|------------|------------|---------------------------------|------------|------------|
| <b>Violent Felony Offenses</b>              | <b>668</b> | <b>41%</b> | <b>Domestic Violence Orders</b> | <b>196</b> | <b>12%</b> |
| <b>Criminal Non-Violent Felony Offenses</b> | <b>488</b> | <b>30%</b> | <b>Outstanding Warrants</b>     | <b>63</b>  | <b>4%</b>  |
| <b>Drug Felony Offenses</b>                 | <b>215</b> | <b>13%</b> |                                 |            |            |

# DOMESTIC VIOLENCE

**DOMESTIC VIOLENCE** is a problem which has been of major news focus both nationally and in Kentucky. The numbers of reported cases and of victims served in protective shelters is proof that this is a serious public safety issue worthy of priority response. Domestic violence includes any of the following crimes when committed by one family member/partner against another: homicide, kidnapping, sex offenses, stalking, assault, and terroristic threatening.

## ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

In FY97, AOC reports that 27,907\* **petitions were filed by persons seeking Domestic Violence Protective Orders**. There were 27,069\* **disposition case closings**. (AOC does not distinguish between cases dismissed and types of orders issued).

**\*Both of these figures include estimates from Jefferson County due to “automated system conversion” and data not being readily accessible.**

Statistical Source: AOC

## BRADY BILL

|   |            |
|---|------------|
| <b>Handgun purchase denials due to applicant having Domestic Violence Order against him/her</b> | <b>196</b> |
| <b>Percent of total denials attributed to Domestic Violence (calendar year 1997)</b>            | <b>12%</b> |

Statistical Source: KY State Police

## LAW INFORMATION NETWORK OF KY (LINK) DOMESTIC VIOLENCE FILE (ACTIVE & HISTORY) FY 97

|                                       | <u>1997</u>   | <u>1996</u>   |
|---------------------------------------|---------------|---------------|
| Emergency Temporary Orders            | 23,750        | 22,754        |
| Emergency Temporary Orders - Caution  | 3,979         | 3,971         |
| Emergency Protective Orders           | 16,075        | 16,446        |
| Emergency Protective Orders - Caution | 1,825         | 1,655         |
| Domestic Violence Summons             | 661           | 602           |
| <b>Total</b>                          | <b>46,290</b> | <b>45,428</b> |

**“LINK” Domestic Violence File records (active and history) reflect a 1.9 % increase from FY96 to FY97**

Kentucky law mandates Domestic Violence Protective Orders be entered into the LINK Domestic Violence File. LINK provides notice to officers of existence and status of protective orders including “Caution Indicators”. The caution indicators are: Weapon Involved, Believed to be Armed/Dangerous, and Divorce/Custody/Visitation Case Pending

Statistical Source: KY State Police

# DOMESTIC VIOLENCE

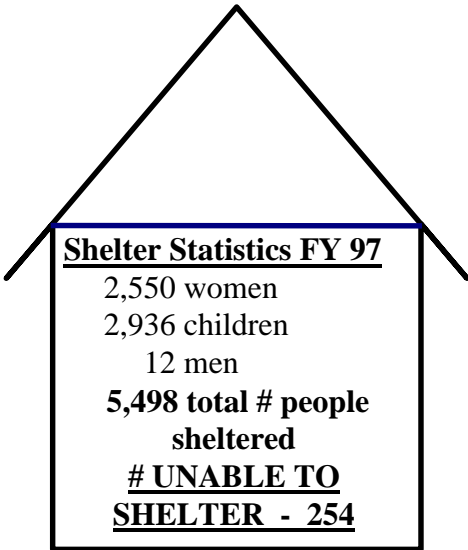
## REPORTS TO THE DEPARTMENT FOR SOCIAL SERVICES (DSS)

The 1976 Kentucky General Assembly enacted KRS 209, the Adult Protection Act, which mandates reporting any known or suspected cases of adult abuse, neglect or exploitation to the Department for Social Services (DSS), Cabinet for Families and Children (formerly Human Resources). DSS protective and support services are provided to adult victims, upon request. In 1978, the statute was expanded to include the mandatory reporting and delivery of voluntary protective services to victims of spouse abuse. Law enforcement agencies continue to serve as the primary reporting source to DSS and often work together in responding to violent families.

### *DSS Adult and Child Abuse 24-Hour Toll-free Reporting Hotline 1-800-752-6200*

|   |               |
|---|---------------|
| <i><b>Total Kentucky Adult Protection Reports Received by DSS in FY '97<br/>(Adult Abuse, Spouse Abuse, Self Neglect, Caretaker Neglect and Exploitation)</b></i> | <b>36,765</b> |
| <i><b>Domestic Violence Reports Investigated</b></i>  | <b>25,803</b> |
| <i><b>Adult Abuse (Reported abuse by a former spouse or cohabiting partner)</b></i>   | <b>8,497</b>  |
| <i><b>Spouse Abuse (Reported abuse by a spouse)</b></i>   | <b>17,306</b> |
| <i><b>Percent of Total Adult Protection Reports due to Domestic Violence</b></i>  | <b>70%</b>    |
| <i><b>Percent Decrease of Domestic Violence Reports from FY '96</b></i>   | <b>10%</b>    |

Kentucky has a regionalized network of 15 state-funded spouse abuse centers with shelter capacity for 414 people. Spouse abuse centers also provide crisis line services, advocacy, follow-up counseling, information and referral, community education programs and professional training.




**Shelter Statistics FY 97**

2,550 women  
2,936 children  
12 men

**5,498 total # people sheltered**

**# UNABLE TO SHELTER - 254**

***Kentucky Domestic Violence Association: 502-875-4132***



**Total number of crisis calls received in FY 97: 33,827**

\* Non-Residential Clients      13,989

\*These clients receive services from the shelter programs but do not receive emergency shelter at the spouse abuse program. They may be a walk-in client at one of the outreach offices, seen in the hospital, receiving assistance in court from a victim advocate, etc..

Statistical Source: Cabinet for Families and Children, Dept. for Social Services  
(CFC/DSS)