

Ohio House Federalism & Interstate Relations Committee
July 5, 2017
Opponent Testimony – House Bill 233

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence advocacy organization.

Our services include resources and referrals for domestic violence victims, training about domestic violence and the co-occurrence of child abuse, for professionals serving victims and their children, and monitoring public policy issues.

As result of contact with victims, we learn about their harrowing experiences of psychological and physical battering, which frequently include threats with weapons, especially guns.

Dr Jacqueline Campbell of Johns Hopkins University has conducted research on domestic violence homicides and developed a danger assessment tool, listing the various factors that are directly related to high lethality and greater likelihood of DV homicide. The presence of a gun in the home, or easy access to guns, greatly increases the chances that the victim will be killed. Verbal threats of “I will kill you,” as well as abuse that incorporates a loaded gun, frequently precedes the fatal act.

Another lethality factor is pregnancy. When a woman becomes pregnant, an abuser becomes more physically abusive. If she survives during pregnancy, the fetus may not be so lucky. Many victims have experienced miscarriages as the direct result of abuse. Abusers will aim their blows for the victim’s growing abdomen. I am sharing this information with you because the Majority of the General Assembly has established that one of its priorities is the birth of every baby that is conceived. Battered women who become pregnant face greater risks to stay alive and to give birth to full term babies. And the presence or accessibility of guns to their abusers creates increased risks to victims’ full term pregnancies.

In Saturday’s issue* of the *Columbus Dispatch*, Reporter Mark Williams wrote an article in the Business Section, titled “Ohio earns ‘D’ grade for safety policies.” (*July 1, 2017, Section C)

An excerpt follows:

Overall, the state gets a “D” and ranks 38th among the 50 states and Washington, D.C., for safety policies or actions that could be preventing injuries and deaths. This statement was made by the National Safety Council in its national report released last week. For home and community safety, the state rates poorly regarding policies that could improve gun safety, reduce death and injury from house fires and prevent drownings.

My focus is on the prevention of domestic violence homicides – both child and adult homicides. Because I work in the area of domestic violence and family violence, I understand the dynamics of abuse and the lethality factors that often lead to traumatic injury and death.

As the Ohio General Assembly has chosen to liberalize gun ownership, gun possession, and concealed carry, the opportunities for homicides and serious injuries (both intended and unintended) have increased. All too often, totally innocent people, not the targets of abuse, lose their lives because a stray bullet goes through the wall of a home or finds the flesh of a child or adult who happens to be at the wrong place at the wrong time.

In view of the liberalization of gun laws in Ohio, it is appropriate that organizations have the right, and exercise their right, to deny entrance to someone with a gun. I believe that it is the responsibility of an organization to maintain safety for the people (adults and/or children) entering through its doors. There should not be exceptions or excuses for individuals to violate an organization's rules governing weapons, especially guns. I believe that owning a weapon, any weapon, by a law abiding person requires adult responsibility. Entering the Statehouse requires us to follow rules. No exceptions are permitted.

I would urge you to deny passage of any public policy that threatens the lives of Ohio's citizens, especially when they are frequenting a place that requires individuals entering its doors to leave their weapons behind.

Recently in Kirkersville we learned about the tragedies that result when domestic violence abusers have free rein to purchase and possess weapons, especially guns, and then enter a facility that should have been off limits, a nursing home, in search of his victim.

1) Thomas Hartless was not served with a protection order. The sheriff's deputies couldn't find him. 2) As a result, there was no effort to consider or limit his weaponry. 3) The probation officer could not recognize the tell-tale signs that Thomas Hartless was a danger to society, especially to the woman who had cared about him and tried to help him deal with his problems. 4) The probation officer did not visit Thomas Hartless's home and remove his weapons. 5) The judge in the case did not over-rule the probation officer who granted early release. The judge has hundreds of offenders appear before him. It is impossible for him to assess the degree of lethality that each offender poses to the community, especially his target abuse victim.

Licking County is no different than any other county in Ohio. There are good people serving in the criminal justice system throughout Ohio, but they have difficulty identifying and assessing lethal abusers. They don't have time to serve protection orders. They don't comprehend that lack of service of protection orders results in continued abuse to victims and sometimes their deaths. Even when protection orders are served, law enforcement officers typically do not inquire about or take action regarding weapons.

When systems designed to protect the public from dangerous offenders are flawed, mistakes will be made. It is inevitable that there will be bloodshed and/or fatalities, especially when dangerous weapons like guns are involved. And when there are such fatalities, the family members of the deceased suffer trauma from the loss of their loved ones. Such trauma doesn't just go away. It causes emotional, psychological and many times physical repercussions for years to come.

Landmark research about adversities in childhood has established that the death of a parent for a child has life-long negative impact. Such tragedies result in a high cost to society. In the case of Kirkersville, Marlina Medrano, Cindy Krantz and Chief of Police Eric DiSario left behind 13 children + parents, siblings and other relatives, to grieve over their deaths. One man with two guns blazing created a bloodbath that will linger long after the crime scene clean-up.

I oppose House Bill 233 which would permit persons with guns to violate the rights of organizations that have banned guns from their premises. Furthermore I oppose excusing such violations of rights by Ohio law. It is irresponsible to enact legislation that excuses individuals for violating the rights of others, especially when there are risks to public safety.

Thank you for allowing me to present these viewpoints.

Phyllis L Carlson-Riehm, Executive Director
ACTION OHIO Coalition For Battered Women
PO Box 423, Worthington OH 43085-0423
614 825-0551 / Toll Free 888 622-9315
actionohio@wowway.biz / www.actionohio.org

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