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Federalism and Interstate Relations Committee
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Sponsor Testimony HB 305

Chair Roegner, Vice Chair Lipps, Ranking Member Leland and members of the Federalism and Interstate Relations committee, thank you for hearing our testimony this afternoon on House Bill 305. We are pleased to offer such an important resolution for the Ohio General Assembly.

Thank you for the opportunity to provide proponent testimony for House Bill 305, the “Domestic Violence Victim Protection Act”. This bill simply allows for the temporary transfer of firearms away from domestic abusers during the instance of an active protection order if the judge deems it appropriate to do so.

More than a million women in the United States are physically assaulted by an intimate partner every year, and more than one in three women in the United States will experience domestic abuse in her lifetime¹. In the U.S., domestic abuse has a frequent and deadly intersection with gun violence. While guns do not cause domestic violence, an abuser with a gun is far more deadly than an unarmed one. Over the past 25 years in the U.S., more intimate partner homicides have been committed with guns than with all other weapons combined.² What is even more disturbing is that the risk of homicide at the hands of an intimate partner increases eight times when a gun is in the home.³

Dangerous gaps in Ohio law make it easy for domestic abusers to access guns, even though they are legally prohibited from doing so. For instance, Ohio does not prohibit

¹ While domestic violence does not discriminate based on gender, American women are at a statistically higher risk of experiencing severe physical domestic violence than American men; approximately one in four women (22.3 percent) have been a victim of severe physical violence by an intimate partner as compared to one in seven men (14.0 percent); see Breiding MJ, Smith SG, Basile KC, Walters ML, Chen J, Merrick MT. Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization—National Intimate Partner and Sexual Violence Survey, United States, 2011. *MMWR* 2014; 63(SS-8): 1-18.

² Professor April M. Zeoli, Letter to the Hon. Patrick J. Leahy and Charles Grassley, Jan. 28, 2013

³ <https://www.americanprogress.org/wp-content/uploads/2013/05/gunsstalkersbrief-3.pdf>

convicted domestic abusers or people subject to domestic violence protection orders from purchasing or possessing guns. It is important to note that according to the Center for American Progress, the most dangerous time period for victims in abusive relationships is immediately after they file a civil protection order.⁴ This proposal seeks to address this volatile time period by allowing judicial discretion in cases of temporary protection orders – allowing a judge to order the surrender of firearms to a law enforcement agency or a federally licensed arms dealer while a temporary restraining order is in effect.

The last time Representative Antonio and I had the privilege of presenting the Domestic Violence Victim Protection Act in a room, it was only weeks after the murder of Ohioan Kristi Bice, of Hudson. As you recall, the months of threats that Kristi Bice endured from her 53-year-old husband of 22 years are well documented. He violated a judge's protection order, including repeatedly calling her 13 hours before they were both found dead inside their home in the 7600 block of Ravenna Road, by one of their 3 surviving children. Since that tragedy, we've not seen any decline in the incidence of these kinds of events.

Investigators from the Boston University School of Public Health examined 25 years of intimate partner homicides in all 50 states in order to assess the effect of firearm relinquishment laws like this one, which specifically require that people subject to certain orders surrender their firearms to authorities. They found that intimate partner homicide rates were almost 10 percent lower in states with these laws, compared to states without them, and that firearm-related intimate partner homicides were 14 percent lower. Only 16 states have these kinds of protections in place. The link between guns and fatal domestic abuse is so strong in fact, that research shows that simply living in a state with a high rate of firearm ownership increases a woman's risk of being shot and killed in a domestic violence incident.

We've covered the stats in terms of how many intimate partners, predominantly women, we lose to domestic gun violence annually. If that's not compelling enough, we must also consider our first responders. Last October in the city of Girard, which I believe is in the 63rd District, 31-year-old Officer Justin Leo, was shot and killed while responding to a domestic call. The fact of the matter is that, of police officers killed while responding to domestic disputes, 95 percent were killed by guns.

The vast majority of American gun owners are responsible and abide by the law. Our legislation seeks to correct shortcomings in state law that allows many domestic abusers to have access to firearms, even after courts have determined that the abusers pose a threat to their partners.

⁴ <http://genprogress.org/voices/2016/06/14/43887/when-guns-restraining-orders-and-domestic-violence-collide/>

Properly enforced, these laws make a real difference in the lives of women. In states that require background checks for all handgun sales, 46 percent fewer women are shot to death by intimate partners⁵. Moreover, research shows that states that enact laws restricting firearm access by people under domestic violence restraining orders see 25 percent fewer domestic violence gun murders⁶. By stopping gun violence before it starts, we can stop burying innocent people who should have been legally protected under a Civil Protection Order.

Thank you for your consideration. We would be happy to take questions at this time.

Man has prior domestic assault charge, murders wife the same day as she receives CPO, Memphis, TN. (2017)

<http://www.wmactionnews5.com/story/35080744/judge-tells-murder-suspect-to-stay-away-from-woman-he-killed>

Woman filed multiple protection orders prior to her death. Muskegon, MI. (2017)

http://www.mlive.com/news/muskegon/index.ssf/2017/11/he_was_going_to_kill_me_victim.html

<http://people.com/crime/michigan-woman-protective-order-ex-boyfriend-allegedly-shot-her/>

Woman who had protective order, shot by ex-boyfriend who had a past of domestic violence. Ann Arbor, MI. (2015)

http://www.mlive.com/news/ann-arbor/index.ssf/2015/02/police_ypsilanti_township_woma.html

Man repeatedly violated protection order before murdering wife. Hudson, OH. (2016)

http://www.cleveland.com/akron/index.ssf/2016/03/hudson_man_suspected_in_murder.html

<https://www.ohio.com/akron/writers/police-hudson-woman-concerned-about-safety-for-months-before-she-died-in-murder-suicide>

⁵ "Fatal Injury Reports," Injury Prevention & Control: Data & Statistics (WISQARS), accessed January 22, 2016, <http://1.usa.gov/1p1XBux>. Data is from 2005-2014.

⁶ April Zeoli and Daniel Webster, "Effects of domestic violence policies, alcohol taxes and police staffing levels on intimate partner homicide in large US cities," Journal of Injury Prevention, 2010, available at <http://1.usa.gov/1IqT58h>.