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House Bill 354  
House Finance Committee

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#### Written Testimony in Support of HB 354

Chairman Oelslager, Vice Chair Scherer, Ranking Member Cera, and members of the House Finance Committee, my name is Micaela Deming and I am an attorney with the Ohio Domestic Violence Network.

The mission of the Ohio Domestic Violence Network is to advance the principles that all people have the right to an oppression and violence free life; foster changes in our economic, social and political systems; and bring leadership, expertise and best practices to community programs. Based on our direct service and support of direct service providers across the state of Ohio, we support House Bill 354.

Ohio's laws differ from federal firearms laws as they relate to weapons restrictions for domestic violence perpetrators. Under federal law 18 U.S.C. §922(g) (9), a person convicted of domestic violence, even as a misdemeanor, is disqualified from firearm ownership and possession. Similarly, a person with a qualifying protection order against them is also disqualified from firearm ownership or possession pursuant to 18 U.S.C. §922(g)(8). State law in Ohio does not currently restrict those with a domestic violence conviction or an active protection order from owning or possessing firearms. Due to this discrepancy in existing state law, victims who have qualified for protection orders in Ohio do not have the added protection of having firearms disability applied evenly across the state. Appellate rulings across the state differ on this issue of firearms prohibition under state law. This leaves victims, in parts of our state, who have proven that they are in immediate danger of violence without the protection of weapons disability laws enforceable by state law enforcement.

Bringing state law into accord with federal firearms protections will save lives. This past year alone, in nearly 75% of domestic violence fatalities in the state of Ohio the deceased individuals were killed with guns. In the reporting period 2017-2018, 100% of homicide/suicide intimate partner violence cases in Ohio involved a firearm; 71% of fatal intimate partner incidents involved firearms. In reporting year 2016-2017, 86% of fatal intimate partner violence incidents



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involved firearms and 100% of homicide/suicide cases involved firearms. In 2015-2016, 74% of domestic violence fatal incidents involved firearms. In three of four of those reporting periods, law enforcement officers were killed with firearms at the scene of domestic violence fatalities. Children have also been victims of these fatal incidents and many have witnessed the death of one or both of their parents at the scene.

There is a high correlation between gun ownership and intimate partner homicide. “The Bureau of Justice Statistics has reported that a firearm was used to commit more than two-thirds of intimate partner homicides in which a female spouse or ex-spouse is killed (during the period of 1975 to 2005).” See *Domestic Violence and Firearms*, Kristine Lizdas, November 2011, <https://www.bwjp.org/resource-center/resource-results/domestic-violence-and-firearms.html>, Accessed May 23, 2019. Citing *Homicide Trends in the United States*. James Alan Fox, Northeastern University, Marianne W. Zawitz, Bureau of Justice Statistics. July 1, 2007. <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=966>. Accessed May 23, 2019.

The presence of a gun in a domestic violence situation makes it five times more likely that a woman will be killed. Campbell, J. C., Webster, D., Koziol-McLain, J. et al. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American journal of public health*, 93(7), 1089-1097.

When previous domestic violence exists, gun ownership increases risk up to 20 times. See Kellerman et al., *Gun Ownership As A Risk Factor For Homicide In The Home*. [N Engl J Med](#). 1993 Oct 7; 329(15):1084-91.

The Ohio Domestic Violence Network fully supports efforts to limit the access of domestic violence offenders’ access to firearms. This includes those with active protection orders against them pursuant to R.C. §3113.31 and convictions pursuant to R.C. §2919.25 ODVN also supports efforts to limit firearms access for stalking and sexually oriented offense offenders who are subject to R.C. §2903.214 protection orders. While the current bill language requires those protection order respondents to be entered into the proposed database, the bill does not add those individuals to the firearms disability list. See lines 946-949. We support clearly adding the respondents of those protection orders to the firearms disability list as well.

The evidence is overwhelming: Firearms in the hands of perpetrators of intimate partner violence are deadly – for the victim, sometimes the perpetrator, and third-parties, including law enforcement. The Ohio Domestic Violence Network stands in support of efforts to keep Ohioans safe and for victims of intimate partner violence to become survivors.