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**Maria York, Policy Director  
Ohio Domestic Violence Network  
House Government Oversight Committee  
Written Opponent Testimony on HB 51  
March 8, 2023**

Chairman Peterson, Vice Chairman Thomas, Ranking Member Forhan, and members of the House Government Oversight Committee:

My name is Maria York, and I am the Policy Director for the Ohio Domestic Violence Network. The Ohio Domestic Violence Network (ODVN) is Ohio's federally designated domestic violence coalition, representing 76 local domestic violence shelters and programs throughout the state.

We appreciate the opportunity to share our concerns.

ODVN has been gathering data and reporting on domestic violence related fatalities in Ohio for the past 7 years. In the most recent reporting period, there were 112 deaths in 72 cases.<sup>1</sup> Looking at the data trends from this report, we are concerned with the high levels of gun violence. **Gun violence as the manner of death made up 91% of the victim fatalities**, which was a slight increase this reporting period. In 42% of these cases, the perpetrator also killed themselves with a gun.

One of the most disturbing findings from our report was that 22 children and babies were killed, **the most since our coalition began reporting 7 years ago**. 16 victims were less than 10-years-old, including 6 babies who were under 1 year old. The youngest victim was 1 day old, who died from a gunshot wound received in utero, a day after being delivered. The shooting was witnessed by the victim's 4-year-old sister. For the cases where children survived, 35% of them witnessed their parent's murder.

Since ODVN began reporting, 10 law enforcement officers were killed with firearms at the scene of domestic violence fatalities.<sup>2</sup> The Federal Sixth Circuit Court acknowledged that "responding to family violence calls is among a police officer's most risky duties."<sup>3</sup> The FBI reported that, in 2016, "approximately 10% of non-accidental law enforcement officer fatalities in the line of duty that year occurred while officers were responding to domestic disturbance calls."<sup>4</sup>

Even the courts have recognized the heightened danger that domestic violence offenders pose to their victims when they have access to firearms. In discussing the domestic violence recidivism rate, estimated to be between 40-80%, the Federal Sixth Circuit Court stated: "No matter how you slice these numbers, people

<sup>1</sup> Ohio Domestic Violence Network, *Ohio Domestic Violence Fatalities July 1, 2021 – June 30, 2022*. [ODVN FatalityReport 2021-2022.pdf](https://www.odvn.org/media/odvn-fatality-report-2021-2022.pdf). Accessed March 2023.

<sup>2</sup> See *Ohio Domestic Violence Fatalities Reports*. <https://www.odvn.org/media/>

<sup>3</sup> *Id.* at 210, citing Nick Breul & Mike Keith, *Deadly Calls and Fatal Encounters: Analysis of U.S. Law Enforcement Line of Duty Deaths When Officers Responded to Dispatched Calls for Service and Conducted Enforcement, 2010-2014*, 15 (2016).

<sup>4</sup> *Id.*

convicted of domestic violence remain dangerous to their spouses and partners.’[...] Essential here is that the victim is more likely to be killed when a gun is present.”<sup>5</sup>

HB 51 defines “law-abiding citizen” as a person who is not otherwise precluded under state law from possessing a firearm. HB 51 also states that no law enforcement officer shall have the authority to enforce or attempt to enforce any firearms federal acts or laws. Due to the complicated nature of the interaction between federal and state firearm prohibitions in Ohio and the lack of firearm surrender protocols related to domestic violence misdemeanor offenders specifically, many domestic violence offenders maintain possession of their firearms. HB 51 would result in decreased safety for domestic violence survivors.

On behalf of the Ohio Domestic Violence Network and its 76 member programs, I would like to thank the Committee for the opportunity to share our findings on the deadly intersection between domestic violence and firearms. These proposals are dangerous for Ohioans, specifically the most vulnerable adult and child victims of domestic violence.

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<sup>5</sup> *Stimmel v. Sessions*, 879 F.3d 198, 202 (6th Cir.2018), *Id.* at 209, quoting *United States v. Skoien*, 614 F.3d 638, 644 (7th Cir.2010).