

**TO: Senate Committee On Judiciary**

**FR: John Santa, MD MPH**

**DA: March 25, 2105**

**RE: Support for SB 525**

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Chair Prozanski, Members of the Committee,

On November 10, 2014, Ian Elias shot and killed his ex-wife, Nicolette, in southwest Portland before killing himself, all while the couple's two daughters, ages 7 and 8, were in the home. Although Nicolette had divorced Ian in 2008, he continued to torment her and their children, leading Nicolette to obtain a restraining order and a stalking order.<sup>1</sup> However, because of loopholes in Oregon law, Ian was able to retain the guns he already owned, and he used one of them to perpetrate this tragic murder.

Sadly, Nicolette is not alone. Every day across the United States, five women are murdered with guns.<sup>2</sup> Women in the U.S. are 11 times more likely to be murdered with a gun than are women in other developed countries.<sup>3</sup> And far too often, these women are killed by their husbands, boyfriends, and other family members – the people who they should be able to trust the most. Nationwide, a third of all women who are murdered are killed by an intimate partner.<sup>4</sup> This number is even higher here in Oregon: between 2003 and 2012, 42 percent of women murdered in Oregon were killed by an intimate partner.<sup>5</sup> Doctors and medical professionals see the effects of domestic violence every day, and we recognize that more can be done to protect our patients and their families.

In my case I remember well a wonderful woman who I cared for over several years. She had lots of minor injuries that were easily diagnosed and treated. And her husband was always with her, attentive it seemed and her child came along. My relationship ended with her when she left a note one day with my front office that she would never be back, that all of her injuries were related to domestic violence and her husband was there to make sure that she never said a word. She worried for her life.....she knew her husband would try to find her through me (which he did).....so best to not share with me where she was going. And.....she thanked me for my care and I never saw her again. I am here because I fell short then and am trying to not fall short again.

Access to firearms by dangerous domestic abusers is a key driver of fatal violence: women are 500 percent more likely to be murdered by an intimate partner when a gun is present.<sup>6</sup> The statistics in Oregon bear this out: 59 percent of these homicides of women in Oregon were committed with a gun<sup>7</sup>, and women in the state are more likely to be murdered by an intimate partner than are men.<sup>8</sup> That is why it is crucial to enact strong legislation that will help keep guns out of the hands of abusers and prevent these horrific murders of women and their families.

It is clear that our state needs to do more to protect women from this threat of lethal gun violence. Oregon currently has no laws in place to prevent domestic abusers from having easy access to guns. The Law Center to Prevent Gun Violence, which conducts an annual review of all state laws pertaining to reducing gun violence gives Oregon a "D+", largely because our state does not have protections for victims of domestic violence.<sup>9</sup> Since the mass shooting at Sandy Hook Elementary School in December

2012, 11 states have acted to protect victims of domestic violence by barring domestic abusers from buying and possessing guns; Oregon should act to do the same.<sup>10</sup>

Senate Bill 525 is an opportunity to close these perilous loopholes that have allowed dangerous individuals like Ian Elias to kill their partners. This bill would help protect women from fatal gun violence by preventing individuals convicted of misdemeanor crimes of domestic violence or subject to a domestic violence restraining order from buying and possessing guns. This simple, common sense law would be a significant step forward in better protecting victims of domestic violence from the threat of fatal gun violence.

As a member of the medical community, and as a primary care doctor, I know firsthand that these types of laws can make a difference in the lives of families across the state. Nicolette Elias's children have been deprived a mother and father because of these loopholes—an event that will undoubtedly shape the rest of their lives. It is critical that the Oregon legislature take steps to make sure that stories like Nicolette's, and those of the thousands of other Oregon women and men who have been murdered by their intimate partners, do not continue to happen in the future. Not only is this a common sense solution supported by many in the medical community, it is also supported by a vast majority of Oregonians. A poll conducted in January 2014 found that 74 percent of Oregon voters support prohibiting individuals from purchasing firearms if they are subject to a domestic violence restraining order or have been convicted of stalking.<sup>11</sup> We need to do better for women and families in our state, and this bill is a strong step in the right direction.

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<sup>1</sup> Maxine Bernstein, "Portland man who killed ex-wife, self got kicked out of Army, couldn't keep job, abused drugs," *The Oregonian*, November 11, 2014, available at [http://www.oregonlive.com/portland/index.ssf/2014/11/portland\\_man\\_who\\_killed\\_ex-wif.html](http://www.oregonlive.com/portland/index.ssf/2014/11/portland_man_who_killed_ex-wif.html).

<sup>2</sup> Centers for Disease Control and Prevention, "WISQARS™ (Web-based Injury Statistics Query and Reporting System) Fatal Injury Reports," available at [http://www.cdc.gov/injury/wisqars/fatal\\_injury\\_reports.html](http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html).

<sup>3</sup> D. Hemenway and E.G. Richardson, "Homicide, Suicide, and Unintentional Firearm Fatality: Comparing the United States with Other High-Income Countries, 2003," *70 Journal of Trauma* 238-42 (2011), available at <http://www.ncbi.nlm.nih.gov/pubmed/20571454>.

<sup>4</sup> Chelsea Parsons and Arkadi Gerney, *Women Under the Gun* (Washington: Center for American Progress, 2014), available at <https://cdn.americanprogress.org/wp-content/uploads/2014/06/GunsDomesticViolencereport.pdf>.

<sup>5</sup> Ibid.

<sup>6</sup> J.C. Campbell and others, "Risk factors for femicide in abusive relationships: results from a multisite case control study," *American Journal of Public Health* 93 (7) (2003): 1089–1097.

<sup>7</sup> Chelsea Parsons and Arkadi Gerney, *Women Under the Gun* (Washington: Center for American Progress, 2014), available at <https://cdn.americanprogress.org/wp-content/uploads/2014/06/GunsDomesticViolencereport.pdf>.

<sup>8</sup> Oregon Domestic Violence Fatality Review Team, "2014 Report to the Legislature," available at [http://ocadsv.org/sites/default/files/New\\_DVVRT2014Report%281%29.pdf](http://ocadsv.org/sites/default/files/New_DVVRT2014Report%281%29.pdf).

<sup>9</sup> Law Center to Prevent Gun Violence, "Annual Gun Law State Scorecard 2014," available at <http://gunlawscorecard.org/>.

<sup>10</sup> Law Center to Prevent Gun Violence, "Summary of Enacted Laws since Newtown," available at <http://smartgunlaws.org/summary-of-enacted-laws-since-newtown/>.

<sup>11</sup> Public Policy Polling, "Oregon Survey Results," January 2014, available at <http://cdn.americanprogressaction.org/wp-content/uploads/2014/01/OregonResults12414.pdf>.