

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



www.communitylegalaid.org

Fewer gun regulations puts victims at increased risk

by Jeanne Charles, managing attorney

On Monday, a new state law goes into effect allowing Ohioans to carry a concealed weapon without a permit, without training, and without a background check.

While the new law doesn't change who is eligible to own a firearm, it does remove critical protections (like background checks and training) that can help keep lethal weapons out of the wrong hands.

As someone who works with survivors of domestic violence, I'm familiar with the role guns play in unsafe relationships. At Community Legal Aid, we have had clients and applicants die of gun deaths at the hands of their partners.

From July 2020 through June 2021, 31 counties in Ohio (including all but one of CLA's service counties) had fatal incidents of domestic violence, and at least 86% of the victims were killed by guns. The same period of time saw the highest number of young people killed as part of these incidents since the Ohio Domestic Violence Network began reporting these numbers six years ago.

Guns increase the lethality of domestic violence incidents -- by a lot (500% percent, to be exact). They also increase the likelihood that multiple people will be killed, putting at risk the lives of children, family members, and others.

And while domestic violence can (and does) affect all genders, identities, and relationship types (including LGBTQ+ relationships), violence against women by men is by far the most prevalent form of domestic violence we see, and the most common weapon used by men against women is a gun.

At a baseline level, the power dynamics of a domestic violence relationship are already skewed. The survivor already knows that they don't have equal power to their abuser. An argument that a typical couple would have could escalate, and instead of just being a disagreement, the survivor knows that their life or autonomy is at risk. Sometimes, that's through violence. Other times, it shows up as control over their lives -- where they can go, how they can dress, who they can see or talk to.

When you add a gun to that equation, that power dynamic is skewed even more, and survivors are often very worried about their safety and the safety of their children.

This is especially true in the heat of the moment, when a split second decision can more easily turn lethal when a gun is present.

We already have seen less stringent regulations in Ohio, when compared to federal law. Current federal law prohibits gun access when a person has certain protection orders against them.

State law, however, doesn't require the same. Ohio law requires there be a connection between the gun and the act of domestic violence -- past violence with the gun, a threat of the gun. Some courts have ruled that just knowing the abuser owns guns is enough, but others ask those seeking protection to prove that connection. And because there is no standard across the state, it's up to courts' discretion.

There are other ways, too, abusers can maintain their access to guns. For example, being convicted in a criminal court of domestic violence charges can lead to the abuser losing access to their weapons. But by taking a plea deal to a lesser charge of assault, they can receive their punishment while trying to protect their gun ownership rights.

With Monday's new law going into effect, these loopholes may get wider. Without requiring background checks, that's one less barrier for abusers to get access to guns.

With recent violent event coverage in the news, it's easy to pigeonhole conversations about access to guns to mass shootings and hate crimes. But consider the following, from Lisa Gold, in the Journal of the American Academy of Psychiatry and the Law:

"Most people think of a mass shooting as an incident with multiple fatalities in which a lone gunman opens fire on random people in a public space. When domestic homicides involving intimate partners and other family members are confined to a residence, they may not be considered or counted as a mass shooting. Nevertheless, between 2009 and 2018, at least 54 percent of mass shootings, defined as shootings in which more than three people are killed in one event, were related to domestic or family violence."

The polarized discourse around gun rights and regulations continues to put all victims of domestic violence -- and in particular, women -- at risk. So it's more important than ever that all of us are aware of and can share with others the resources that exist within our community to help survivors find safety:

Columbiana:

- Christina's House : (330) 420-0036
- Alliance Area Domestic Violence Shelter: (330) 823-7223
www.alliancedomesticviolenceshelter.org

Mahoning:

- Sojourner House: (330) 747-4040 <http://sojournerhouse.com>
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Alliance Area Domestic Violence Shelter: (330) 823-7223
www.alliancedomesticviolenceshelter.org

Medina:

- Battered Women's Shelter: (330) 723-3900 www.hopeandhealingresources.org

Portage:

- Safer Futures: (330) 673-2500 fcsserves.org/program/safer-futures

Stark:

- Domestic Violence Project, Inc.: (330) 453-7233 www.dvpi.org
- Alliance Area Domestic Violence Shelter: (330) 823-7223
www.alliancedomesticviolenceshelter.org
- COMPASS Sexual Assault: education, prevention, support: (330) 452-1111
www.compassrapecrisis.org

Summit :

- Victim's Assistance: (330) 376-0040 www.victimassistanceprogram.org
- Battered Women's Shelter: (330) 374-1111 www.hopeandhealingresources.org

Trumbull:

- Someplace Safe: (330) 393-3003 fcsserves.org/program/someplace-safe

Wayne:

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One-Eighty: (800) 686-1122 www.one-eighty.org

- Victim's Assistance: 330-262-2070

Ohio:

- [Ohio Alliance to End Sexual Violence \(OAESV\)](#) - Provides resources and support to Ohio sexual assault victims and service providers: (844) OHIO-HELP oaesv.org
- [Ohio Domestic Violence Network \(ODVN\)](#) - find information on support services available in Ohio: (800) 934-9840 ODVN.org

This article is part of Legal Aid's ["Big Ideas" series](#).

Printed: June 27, 2022

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