

Dear Chair Williamson and Committee on Judiciary Members,

My name is Melanie Kebler and I am an attorney working out of the Bend office of the nonprofit Oregon Crime Victims Law Center. My testimony here represents my own personal opinions as a career prosecutor and attorney for crime victims and does not reflect the opinions or positions of my employer. I am writing in today in support of HB 2013, a necessary bill that will dispossess domestic violence abusers of their guns at the crucial moment when the victim has decided to try to leave the relationship.

In my career as a prosecutor, I specialized and spent most of my time on domestic violence and sexual assault cases, working closely with the victims of those crimes on a near-daily basis. As a victims' rights attorney, much of my work has been in the realm of restraining and stalking orders. I have helped clients to secure these orders, including ones that notify the respondent that he or she must no longer possess guns. But it's the rare case in Oregon that any actual enforcement of that specific provision follows, even after an order is upheld by a judge finding clear reasons to tell this person they should not have a gun.

I know from experience and simply from news headlines that when a woman files a restraining order against her abuser, it can be the most dangerous time in the relationship. If the abuser has access to firearms, the danger is ratcheted up even more. Some examples have stuck with me. One is Nikki Elias, shot by her husband while a restraining order was in place and a violation of restraining order case was pending (https://www.oregonlive.com/portland/2014/11/portland_man_faced_restraining.html). "I'm not a violent man," her husband said on Youtube before he followed through on his plan to murder her, "I do like to collect firearms." Another is Jan Moffat. Her husband violated her restraining order immediately and when he learned she wanted a divorce, he sought her out and tried to kill her (<https://www.oregonlive.com/oregon-city/page/oregon-city-woman-survives-husbands-shooting.html>). "He has said many times he 'will kill himself and take me with him,'" she wrote in the court papers. Jan had not asked the court in her restraining order to order that her husband not possess guns. But even if she had, the likelihood that he would have actually been dispossessed of the guns he did have access to was low, because no statewide protocols or statutes exist that require courts, law enforcement, or respondents in restraining orders to actually give up their weapons. Though some counties have instituted their own protocols, these are not consistently applied across the state. (Please note I include these names and stories as they have appeared publicly in the Oregonian, and do not attempt to speak for either of these victims or what their position on this law is, or would have been.)

HB 2013 appears generally consistent with already existing state and federal law; it simply adds a mandatory process of enforcement of gun dispossession, one that will seek to *actually* remove guns from abusers during a crucial, dangerous time for victims. I believe instituting such a consistent practice statewide can and will save lives. Please pass HB 2013 out of committee.

Thank you,
Melanie Kebler
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