

SURVIVOR.JUSTICE.ACTION.

**Statement on Behalf of Ruth M. Glenn and Survivor Justice Action
Submitted for the Record for Hearing on
Second Amendment Rights Empower Women's Rights
House Judiciary Subcommittee on Crime and Federal Government Surveillance**

December 13, 2023

Good afternoon, Chairman Biggs, Ranking Member Jackson Lee, and members of the House Judiciary Subcommittee on Crime and Federal Government Surveillance. Thank you for the opportunity to testify before you today.

My name is Ruth M. Glenn, and I am the President of Survivor Justice Action, a national advocacy organization working to support, engage and empower domestic violence survivors and their families to prevent and end domestic violence in all its forms. I've been advocating for and with survivors of domestic violence for 30 years. I am also a survivor of domestic violence and firearms violence.

Domestic violence encompasses intimate partner violence, dating abuse and relationship abuse. Domestic violence is often misinterpreted as a private issue. It is, in fact, a public health crisis that affects the safety of families, businesses, and communities across the country. The Centers for Disease Control and Prevention's (CDC) National Intimate Partner and Sexual Violence Survey found that domestic violence, sexual violence, and stalking are widespread. Domestic violence affects more than 12 million people each year.¹ According to additional CDC reports approximately 40% of women and 25% of men in the United States experience physical violence, contact sexual violence, or stalking in their lifetimes with intimate partner violence-related impacts.² Individuals who were victimized experienced significant short and

¹ Freiden, T., Degutis, L., Spivak, H. (2011), National Center for Injury Prevention and Control, National Intimate Partner and Sexual Violence survey, National Intimate Partner and Sexual Violence survey: 2010 Summary Report, United States Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, *available at* https://www.cdc.gov/violenceprevention/pdf/NISVS_Report2010-a.pdf.

² Leemis, R. W., Friar, N., Khatiwada, S., Chen, M. S., Krewsnew, M., Smith, S., Caslin, S., & Basile, K. C. (2022). National Intimate Partner and Sexual Violence survey: 2016/2017 Report on Intimate Partner Violence, United States Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, *available at* https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV_2022.pdf.

long-term impacts related to violence such as Post-Traumatic Stress Disorder (PTSD), injury, and missed time at work or school.³

The presence of a firearm in a domestic violence situation significantly increases the risk of lethal violence.⁴ Abusive partners frequently use firearms to control and harass their partner—threatening the victim, family members, pets, community members or even themselves. They might brandish or display their firearms to intimidate— as in my situation, wherein my husband taped his gun to the refrigerator as a daily reminder of the power he had over me and my son. Or as we fear most, the firearm is used for actual violence— resulting in physical injury and of course fatal homicides.⁵ One study found that women who were threatened or assaulted with a gun were 20 times more likely than other women to be murdered.⁶

Data from U.S. crime reports suggest that about 1 in 5 homicide victims are killed by an intimate partner.⁷ U.S. women are 21 times more likely to be murdered by a firearm than women in other similarly situated countries.⁸ An estimated 13.6% of women and 5.9% of men in America today have been threatened by an intimate partner with a firearm.⁹ Of women threatened by a firearm, 43% have been shot, pistol whipped, sexually assaulted, or otherwise physically injured with a firearm.¹⁰ A 2014 survey of those reaching out to The Hotline found that, of respondents whose abusive partners had access to firearms, 10% said the abusive partner had fired a gun during an argument, and 67% said they believed the abusive partner was capable of killing

³ *Id.*

⁴ Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C. R., Campbell, D., Curry, M. A., Gary, F., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., & Wilt, S. A. (2003, November). Assessing Risk Factors for Intimate Partner Homicide. Washington, DC: National Institute of Justice (NIJ), *available at* <https://www.ojp.gov/pdffiles1/jr000250e.pdf>.

⁵ National Domestic Violence Hotline. (2014). Firearms and domestic violence, *available at* <http://www.thehotline.org/resources/firearms-dv/#tab-id-2>.

⁶ Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C. R., Campbell, D., Curry, M. A., Gary, F., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., & Wilt, S. A. (2003, November). Assessing Risk Factors for Intimate Partner Homicide. Washington, DC: National Institute of Justice (NIJ), *available at* <https://www.ojp.gov/pdffiles1/jr000250e.pdf>.

⁷ Smith, E. Female Murder Victims and Victim-Offender Relationship (2021), Bureau of Justice Statistics, *available at* <https://bjs.ojp.gov/female-murder-victims-and-victim-offender-relationship-2021>.

⁸ Tobin-Tyler E. Intimate Partner Violence, Firearm Injuries and Homicides: A Health Justice Approach to Two Intersecting Public Health Crises. *J Law Med Ethics*. 2023;51(1):64-76, *available at* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10209983>.

⁹ Adhia, A., Lyons, V. H., Moe, C. A., Rowhani-Rahbar, A., & Rivara, F. P. (2021). Nonfatal use of firearms in intimate partner violence: Result of a national survey. *Preventive Medicine*. <https://doi.org/10.1016/j.ypmed.2021.106500>

¹⁰ *Id.*

them.¹¹ In 2022, 21,225 people reaching out to The Hotline reported firearms were used as part of the abusive relationship, a 22.2% increase over 2021.¹²

Some women also bear the disproportionate impact of domestic violence injury and homicide. American Indian, Alaska Native, Black, Asian American and Pacific Island (AAPI), and Hispanic women are more likely to be killed by an intimate partner than white women.¹³ In 81% of these cases, the perpetrator or suspect was a current intimate partner.¹⁴ Black women are twice as likely to be shot and killed by an intimate partner in comparison to white women.¹⁵ LGBTQ+ people are two times as likely to experience gun violence as cisgender and heterosexual people.¹⁶ Fifty-eight (58%) of homicides of AAPI adult women were related to intimate partner violence.¹⁷ Children also are uniquely affected by domestic violence and firearms and nearly one-third of youth (under age 13) homicides are connected to intimate partner violence or family violence.¹⁸

When an abusive intimate partner has access to a firearm, the risk of intimate partner homicide increases at least five-fold¹⁹; one study puts the increased risk at 1,000%.²⁰ When an abusive partner has used a firearm in the past, the risk of homicide increases more than forty-one-fold.²¹ While the perpetrator's intimate partner is typically the

¹¹ *Supra* note 6.

¹² *Supra* note 6.

¹³ Petrosky E., Blair J.M., Betz C.J., Fowler K.A., et al., "Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014," *Morbidity and Mortality Weekly Report* 66 (2017): 741–746; M. Wallace, V. Gillispie-Bell, K. Cruz, K. Davis, et al., "Homicide During Pregnancy and the Postpartum Period in the United States, 2018–2019," *Obstetrics and Gynecology* 138 (2021): 762–769. available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5657947/>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Sandy Hook Promise, "Facts And Statistics About The Impact Of Gun Violence On LGBTQ+ People," available at, <https://www.sandyhookpromise.org/blog/news/facts-and-statistics-about-the-impact-of-gun-violence-on-lgbtq-people/>.

¹⁷ *Supra* note 15.

¹⁸ Fowler, K., Dahlberg, L., Haileyesus, T., Gutierrez, C., Bacon, S., "Childhood firearm injuries in the United States," *Pediatrics* 140, no. 1 (2017): e20163486., available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6488039/>.

¹⁹ Campbell, J. C., Webster, D., Koziol-McLain, J., Block, C., Campbell, D., Curry, M. A., Gary, F., Glass, N., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., Wilt, S. A., Manganello, J., Xu, X., Schollenberger, J., Frye, V., & Laughon, K. (2003). Risk factors for femicide in abusive relationships: Results from a multisite case control study. *American Journal of Public Health*, 93(7), 1089–1097. available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447915/>.

²⁰ Spencer, C. M. & Stith, S. M. (2020). Risk factors for male perpetration and female victimization of intimate partner homicide: A meta-analysis. *Trauma, Violence, & Abuse*, 21(3), 527–540. doi: 10.1177/1524838018781101

²¹ *Supra* note 19.

direct target, 20% of casualties of intimate partner homicide are individuals other than the intimate partner, including children, law enforcement, and others.²²

In my own adult life, there was always a gun present during my 13 years of marriage. It was used as a tool to frighten and control me. It was an ever-present reminder that in a moment's notice my life could be in grave danger. In one instance, my son who was 14 at the time and struggling in school, was with me when my then husband aimed a gun at me, looked at our son and said "if you bring one more F into this house I will kill your mother." I was so traumatized and terrified that I could hardly think. This was far from the only time he threatened me this way. When I left him, he kidnapped me and held me at gunpoint for hours. Sadly, as the statistics show— my experience is far from unusual, and I've heard similar experiences from survivors around the country.

I have the opportunity of testifying before you all today, but the reality is that I could have very well been another statistic. I could have been among the people murdered every seven hours by an intimate partner. More than half of female homicide victims are killed by a current or former male intimate partner, and firearms are used in 50%²³ of domestic violence-related homicides. The simple presence of a gun in a domestic violence situation, no matter who owns it, makes it five times more likely that a woman will be killed.

After the kidnapping, my then husband found me and shot me three times. The first bullet went under my scalp, the other skipped off my forehead. I thought, "this can't be happening," and then he shot me again in the arm. He left me for dead. This incident occurred while he was under a domestic violence protection order. At the time, that protection order did not keep him from possessing a gun. I did not have the benefit of legal protections that Congress passed in 1994 that have reduced domestic violence homicide rates.

Recently, I joined survivors of domestic violence and gun violence outside of the Supreme Court during oral arguments in the *United States v. Rahimi* case. Hundreds of us rallied and spoke to support the existence of domestic violence protection orders, which restrict those subject to them from possessing a firearm. These decades old, bipartisan, laws on the books help women stay alive. As domestic violence continues to plague our communities and disproportionately impact women, especially women of color, it is imperative that we recognize the added danger a gun presents.

²² Smith, S., Fowler, K. & Niolon, P. (2014). Intimate partner homicide and corollary victims in 16 states: National violent death reporting system, 2003-2009. *American Journal of Public Health*, 104(3), 461-466. <https://doi.org/10.2105/AJPH.2013.301582>

²³ Zeoli, A., Malinski, R., Turchan, B. (2016). Risks and Targeted Interventions: Firearms in Intimate Partner Violence. *Epidemiologic reviews*, 38(1), 125–139., available at <https://pubmed.ncbi.nlm.nih.gov/26739680/>.

Despite the belief that firearms could provide self-defense, research shows that having a gun in the home increases the risk of homicide, suicide, or accidental shootings rather than offering effective protection.²⁴ Victims might not even have the chance to use the firearm in self-defense, and the presence of a gun can escalate violence rather than deter it. A woman is far more likely to be the victim of a handgun homicide than to use a handgun in a justifiable homicide.²⁵ A study found that for every time a woman used a handgun to kill an intimate partner in self-defense, 83 women were murdered by an intimate partner with a handgun. In general, firearms are rarely used in self-defense by victims of violent crimes.²⁶ From estimates in the National Crime Victimization Survey, crime victims engaged in self-protective behaviors that involved a firearm in only about 1% of the cases.²⁷ A 2022 California-based study found that living in a home with a handgun owner increased the risk of the non-gun owner being shot and killed at home by a spouse or an intimate partner more than seven-fold, and that the vast majority of victims—84 percent—were women.²⁸ The efficacy of firearms used effectively as a tool of self-defense is largely exaggerated and ignores the fact that access to firearms not only increases the risk for intimate partner homicide, but also for community violence and even mass shootings.

In many cases where victims of domestic violence resort to using a firearm in self-defense or for protection, they can face significant legal repercussions, including imprisonment and in some cases even life sentences.²⁹ According to the ACLU, nearly

²⁴ See Anglemeyer, A., Horvath, T., & Rutherford, G. (2014). The accessibility of firearms and risk for suicide and homicide victimization among household members: a systematic review and meta-analysis. *Annals of internal medicine*, 160(2), 101–110., available at <https://pubmed.ncbi.nlm.nih.gov/24592495/>; An analysis of risk factors for women killed by their partners found that even those who live apart from their abuser saw no protective impact of owning a gun. Campbell et al., “Risk Factors for Femicide in Abusive Relationships.”, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447915/>

²⁵ Violence Policy Center. (2001). A Deadly Myth: Women, Handguns, and Self-Defense. Available at <https://www.vpc.org/studies/myth.htm>.

²⁶ *Id.*

²⁷ Violence Policy Center. (2020). Firearm Justifiable Homicides and Non-Fatal Self-Defense Gun Use: An Analysis of Federal Bureau of Investigation and National Crime Victimization Survey Data. Washington, DC., available at <https://vpc.org/studies/justifiable20.pdf>.

²⁸ Studdert, D. M., Zhang, Y., Holsinger, E. E., Prince, L., Holsinger, A. F., Rodden, J. A., Wintemute, G. J., & Miller, M. (2022). Homicide Deaths Among Adult Cohabitants of Handgun Owners in California, 2004 to 2016 : A Cohort Study. *Annals of internal medicine*, 175(6), 804–811. Available at <https://pubmed.ncbi.nlm.nih.gov/35377715>.

²⁹ See generally In Their Own Words: Victims of Battering Talk About Being Arrested and Convicted by Melissa Scaia (May 2017), available at <https://drive.google.com/file/d/1-jb8k1wdvnd3zR3-9fFu1pldroWN4JTf/view?usp=sharing>; Women serving life sentences for killing their abusers are getting a second chance, available at <https://www.wwltv.com/article/news/investigations/katie-moore/women-serving-life-sentences-for-killing-their-abusers-are-getting-a-second-chance/289-c7830e4e-6c4b-4a8f-a12a-f3a202deb07c>; Woman Abuse Survivors Sent to Prison for Self-Defense, available at <https://www.prisonlegalnews.org/news/2021/jul/1/woman-abuse-survivors-sent-prison-self-defense/>; Two Women Shoot and Kill Their Abusers Claiming Self-Defense. They Face Decades in Prison, available at

60% of people in women's prison nationwide, and as many as 94% of some women's prison populations, have a history of physical or sexual abuse before being incarcerated.³⁰³¹ A comprehensive analysis of 230,000 women and girls in jails and prisons shows that at least 30% of those serving time for murder or manslaughter were protecting themselves or a loved one.³² In Louisiana an investigation revealed 21 women out of more than 100 serving life sentences in Louisiana were all convicted for killing abusive domestic partners.³³ Despite the circumstances of abuse they may have endured, the legal system might not always recognize or adequately consider the history of abuse, fear, and trauma that led to their act of self-defense. This harsh reality further victimizes individuals who were originally subjected to violence.

Congress has long recognized the deadly intersection between abusive partner's access to firearms and intimate partner homicide. The Gun Control Act of 1968 already prohibited firearms possession by those convicted of felony domestic violence but has since been amended to include prohibitions on firearm possession by persons convicted of misdemeanor crimes of domestic violence (known as the Lautenberg Amendment)³⁴ and persons who are subject to protective orders after a notice and opportunity to be heard.³⁵ For 30 years, policymakers on both sides of the aisle have agreed with and supported this survivor-centered law. Research shows that the Lautenberg Amendment has reduced IPV-related gun homicides of both women and children.³⁶ Research also shows that removal of firearms from those subject to protective orders also has reduced intimate partner homicide by 14%.³⁷ Most recently Congress also passed the 2022 Bipartisan Safer Communities Act, which partially closes the dating violence loophole - understanding that dating relationships can also result in dangerous homicide and that gun control laws are effective and do work. There is also further incentive to remove

<https://www.wnycstudios.org/podcasts/takeaway/segments/domestic-violence-self-defense-prison>; SELF-DEFENSE CAN LAND DOMESTIC-ABUSE VICTIMS IN JAIL, *available at*

<https://ocpathink.org/post/independent-journalism/self-defense-can-land-domestic-abuse-victims-in-jail>.

³⁰ Georgetown and ACLU Comment: Proposed Rule, National Standards to Prevent, Detect, and Respond to Prison Rape, *available at* <https://www.aclu.org/documents/prison-rape-elimination-act-2003-prea?redirect=prisoners-rights-womens-rights%2Fprison-rape-elimination-act-2003-prea>.

³¹ *Id.*

³² “No Choice but to Do It”: Why Women Go to Prison, Justine van der Leun, (TNR). *available at* <https://newrepublic.com/article/160589/women-prison-domestic-violence-survivors>.

³³ Women serving life sentences for killing their abusers are getting a second chance, *available at* <https://www.wtlv.com/article/news/investigations/katie-moore/women-serving-life-sentences-for-killing-their-abusers-are-getting-a-second-chance/289-c7830e4e-6c4b-4a8f-a12a-f3a202deb07c>.

³⁴ 18 USC 922(g)(9).

³⁵ 18 USC 922(g)(8).

³⁶ Díez C.B.A., Kurland R.P., Rothman E. F., Bair-Merritt M., et al., “State Intimate Partner Violence—Related Firearm Laws and Intimate Partner Homicide Rates in the United States, 1991 to 2015,” *Annals of Internal Medicine* 167, no. 8 (2017): 536–543; K.M. Raissian, “Hold Your Fire: Did the 1996 Federal Gun Control Act Expansion Reduce Domestic Homicides?” *Journal of Policy Analysis and Management* 35 (2016): 67–93. Available at <https://pubmed.ncbi.nlm.nih.gov/28975202>.

³⁷ *Id.*

firearms from abusive partners all together as research shows a clear connection between domestic violence and mass shootings.³⁸

If the laws as written were implemented and enforced more stringently, intimate partner homicide could be reduced even further as states with more comprehensive firearms laws have lower rates of intimate partner homicide.³⁹ Congress can further invest in our country's efforts to end domestic violence in our lifetime by closing the dating violence and stalking loopholes; investing and funding ATF to enforce existing relinquishments (removal) laws; funding research on intimate partner violence and homicide; closing firearms sales loopholes and implementing universal background checks.

Every survivor's story and path to safety is different; thank you the other witnesses for sharing your stories. For me, the presence of a gun tormented me and my son for many years until it nearly claimed my life. Today, that traumatic experience continues to impact me, my son and members of my community. The data overwhelmingly shows that the presence of a firearm, regardless of who it belongs to, significantly increases the chances a domestic violence victim will lose their life.

³⁸ In the U.S. 60% of mass shooting events between 2014 and 2019 were either DV attacks or committed by someone with a history of domestic violence. Deadliest Mass Shootings Are Often Preceded by Violence at Home. *available at* <https://www.bloomberg.com/graphics/2020-mass-shootings-domestic-violence-connection/?embedded-checkout=true#xj4y7vzkg>.

³⁹ Willie T.C. et al., "Associations between State Intimate Partner Violence-Related Firearm Policies and Injuries among Women and Men who Experience Intimate Partner Violence," *Injury Epidemiology* 8 (2021): 8–17. Available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7898773/>.