

Lethal loophole

Addressing a link between guns and domestic violence, Oregon lawmakers will consider tightening a law that now gives some abusers access to firearms

BY SARAH HANSELL
STAFF WRITER

Carsen thought she was going to visit an old friend she hadn’t seen in 25 years, then leave for home in a couple of weeks. She arrived in the small town where he lived in April, but it wasn’t until August that she finally managed to escape.

The first show of violence was a slap in the middle of an argument. Carsen said she planned to leave after that.

Only he wouldn’t let her leave. He wouldn’t allow her to go to the bathroom alone, much less leave the house without him. He starved her, beat her at the slightest provocation.

He isolated her completely. He wouldn’t allow her to call her mother or her four adult children, who were looking for her. He made her hide when police officers came to the door, and she was too scared to make a sound. “I never expected it to happen to me,” she said. “It’s something you would see on TV. I never expected to take the beatings. And even himself, my abuser, he told me one night, ‘I don’t see how you’re still standing.’”

He used many different tools to inflict abuse on her. One of them was a gun. He shot at her multiple times and threatened her by saying he would find her children and use the gun against them.

Unknown to Carsen, her abuser had been convicted of domestic violence before and had served time for it. Yet he still had a gun that made it even easier for him to threaten her life and the lives of those she loved.

This legislative session, Gov. Kate Brown has introduced the “Oregonians United to End Gun Violence” bill, which, if passed, would make it more difficult for abusers to access firearms.

This bill would close the “Boyfriend Loophole.” Currently, domestic abusers are prohibited from purchasing or owning a firearm only if they have a legal relationship with the person whom they are abusing — that is, if they are married, have a child together, or have cohabited. Closing this loophole would expand the law to protect victims of domestic violence whose relationship does not fit those criteria.

The bill would direct the Oregon Health Authority to issue annual gun death reports and make policy recommendations, as well as create a work group to report to the governor on counties’ existing gun relinquishment protocols in order to make recommendations on statewide policy to further protect domestic violence survivors. Both of these pieces are efforts to identify and fill gaps in the state’s protection of survivors.

Guns and domestic violence

Many women who have experienced domestic abuse, like Carsen, have lived in fear because of the presence of a gun in their home.

Statistically, Carsen’s risk of death while with her abuser was five times higher simply because he possessed a firearm, according to Everytown for Gun Safety, a pro-gun-control nonprofit. This is something Sgt. Ronald Mason of the Portland Police Bureau’s Domestic Violence Reduction Unit has seen in Portland cases of domestic violence.

“Anecdotally, just having the access to a firearm when an offender is in an aggressive violent state, it gives them another option of increasing the violence and making bad choices into horrible choices within seconds,” Mason said. “Them having access to that firearm when they are a domestic violence offender anyway does make it a lot more dangerous of a situation for the victim.”

There could be multiple reasons for this, said Eric Mankowski, a professor of social and community psychology at Portland State University. One could be that those predisposed to be abusive are purchasing guns at higher rates. Research in social psychology suggests another reason could be that the mere presence of the gun escalates conflicts to violence.

“It is thought to be like a cue, we call it, a reminder or an elicitor of violence, that weapons are associated with. I see a gun on a table or a knife on a table — it’s a threat, and acts of violence come to mind,” Mankowski said. “So guns could be both a cause and a consequence of intimate partner violence at home.”

Carsen’s abuser always kept his gun tucked into his overalls.

“He always made it known that he had a gun at all times with him,” Carsen said.

Whether a woman is experiencing extreme physical abuse like Carsen or the abuse is strictly emotional and verbal, a gun in the home sends a powerful message to an abused partner, whether intentional or not.

“A common reason people own guns is that it makes them feel safe,” said Chris Huffine, the executive director of Allies in Change, an organization that counsels abusers and their partners. “So if I’m a gun owner, I may never ever use that gun, except in practice. But just knowing it’s in my nightstand helps me feel safer. If you’re in an abusive home, knowing there’s a gun on the premises, just knowing it’s there, can make you feel unsafe. It’s the exact opposite.”

Mass shootings

Researchers are also beginning to study the link between mass shootings and domestic violence. Mass shootings in public places like schools are prominently featured in the media, which could give people the notion that no one is safe, that a shooter could be lurking in every corner, and that they prey on the most vulnerable places. In reality, according to a 2014 Everytown study on mass shootings, only 4 percent of shootings occurred in schools.

“The other effect of this mass media coverage of shootings is, ‘Oh, the world is a dangerous place; I have to stay in my home,’” Mankowski said. “And I think for a long time, we’ve been understanding that that narrative is incorrect, and you’re more likely to be sexually assaulted, physically assaulted, lethally assaulted by an acquaintance and, specifically for women, by a current or former intimate partner.”

According to the Everytown study, 70 percent of mass shootings — meaning at least four people were killed with a gun — occurred in wholly private residences, and in more than half, the shooter killed a current or former intimate partner. Fifteen percent of mass shooters had a former domestic violence charge.

Although few domestic violence abusers will commit mass shootings, these statistics show a consistent link that is often overshadowed by more sensational events.

We have also seen example after example of public mass shootings by men with a history of domestic violence allegations, from Omar Mateen at the Pulse nightclub in Florida, to Micah Johnson, who killed five police officers, to Robert Dear, who attacked a Planned Parenthood office in Colorado Springs, Colo.

“We’ve been thinking about domestic violence and then these mass shootings, and it’s looking more and more like there’s a bigger intersection there than we had previously understood, and guns may be a linkage there, an important linkage,” Mankowski said. “Obviously we’re talking about shootings; they’re going to be present. But we know that the possession or

ownership of a gun is a huge risk factor in lethal forms of intimate partner violence.”

Devaluing of women

Rebecca Nickels, executive director of Call to Safety, formerly the Portland Women’s Crisis Line, has been working with survivors for over 20 years. Why domestic and sexual violence happens is a question she’s been thinking about for a long time — and she believes the answer explains mass violence as well.

“It happens because people think it’s OK to hurt women and marginalized people, and that there’s less value on their lives,” Nickels said. “And so when I think about this connection between mass shootings and perpetrating domestic violence, it’s again, when you have people who think that other lives are less valuable, then you’re going to have violence. So anytime that we can see common factors of these people who have committed this violence, I think we should be really paying attention.”

This idea of devaluing the lives of women is one that Nickels, Mankowski and Huffine, three people working professionally against domestic violence in different ways, agree is rooted in what they call “toxic masculinity.”

“It’s fairly widely accepted that the significant driving cause of violence in general and domestic violence in particular is masculinity; it’s male socialization,” Huffine said. “You’re not born this way; you’re made this way.”

Some of the most recognized aspects of what is called toxic masculinity — dominance, aggression, control — were apparent in Carsen’s abuser.

“He had a thing where if I seemed a little bit smarter than him or seemed a little more inquisitive or something, he didn’t like that,” she said. “He had to be in control of everything. Not only of me, but even if I were to correct him for something, in front of people, or even correct him by ourselves.”

Domestic violence can look very different than the most stereotypical images of it. Domestic violence occurs outside of heterosexual relationships, and men can be

victims of this violence too. Yet, Mankowski said it is vital not to leave the gendered aspect of domestic violence by the wayside.

“As women have broken through those glass ceilings more, there’s a sense in which, ‘Well, there isn’t that much male power, right? We’re all equal and gendered violence is more equal. Men do it against women; women do it against men,’” he said. “If we look at the impact of that violence and the fear that people feel, and the injuries they have, the violence against women is much more severe.”

When people talk about ‘toxic masculinity,’ it might seem like something that men need to fix in order to benefit women. While that’s a huge part of it, Mankowski said that toxic masculinity is also harmful for men, who are more likely to commit suicide, abuse substances and die younger than women, among other issues. Chipping away at this is liberating for men as well as women, he said, and the result would reduce interpersonal violence and increase men’s health and well-being.

“If we could get outside of this confining, very harmful box that we put ourselves in, of (acting) dominant, powerful, stoic, unemotional, nothing like a girl, don’t throw like a girl, don’t act like a girl, don’t cry like a girl, grow a pair, etc. — men have a lot to gain by that,” Mankowski said.

What can we do?

Carsen’s abuser decided that he wanted her to get a job. She had been living with him for almost four months when she got a call for an interview from a dry cleaning business.

He sent her to the interview under the watchful eye of his ex-wife. He had split Carsen’s lip with a boxcutter and beaten her face so badly she said she was unrecognizable. When she arrived for the interview, the woman at the business asked Carsen to come upstairs to the office to go over the

paperwork.

“The woman at the office asked what happened,” Carsen said. “I said, ‘Help me.’”

The woman got a car to come around the back, took her out a different entrance, and drove her to a safe house in a different town. That afternoon she was on a bus to Portland.

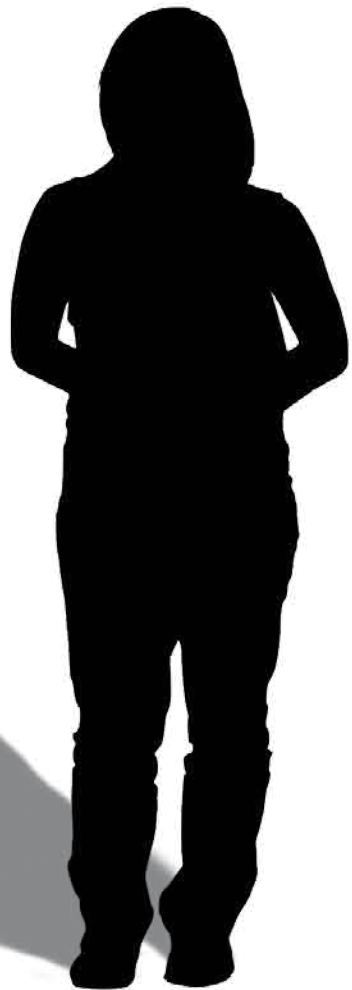
Carsen credits her escape to that woman at the dry cleaners who saw the evidence of abuse and reached out to help her. It was someone in a workplace — not a service provider or domestic violence advocate — who was able to help Carsen finally escape her abuser.

The workplace is one of the places that is well-situated to provide support to survivors, Mankowski said. He collaborated on an Oregon Health and Science University study that worked with employers in service industries to raise their awareness and skills in order to recognize and address domestic violence that their employees may be experiencing.

They worked with employers to develop buy-in for this effort, focusing on everything from relationships at work to their profit margin, when they found that workplace time and resources were affected by domestic violence. For example, they found that workplace vehicles were sometimes used by abusers to surveil their partners, or abusers uncomfortable with their partner working would lie or coerce them in order to keep them away from work.

There have been many improvements, such

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Fund legal services for the poor



Nick Fish is a Portland City Commissioner. He was a civil rights lawyer before he was elected to the Council in 2008.

“Equal justice under law” is a core value of our nation. But what happens when a victim of domestic violence, or an older adult facing eviction, can’t afford a lawyer? What happens when millions of Americans don’t have access to justice? We may be about to find out. For more than 40 years, Congress has funded legal services for low-income Americans. President Donald Trump recently proposed to defund the Legal Services Corporation, or LSC. Here’s why it matters to all of us.

Background

The LSC was created by the Legal Services Corporation Act of 1974. In an earlier message to Congress, President Nixon said, “[h]ere each day the old, the unemployed, the underprivileged, and the largely forgotten people of our Nation may seek help.”

The LSC has enjoyed bi-partisan support ever since.

Warren Rudman, a former Republican Senator from New Hampshire, was an eloquent defender of the program: “The legal services program is based on a very simple, conservative, and critically important premise. Respect for the rule of law, and faith in our country’s system of justice, cannot exist among people who have no meaningful access to our courts.”

The late – and famously conservative – Justice Antonin Scalia once said that the LSC “pursues the most fundamental of American ideals, and it pursues equal justice in those areas of life most important to the lives of our citizens.”

Closer to home, our two Democratic Senators, Ron Wyden and Jeff Merkley, and Republicans Gordon Smith and Mark Hatfield before them, have been outspoken champions of legal aid.

Federal Funding

In order to fund a big increase in the military budget, and a wall with Mexico, President Trump has proposed eliminating funding for legal services, the arts, and

community block grants for affordable housing.

Last year, the LSC’s budget was \$385 million. That’s 0.01 percent of the total federal budget. By contrast, the Department of Defense receives \$602 billion, 16 percent of federal spending. In fact, the government spends more on our 137 military bands (\$437 million) than on legal services for the poor.

Oregon

In Oregon, we believe in justice for all – not just for those who can afford it.

Each year, legal aid provides free civil legal services to more than 22,000 poor and elderly Oregonians. It focuses on essential legal services: food, shelter, medical care, civil rights and safety.

Around 850,000 low-income Oregonians qualify for free legal services. Currently, there is only one legal aid lawyer for every 8,500 people.

Legal aid programs are funded by a unique federal, state and private partnership. The annual budget is roughly \$15 million. One third comes from direct federal funding, while another third comes from the state. In 2014, Governor Kate Brown signed a law directing some of the funds from unclaimed damages in class action lawsuits to legal aid.

The Bar has stepped up as well. The Campaign for Equal Justice was formed in 1991. It has raised \$26 million to support the important work of legal aid.

The elimination of the LSC would be catastrophic for our state. Oregon would lose nearly \$4.6 million in federal funding.

My Dad

For me, this fight is personal. As a law student at Northeastern, I volunteered at Jamaica Plains Legal Services. I helped disabled clients qualify for Supplemental Security Income benefits. And for 20 years I have been a proud foot soldier in the

Campaign for Equal Justice.

My dad served in Congress and was a strong supporter of legal services. In 1995, President Bill Clinton asked him to serve on the LSC board. I helped him fill out the necessary paperwork. Unfortunately, he died before he could be confirmed for the position.

When going through his papers, I found a draft of an essay he wrote, titled, “Why this Republican Believes in Legal Services for the Poor.” He wrote as follows:

“If a member of my family were poor, and needed civil legal help, I would want them to get it. Who wouldn’t? Legal services attorneys meet this vital need and the Legal Services Corporation deserves the support of all of us – Republicans, Democrats, and Independents alike.”

Congress should reject any reduction in funding for the LSC, and continue the proud American tradition of bi-partisan support for equal justice under law.



Spring Musings

by Doug “Wookie” Marks

Spring is many things
It’s the new life that it brings
The buds on the trees that looked dead in winter
The exploration of the heart
That renews either stale relationships
Or seeks out new ones that blossom
Like the flowers that are presented
To hopefully lifelong partnerships
That is what spring brings

Cherry Blossom Dreams

by Aileen McPherson

Sweet light snows in spring,
Pale pink white blanket covers the ground,
Down through avenues and parks sleeping souls
make no sound,
Covered in beauty and hoping for security,
May your sleep be serene while under the
Cherry blossoms you dream.

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as emergency room nurses and religious leaders being trained to screen for domestic violence and ask about safety at home. However, there are many more community members and service providers who could be trained to recognize and address domestic violence.

“The problem is most mental health professionals don’t know very much about this,” Huffine said. “They don’t know how to screen for it very well. They don’t know how to address it when they see it.”

Huffine says that domestic violence needs to rise to the forefront of the public consciousness as a single issue with public accountability.

He suggests that domestic violence be approached much as the public community approached drunken driving, with slogans like “friend don’t let friends drive drunk,” organizations such as Mothers Against Drunk Driving, and public support like free cab rides on high alcohol consumption days. This sort of coordinated community response is needed so that domestic violence needs is seen as the community’s responsibility, not the responsibility of survivors, Huffine said.

“Coordinated community response needs to be more than just the criminal justice coordinated community response,” Huffine said. “That is not adequate. It is a start, but that is not adequate.”

Policies like the “Oregonians United to End Gun Violence” bill are a piece of the

puzzle, as well.

“Thinking about gun violence and the link between domestic violence and mass shootings,” Nickels said. “If we were to truly understand that and then build policy around it, rather than be focused on, ‘We’re restricting gun ownership,’ if we thought about it more like, ‘We’re just making gun ownership safer for communities,’ and really building policy around what we know to be true around the root of the problem.”

On an individual level, there is no formula for the perfect way to support survivors, but offering support is crucial.

“I think there’s something that each one of us can do to support survivors, and the first one is that we listen and believe survivors when they talk to us about domestic and sexual violence,” Nickels said. “So now as a nation, or a community, that might have to really advocate to sustain funding for services, believing that this is a problem worth advocating for is something that each one of us can do.”

Carsen is now recovering from a broken back, learning to walk again, and expecting her first grandchild. She is telling her story as much as she can to build her strength for her abuser’s trial, the first time she will have to see him again.

If she could say anything to her abuser, she said, it would be this:

“Yes, you broke me in a lot of places, but I’m still here. And my word can help someone else. That’s what I’m trying to do.”

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