

Written Testimony of Madeline Garcelon,

Before the Senate Judiciary Committee Hearing on SB 941, April 1, 2015

Thank you Chairman Prozanski and members of the Senate Judiciary Committee. My name is Madeline Garcelon, and I live in Salem. I am submitting this written testimony in support of Senate Bill 941 in honor of my daughter, Nicolette Elias.

My daughter Nicolette "Nikki" Elias was a wonderful human being--a loving and protective mother who did everything in her power to protect herself and her little girls from their dangerous father. Nikki lived for her little girls, who she loved so very much. Her youngest turned 8 last week, and said she's sad she won't be 7 anymore. She's sad because she was 7 when her mom was still alive.

Nikki was loved in her community, too, not only by her friends and family but also by her employer, Portland State University. Her department there has established a scholarship fund in her honor, for single mothers working hard to get their education.

Nikki should be alive today and mothering my beautiful granddaughters. But she's not. 142 days ago, on November 10, 2014, Nikki was murdered. She was murdered by her ex-husband, a man many people, including the courts of Oregon, knew to be armed and dangerous.

Nikki's ex-husband was dangerous. And Nikki knew it. She had had a restraining order in place against him for two years, due to his violent threats and his access to firearms. Unfortunately, it was left up to the honor system for him to relinquish his guns, and he did not do so. Even if he had, there is no required background check system in place here in Oregon that would have prevented him from buying more guns online or in private one-to-one sales, no questions asked.

Even the U.S. Army knew that Ian Elias should not have access to firearms. He was discharged from shortly after enlisting, due to mental health concerns, and they recommended he be restricted from having access to weapons.

Despite all this, it was all too easy for Ian to possess guns. And he used one of those guns to kill Nikki, while their two daughters, ages 7 and 8, heard everything. He shot her first with a crossbow, but that didn't kill her. She was struggling to shut a door between him and her little girls when he shot her multiple times with a handgun, killing her. He then forced the girls out of the home, barefoot and in their undies and t-shirts, past their mom's body, and kidnapped them, taking them to his own home. There, later that day, he took his own life, shooting himself in the chest in front of the police.

My daughter Sonia, Nikki's younger sister, and I had to clean out Nikki's and the girl's home very recently. There I found a childrens' bicycle helmet, still in its packaging. It was in the same room where Nikki was shot and killed. You can see the holes where bullets tore through it.

Please vote in support of Senate Bill 941 so that other Oregonians don't suffer Nikki's fate and other families don't have to live with only their memories of their loved ones. This common-sense

measure would help keep guns out of the hands of convicted felons, people with severe mental illnesses and domestic abusers like Nikki's ex-husband—by closing the loophole in Oregon's law that allows these dangerous people to get guns without a background check, no questions asked. You will save lives – lives like my wonderful daughter Nikki's. Thank you.