

Draft Testimony for Chief Dan Isom

Thank you Speaker Pelosi, Chairman Thompson and members of the Gun Violence Prevention Task Force for holding this important forum today.

I've been in law enforcement for over 30 years, and, sadly, this past August has been nothing short of ordinary when it comes to gun violence in America.

There have been mass shootings. There have been gun suicides. There have been communities that experience gun violence on a daily basis. More than 100 Americans are killed with guns every day.

The three mass shootings in August shocked the consciousness of the American public. America is now demanding action from the U.S. Senate. In a single 24-hour period at the beginning of last month, gun violence tore apart communities in El Paso and Dayton. The month closed with a mass shooter driving around West Texas indiscriminately shooting -- he killed seven people and wounded 25 more.

I'd like to talk a little about St. Louis, where I served as Police Chief, because it's reflective of the importance of strong gun safety laws.

A rash of recent shootings has traumatized our youth and our city. Since April of this year, gun violence has killed at least a dozen children in St Louis. All of these victims were under the age of 16. One St. Louis student named Michael summed up what many are feeling. He said: "It feels like nowhere is safe anymore." Every American should feel safe in their communities, to run errands or enjoy a night out with friends without the fear of gun violence.

I can understand why Michael would feel that way. One significant reason for the increase in gun violence has been rolling back critical gun safety laws. In 2007, when I was a major in the St. Louis police force, gun-lobby-backed legislators began the process of eviscerating Missouri's gun laws. For decades, Missouri had required a background check for anyone seeking to buy a handgun as part of the state's permit to purchase law. But the Missouri legislature repealed this common-sense law.

The results have been disastrous for public safety according to those of us engaged in law enforcement and as has been shown in the research. The effect of that rollback is that homicide rates went up as high as 27% by some estimates. Firearm suicide increased by 16%. And the repeal had a strong association with an increase in the number of crime guns with a shorter sale-to-crime interval, a common indicator of illegal gun diversion.

Missouri is an example of what happens when elected officials refuse to stand up for common-sense, lifesaving gun laws. It makes our communities less safe for residents and makes work less safe for law enforcement, as more guns flood our streets.

This is why Americans of every political stripe are looking to Congress to take action now to address the epidemic of gun violence in this nation.

There is broad consensus on legislative solutions that will save lives -- including requiring background checks on all gun sales and temporarily removing access to guns for people in crisis.

The House has already passed bipartisan legislation to require background checks on all gun sales.

That type of legislation is urgently needed to close loopholes that allow prohibited purchasers -- such as domestic abusers and convicted felons -- to purchase guns from strangers they meet online or at gun shows.

I'd like to spend a moment talking about the online loophole because it didn't exist when the background check law was passed in 1993. One website, Armslist.com, claims it is the largest online marketplace for guns. According to an investigation by Everytown for Gun Safety, there were more than 1.2 million ads for gun sales on Armslist.com that did not require a background check in 2018 alone. These were ads posted by unlicensed sellers offering guns for sale in states that did not require background checks on unlicensed sales. In Missouri, there were 54,195 ads for firearms where no background check was required in 2018. Criminals know they can exploit the internet to get armed as the investigation found that more than 1 in 9 people looking to purchase guns online would not be able to pass a background check. What else was striking in the investigation was how important changing the background check laws can be to create a safer online marketplace. In states without background checks, only 6% of the unlicensed sellers indicated they would require a background check on their sales. But 84% of sellers from states with background check laws directly stated the sale would need a check. Changing laws can make the marketplace safer. And a safer marketplace can save lives.

The House has already acted to close this loophole and the Senate must act without delay. It should listen to 94% of Americans that are demanding background checks on all gun sales -- including overwhelming majorities of Republicans and gun owners.

Effective background checks means background checks on all gun sales and giving law enforcement enough time to conduct a background check. Right now federal law only allows law enforcement three business days to complete a background check. While most background checks take minutes, there are some that do take longer. But, after three business days the licensed gun dealer can sell the gun even if the background check is not complete. This has come to be known as the Charleston Loophole because the hate filled individual who killed churchgoers in Charleston, S.C. was able to acquire his gun through this loophole. I see that Rev. Sharon Rischer is in the audience, whose mother and two cousins were killed in that shooting. According to the FBI, the Charleston Loophole allowed gun dealers to sell over 8,800 guns to prohibited individuals in 2017 and 2018 without the completion of a background check. The House passed H.R. 1112 to address the Charleston loophole and give law enforcement

more time to complete a background check. And responsible gun sellers like WalMart have voluntarily chosen not to make a sale until a background check is complete. Ensuring that a technicality doesn't allow people who would fail a background check to purchase a gun is just common sense, and the Senate should bring it up for a vote immediately.

I'm also pleased that the House Judiciary Committee is considering legislation to expand the availability of Extreme Risk laws -- also known as Red Flag laws.

Access to a gun in a moment of crisis can mean the difference between life and death. When law enforcement or family members know someone is a risk to themselves or others, the ability to intervene can save lives. Law enforcement officers need this tool to be able to take action to remove guns before tragedy occurs. I can't tell you the number of times law enforcement officers saw warning signs but didn't have the tool they needed to intervene.

I urge Congress, especially the Senate, to pass legislation to protect our children and communities and make them safe from gun violence.

I appreciate the opportunity to speak with you today and I'm happy to answer any questions that you have.

Vic Bencomo Written Testimony
Gun Violence Prevention Task Force Forum
September 10, 2019

Good afternoon, Speaker Pelosi, Chairman Thompson, and members of the Gun Violence Prevention Task Force. My name is Vic Bencomo. I am a father, a gun owner, a hunter, and a proud Denver resident of over 30 years.

I'm also a combat veteran. And having served 22 years in the United States Navy, I like to think I understand what it means to be a patriot. I supported and defended the Constitution against all enemies, foreign and domestic.

Unfortunately, America currently faces a different threat than the one I defended us from overseas. Each year, 36,000 Americans die from gun violence, and another 100,000 are shot and injured. I've seen violence. In Iraq, we understood that serving our country came with an inherent risk. We put our lives on the line knowing that we may never come home. But that's not a risk that should extend to our neighborhoods, schools, and places of worship. Sometimes it feels like there's no end in sight. Columbine, Aurora, El Paso, Dayton, Odessa and Midland. The list keeps growing. And every day across the country, the daily threat of gun violence in countless communities has become a shocking reality. My life, and those of my children, are in greater danger here at home than I was in an active combat zone.

I mentioned that I'm a gun owner. I have a concealed carry license and enjoy hunting deer and pheasant. I have voted for both Democrats and Republicans. But I also know that my Second Amendment rights do not preclude me from supporting commonsense gun safety measures. That's why I recently joined Colorado Gun Owners for Safety—a group of hunters, sport shooters, concealed carriers, and collectors who support responsible gun ownership and common-sense gun laws. We proudly support the Second Amendment, but we also recognize that our country is in the midst of a crisis and we have to be part of the solution.

Like many across the country, we have turned to Congress to take action. Our elected officials are here in Washington in service of their constituents, yet our words have fallen on deaf ears in the United States Senate. More than six months ago, the House of Representatives took the monumental steps of passing universal background checks and legislation to address the Charleston loophole. They did so in bipartisan fashion. And since that day, over 15,000 people have died from gun violence. Yet still, these bills—H.R. 8 and H.R. 1112—sit in the Senate having not had so much as a hearing. This is unconscionable. Enough is enough—it's time the Senate gets back to work and pass these life-saving pieces of legislation.

There is simply no time to waste. As a veteran, I'm witnessing my fellow servicemen take their own lives at a catastrophic rate, the majority with a firearm. 20 veterans commit suicide daily nationwide. That is over 6,000 veteran suicides a year. Think about that: 6000 veterans committing suicide a year. We are losing more veterans to suicide a year than we have lost in the entire 18 years of fighting in Iraq and Afghanistan. In Colorado, our veteran suicide rate is tragically above the national average. Out of the 175 veterans who committed suicide in our state in 2016, 119 of them used a firearm. But these aren't just statistics to me. More than once, my phone has rang and on the other end is a veteran asking for help, asking me to hold their gun for a while because they don't trust themselves with it. They didn't know where else to turn. It shouldn't have to be this way. And it doesn't have to be this way.

Progress is happening in states across this country—Colorado, for example, has taken steps like establishing universal background checks, a large capacity magazine ban, and an extreme risk protection order to keep guns out of the hands of those in crisis. But lifesaving progress does not seem to be happening here in Washington. What we're asking for is not hard. It's just common sense. But it does take some courage.

As a veteran, a father, and a gun owner, I have had to dig deep for this courage many times in my life. I know that United States Senators can find this courage as well, if they want to.

So to close, I have one message for them: do your job, Americans are dying.

Thank you, and I look forward to answering your questions.

Good afternoon.

Thank you for the opportunity to address you today. My name is Christine Hunschofsky and I am the mayor of the wonderful city of Parkland Florida. On Wednesday, February 14, 2018 our community suffered a horrific mass shooting at Marjory Stoneman Douglas High School leaving 17 people dead, 17 other injured and untold numbers grieving and suffering. They were students, teachers and coaches. Since that time family and community members impacted by this tragedy have advocated for policy changes to help prevent future gun violence.

There are no easy answers to preventing gun violence. We must act comprehensively including better access to mental health care, social emotional learning in schools, economic opportunities and making sure that those who wish to do harm to themselves or others do not have access to a firearm. No single solution will stop all gun violence, but every measure that can help prevent gun violence should be considered. .

After the shooting at our High School, Florida rapidly enacted a Risk Protection Order law, also known as a "Red Flag Law." The Florida RPO law provides law enforcement the ability to petition a court to order an individual who is a danger to themselves or others to surrender firearms in their possession immediately and prohibit the possession and purchase of a firearm for one year. Florida's RPO law provides due process to the individual, including a right to contest in a full hearing. Prior to the expiration of the RPO, the prohibitions can be extended after another full hearing.

Until Florida passed the RPO law, when law enforcement did not have a basis to arrest or utilize our mental health temporary commitment law but knew a person was communicating violent threats and was in crisis, there was no law allowing them to seize firearms from or prohibit purchase by those individuals. Law enforcement will tell you that RPOs are exactly what they need to better protect our community. Since enactment of the RPO law in 2018, approximately 300 RPOs have been entered just in Broward County, Florida.

With nearly 18 months of experience and knowing the circumstances under which people have been subjected to a RPO after a full hearing, many now speculate "what if the RPO law had been available to law enforcement prior to February 14, 2018?" Could the tragic event and pain and loss that is now part of our community's history been averted?

RPOs are entered into Florida's statewide database utilized for background checks as one of the criteria to prevent the sale of a firearm. However, there is a glaring and dangerous loophole. Florida only requires mandatory background checks for the purchase of firearms where an individual attempts to purchase a firearm from a licensed gun dealer. There is no requirement whatsoever for a background check involving a purchase from a private seller. As a result, anyone with an RPO entered can still buy a firearm through private sale because no background check is required and the seller would have no reason to know of the RPOs existence.

The danger to our community is real. A 2017 study estimated that 22% of US gun owners acquired their most recent firearm without a background check. Private legal sales are conducted every day in our country through legal on-line advertising, gun shows and person-to-person sales. As a result, RPOs are most effective if we have universal

background checks for all firearm purchases. This is nothing more than requiring that the same background checks performed for purchases from a licensed dealer are performed when someone is purchasing a firearm through private sale.

On February 27, 2019, the U.S. House of Representatives passed HR 8, known as the "Bipartisan Background Checks Act of 2019", which would require background checks for all private transfers of firearms with some narrow exceptions. The next day, the House passed HR 1112, known as the "Enhanced Background Checks Act of 2019" intended to strengthen background checks that are already required.

However, neither of these bills have been taken up by the Senate. In the meantime, our communities are at risk from those who everyone agrees should not be in possession in a firearm.

Universal Background Checks will not stop every purchase or every act of violence, just as seatbelts and airbags do not prevent every vehicular death or injury. Those who are determined to buy a firearm can still do so through the illegal underground market.

But, why would we make it easier, rather than harder, for someone who everyone agrees should not be able to even possess a firearm to go out and buy a firearm? Why would we not implement common sense safety measures, like seat belts and airbags, to reduce the risks?

In a recent Quinnipiac nationwide poll done between August 21 and 26, 2019, 72 percent, including 50 percent of republicans, 93 percent of democrats and 75 percent of independents, say Congress needs to do more to reduce gun violence. When asked "Do you support or oppose requiring background checks for all gun buyers?" 89% of republicans, 97% of democrats and 94% of independents said they support mandatory background checks for all gun purchases. Polls over the past several years demonstrate overwhelming, consistent and bipartisan support for Universal Background Checks.

Democracy is the government of the people, by the people, and for the people. When a bipartisan majority of the people want Universal Background Checks and logic tells us we need this common sense firearm safety measure to protect our communities, the very least that needs to be done is to allow a meaningful legislative debate and vote.

Those in Congress who support Red Flag Laws are also acknowledging what we all know – some people should not possess firearms because of the danger they pose to themselves or others. We need to pass both Red Flag Laws and Universal Background Checks. The effectiveness of each is inextricably tied to the other.

Enacting Red Flag Laws without Universal Background Checks foreseeably puts our communities at risk from preventable firearm violence by those who we all agree should not possess firearms. Doing nothing on Universal Background Checks because this will not stop all acts of violence, through firearms or otherwise, is simply an excuse and not the rational policy our communities are demanding. I encourage the House to take up Red Flag Laws and the Senate to take up Red Flag Laws and Universal Background Checks.

Written Testimony of Joseph V. Sakran, MD, MPH, MPA, FACS
United States House Gun Violence Prevention Task Force
September 10 2019

Chairman Thompson and committee members, thank you for the opportunity to be here today to share my experience and my perspective on firearm-related injury and death in America. I am not here to speak on behalf of Johns Hopkins University, but from my personal role as not only a trauma surgeon who has cared for hundreds of victims of gun violence, but also as a survivor. You could say that guns have shaped my life since I was 17 years old, and I would like to share this with you.

You might notice the rasp in my voice. My voice, literally and figuratively, was irrevocably changed after a stray bullet went through my neck, leaving me near death after a high school football game. Although this bullet initially left me voiceless, it also brought me a new voice, raspy yet passionate. Having been a patient and now a surgeon on the front lines of caring for victims of gun violence, I am uniquely positioned to understand and address Gun Violence in America.

I realize this is an emotionally charged topic. As any time when we talk about rights, freedoms, and the death of children in schools should be. It is of utmost importance when emotionally charged topics are discussed, for our emotions not get in the way of our ability to listen to each other, with an open mind. The truth of the matter is, the vast majority of Americans are not as polarized on Guns in America as the media portrays. To begin, I would like to frame this discussion. This discussion we are having is not about taking all the guns away. This discussion is not about how to repeal the 2nd Amendment. What this discussion is about, however, is responsible gun ownership. The media's voice of polarization has drowned out the true voice of America. America is saying, we need to do better, we can do better... Through using some common sense solutions.

Let me be clear, doing nothing is not an option. If we maintain the status quo, 1 million Americans will be shot in the next decade. And that number does not even begin to capture the impact on mothers, fathers, family members and friends leaving 10's of Millions of Americans devastated. These are not just numbers and statistics. We are talking about human beings, members of our community, and families that are the bedrock and foundation of society being destroyed with every senseless tragedy.

Every day, healthcare professionals like myself are the ones that are on the frontline of caring for patients who suffer injuries from bullets. We are the ones trying to stop bleeding from pulverized tissue and torn flesh. We are the ones telling families that their loved ones are never coming home. And we are the ones that understand all too often that an ounce of prevention is worth much more than a pound of cure.

Firearm-related injury and death in America is a disease that now constitutes a true public health emergency in the United States. And while often our mainstream media focuses on mass shootings, these events comprise less than 2% of the epidemic we face as a nation. Every day in

cities like Baltimore, Philadelphia, and Chicago we have dozens of lives taken by guns, whose stories go untold.

Nearly 200 days ago, the House passed both HR8 (Bipartisan Background Check Act of 2019), and HR1112 (Enhanced Background Check Act of 2019). These bills do two things:

1. Expand Brady background checks to cover all private firearm sales, including those at gun shows or over the Internet. Since the Brady Law was implemented in 1994, it has prevented over 3.5 million unlawful purchases.
2. Ensure that a sufficient waiting period exists to complete a background check prior to purchase of firearm. In 2017 alone, the ATF determined that over 4,000 “default proceed” firearms transfers went to purchasers who could not lawfully own a firearm leading to senseless tragedies like we saw at Mother Emanuel Church in Charleston.

It is hard to think of anything else that has the support of 97% of Americans including more than 80% of gun owners.

This is a complex health problem that must be solved. It will not be solved by any one solution. It will not be solved by any one person, or any one party. Passing a comprehensive background check system that the vast majority of Americans and gunowners support is simply the first in many steps that need to be taken. Ensuring federal dollars for firearm injury prevention research, implementation of Extreme Risk Protections Orders, law enforcement of bad apple gun dealers by ATF, reversal of the Protection of Lawful Commerce in Arms Act (PLCAA) that is protecting the gun industry while harming everyday Americans, and promoting safe storage to end family fire are just some of the other aspects of this public health problem we must tackle.

The worst part of my job as a trauma surgeon is having to look into the eyes of these parents and tell them their child is gone. There will be no more smiles, no more birthdays. They will return to a house filled with backpacks, shoes, and the knowledge their child is not but just a memory. Their child’s entire existence will fade to that of their school portrait on the wall, frozen in time, never to age, never to grow. The America I’m fighting for is one where parents, including yourselves, no longer have to fear that very same phone call my parents received and hundreds of others in this country continue to receive every single day. The medical community implores you: the time for action is now.

We call on Senator McConnell to do the right thing and bring these bills to a vote. The Senate has both the opportunity and responsibility to comprehensively address gun violence as the true public health crisis that it is. This is not a Democrat versus Republican issue. It’s a uniquely American issue and it is uniquely in each of your hands to help fix it.

TESTIMONY

Gun Violence Prevention Task Force Forum on the Urgent Need for Senate Action

Ariel Hobbs

Board Member, March For Our Lives

September 10, 2019

Good afternoon. My name is Ariel Hobbs and I am happy to be here today representing March For Our Lives, a nationwide youth advocacy movement that grew out of the tragic mass killing at Marjorie Stoneman Douglas High School in Parkland, Florida. At the same time that my friends and colleagues in Parkland were organizing the March For Our Lives here in DC, thousands of students around the country planned over 800 sibling marches. I was one of those students who, along with my friends, planned a march in Houston, Texas.

As a Texan, I have watched in profound sadness over the last month as two mass shootings rocked my home state, in addition to the daily gun violence that plagues communities like Houston.

Every year, nearly 40,000 people die due to gun violence. Nearly every day there is another mass shooting. People are not safe living their lives..

I don't believe this is the America anyone wants, but THIS, is the America we live in today.

Speaker Pelosi, Representative Thompson, and all of the members of this task force, I want to offer my thanks and gratitude for standing up and saying that enough is enough.

America needs a national plan to comprehensively address our nation's gun violence epidemic.

That's why a few weeks ago, we released *A Peace Plan for A Safer America*, a bold and comprehensive solution to end gun violence in America.. Within the first few months of this session of Congress, the House passed legislation critical to saving lives: H.R. 8, the Bipartisan Background Checks Act, and H.R. 1112, the Enhanced Background Checks Act. This was a clear sign of the priority that this body places on achieving peace and safety.

As you know, H.R. 8 would expand federal background checks for gun purchases to include all sales — closing loopholes that would allow private sales of guns without a background check, including those purchased on the internet or at gun shows. According to a 2017 study published in the *Annals of Internal Medicine*, private gun sales represent 22 percent of all gun sales in the US. Worse, according to a 2013 study, 80 percent of firearms acquired for use in criminal activity are purchased this way. We must close this loophole.

H.R. 1112 would close what is tragically known as "the Charleston loophole," which allows gun sales if a background check has not been completed in three days. It was this loophole that allowed the Charleston shooter to purchase the gun used to kill 9 people at Mother Emanuel AME Church.

Four years have passed since then and nothing has been done.

We are here today to ask when will enough be enough? When will the government act to protect us? This House has taken critical first steps but now it is time for Senator McConnell to step up and put the safety and well being of the American people first.

We must change America's gun culture if we are to end this crisis. We won't stop fighting until people are made more important than the guns that kill them.

Thank you.