

February 25, 2020

Colorado House Judiciary Committee

Chair, Mike Weissman

Vice Chair, Leslie Herod

RE: House Bill 20-1278

Dear Mr. Chair Weissman and Madam Vice-Chair Herod,

I am pleased to write in support of House Bill 20-1278, legislation that is certain to save lives and make a significant difference for families and communities in Colorado. I serve as Implementation Director at Giffords Law Center to Prevent Gun Violence. Now led by former Congresswoman and shooting survivor Gabby Giffords, our organization has worked for over 25 years to enact evidence-based policy reforms at the local, state, and national levels to save lives from gun violence. As an attorney, social worker, and national trainer, I have worked in the field of domestic violence prevention and court administration policy development for over 20 years; I also serve as an expert witness in domestic violence cases and as an adjunct professor teaching on domestic violence law at Golden Gate University School of Law. We know the intersection of firearms and domestic violence is particularly problematic and lethal not only for those directly impacted by family violence but also to our broader community, including law enforcement. We commend lawmakers for proposing this critical legislation.

Gun violence impacts individuals and families around the world; however, the United States has an exceptionally high rate of firearms violence and the most privately-owned guns of any comparable country. While many gun owners properly store and handle their firearms, too many families have experienced the horrific consequences associated with guns and family violence. The presence of firearms in relationships in which domestic violence is being perpetrated accounts for a significant number of injuries and deaths in the US with at least 600 women each year being shot to death by intimate partners. In fact, women experiencing domestic violence are five times more likely to be killed by the person abusing them if the abuser has a firearm.

Non-fatal injury and threats are also substantial: nearly one million women alive today report being shot or shot at by an intimate partner and 4.5 million women report that an intimate partner threatened them using a gun.

This bill reflects risk-reducing policies that can fundamentally change the lives of adults, children, and the broader community by decreasing the likelihood that prohibited persons will be able to retain firearms in violation of restraining and other orders. It simultaneously supports due process and sets

out a fair approach to ensure those individuals subject to the requirements are provided with notice and opportunities to be heard.

Denver has received national attention this year for taking the innovative step of hiring a new investigator in the District Attorney's Office to more effectively work with law enforcement to ensure firearms are removed from people who are prohibited as a result of domestic violence. This bill reflects the value of that approach and will encourage additional efforts to more effectively ensure that when a person becomes prohibited, there is a process in place to support full implementation of the courts' orders with respect to firearms relinquishment. The procedures proposed in this bill reflect best practices that have been promulgated for decades now from within the judicial branch through the National Council of Juvenile and Family Court Judges' Model Code on Domestic and Family Violence. They are also supported by research showing that state policies requiring those found to have perpetrated domestic violence to provide proof that they actually relinquished their firearms are linked to a 16% reduction in intimate partner gun homicides.

By requiring courts to conduct hearings to ensure the person has complied with relinquishment requirements and specifying consequences for non-compliance, the bill supports due process and provides opportunities for prohibited persons to receive notice and be heard. Additionally, because current law allows a restricted person to sell or transfer the firearm to a private party who may legally possess the firearm, the bill provisions appropriately provide further protection by requiring that a private party to whom a firearm be transferred complete a firearms acknowledgment form that informs the private party of the relevant state and federal laws, lists consequences for noncompliance, and asks if the party is able to legal possess a firearm.

Residents of Colorado will be afforded greater protection with these important provisions in place. We support HB 20-1278 and welcome the opportunity to provide further information as needed.

Sincerely,



Julia Weber, JD, MSW
Implementation Director
Giffords Law Center to Prevent Gun Violence

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