



February 25, 2020

House Judiciary Committee
200 E. Colfax Avenue
Denver, CO 80203

Re: IN SUPPORT OF HOUSE BILL 20-1278, CONCERNING PROCEDURES FOR A DOMESTIC ABUSER UPON THE ISSUANCE OF A PROTECTION ORDER.

Mr. Chairman and Members of the Committee,

Everytown for Gun Safety Support Fund (Everytown) writes this letter to urge lawmakers to vote yes on House Bill 20-1278 to ensure consistent protection for survivors of domestic violence. Everytown is a non-profit organization that seeks to improve public understanding of the causes of gun violence and the means to reduce it by conducting original research, developing evidence-based policies, and communicating this knowledge to communities, public officials, and the courts. Ensuring that prohibited persons, including domestic abusers, do not have access to firearms is a priority for Everytown.

Access to a gun in a domestic violence situation makes it five times more likely that a woman will be killed.¹ In an average month, 53 American women are shot and killed by a current or former intimate partner.² Nearly one million American women alive today have been shot or shot at by an intimate partner and survived, and approximately 4.5 million American women alive today have been threatened with a gun by an intimate partner.³ Research shows that laws that prevent domestic abusers from accessing guns save lives.⁴

Everytown's research and legal teams have worked with courts and local officials nationwide to implement domestic violence relinquishment orders. Everytown has reviewed domestic violence protective orders from Colorado and other states that have domestic violence firearm relinquishment laws similar to Colorado Revised Statutes 13-14-105.5 and 18-1-1001. We have found that courts' implementation and enforcement of firearm relinquishment laws varies county to county and judge to judge. Variances in the application of these laws endanger the lives of

¹ Jacquelyn C. Campbell et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," *American Journal of Public Health* 93, no. 7 (July 2003): 1089-1097.

² Uniform Crime Reporting (UCR) Program Data: Supplementary Homicide Reports, 1976-2018. Kaplan, Jacob concatenated files as posted on: Inter-university Consortium for Political and Social Research [distributor], 2019-10-27. <https://doi.org/10.3886/E100699V8>. Everytown includes data from the Florida Department of Law Enforcement (FDLE) in national IPV statistics; however Florida's state-specific IPV statistics are suppressed, as FDLE only captures incidents of spousal IPV, which results in undercounting.

³ Susan B. Sorenson and Rebecca A. Schut, "Nonfatal Gun Use in Intimate Partner Violence: A Systematic Review of the Literature," *Trauma, Violence & Abuse* 19, no. 4 (October 2018): 431-442.

⁴ April M. Zeoli et al., "Analysis of The Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations with Intimate Partner Homicide," *American Journal of Epidemiology* 187, no. 11 (November 2018): 2365-2371.

survivors and leave many survivors living in fear, knowing that their abuser still has guns, in violation of Colorado and federal law.

House Bill 20-1278 will aid in consistent implementation of Colorado's criminal and civil firearm relinquishment laws. The bill would require the state court administrator to create forms for courts to track a respondent's compliance with firearm surrender. Pursuant to the bill, a respondent subject to a relinquishment order would have to describe in court, or provide an affidavit that describes, the number, type, and location of firearms within the respondent's immediate possession or control. The respondent would also be required to complete a firearm information form stating the same. The court would then conduct a compliance hearing to ensure that the respondent has relinquished all firearms pursuant to the court order. The bill includes an enforcement mechanism, empowering the court to issue an arrest warrant or search warrant if a respondent fails to demonstrate compliance with the relinquishment order.

House Bill 20-1278 standardizes protocols across case types and geography to streamline the firearm relinquishment process and to better protect survivors of domestic violence. Everytown urges the Committee to vote yes on House Bill 20-1278.

Sincerely,

Melissa Paquette
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Everytown for Gun Safety Support Fund