

Virginia State Crime Commission
Patrick Henry Building
1111 E Broad Street
Suite B036
Richmond, VA 23219

Chairman Obenshain and distinguished members of the Virginia State Crime Commission,

Virginia has a gun violence problem. We are here in response to yet another mass shooting which has rocked our families, friends and communities. But everyday gun violence affects many Virginians. In fact, nearly 1,000 Virginians are shot and killed with a firearm in an average year and we know that for every person shot and killed, many more are wounded. It is crucially important for this commission to recognize that while the tragedy at Virginia Beach is the reason we are here, our job is to recommend policies to prevent the next mass shooting.

The governor has put forward a robust agenda to do just that. Among the many important gun violence prevention policies you've been asked to consider are a number of evidence-based solutions that should be the backbone of the commonwealth's public safety strategy -- background checks on all gun sales, an extreme risk law, and a prohibition on high capacity magazines and assault weapons.

Federal law currently requires licensed firearm dealers to conduct a background check on any gun sale. Since that law was put in place, it has stopped 26,588 gun sales in Virginia to felons, domestic abusers and people suffering from mental illness. But this law does not apply to unlicensed sellers. This dangerous loophole allows people who are legally prohibited from having guns to avoid a background check and access deadly firearms by purchasing them from unlicensed sellers at gun shows or online. In 2018 alone in Virginia, there were over 43,000 posts on armslist.com, an online firearms marketplace, advertising the sale of a firearm where no background check is required. Virginia must address this dangerous gap in the law by requiring a background check on all gun sales. Passing a comprehensive background check law in Virginia is a common sense way to keep guns out of the hands of people who should not have them.

There are other important steps that the Commonwealth can take to prevent gun violence tragedies before they happen. An Everytown study of mass shootings in the U.S. from 2009 to 2017 found that in 51 % of incidents the shooter exhibited warning signs that they posed a risk to themselves or others before the shooting. These warning signs are even more apparent among perpetrators of school violence. Virginians need a way to intervene when they recognize dangerous warning signs and prevent a person in crisis from accessing firearms before they use them to do harm. Extreme risk laws empower law enforcement officers to see those warning signs and petition a court to issue an order that temporarily restricts a person's access to firearms if the court finds they pose a serious risk of using them to harm themselves or others. 17 states and DC have enacted an Extreme Risk Protection Order law. These laws have

passed with broad bipartisan support and were signed into law by governors of both parties because they've recognized they're an effective way to prevent firearm suicides, mass shootings, and other gun violence tragedies. It's also important to note that the emerging body of research shows that these laws work to prevent firearm suicide, and also help prevent would-be mass shooters from committing violence. Since Maryland's law went into effect on October 2018, more than 100 weapons and 35,000 rounds of ammunition have been temporarily removed¹ from people in crisis in Prince George's County. These laws are effectively being used across the country to prevent tragic acts of gun violence before they happen. It is far past time for Virginia to join these states to help keep communities across the Commonwealth safe.

No single policy will stop all gun violence. That is why it is imperative for this committee to consider and recommend a broad range of policies that can help save lives, like the proposed assault weapons ban. Specifically limiting the access to high capacity magazines and silencers, like the ones used in the Virginia Beach shooting, will save lives. Survivor Christi Dewar said after the shooting "If it was a regular gunshot, we would've definitely known a lot sooner, even if we would've had 30 or 60 seconds more...I think we could've all secured ourselves ... all of us could've barricaded ourselves in." In this tragedy, the shooter's access to a silencer was the difference between life and death. Further, states which have a high capacity magazine ban in place experience mass shootings in which four or more people are shot and killed, not including the shooter at less than half the rate of states without assault weapons and high capacity magazine prohibitions.² One researcher at Boston University said, "Whether a state has a large capacity ammunition magazine ban is the single best predictor of the mass shooting rate in the state."

It is time for the commonwealth to stop ignoring our gun violence problem. The governor has put forward a series of proposals which recognize this public health crisis and offer policy solutions that have been proven to help prevent gun violence. We urge the committee to recommend the passage of these life-saving policies and advocate for them in the legislature. The safety of the Commonwealth cannot wait another year.

Respectfully submitted,

NAMES

ADDRESSES

¹ <https://baltimore.cbslocal.com/2019/05/21/red-flag-law-gun-control-prince-georges-county-maryland/>

² Petulla S. Here is 1 correlation between state gun laws and mass shootings. *CNN*. October 5, 2017. <https://cnn.it/2J4sWCC>. Study defines mass shootings as incidents where three or more victims, not including the shooter, are shot and killed or shot and injured with a firearm.