

Remarks by Robyn Thomas, Executive Director, Giffords Law Center

**As delivered before the House of Representatives Committee on the Judiciary
Hearing on Preventing Gun Violence: A Call to Action
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Thank you, Chairman Nadler, Ranking Member Collins, and members of the Committee for the opportunity to testify here today. My name is Robyn Thomas and I am the Executive Director of Giffords Law Center to Prevent Gun Violence. Giffords Law Center was formed more than 25 years ago after a mass shooting at a San Francisco law firm, and renamed for former Congresswoman Gabby Giffords after joining forces in 2016 with the organization she co-founded with her husband, Captain Mark Kelly. I have been the Executive Director of the Law Center since 2006.

Twelve years ago, I told a committee of Congress that numerous loopholes undermine our gun laws, putting American lives at risk. Since I last testified before Congress, no significant progress has been made to close these loopholes, and more than 390,000 people have died from gun violence in our country.

Some of these shootings made national headlines and shocked the nation—the massacres at a Safeway in Tucson; at Sandy Hook Elementary School; at a church in Charleston. Orlando, Las Vegas, Parkland, Pittsburgh. Just to name a few. But most American gun violence never makes the news, despite nearly 100 people dying every day.

The nominal effort made to address the reporting of records to the background check system has not done enough to stem the tide of gun violence in this country. It is still far too easy for people who want to do harm to get their hands on guns.

Because federal law doesn't require a background check on every gun sale, people who shouldn't have guns and are legally prohibited from accessing them, like domestic abusers, people with violent criminal records, and people prohibited for mental health reasons, can easily buy guns from unlicensed sellers with no background check and no questions asked. Even if prohibiting records are in the NICS system, prohibited people can simply bypass that system altogether. A 2013 study found that approximately 80 percent of all firearms acquired for criminal purposes were obtained from sources who were not required to run a background check, and that 96 percent of inmates who were prohibited from possessing a firearm at the time they committed their crime obtained their gun this way.

Congress must close this dangerous loophole. That's why I'm grateful to Congressman Mike Thompson and this committee for prioritizing H.R. 8, the Bipartisan Background Checks Act of 2019.

H.R. 8 will make it harder for dangerous people to get their hands on guns and hurt themselves or others. Since 1994, background checks have stopped over three million gun sales or transfers to convicted felons and other prohibited people. This bill would expand the use of this system, ensuring that the laws prohibiting these people from possessing guns are enforced.

But while closing the loopholes in our federal background system is a critical first step, we must also do more to cover people at a high risk of committing violence who are not currently prohibited from possessing guns.

This includes abusive dating partners, stalkers, and people convicted of hate crimes.

We should also ensure families and law enforcement have the tools they need to intervene when someone demonstrates signs of a serious crisis, called extreme risk protection order laws. These laws create a legal process to temporarily remove firearms if a court finds that someone poses a real risk. These laws now exist in some form in 13 states and save lives while ensuring due process.

We must invest in our collective future. Congress should better regulate the gun industry and enact a gun trafficking law. It should also address gun violence in the communities where its costs are felt most acutely, in urban areas where young African American and Latino men are most impacted. Well-funded violence intervention programs can successfully break cycles of violence and level the playing field for safety in our communities.

Congress should also invest financially in research into this public safety crisis. Federal research into gun violence has been virtually nonexistent for over 20 years. This must be addressed so we can learn more about this problem and how to most effectively solve it.

There is no constitutional impediment to passing lifesaving gun laws. Since the founding of our country, gun rights have always coexisted with gun regulations, and the need to protect public safety has always gone hand-in-hand with Americans' right to own guns.

The only thing standing in the way of saving lives is the lack of political will. All we need to strengthen our federal gun laws is a Congress with the courage to do so. I urge this Congress to find that courage, to show leadership on this life-and-death issue, and to act, now.

Mr. Chairman and members of the committee, thank you again for inviting me to testify here today, and I look forward to your questions.