

Educational Fund to Stop Gun Violence
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Testimony of Vicka Chaplin, Public Health Analyst, Educational Fund to Stop Gun Violence
IN SUPPORT OF SB 387, *Provides for the issuance of certain orders for protection.*
Before the Nevada Assembly Judiciary Committee
May 12, 2017 at 8:00am

Honorable Chairperson and Committee members,

As a Public Health Analyst for the Educational Fund to Stop Gun Violence, I am writing in support of Senate Bill 387, which creates a process for the issuance of an order of protection against a high risk individual (High Risk Protection Order, HRPO) that prohibits a person from purchasing or possessing firearms when the court finds there is a substantial likelihood that the individual will cause personal injury to himself, herself, or another by possessing a firearm. This bill would give the court the ability to order a respondent to temporarily surrender firearms for the duration of the order.

Current gaps in Nevada law make it challenging for family members and law enforcement to temporarily remove firearms from individuals at risk of harming themselves or others. Background checks ensure that people with qualifying firearms purchase and possession prohibitions may not obtain new firearms, but there are few mechanisms to remove firearms already possessed. Further, there are times when an individual is dangerous to him/herself or others, yet is not subject to a qualifying firearm prohibition. A High Risk Protection Order fills this gap.

The components of this bill are something I work on daily. As a Public Health Analyst, I amalgamate research evidence regarding indicators of dangerousness, the risk of violence towards self or others, access to guns, and gun deaths. Using the best available research, my colleagues and I work to determine who is likely to be at the highest risk of perpetrating violent acts and develop policies that reach and prohibit them from purchasing and possessing firearms for the duration of elevated risk. We also know that families and law enforcement desperately need legal tools to intervene and prevent tragedies when they are concerned about an at-risk individual. Laws like the High Risk Protection Order can save lives.

The research evidence demonstrates that easy access to firearms increases the risk of suicide.¹ Eighty-five percent of suicide attempts with firearms result in death, while in contrast, more common suicide attempt methods such as poisoning/overdose and cut/pierce are lethal in only

¹ Miller, M., Barber, C., White, R. A., & Azrael, D. (2013). Firearms and suicide in the United States: Is risk independent of underlying suicidal behavior?. *American journal of epidemiology*, 178(6), 946-955.

2% and 1% of attempts.² As 9 in 10 people who survive a suicide attempt do not go on to die by suicide,³ it is clear that reducing access to firearms for the duration of a suicidal crisis increases the probability that an individual will survive a suicide attempt and likely not go on to die by suicide.

Temporarily restricting access to firearms to individuals at a high risk of dangerous behavior makes for effective policy. A recent evaluation of the first 13 years of Connecticut's risk-warrant law, similar to the proposed legislation, demonstrated that for every 10 to 20 risk-warrants issued, one life is saved. Moreover, nearly 1 in 3 risk-warrant subjects received mental health and/or substance abuse treatment in the Connecticut public behavioral health system in the year following the issuance of a risk-warrant.⁴ This means that temporary risk-based firearms removal policies can not only save lives, but can also create a pathway for individuals to receive necessary treatment.

Based on a thorough evaluation of current research, a report from the Consortium for Risk-Based Firearm Policy – a group of the nation's leading researchers, practitioners, and advocates in gun violence prevention and public health – recommends that individuals at a high risk of violence to self or others be (1) temporarily prohibited from purchasing and possessing firearms via court order, and (2) be required to temporarily relinquish firearms they already possess for the duration of the order.⁵ I fully support this recommendation. The research is clear: access to guns while an individual is in crisis can be a lethal combination.

Senate Bill 387 would require that firearms be temporarily removed from a high-risk individual for the duration of the protection order to address this risky period where individuals are at a high risk of harming themselves or others. When the order expires, the respondent may get their firearms back.

Inaction is far too costly. Over the last decade (2006-2015), seventy percent of all suicide deaths in Nevada were by firearm,⁶ and firearm suicide is the leading cause of violent death in the state.⁷ Over the last decade, more than 5 Nevadans have died by firearm suicide every week.⁸

² Miller, M., Azrael, D., & Barber, C. (2012). Suicide mortality in the United States: the importance of attending to method in understanding population-level disparities in the burden of suicide. *Annual review of public health, 33*, 393-408.

³ Owens, D., Horrocks, J., & House, A. (2002). Fatal and non-fatal repetition of self-harm. Systematic review. *British Journal of Psychiatry, 181*(3), 193-199.

⁴ Swanson, JW, Norko, M, Lin, HJ, Alanis-Hirsch, K, Frisman, L, Baranoski, M, Easter, M, Gilbert, A, Swartz, M, & Bonnie, RJ. Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does it Prevent Suicides? (August 24, 2016). Law and Contemporary Problems, Forthcoming. Available at SSRN: <http://ssrn.com/abstract=2828847>

⁵ Guns, Public Health, and Mental Illness: An Evidence-Based Approach to State Policy. <http://efsgv.wpengine.com/wp-content/uploads/2014/10/Final-State-Report.pdf>

⁶ National Center for Injury Prevention and Control, CDC. Fatal Injury Reports 1999-2015, for National, Regional, and States (RESTRICTED). Retrieved May 11, 2017, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

⁷ National Center for Injury Prevention and Control, CDC. Leading Causes of Death Reports, 1999-2015, for National, Regional, and States (RESTRICTED). Retrieved May 11, 2017, from <https://www.cdc.gov/injury/wisqars/fatal.html>

⁸ National Center for Injury Prevention and Control, CDC. Fatal Injury Reports 1999-2015, for National, Regional, and States (RESTRICTED). Retrieved May 11, 2017, from http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html

Senate Bill 387 provides an opportunity for life-saving action that will reduce the burden of firearm suicide in Nevada, and has the potential to prevent firearm homicides as well. With this new legislation, Nevada would fill a gap in state law and provide families and law enforcement with necessary tools to save lives.

The research evidence is straightforward: temporarily removing firearms from people at high risk of committing violence will save lives. Nevada lawmakers have the opportunity to move an evidence-based policy forward, and I urge you to support Senate Bill 387, which creates a process for issuing a High Risk Protection Order.

Sincerely,

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