JOHN CONYERS, JR. 13th District, Michigan

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Congress of the United States House of Representatives Mashington, DC 20515–2213

WASHINGTON OFFICE: 2426 RAYBURN HOUSE OFFICE BUILDING WASHINGTON, DC 20515-2213 PHONE: 202-225-5126

> DETROIT OFFICE: 669 Federal Building 231 West Lafayette Detroit, MI 48226 Phone: 313-961-5670

E-MAIL AND WWW: JOHN.CONYERS@MAIL.HOUSE.GOV HTTP://WWW.CONYERS.HOUSE.GOV

January 9, 2015

The Honorable Rick Snyder Governor State of Michigan P.O. Box 30013 Lansing, MI 48909

Dear Governor Snyder:

I write concerning an urgent matter concerning the safety of the citizens of Michigan. At the end of the 2014 session, the Michigan legislature passed and sent to you SB 789, a bill changing the process for issuing licenses allowing the carrying of concealed firearms. Among the changes is a provision that would endanger victims of domestic violence and stalking. This change, and certain others proposed by the bill, should not be allowed to become law.

The bill would make a dangerous alteration to the state's existing law by removing the blanket prohibition on issuance of concealed carry licenses to individuals who are subject to a personal protection order (PPO) for domestic violence or stalking. Instead, under Section 5b(7)(d)(iii) of the bill, an individual subject to an emergency (or "ex parte") protection order would be allowed to obtain or maintain a license – unless the order specifically states that the subject is not allowed to purchase or possess a firearm.

This is a critical flaw, particularly because domestic violence victims who seek a PPO on an ex parte basis, in fear for their safety and their very lives, are often not aware of the full range of options in seeking such a restriction. These victims, at a time of heightened vulnerability, deserve the full range of protection from gun violence, and this bill should not add to their burden. The onus should not be on victims to seek judicial action, and it should not be on judges to ensure that this disqualification attaches when the current prohibition provides the clearest protection and should be maintained.

We must do more – not less – to decrease the victimization of those who are targets of domestic abusers. From 2003 to 2012, there were 341 domestic violence homicides in Michigan. Of those, 51.3 percent were killed with guns.¹ Our public policy decisions must be based on the facts, and the facts are clear concerning the unsafe combination of domestic violence and firearms.

¹ Fact Sheet: Michigan Domestic Violence and Guns. October 2014. Available at: http://cdn.americanprogress.org/wp-content/uploads/2014/10/CAP-DV-MI.pdf.

Letter to Governor Snyder January 9, 2015 Page 2

This bill would endanger not only the victims of domestic violence, but would place all citizens of Michigan at greater risk of being victimized by gun violence. Because we know that individuals with a history of violence, even if only violent misdemeanors, are more likely to engage in future violent acts,² I am concerned that someone who is subject to a PPO would also be more likely to commit violence against others. This fear concerning propensity for other violent acts would appear to be supported by studies showing that those subject to domestic violence restraining orders have high rates of criminal justice system involvement, with most having been arrested for other violent crimes.³ Enabling those subject to PPOs to carry concealed firearms would therefore present an unacceptable risk.

In addition to these vital concerns related to domestic violence, the bill contains other illadvised changes to current law that could allow dangerous people to carry concealed firearms. Specifically, the bill omits the discretion allowed to the issuing authority, currently provided in two provisions of law (MCL 28.425b(7)(n) and MCL 28.428(5)), to deny applications based on other information the issuer may know that indicates an applicant may present a danger to his- or herself or others. These changes present additional examples illustrating how SB 789 would jeopardize the safety of our citizens.

I must note that this bill would also endanger people beyond the borders of Michigan. Currently, Michigan has entered into reciprocity agreements with 39 states that allow Michigan concealed carry license holders to carry in those states.⁴ The citizens of those states would be subject to greater risk from individuals subject to PPOs who travel to those states and utilize licenses granted to them under the law as it would be weakened by SB 789. In fact, those states may be motivated to reconsider their reciprocity arrangements with Michigan on that basis, and it would appear wise that they to do so.

I do not support weakening protections for victims of domestic violence who fear further victimization, including perhaps being shot by their abuser, and I hope you would not support such a law either. In the name of public safety and in order to avoid endangering the lives of those whom we know have reason to fear their abusers, I urge you to veto this dangerous bill.

Sincerely,

John Conyers, Jr.

² Wintemute, G.; Drake, C.; Beaumont, J.; Wright, M.; Parham, C. (1998). *Prior misdemeanor convictions as a risk factor for later violent and firearm-related criminal activity among authorized purchasers of handguns*, Journal of the American Medical Association, 280(24), 2083-2087.

³ Fact Sheet: Domestic Violence Restraining Orders. Available at: http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-policy-and-research/publications/FactSheet_DVRO.pdf

⁴ State of Michigan. Concealed Carry Weapons Reciprocity. Available at: <u>http://www.michigan.gov/ag/0,4534,7-164-58056 22672-60639--,00.html</u>.