



## CT Against Gun Violence

P.O. Box 523 Southport, CT 06890  
tel: 203-335-3802  
www.cagv.org

Testimony to the Judiciary Committee  
Ron Pinciario, Executive Director

### CT Against Gun Violence (CAGV) supports Proposed Senate Bill No. 650, House Bill No. 6848, and House Bill No. 6962

#### 1) Proposed Senate Bill No. 650, House Bill No. 6848

CAGV supports Proposed Senate Bill 650 and House Bill 6848, both of which will strengthen our current statutes relating to the process by which firearms are removed from persons who are the subject of domestic violence restraining orders.

Although each of these bills takes a slightly different approach, both address the core concerns we have with the current process, especially during the period immediately after a restraining order has been applied for. Our primary concerns are that:

1. Valid service of restraining orders is made upon the subject in a timely manner; and
2. Firearms are removed from persons who are identified as having access to them.

The two bills address both of these areas in somewhat different ways. Both have good recommendations including:

1. Having sworn police officers serve the orders in cases where the applicant has indicated that the respondent has access to firearms (SB650).
2. Require that the respondent surrender firearms immediately to a federally licensed firearms dealer or to the Commissioner of Emergency Services and Public Protection in cases “involving the use, attempted use or threatened use of physical force against another person.” (HB6848).

It is known that when applying for a restraining order, the applicant may be entering the most dangerous time for a potential domestic violence victim. According to the National Domestic Violence Hotline, “Exiting the relationship is the most unsafe time for a victim. As the abuser senses that they’re losing power, they will often act in

dangerous ways to regain control over their victim.”<sup>i</sup>

In Connecticut, this became more than just a remote point of interest when:

- Just last May in Oxford CT, Scott Gellatly, 46, a subject of a restraining order applied for by his wife, entered the home of his mother-in-law, shot and killed his wife, Lori Jackson Gellatly, 32. He also shot and seriously injured his mother-in-law, Mary Jackson. The couple’s twin toddlers were in the house at the time. Scott Gellatly was supposed to surrender all his firearms under the order issued April 25. The killing came a day before a court hearing on whether to extend the restraining order.
- Less than a month later, on June 4, 2014, Kyla Ryng and her husband, National Guard member Alexander Ryng, were found dead at their home in Bristol, Conn. Kyla had filed for divorce just days before their dead bodies were found. The National Guard member allegedly killed his wife before turning the gun on himself while their three young children were inside the family’s home

HB 6848 and SB 650 both propose measures that protect potential victims, especially women, of domestic violence by addressing the need for immediacy, when good cause is shown, of removing firearms from respondents of restraining orders who have access to firearms. That need for removal of firearms and its immediacy is bolstered by the following data presented by the Law Center to Prevent Gun Violence:

- Guns increase the probability of death in incidents of domestic violence.<sup>ii</sup>
- Firearms were used to kill more than two-thirds of spouse and ex-spouse homicide victims between 1990 and 2005.<sup>iii</sup>
- Domestic violence assaults involving a firearm are 12 times more likely to result in death than those involving other weapons or bodily force.<sup>iv</sup>
- Abused women are five times more likely to be killed by their abuser if the abuser owns a firearm.<sup>v</sup>
- Laws that prohibit the purchase of a firearm by a person subject to a domestic violence restraining order are associated with a reduction in the number of intimate partner homicides.<sup>vi</sup>

The measures proposed in both SB 650 and HB6848 represent substantial improvements in the way CT addresses the issue of the use of guns in Domestic Violence tragedies.

### **House Bill No. 6962**

The first three sections of HB6962 relate to safe storage of firearms; the fourth section is concerned with making statutory provisions for courts governing the return of firearms or ammunition to a person considered to have presented a risk of

imminent physical danger to himself or herself or another at the time of firearm seizure.

We support all provisions of the bill.

Current statutes relevant to requirements for Safe Storage of firearms provide penalties and liability for the negligent storage of unloaded firearms that fall into the possession of minors or persons ineligible to possess firearms who then proceed to cause the injury or death of such person or any other person with the firearm.

HB 6962 would extend the liability and penalty to include if any person obtains possession of the firearm, loaded or unloaded, and causes such death or injury to himself or herself or others. The penalties and liability would not apply if the firearm were determined to have been safely stored or carried on the person of, or in close proximity to, the owner or person responsible for control of the firearm.

Failure to safely store firearms is a major Public Health problem. A 1991 study found that 8% of accidental shooting deaths resulted from shots fired by children under the age of six.<sup>vii</sup> A 2006 study found that 73% of children under age 10 living in homes with guns reported knowing the location of their parents' firearms.<sup>viii</sup>

The presence of unlocked guns in the home increases the risk not only of unintentional gun injuries but of intentional shootings as well.

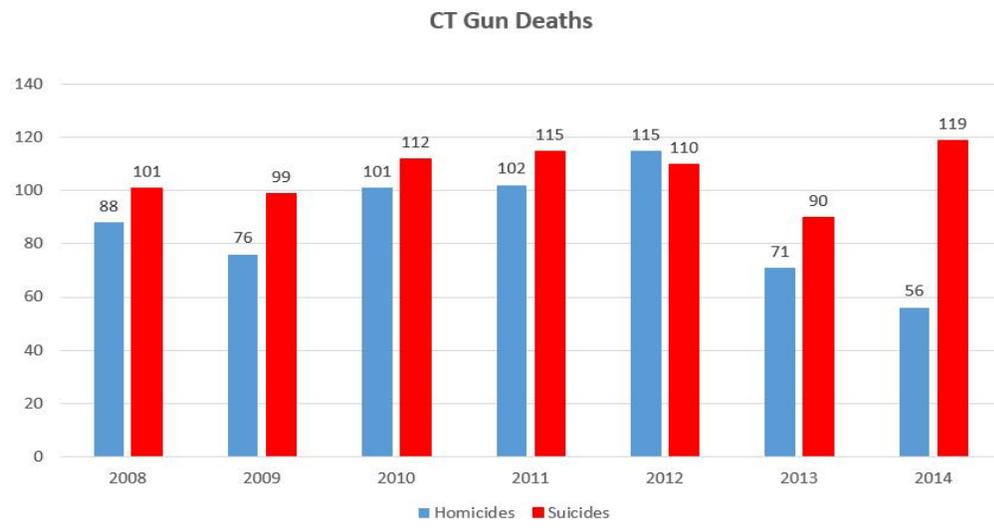
In July 2004, the U.S. Secret Service and U.S. Department of Education published a study examining 37 school shootings from 1974-2000. That study found that in more than 65% of the cases, the attacker got the gun from his or her own home or that of a relative.<sup>ix</sup>

Here in CT, we know all too well the horrific story of Adam Lanza's access to negligently stored firearms and its aftermath.

According to the American Academy of Pediatrics:

- Research in several US urban areas indicates that a gun stored in the home is associated with a 3-fold increase in the risk of homicide and a 5-fold increase in the risk of suicide.
- Laws reducing child access to firearms, which primarily require safe gun storage, are associated with lower overall adolescent suicide rates.
- The presence of a firearm at home increases the risk of suicide even among those without a previous psychiatric diagnosis.
- Suicide attempts involving a firearm more often are fatal (91%) compared with those involving drug overdoses (23%).
- The increased risk of suicide is particularly striking for younger persons where guns are stored loaded and/or unlocked.

In Connecticut, we have seen a stunning decline in gun homicides in recent years. But suicide, which is more of a problem of safe storage, or in some cases removal of firearms from the home of at risk persons by concerned family members, continues at a stubborn rate. The safe storage provisions of HB 6952 constitute an effort to make owners of guns aware of the danger of firearms that are not safely stored - especially when at risk persons inhabit the household.



*Data confirmed with CT Office of Chief Medical Examiner*

With respect to Section 4 of HB6962, the proposal establishes a process to govern the determination of returning firearms previously seized from persons considered at risk of imminent physical danger to themselves or others.

Current relevant statutes are silent regarding such a process and it is clear that one is needed to establish clarity and certainty. HB 6962 requires that a hearing be held at least fourteen days prior to the expiration of the period when the firearm and ammunition were ordered to be held. At that hearing, the person must show that he or she is no longer a risk. If the court determines by a preponderance of the evidence that the person no longer poses such risk, any firearms and ammunition held should be returned. Otherwise, the court shall order that the firearms and ammunition be held for an additional period not to exceed one year.

We support this section of HB6962 as well as the first three sections.

<sup>i</sup> <http://www.thehotline.org/2013/06/50-obstacles-to-leaving-1-10/>

<sup>ii</sup> Susan B. Sorenson, Firearm Use in Intimate Partner Violence: A Brief Overview, in 30 Evaluation Review, A Journal of Applied Social Research, Special Issue: Intimate Partner Violence and Firearms, 229, 232-33 (Susan B. Sorenson ed., 2006). [↔]

---

<sup>iii</sup> Bureau of Justice Statistics, U.S. Department of Justice, Homicide Trends in the U.S.: Intimate Homicide (July 2007), at <http://bjs.ojp.usdoj.gov/content/homicide/intimates.cfm>. [↔]

<sup>iv</sup> Linda E. Saltzman, et al., Weapon Involvement and Injury Outcomes in Family and Intimate Assaults, 267 JAMA, 3043-3047 (1992). [↔]

<sup>v</sup> Jacquelyn C. Campbell et al., Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study, 93 Am. J. Pub. Health 1089, 1092 (July 2003). [↔]

<sup>vi</sup> Elizabeth R. Vigdor et al., Do Laws Restricting Access to Firearms by Domestic Violence Offenders Prevent Intimate Partner Homicide?, 30 Evaluation Rev. 313, 332 (June 2006). [↔]

<sup>vii</sup> U.S. General Accounting Office, Accidental Shootings: Many Deaths and Injuries Caused by Firearms Could Be Prevented 17 (Mar. 1991), at <http://161.203.16.4/d20t9/143619.pdf>. [↔]

<sup>viii</sup> Frances Baxley & Matthew Miller, Parental Misperceptions About Children and Firearms, 160 Archives Of Pediatric & Adolescent Med. 542, 544 (2006). [↔]

<sup>ix</sup> U.S. Secret Service & U.S. Dep't of Education, The Final Report & Findings of the Safe School Initiative – Implications for the Prevention of School Attacks in the United States 27 (July 2004), at <http://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf>. [↔]