

**U.S. Senator Dianne Feinstein
Hearing on Red-Flag Laws
Judiciary Committee
Tuesday, March 26, 2019**

The topic [of today's hearing] is extreme-risk laws, sometimes referred to as "red-flag" laws.

I strongly believe that these are important tools that can empower family members and law enforcement to ask courts to keep guns out of the hands of dangerous people.

They should at least include requiring universal background checks; closing the "Charleston Loophole," which would give law enforcement more time to complete checks; and, hopefully, banning assault weapons.

To be clear, extreme-risk laws are a vital part of that effort.

As of today, as the chairman said, we have 14 states and the District of Columbia passing extreme-risk laws: The states are Connecticut, Indiana, my state, California, Washington, Oregon – so you have the Pacific coast – Florida, Vermont, Maryland, Delaware, Rhode Island, New Jersey, Massachusetts, Illinois and New York.

I've introduced the Extreme Risk Protection Order Act of 2019, which would create new grants to incentivize states taking similar measures to prevent gun violence.

The national discussion about extreme-risk laws, or “red flag laws” as they are called, escalated after 17 people lost their lives in Parkland, Florida. It was one of the deadliest school shootings in our history.

We know the shooter had troubling signs before the shooting. Those signs didn't go unnoticed.

In September 2017, the FBI was alerted to a comment the young man made on an online video that said, “I'm

going to be a professional school shooter.” That’s a direct quote.

In January 2018, the FBI got another tip about this young man’s “gun ownership, desire to kill people, erratic behavior and disturbing social media posts, as well as the potential of his conducting a school shooting.”

Then, nothing was done. A month later, he walked into Marjory Stoneman Douglas High School, armed with an AR-15, took 17 lives and wounded 17 others.

While law enforcement could have done more, this young man’s family could also have helped if they had been legally able to do so.

That’s one reason why Florida acted quickly after Parkland to pass an extreme-risk law.

More should be done to address the daily toll gun violence is taking on our country. And I hope my colleagues here today will join me in doing more after today.

Since 1994, background checks have stopped more than 3.5 million felons, domestic abusers and other prohibited people from purchasing firearms. Yet, 22 percent of all gun sales are being carried out without a background check.

Ninety percent of Americans support universal background checks. That's for everybody. So why are we not doing the same?

Compared with the 10-year period before the 1994 federal assault weapons ban, the number of gun massacres between '94 and 2004 when the assault weapons bill was in law, the number of massacres fell by 37 percent. The number of people dying from gun massacres fell by 43 percent. The fact is that the assault weapons ban worked.

Extreme-risk laws also work.

San Diego has had particular success with California's law. In a little more than a year, that office has obtained 126 orders and confiscated 318 guns, including 33 assault weapons. I'd like to enter into the record a letter from the San Diego City Attorney.

Here is an excerpt from that letter: "Our office has found California's red flag law to be a powerful tool for protecting residents and police officers from senseless gun violence. Gun-rights advocates closely monitor our work; they have yet to bring to our attention a case where they believe the law was improperly granted."

I thought that the Sandy Hook shooting was a moment when Congress would step up and take action. And I so hoped we would. Despite our best efforts, gun safety legislation was not enacted.

Similarly, we saw no action after Parkland, after Las Vegas, or after the many other massacres our country has had to cope with.

Unlike the United States, other countries did not miss the opportunity to do something.

In Australia in 1996, 35 people were killed when a gunman opened fire with two semiautomatic assault rifles. Shortly thereafter, Australia banned all assault rifles and put in place a licensing system.

Now, just days after 50 people lost their lives in New Zealand, that country has also moved to ban assault weapons and high-capacity magazines.

I am hopeful – I guess hope carries eternally – that Congress will once again find the courage to do what's right.

We can't forget what happened in Parkland, Thousand Oaks, Isla Vista, Sandy Hook, Las Vegas, Sutherland Springs, Columbine and countless other cities across the country where gun violence has taken so many lives.

We've seen, and we continue to see, the cost of inaction. So this is a step – it's not a big step, it's a small step, it's a sensible step – in the right direction.

I hope my Republican colleagues will join me and support the Extreme Risk Protection Order Act.