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HOUSE DEMOCRATIC POLICY COMMITTEE

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

HOUSE DEMOCRATIC POLICY COMMITTEE HEARING

Topic: House Bill 1010

Strath Haven High School – Wallingford, PA

May 9, 2016

AGENDA

2:00 p.m. Welcome and Opening Remarks

2:10 p.m. Panel One:

- Josh Shapiro, Chairman, Pennsylvania Commission on Crime and Delinquency
- Major Scott Price, Director of Bureau of Records and Identification, PA State Police
- Lieutenant Mark Shaver, Director of Firearms Division, PA State Police
- Michael Chitwood, Superintendent of Police, Upper Darby Police Department

2:50 p.m. Panel Two:

- Margie Reilly, Delaware County Parent of Gun Victim
- Robin Lloyd, State Legislative Director, Americans for Responsible Solutions
- Dr. Mike Nance, Director of Pediatric Trauma Program, The Children's Hospital of Philadelphia

3:30 p.m. Closing Remarks

Testimony by PCCD Chairman Josh Shapiro for the House Democratic Policy Committee hearing on
Commonsense Firearms Background Checks

MAY
~~APR~~ 9, 2016

I would like to thank Chairman Sturla and the rest of the committee members for inviting me to speak on this important topic. I would also like to thank Rep. Santarsiero who is the prime sponsor of House Bill 1010 and Rep. Kruger-Braneky for hosting us here today in Delaware County.

There have been four shootings across our Commonwealth in just the last 72 hours. Every year 30,000 Americans die from gun violence; that is enough to fill the Wells Fargo Center one and a half times over¹. We have a gun violence rate that is higher than any European country². In fact, it is higher than any Middle Eastern country but for one exception, Iraq³.

Every Pennsylvanian must be safe and secure to live out the American promise, and when violence plagues our streets the oath we take to liberty and justice is hollow. How can we say we live in a free and fair society when so many die at the end of a barrel of a gun and there are common-sense reforms we can make that will make a real difference? That is why I am here, because we have an obligation to respect the constitution, respect everyone's right to pursue their dreams, and enact commonsense reform to prevent lethal weapons from falling into the hands of those that should not have them. H.B. 1010 is an important step in that direction.

H.B. 1010 would help ensure that more background checks are taking place on gun purchasers. Currently, private sellers of long-barreled weapons do not have to run background checks on buyers. They do not have to ensure that the person they are about to sell a potentially lethal weapon to is not a violent criminal. That is simply unacceptable and H.B. 1010 would help us address this issue.

Guns are an incredibly complex and divisive issue in our nation but I do not believe that has to be the case. I believe there is common ground to be found. A recent Quinnipiac University poll showed 89% of Americans support laws requiring background checks like the ones required in H.B. 1010⁴. To me, 89% sounds like common ground.

Of course, background checks only work if we have the data necessary to ensure that the right people are being approved. That is where the Pennsylvania Commission on Crime and Delinquency is striving to be a part of the solution.

Over the last 10 years, PCCD has worked with local and state police to ensure that they have the technology they need to gather important information such as fingerprints and photographs of those charged with crimes. It is vitally important that we have accurate and complete records on these

¹ Centers for Disease Control - <http://www.cdc.gov/nchs/fastats/injury.htm>.

² Healthdata.org - <http://vizhub.healthdata.org/gbd-compare/>.

³ *Ibid.*

⁴ Quinnipiac University, 2015 - <https://www.qu.edu/news-and-events/quinnipiac-university-poll/national/release-detail?ReleaseID=2312>.

individuals so that if and when they attempt to purchase a weapon the State Police know about their criminal history. Just this past year, PCCD provided \$450,000 in grants to the State Police and local law enforcement for the purchase of LiveScan machines. These machines are all-in-one systems that allow police to quickly book offenders and provide that information to state databases immediately.

Through efforts like this, Pennsylvania has increased its statewide fingerprint compliance rate from 66% in 2006 to over 89% today⁵. What that means is greater accuracy in our criminal history records and a lower chance of a convicted criminal being able to illegally purchase a gun.

In addition, PCCD has provided \$330,000 in grant funding to improve the process by which Pennsylvania provides information on Protection from Abuse Orders to the National Crime Information Center. This significantly lowers the chance of an individual being able to purchase a gun while they have an active PFA against them. This system provides an important protection for victims of domestic violence, stalking, and dating violence.

It is our goal at PCCD to get to a 100% fingerprint compliance rate so that we can ensure background checks are accurate. I promise that we will continue to work with our law enforcement partners to reach this goal.

Pennsylvania has a long and proud tradition of responsible gun ownership. Hunting, range shooting, and self defense are an important part of our tradition as a commonwealth. We strengthen that tradition by preventing those with violent criminal histories or those who struggle with mental health issues from being able to harm others. This is something that most Pennsylvanians support. It is respectful of our heritage, our constitution, and everyone's right to enjoy the freedoms of liberty.

This bill alone will not bring all of the gun safety reforms we need to Pennsylvania. No one action is going to rid us of this scourge. We all know that. I believe we can and should go farther by requiring background checks on all gun purchases. However, this process takes compromise and I believe H.B. 1010 is an important step in the right direction. Never should we let the perfect be the enemy of the good.

We have the power to do more to protect our citizens from gun violence. As a Pennsylvanian and as a father, I believe we have an obligation to stop guns from falling into the wrong hands and this is a common-sense way to do so.

⁵ Internal data via our Dashboard.

Pennsylvania State Police Remarks
House Democratic Policy Committee
May 9, 2016



Presented by:
Major Scott C. Price
Director, Bureau of Records and Identification
Pennsylvania State Police

Good afternoon Chairman Sturla and members of the House Democratic Policy Committee, I am Major Scott Price, Director of Bureau of Records and Identification for the Pennsylvania State Police (PSP). With me today is Lieutenant Mark Shaver, Director of the PSP Firearms Division. Thank you for the opportunity to appear before you to discuss the Pennsylvania Instant Check System, commonly known as "PICS."

The federal Brady Act of 1993 mandated the establishment of the National Instant Criminal Background Check System, commonly known as "NICS". As allowed by this Act, all states are granted the authority to determine their own level of involvement with the NICS. States may choose to implement their own background check program, rely solely on the NICS, or use a combination of both.

Pursuant to Pennsylvania General Assembly Act 17 of 1995, known as the Pennsylvania Uniform Firearms Act Amendment, the PSP was required to establish, maintain, and operate an instantaneous background records check system used for firearms transactions. PICS became operational on July 1, 1998 and is housed within the Firearms Division of our Bureau of Records and Identification. It provides quick reliable service and is charged with the significant responsibility of preventing prohibited persons from acquiring a firearm while at the same time allowing timely clearance for lawful gun purchases, transfers, and licenses to carry a firearm concealed.

The legislature exhibited foresight in its initial crafting of the enabling statute by providing more protection to Pennsylvania citizens than that of the national model. For example, in the event of a failure of the NICS system to properly identify a prohibited person within three days of the attempted sale, the licensed dealer could proceed with the sale, potentially creating a public safety risk. Because of this, the NICS Section must refer firearm retrieval actions to the Bureau of Alcohol, Tobacco, Firearms, and Explosives in order to track down and retrieve firearms that were transferred to persons who were subsequently found to be prohibited from possessing a

gun. In comparison, if a person's status cannot be determined during the initial call utilizing PICS, a gun is not allowed to be delivered after three days since Pennsylvania law requires PSP to issue a unique approval number before any transaction is completed. Furthermore, Pennsylvania law allows for a PICS check to be conducted on those we entrust with the safekeeping of a firearm that is taken from its owner as a result of a domestic violence incident. Additionally, federal quality thresholds exclude many criminal records from being entered into the FBI's Interstate Identification Index, due to insufficient fingerprint sample quality. In Pennsylvania, regardless of the quality of these prints (or lack thereof), the records are included in the more encompassing Pennsylvania criminal history record system, therefore increasing the likelihood of a denial of a prohibited person. Consistent with our mission, PICS also manages a database containing information on Pennsylvania involuntary mental health commitments. Through its diligent work, PICS has prevented thousands of prohibited persons from illegally obtaining either firearms or a license to carry, including 15,176 initial denials just last year.

PICS conducts the records checks utilizing both an interactive voice response (IVR) system; as well as recently implemented "flex-check" system which allows FFL licensees web-access. Through these systems a majority of approvals are issued without operator intervention. Since its inception in 1998, PICS has processed over 12.3 million calls for background checks, an average of over 750,000 calls per year. In 2015 alone, PICS processed 989,298 calls; and thus far this year, in excess of 400,000 calls were processed.

It is important to note that PICS utilizes a number of databases and technology, some directly under the control of PSP and some outside of our control. For example, it must interface directly with the NICS, the National Crime Information Center (NCIC), as well as various Commonwealth databases (five in all). Such entities sometimes experience service interruptions, which in turn impact the ability of PICS to process transactions. Further, our own systems may experience technical difficulties as well; these issues are not unusual in complex networks. Notwithstanding these issues, we believe our system provides exceptional service to the retail

firearm sales industry, with downtime kept to a minimum and wait times averaging only 0.75 minutes per call for automated approvals (operator assisted calls through the IVR averaged 11.78 minutes). Utilizing the web-based "flexcheck" reduces these times to approximately 0.72 minutes for automated approvals; and 10.88 minutes for operator- assisted transactions.

The Firearms Division actively assists in the capture of fugitives, and is an important source for identifying and initiating investigations on suspected straw purchases, identifying false information on firearm related forms, and aiding in the solving of serious crimes. Since 2014, the Firearms Division initiated over 10,000 criminal investigations which were forwarded to state, local, or federal law enforcement for follow-up investigation. During last year alone our efforts led to 2,312 arrests which resulted in 1,091 convictions for criminal offenses, including unsworn falsification to authorities and violations of the Pennsylvania Uniform Firearms Act. Utilizing the information contained on the Pennsylvania State Police Application/Record of Sale form, which has been provided to the department for decades, Firearms Division personnel were able to assist in solving countless crimes over the years, including homicides, straw purchases, and burglaries. Furthermore, this past year the PICS unit was directly involved in the capture of 153 individuals with active warrants attempting to purchase firearms. Since its inception, PICS has been responsible for the apprehension of 1,971 fugitives at the point of purchase.

Exceptional customer service remains a priority for the Firearms Division. The aforementioned "Flexcheck" system was deployed as a customer-centric enhancement to PICS. This web application allows not only submission of checks via the web, but also facilitates back-end reporting and audit processing by our FFL licensees. At this time, approximately 50 percent of transactions are initiated through the web application, thereby allowing licensees to conduct business on the retail floor while waiting for response, rather than being committed to remaining on a phone line. Response to the Flexcheck system from licensees and Issuing Authorities (i.e. Sheriffs) has been overwhelmingly positive. Furthermore, Flexcheck allows mental health

agencies the ability to send required information electronically, which provides more timely and efficient storage into the database and reporting to the NICS.

A separate collaboration with the Pennsylvania Justice Network (JNET) and the Pennsylvania Sheriff's Association facilitates transmission of certain arrest notifications directly to the Sheriff for a determination of a license to carry revocation, thereby ensuring appropriate accessibility and access to information made available by the Administrative Office of the Pennsylvania Courts. These upgrades enable PSP to provide more efficient service to our private and public partners.

When a prohibited person attempts to purchase a firearm from an FFL licensee in Pennsylvania, PICS is well situated to halt the acquisition of that firearm as has been demonstrated by our comments here today. However, as this committee knows, not everyone seeking to acquire a gun is legally required to undergo a background check. Federal law regulates dealer activities, but is essentially mute on person-to-person transfers. Notwithstanding this, 18 states have enacted laws requiring background checks beyond transactions conducted by FFL licensees. Pennsylvania is, in fact, one of those states. In Pennsylvania, a private sale of any firearm meeting the following criteria requires the buyer to undergo a background check through PICS:

- Any pistol or revolver with a barrel length less than 15 inches
- Any shotgun with a barrel length less than 18 inches
- Any rifle with a barrel length of less than 16 inches, or
- Any pistol, revolver, rifle or shotgun with an overall length of less than 26 inches

In the Commonwealth, a firearms transaction between two private parties does not require a background check if the firearm falls outside of the aforementioned criteria (these firearms are commonly referred to as long guns). If the purpose of background checks is to identify and stop prohibited persons from acquiring guns, it seems logical to the PSP that

background checks should be conducted on all those seeking to acquire a gun, regardless of the size of the firearm or its source. PICS is only effective for those transactions which require its capabilities be utilized.

In closing, let me state that when the Pennsylvania General Assembly directed the creation of PICS, it did so with the charge to protect public safety while also protecting the fundamental right of all law abiding Pennsylvania citizens to keep and bear arms. For the past 18 years, the Pennsylvania State Police has embraced these ideals and will continue to carry out its mandated duty and obligations for the benefit of all citizens of the Commonwealth.

Once again, thank you for inviting me to appear before you. I would be happy to answer any questions you may have.

AMERICANS FOR **RESPONSIBLE** SOLUTIONS

Legislation: HB 1010

Prepared by: Robin Lloyd, State Legislative Director, Americans for Responsible Solutions

**Testimony Prepared for the Delaware County Field Hearing,
House Democratic Policy Committee
May 9, 2016**

Thank you, Representative Leanne Krueger-Braneky and the House Democratic Policy Committee for allowing me to provide testimony in support of House Bill 1010, a responsible, commonsense proposal that would strengthen the background check system for all firearm sales in Pennsylvania.

My name is Robin Lloyd and I am the State Legislative Director for Americans for Responsible Solutions. Former Congresswoman Gabby Giffords and her husband Captain Mark Kelly founded ARS to promote commonsense solutions to gun violence in the United States. We work with advocates and legislators across the country, including here in Pennsylvania, to promote middle-of-the-road policies that will both protect our Second Amendment rights and ensure safer communities.

In 1993, Congress passed the Brady Handgun Violence Prevention Act, making background checks a requirement for federally licensed gun dealers and setting up the National Instant Criminal Background Check System (NICS), a system of databases maintained by the Federal Bureau of Investigation. Under federal law, certain categories of dangerous individuals, known as prohibited purchasers, such as convicted felons, domestic abusers and some dangerously mentally ill people are prohibited from purchasing or possessing firearms. When a person attempts to purchase a gun from a licensed dealer, the dealer runs a check through the NICS system to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS indicates that a person is prohibited from legally purchasing a firearm, the dealer must deny the sale.

Background checks are quick, effective and save lives. Ninety-one percent of NICS checks are completed instantaneously, and since the system has been in place, over 196 million background checks have been conducted, and over two million firearms sales to prohibited purchasers have been denied. However, serious loopholes exist in our laws that allow dangerous individuals to easily obtain firearms. Unlike licensed gun dealers, unlicensed sellers are not required to conduct background checks on gun purchases. Unlicensed sales can take place at gun shows, over the internet, through classified ads, and by word of mouth, allowing prohibited purchasers who have been legally deemed ineligible to purchase or possesses firearms to easily acquire guns. Unlicensed sales account for a significant number of guns purchased every year in the

AMERICANS FOR **RESPONSIBLE** SOLUTIONS

U.S. A 1997 report for the National Institute of Justice estimated that up to 40 percent of gun sales occur through unlicensed sellers without a background check.¹

Currently 18 states, including Pennsylvania, have extended a background check requirement to at least some unlicensed gun sales. Here in Pennsylvania, all sales of handguns also require a background check, even unlicensed sales. Pennsylvania is also a point of contact state, meaning the State Police conduct the background checks. To do this, the State Police utilize both NICS and the PA Instant Check System (PICS). PICS holds comprehensive records specific to Pennsylvania. Because of this, PICS works in tandem with NICS to ensure that dangerous people are prohibited from purchasing firearms. Since its inception, PICS has blocked sales to almost 150,000 prohibited purchasers.²

Although Pennsylvania has partially closed the federal loophole by conducting background checks for all sales of handguns, it does not apply to long guns, which are rifles and shotguns, including semi-automatic military style rifles. That's why State Representative Steve Santarsiero and State Senator Vince Hughes have introduced bills to close the long gun loophole. These bills treat the unlicensed sale of long guns in Pennsylvania the same as the unlicensed sale of handguns. HB 1010 also includes a provision making it easier for legal purchasers to make multiple sales at a weekend gun shows. In Pennsylvania long guns pose a particular threat to public safety and law enforcement. Forty-three percent of law enforcement officers fatally shot from 2005-2014 were killed with long guns; the national statistic during this same time period is 27 percent.³

Given the role of the federal government in administering the NICS system, many Americans are calling on Congress act to close these loopholes. In April 2013, Senator Toomey from Pennsylvania and Senator Manchin proposed an amendment to a federal bill that would have required a licensed dealer to conduct a background check for any firearm purchase at a gun show and for all online purchases of firearms. Even though both of Pennsylvania's senators, Senator Casey and Senator Toomey, supported the amendment, it was filibustered in the Senate. Given the failure of Congress to pass meaningful legislation, it's clear that states can – and should – take action to strengthen the background checks system in their states.

¹ Philip J. Cook & Jens Ludwig, Guns in America: National Survey on Private Ownership and Use of Firearms, U.S. Department of Justice, at <http://www.policefoundation.org/content/guns-america>; National Institute of Justice Research in Brief 6-7 (May 1997), at <https://www.ncjrs.gov/pdffiles/165476.pdf>; see also Bing, Godbee, Eight Local Mayors Oppose New Gun Bill, CBS Detroit (Sept. 25, 2012), at <http://detroit.cbslocal.com/2012/09/25/bing-godbee-eight-local-mayors-oppose-new-gun-bill/> (quoting the Michigan State Police as saying that 48% of handgun sales in Michigan were unlicensed sales).

² CeasefirePA, Issue: Background Checks, available at <http://www.ceasefirepa.org/issue-action-center/pa-background-checks/>.

³ Arkadi Gerney and Chelsea Parsons, Assault Weapons Revisited, Center for American Progress (Sept 2014), at: <https://cdn.americanprogress.org/wp-content/uploads/2014/09/AssaultWeapons-report.pdf>.

AMERICANS FOR **RESPONSIBLE** SOLUTIONS

The defeat of the Manchin-Toomey amendment in Congress is also counter to the views of an overwhelming majority of people throughout the country. Support for a stronger background check system is incredibly popular and in Pennsylvania it's no different; 84 percent of Pennsylvanians support background checks on all gun purchases to only 8 percent who are opposed to them.⁴ This includes strong support across party lines from Democrats, Republicans, and independents.

States that have closed the loopholes in their background check laws have seen a significant improvement in public safety. In the eighteen states and the District of Columbia that already require background checks for at least some unlicensed gun sales, 46 percent fewer women are shot to death by their intimate partners, there are 48 percent fewer firearms suicides and 48 percent fewer law enforcement officers are shot to death by handguns.⁵ When Missouri repealed its background check law in 2007 that required background checks on all handgun sales, gun homicides increased by 23 percent in the state.⁶

The data is overwhelming. States must take commonsense steps to close these loopholes. Pennsylvanians should not have to wait any longer to prevent dangerous people from accessing guns. This bill, HB 1010, is an important step toward strengthening the background check system here in Pennsylvania. This commonsense proposal enhances responsible gun ownership and levels the playing field for all gun buyers and gun sellers. It will give law enforcement a critical tool to fight gun trafficking and gun violence. It will make it more difficult for criminals to get guns. And, most importantly, it will save lives.

Americans for Responsible Solutions strongly supports this legislation. Thank you.

⁴ Public Policy Polling, "Toomey leads narrowly for reelection; Presidential Matches Split", Oct 2015.

⁵ Everytown for Gun Safety. Background Check Fact Sheet. Available at: U.S. Department of Justice, Federal Bureau of Investigation, Supplementary Homicide Reports, 2010, available at <http://bit.ly/V1GvFe>

⁶ Journal of Urban Health. Effects of the Repeal of Missouri's Handgun Purchaser Licensing Law on Homicides. April 2014, Volume 91, Issue 2, pp 293-302. Available at: <http://link.springer.com/article/10.1007%2Fs11524-014-9865-8>.



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Testimony

Michael L. Nance, MD

The Children's Hospital of Philadelphia

Director, Pediatric Trauma Program

Investigator, Center for Injury Research and Prevention

Fellow, Violence Prevention Initiative

Perelman School of Medicine at the University of Pennsylvania

Professor of Surgery

House Democratic Policy Committee Hearing on H.B. 1010

Pennsylvania General Assembly

Commonwealth of Pennsylvania

Monday, May 9, 2016 – 2 p.m.

Strath Haven High School

205 South Providence Road, Wallingford, PA 19086

My name is Mike Nance, and I am the Director of the Pediatric Trauma Program at The Children's Hospital of Philadelphia (or "CHOP"), and a fellow of the CHOP Violence Prevention Initiative. First, I would like to sincerely thank the House Democratic Policy Committee, including Chairman Mike Sturla and Representative Leanne Krueger-Braneky, as well as the members of the PA Safe Caucus, for your leadership in addressing the public health crisis that gun violence has become. Also, I thank you for introducing and sponsoring important legislation like House bill 1010, aimed at reducing gun violence in our communities. That I, and my other trauma and pediatric surgical colleagues across the country, should have to care for kids of any age with gunshot wounds should seem incomprehensible in this country, or any country – yet such is the case.

In 1984, I began medical school and rotated through one of the busiest trauma centers in the country, Charity Hospital in New Orleans. There I witnessed countless patients brought through the emergency department with gunshot wounds, often left in hallways on gurneys as the sicker patients were taken emergently to the operating room. In that year, 1984, more than 31,000 Americans died as a result of a gunshot wound. Now some 30 years later, there has been no progress in reducing the burden as more than 33,000 Americans died by firearm in 2014. All told, just in the time since I began medical school, more than a million Americans have died as a result of a firearm.

Violence, including that which involves guns, impacts communities everywhere, not just children and families of Southeastern Pennsylvania. In CHOP's Emergency Department (or "ED"), we have seen an increasing number of youth injured in recent years through violence, often involving guns, with numbers rising from 308 in 2013 to 480 in 2015. And research tells us that children exposed to trauma and stress early in life frequently go on to have poor health outcomes later in life, and may never realize their full potential. As such,

violence is not just a social justice issue, but a true health issue that impacts the entire community, including our healthcare system. This is why I am here today.

While there is broad agreement that changes are necessary in the mental health system to help combat the issue of firearm violence, I suspect most are not focused on this issue for the right reason. We all see the highly publicized mass shootings and wonder how the perpetrators of those crimes could have gotten access to firearms. Of even greater consequence though, are the more than 20,000 Americans that commit suicide each year with a firearm. Those Americans, too, would benefit from enhanced mental health services. And it is these suicides that make firearm violence more than just an urban or big city problem. In research we performed looking at the county level in the US, we demonstrated that, when it comes to death by firearm, homicide was more common in the largest urban counties, BUT, suicide was more common in the suburban and smaller rural counties. And the magnitude of the suicide effect was so dramatic, that the risk of dying by firearm was the same whether you reside in the largest of counties or the smallest of counties. As such, firearm mortality is not just an urban problem, it is everyone's problem, just for different reasons.

When we look at the youth in the US, and focus for instance on the population of 15-19 year-olds, the top three causes of death are trauma-related. More specifically, the number two cause is homicide, and the number three cause is suicide. Within these subsets, more than 80% of homicides are by firearm and nearly 50% of suicides are by firearm. Overall, nearly a quarter of all trauma deaths in teenagers 15-19 years old are in some way firearm-related. We simply must act to reduce this problem.

Because it's our role as pediatric providers to foster wellness, CHOP has recognized violence as a public health issue and, for decades, has created programs that assist children and families impacted by violence. Most recently, the CHOP Violence Prevention Initiative (or "VPI") was created to prevent school bullying, domestic violence, and peer youth violence—reaching youth at multiple touchpoints in their lives to intervene.

The Initiative brings together communities, schools, and medical providers, along with private and public partners, together in a public health approach to reduce the impact of violence.

Our VPI program is designed to support assault-injured children that I see in the ED. Because we know that these youth are at very high risk for future violence and poor health and school outcomes, the program has specially-trained clinicians and social workers that help them navigate school support, the justice system, and medical follow up. Almost all require some sort of mental or behavioral health services, and CHOP's violence prevention specialists can refer them to intensive therapy to mitigate lasting trauma and set them on a path to a better future.

Still, if a patient requires my care, whether it is in the operating room or as part of the Violence Prevention Initiative, or both, then we as a society have failed. The best medical care simply pales in comparison to the best injury prevention. We need to focus resources on stopping these injuries before the healthcare system is necessary.

I would like to share two quick vignettes about firearms and kids. The first is the tragic story of a 2-year-old child who is now living with crippling injuries suffered as a result of an accidental, self-inflicted gunshot wound. This toddler picked up his father's loaded handgun from their coffee table and shot himself in the head. The boy was transported to the trauma bay at CHOP and subsequently underwent emergent neurosurgical intervention to save his life. In addition to the physical injuries suffered by the child, the event also left a loving family irrevocably shattered.

The second child was a 13-year-old eighth grade boy who, in an impulsive event in response to negative feedback about schoolwork, retrieved a handgun from his home and killed himself. The common thread in these two events was access to a lethal weapon. Any measures which help limit the access to

firearms for children, within the boundaries of the second amendment, should be pursued, because firearm violence respects no boundaries.

The most important priority for most any parent is the health and safety of their children. For many, exposure to violence may be the most significant threat to the well-being of children in our communities, and it needs to be addressed directly, and with as much vigor, as any other public health issue. With lack of action at the national level, the only meaningful legislation that is moving forward is that occurring within states. Bills like those being considered here are integral to the solution.

I appreciate this opportunity to testify today on behalf of The Children's Hospital of Philadelphia and look forward to continuing to participate in this dialogue and to being an active part of the solution to keep children safe and out of our emergency department and trauma unit.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1010 Session of
2015

INTRODUCED BY SANTARSIERO, D. COSTA, DEAN, SCHREIBER, FRANKEL,
SCHLOSSBERG, BOYLE, GAINES, SIMS, KAMPF, STURLA, SANTORA,
RAVENSTAHL, COHEN, KILLION, M. DALEY, VITALI, O'BRIEN,
ROEBUCK, C. PARKER, ROSS, CRUZ, CARROLL, ADOLPH, DAVIS,
SCHWEYER, BRIGGS, McCARTER, KIRKLAND, DAVIDSON, CALTAGIRONE,
J. HARRIS, KIM, YOUNGBLOOD, BISHOP, DONATUCCI, MICCARELLI,
TAYLOR, MCCLINTON, BRANEKY, D. MILLER, DeLISSIO, PASHINSKI,
DEASY, WHEATLEY, BRADFORD, KINSEY, THOMAS, BULLOCK, GALLOWAY,
ACOSTA, DAWKINS AND LEWIS, OCTOBER 28, 2015

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 28, 2015

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for sale or transfer of firearms.

4 The General Assembly of the Commonwealth of Pennsylvania

5 hereby enacts as follows:

6 Section 1. Section 6111(f)(2) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended and the subsection
8 is amended by adding a paragraph to read:

9 § 6111. Sale or transfer of firearms.

10 * * *

11 (f) Application of section.--

12 * * *

13 [(2) The provisions contained in subsections (a) and (c)
14 shall only apply to pistols or revolvers with a barrel length
15 of less than 15 inches, any shotgun with a barrel length of

1 less than 18 inches, any rifle with a barrel length of less
2 than 16 inches or any firearm with an overall length of less
3 than 26 inches.]

4 * * *

5 (5) In the case of a purchase or transfer of a firearm
6 at a lawful gun show, meet or auction, this section shall
7 apply as follows:

8 (i) At a lawful gun show, meet or auction, a
9 potential purchaser or transferee who has submitted and
10 received approval of an application/record of sale
11 through the instantaneous background check system may use
12 the unique approval number from the application/record of
13 sale for later firearm purchases or transfers completed
14 at the same lawful gun show, meet or auction with the
15 same licensed importer, licensed manufacturer, licensed
16 dealer or sheriff within 48 hours of the approval.

17 (ii) When engaging in a later purchase or transfer
18 of a firearm under subparagraph (i), the potential
19 purchaser or transferee may provide the receipt under
20 subsection (b)(5) and valid photo identification to the
21 same licensed importer, licensed manufacturer, licensed
22 dealer or sheriff who conducted the earlier background
23 check as proof that the potential purchaser or transferee
24 is approved to acquire a firearm under subparagraph (i)
25 and is exempt from Federal and State background check
26 requirements in accordance with 18 U.S.C. § 922(t)(3)(A)
27 (relating to unlawful acts) for firearm purchases or
28 transfers completed under subparagraph (i).

29 * * *

30 Section 2. The provisions of 37 Pa. Code are abrogated to

1 the extent of any inconsistency with this act.

2 Section 3. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No: HB1010 PN2465
Committee: Judiciary
Sponsor: Santarsiero, Steven J.
Date: 2016-01-08

Prepared Sarah Speed
by: 717-787-5142
Executive
Director: Sarah Speed

A. Brief Concept

Requires performance of a background check for sales or transfers of all guns, however, a single background check performed at a gun show, meet, or auction is valid for that same gun show, meet, or auction for transfers or purchases between the same two parties for 48 hours.

B. Analysis of the Bill

Amends Title 18 Section 6111 (f)(2) "Sale or transfer of firearms" by removing the limitation on the types of guns subject to background checks (with the exception of antiques) and location of sale requirements. Under the bill, the sale or transfer of any firearm except those between spouses, parent and child, or grandparent and grandchild must take place at the office of a licensed dealer, manufacturer, importer or county sheriff's office. Any such sale or transfer is also subject to a background check and 48 hour waiting period.

The bill also creates a new section (f)(5) which requires that purchasers at a lawful gun show, meet, or auction must obtain a background check; however, that background check does not expire for 48 hours between the two parties who requested it.

(*) Effective date. This act shall take effect in 60 days.

C. Relevant Existing Law

Title 18 Section 6111 does not currently mention gun shows, meets, or auctions. The Section also specifically exempts the following firearms from background checks and the 48 hour waiting period:

1. Pistols or revolvers with a barrel length of more than 15"
2. Shotguns with a barrel length of more than 18"
3. Rifles with a barrel length of more than 16"
4. Any firearm with an overall length of more than 26"

D. Prior Session (Previous Bill Numbers & House/Senate Votes)

2013-2014 Santarsiero HB 1010 no action taken

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

Franklin & Marshall College Poll

Below are highlights from the February, 2016 Franklin & Marshall Poll. This poll examines the views of Pennsylvania voters towards several gun control measures. Below are a few highlights:

- 1) About two thirds (32%) of the state's voters are gun owners. 67 percent are not.
- 2) Generally speaking, 56% of the state's voters favor creating more gun control laws that regulate gun ownership while 42 percent oppose. More specifically, 40 percent strongly favor the creation of more laws, while 29 percent strongly oppose.
- 3) Nine in ten voters (91%) favor a federal law requiring background on all potential gun buyers, including those who purchase guns at gun shows or online, including 78% who strongly favor them.
- 4) Support for a federal law runs strong among party adherents and across a range of regional and demographic groups as the attachments shows. Republican voters favor the federal law, with 86% indicating they would support one as do 95% of Democrats and 89% of Independents.
- 5) When asked whether voters would favor or oppose efforts to include more information about a citizens' mental health in to the background check system, 87% favor while 9% oppose. Of those that favor those efforts 68% strongly favor it. That includes 82% of Republicans, 90% of Democrats, and 92% Independents that would support more information. Again, support runs strong across the state and among a range of demographic groups.

GUN2. Generally speaking, do you favor or oppose creating more laws that regulate gun ownership?

	Strongly favor	Somewhat favor	Somewhat oppose	Strongly oppose	Don't know
Feb 2016	40%	16%	13%	29%	3%
Jan 2016	40%	15%	13%	29%	3%
Oct 2015	43%	13%	10%	31%	4%
Aug 2015	40%	14%	10%	32%	5%
Jun 2015	38%	13%	12%	33%	5%
Oct 2014	42%	12%	8%	37%	2%
Sept 2014	39%	14%	10%	32%	5%
Aug 2014	39%	14%	10%	31%	6%
Jun 2014	43%	12%	9%	31%	5%
Jan 2014	42%	12%	9%	32%	6%
Oct 2013	46%	16%	9%	24%	5%
Aug 2013	39%	12%	13%	33%	4%
May 2013	43%	14%	11%	30%	3%
Feb 2013*	43%	15%	10%	28%	4%
Aug 2007	40%	20%	14%	23%	3%
Jun 2007	39%	15%	12%	31%	3%
Feb 2007	39%	17%	15%	26%	3%
Oct 2006*	35%	16%	15%	26%	8%
Sep 2006*	34%	15%	17%	28%	6%
Aug 2006*	37%	15%	14%	27%	7%
May 2006*	37%	14%	16%	27%	6%
Feb 2006	35%	19%	17%	22%	7%
Nov 2005	38%	20%	14%	20%	8%
Sep 2005	39%	16%	13%	25%	8%
Jun 2005	39%	17%	16%	23%	6%
Oct 2004*	33%	19%	19%	23%	7%
Sep 2004*	38%	19%	15%	20%	8%
Aug 2004*	35%	20%	15%	23%	7%
Mar 2004*	42%	17%	14%	21%	7%
Oct 2002*	34%	18%	15%	26%	7%
Sep 2002*	28%	20%	14%	29%	9%
Jun 2002*	40%	14%	11%	28%	7%
Oct 2001*	33%	22%	15%	24%	6%
Apr 2001*	41%	18%	14%	22%	6%
Oct 2000*	37%	18%	15%	22%	9%
Feb 2000*	41%	19%	11%	24%	5%

*Question asked of registered respondents only

BG1. Do you favor or oppose a federal law requiring background checks on all potential gun buyers, including those who purchase guns at gun shows or online?

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Do Not Know
Feb 2016	78%	13%	2%	6%	1%
Jan 2016	76%	12%	4%	7%	2%

	Favor	Oppose	Do Not Know
Political party*			
Republican	86%	13%	2%
Democrat	95%	4%	1%
Independent or something else	89%	11%	0%
Ideology*			
Extremely liberal	98%	2%	0%
Slightly liberal	98%	1%	1%
Moderate	94%	6%	0%
Slightly conservative	88%	11%	1%
Extremely conservative	75%	23%	2%
Gender*			
Male	87%	12%	1%
Female	94%	5%	1%
Age			
Under 35	94%	5%	1%
35-54	88%	10%	2%
Over 55	91%	8%	1%
Education			
HS or less	89%	10%	1%
Some college	87%	11%	1%
College degree	93%	6%	1%
Income*			
Under 35	83%	13%	3%
35-75	93%	6%	1%
Over 75	92%	8%	0%
Race			
White	91%	8%	1%
Nonwhite	93%	7%	0%
Marital Status			
Single, Never Married	93%	7%	0%
Married	91%	8%	1%
Not currently married	90%	9%	1%
Religious Affiliation			
Protestant	89%	10%	1%
Catholic	90%	8%	2%
Other, unaffiliated	94%	6%	0%
Born Again Christian or Fundamentalist*			
Yes	85%	13%	1%
No	93%	6%	1%
Gun Owner*			
Yes	82%	17%	2%
No	95%	4%	1%
Region			
Philadelphia	93%	7%	0%
Northeast	89%	9%	2%
Allegheny	89%	11%	0%
Southwest	86%	12%	2%
Northwest	87%	12%	1%
Central	90%	8%	2%
Southeast	95%	5%	0%
Employment			
Fulltime	89%	10%	1%
Other	90%	8%	2%
Retired	90%	8%	2%

* p<0.01 ** p<0.05

BG2. Do you favor or oppose efforts to include more information about citizens' mental health into the background check system?

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Do Not Know
Feb 2016	68%	19%	5%	4%	3%
Jan 2016	68%	17%	5%	5%	5%

	Favor	Oppose	Do Not Know
Political party*			
Republican	82%	14%	4%
Democrat	90%	7%	3%
Independent or something else	92%	8%	0%
Ideology*			
Extremely liberal	91%	6%	3%
Slightly liberal	93%	2%	5%
Moderate	89%	9%	3%
Slightly conservative	83%	15%	2%
Extremely conservative	83%	13%	4%
Gender**			
Male	86%	12%	2%
Female	89%	7%	4%
Age			
Under 35	90%	7%	2%
35-54	84%	12%	4%
Over 55	88%	9%	3%
Education			
HS or less	86%	10%	4%
Some college	86%	13%	2%
College degree	88%	8%	4%
Income			
Under 35	84%	13%	3%
35-75	88%	8%	4%
Over 75	88%	9%	3%
Race			
White	88%	9%	3%
Nonwhite	78%	16%	6%
Marital Status			
Single, Never Married	90%	8%	2%
Married	88%	9%	3%
Not currently married	84%	12%	5%
Religious Affiliation			
Protestant	85%	12%	3%
Catholic	87%	10%	3%
Other, unaffiliated	91%	6%	3%
Born Again Christian or Fundamentalist*			
Yes	83%	14%	3%
No	89%	8%	3%
Gun Owner*			
Yes	83%	14%	3%
No	90%	7%	3%
Region			
Philadelphia	90%	9%	1%
Northeast	86%	12%	2%
Allegheny	82%	14%	4%
Southwest	92%	5%	3%
Northwest	83%	11%	6%
Central	85%	11%	4%
Southeast	91%	6%	3%
Employment			
Fulltime	84%	13%	2%
Other	90%	7%	3%
Retired	81%	13%	6%

* p<0.01 ** p<0.05

Demographic Information

REG. Some people are registered to vote, and many others are not. Are you CURRENTLY REGISTERED to vote at your present address?

100%	Yes
0%	No

RegPARTY. Are you currently registered as a Republican, a Democrat, an Independent, or as something else?

38%	Republican
49%	Democrat
12%	Independent
1%	Something else

CNTY. Region of state (What is the name of the county you live in?)

26%	Central
23%	Southeast
12%	Northeast
11%	Southwest
10%	Philadelphia
9%	Allegheny
9%	Northwest

AGE. What was your age on your last birthday?

2%	18-24
7%	25-34
10%	35-44
14%	45-54
26%	55-64
42%	65 and older

EDUC. What was the highest grade level of schooling you have completed?

1%	Non high school graduate
21%	High school graduate or GED
14%	Some college
12%	Associate's degree or technical degree
24%	Bachelor's degree
28%	Post graduate degree

MAR. What is your CURRENT marital status...are you single, married, separated, divorced, or a widower?

70% Married
13% Single, Never Married
10% Widow or widower
7% Divorced
1% Separated

IDEO. Politically speaking, do you consider yourself to be a liberal, a moderate, or a conservative?

	Liberal	Moderate	Conservative	Don't know
Feb 2016	27%	33%	37%	3%
Jan 2016	22%	39%	36%	4%
Oct 2015	22%	38%	37%	4%
Aug 2015	21%	36%	40%	3%
Jun 2015	23%	35%	39%	4%
Oct 2014	23%	37%	36%	3%
Sept 2014	22%	36%	38%	5%
Aug 2014	20%	39%	36%	5%
Jun 2014	26%	36%	34%	5%
Jan 2014	24%	43%	28%	5%
Oct 2013	24%	39%	31%	6%
Aug 2013	22%	42%	33%	3%
May 2013	24%	39%	31%	6%
Feb 2013	26%	36%	35%	3%
Oct 2012	22%	39%	35%	5%
Sep 2012	26%	34%	35%	5%
Aug 2012	21%	40%	36%	4%
June 2012	25%	34%	36%	5%
Feb 2012	17%	39%	40%	4%
Jan 2011	21%	39%	36%	4%
Oct 2011	20%	39%	33%	8%
Aug 2011	24%	32%	37%	7%
Mar 2011	16%	33%	41%	10%
Oct 2010	16%	37%	39%	8%
Sep 2010	15%	34%	40%	10%
Aug 2010	19%	32%	40%	9%
May 2010	19%	32%	40%	9%
Mar 2010	17%	35%	40%	8%
Feb 2010	21%	33%	37%	9%
Jan 2010	19%	30%	42%	9%

PARTY. Regardless of how you are registered... in politics, as of today, do you think of yourself as a Republican, a Democrat, or an Independent?

21%	Strong Republican
12%	Republican
9%	Lean Republican
6%	Independent
15%	Lean Democrat
11%	Democrat
27%	Strong Democrat
1%	Don't know

GUN. Are you a gun owner?

32%	Yes
67%	No
1%	Don't know

Hisp. Are you Hispanic or Latino, or not?

2%	Yes
98%	No
1%	Don't know

RACE. Which of the following categories best describes your racial background?

92%	White
8%	Non-white

REL. Do you consider yourself to be Protestant, Catholic, some other religion, or not affiliated with any religion?

39%	Protestant
31%	Catholic
12%	Some other religion
19%	Not affiliated with any religion

BAC. Do you consider yourself to be a born-again Christian or fundamentalist, or not?

23%	Yes
74%	No
3%	Don't know

WORK. Are you currently working fulltime, part-time, going to school, keeping house or something else?

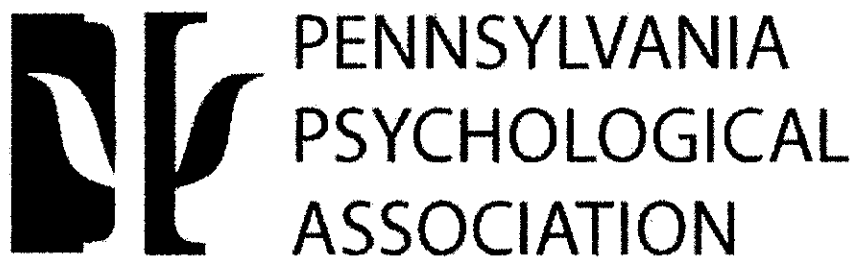
41%	Full-time
37%	Retired
13%	Part-time
4%	Something else
3%	Disabled
1%	Going to school
1%	Unemployed

INCOME. And, just for statistical purposes, we need to know if your total family income is above or below \$50,000 per year?

9%	Under \$25,000
7%	\$25-\$35,000
14%	\$35-50,000
17%	\$50-75,000
18%	\$75-100,000
29%	Over \$100,000
6%	Don't know

DONE. Sex of respondent:

48%	Male
52%	Female



Written Testimony Presented to the
Pennsylvania House Democratic Policy Committee

Regarding House Bill 1010

May 9, 2016

On behalf of the Pennsylvania Psychological Association

Beatrice Salter, PhD

Licensed Psychologist

Glenside, PA

President, Pennsylvania Psychological Association

HOUSE DEMOCRATIC POLICY COMMITTEE HEARING: HB 1010, May 9, 2016

On behalf of the Pennsylvania Psychological Association (PPA), I want to thank Chairman Sturla for holding this hearing, and Rep. Leanne Kreuger-Braneky for inviting us to testify on gun violence and its impact on mental health.

PPA acknowledges the complex issues related to balancing individual rights to gun ownership and individuals' rights to be free from gun violence. PPA does not have a specific position on House Bill 1010 so we will confine our testimony to what research has revealed about gun violence and the subsequent mental health effects.

Violence is a public health issue. Victims of violence, or even those who have witnessed violence, are more likely to experience psychological harm including, but not limited to, post-traumatic stress disorder and an increased risk of death from suicide. In addition, they are likely to have worse physical health, including increased rates of cardiovascular diseases, cancer, and diabetes. In part the increased risk of these diseases occurs because victims of violence are more likely to overeat, use tobacco, and have longer periods of physical inactivity (Norman et al., 2012).

In February 2013, the American Psychological Association (APA) commissioned a report from a panel of experts entitled *Gun Violence: Prediction, Prevention and Policy*, which included Pennsylvanians Arthur C. Evans, Jr., PhD, commissioner of the

Department of Behavioral Health & Intellectual Disability Services in Philadelphia and Susan B. Sorenson, PhD, professor of social policy and Senior Fellow in Public Health at the University of Pennsylvania.

The report stated that “Gun violence is an urgent, complex and multifaceted problem. It requires evidence-based, multifaceted solutions.”¹ We at PPA could not agree more. Psychology as a professional discipline has a unique role to play in mitigating violence, as well as assisting those who have experienced violence, or perpetrated violence on others, to recover from a mental health perspective.

As President of PPA, I made my presidential theme: *Overcoming Interpersonal Violence throughout the Lifespan*. PPA has undertaken a variety of initiatives in support of that theme. Admittedly our theme is more expansive than what this hearing covers, but gun violence is part of the pervasiveness of violence that individuals witness daily in Pennsylvania.

PPA is proud to have partnered with several organizations including the Pennsylvania Office of Victim Advocate, the Pennsylvania Chiefs of Police Association, and Cumberland and Perry County Domestic Violence Services and others to help individuals overcome the effects of interpersonal violence. We are in the process of developing initiatives to ensure that those who need high quality mental health services

¹ <http://www.apa.org/pubs/info/reports/gun-violence-prevention.aspx>

receive the treatment that they need. However, we must first address several barriers to mental health treatment.

The first, in our view, is access to quality mental and behavioral health services. Unfortunately, not all who need mental health services can get them. For example, many of the 52,000 Pennsylvanians who are housed in PA Department of Corrections (DOC) facilities have serious and chronic mental illnesses. The DOC is currently the state's largest provider of mental health services, performing about 15,000 mental health assessments and thousands of hours of therapy. Despite the heroic efforts of the existing DOC mental health staff, these services are inadequate and need to be strongly bolstered.² This has been an ongoing problem, but the closing of many state hospitals over several decades – and the failure to provide adequate community based services and supports – has resulted in the transfer of many individuals out of the state hospital system and into the prison system.

Additionally some areas of the Commonwealth have few mental health professionals. Requiring insurance companies to reimburse for telehealth services on the same basis as face to face services would help mitigate the access issue. HB 706, sponsored by Rep. Mark Cohen, would mandate that insurance companies reimburse for

² The failure to adequately fund mental health services in prison is not only inhumane, it is financially imprudent. A recent study from the Department of Corrections found that programs involving outpatient mental health treatment of targeted violence prevention programs reduced the risk of recidivism (Pennsylvania Department of Corrections, 2016).

telehealth services provided that the service results in cost savings. We urge the General Assembly to pass this legislation.

Although there is no legislative solution to alleviate this issue, I will briefly address the stigma surrounding mental health services, because it is related to access. The fact of the matter is that for the hundreds of thousands of Pennsylvanians who have been diagnosed with a mental health condition, tens of thousands more would qualify for a diagnosis and get the treatment they need if it were socially acceptable to do so. According to the Substance Abuse and Mental Health Services Administration's 2013 Behavioral Health Barometer for Pennsylvania, from 2008-2012 nearly 55% of individuals 18 years of age or older who suffered from any mental illness went more than one year without treatment.³ Among adults in Pennsylvania, 60 percent of those who did seek treatment reported improved functioning from treatment received in the public mental health system.⁴ When people receive proper mental health care from qualified, licensed professionals outcomes improve.

The final barrier which affects health care and psychological practice alike, is the current climate regarding health insurance coverage and mental health treatment. As you may know, mental health parity dictates that insurance coverage for mental health and substance abuse is no more restrictive than what is covered for physical health care.

³ http://www.samhsa.gov/data/sites/default/files/Pennsylvania_BHBarometer.pdf, page 9

⁴ http://www.samhsa.gov/data/sites/default/files/Pennsylvania_BHBarometer.pdf, page 10

While federal legislation (passed in 2008) addresses mental health parity, the parity provisions were incremental and not comprehensive. Consequently, many persons covered by insurance have limited access to mental health services. In addition, reimbursement rates for mental health treatment through Medicare, Medicaid and private insurance continue to drop. Our ability to attract qualified students into behavioral health professions will be lessened unless this sharp decline in reimbursement gets reimbursed.⁵

So, where do we go from here? The answer is forthcoming, but in the aforementioned APA report *Gun Violence: Prediction, Prevention and Policy*, the experts separated gun violence into two distinct categories, impulsive gun violence and targeted, or predatory, gun violence. Psychologists are currently conducting research and developing predictive models to assess the likelihood of someone engaging in violence. For example, to adequately predict targeted gun violence the report stated, "...practitioners have developed the behavioral threat assessment model as an alternative means of identifying individuals who are threatening, planning, or preparing to commit targeted violence. Behavioral threat assessment also emphasizes the need for

⁵ Reimbursement rates, when adjusted for inflation, have decreased 30% in the course of my career which began in the late 1980s. This decline is especially serious in Medicaid programs.

interventions to prevent violence or harm when a threat has been identified, so it represents a more comprehensive approach to violence prevention.”⁶

The answer is to increase investment in mental and behavioral health services from birth throughout the lifespan. A recent review in the *Journal of the American Medical Association* concluded that “early childhood education can prevent future violence involvement” (Swanson, 2015, p. 483), and “there is substantial evidence for therapeutic approaches [such as cognitive behavior therapy or multi systemic therapy]... to prevent subsequent violence involvement” (Swanson, 2015, p. 483).

Psychologists have developed the tools necessary through empirical research to identify characteristics and factors which lend themselves to a greater likelihood of an individual committing violence. Although we cannot stop all violence, over the years researchers have gathered sufficient information on evidence based treatment to say confidently that we can prevent a lot of violence. Behavioral interventions have proven successful in reducing the rates of violence. No one program will be effective for all individuals. Instead, the effectiveness of a particular program varies according to the age, gender, education level, and other social factors of the target audience. Nonetheless, data analyzed by independent researchers, the Centers for Disease Control, and the

⁶ <http://www.apa.org/pubs/info/reports/gun-violence-report.pdf>, page 18

Cochrane Collaborative⁷ all conclude that behavioral programs can substantially reduce the risk of violence.

Again, I thank you for allowing PPA to provide our perspective on the issue of gun violence and mental health. We appreciate the work of the committee and look forward to remaining engaged in this conversation.

Pennsylvania Department of Corrections (2016). *Recidivism Risk Reduction Incentive 2016 Report*.

Norman, R. E., Byambaa, M., Butchart, A., Scott, J., & Vos, T. (2012). The long term health consequences of child physical abuse, emotional abuse, and neglect. *PLOS medicine*, 9(11)e1001349

Swanson, S., Dahlberg, L., Hillis, S. D., Kleven, J., & Houry, D. (2015). *Journal of the American Medical Association*, 314, 478-488.

⁷ The Cochrane Collaborative is a non-profit organization dedicated to rigorous scientific evaluation of health care interventions. True to their scientific tradition, they phrase conclusions cautiously. Nonetheless, in a review of school based programs to reduce aggression, they found that “school based secondary prevention programmes [sic] aimed at reducing aggressive behaviors do appear to produce improvements in behavior” (Mytton, DiGiuseppi, Gough, Taylor, & Logan, 2006).

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I would like to add the following statistics regarding guns and suicide and gun violence. This information is taken from the source Priorities for Research to Reduce the Threat of Firearm-Related Violence by the Institute of Medicine and National Research Council, Leshner, Alan I., Altevogt, Bruce M., Lee, Arlene F., McCoy, Margaret A., and Kelley, Patrick W. (2013) which states the following:

Pg. 26 " Although violent crimes rates have declined in recent years, the U.S. rate of fire-arm related homicide is higher than that of any other industrialized country: 19.5 times higher than the rates in other high-income countries. In 2010, incidents involving firearms injured or killed more than 105,000 individuals in the United States. A recent estimate suggested that firearm violence cost the United States more than \$174 billion in 2010. However, it is essentially impossible to quantify the overall physiological, mental, emotional, social and collateral economic effects of firearm related violence, because the effects extend well beyond the victim to the surrounding community and society at large."

Pg. 28. "Fire-arm related suicides-while receiving far less public attention-significantly outnumber homicides for all age groups, with suicides accounting for approximately 60 per cent of all firearm related fatalities in the United States in 2009."

pg. 29 "The public health burden of suicide varies by subpopulation. males are more likely than females to die by suicide, and firearms are the most common method of suicide for males. Between 2005 and 2010, firearm suicide rates were greatest for whites, followed by blacks, American Indians/Alaskan Natives and Asian/ Pacific Islanders. Moreover, certain age groups are associated with higher suicide rates. In 2009, suicide was the third leading cause of death for American youth between the ages of 15 and 19, but overall firearm suicide rates were highest for individuals over the age of 75 between 2005 and 2010...

In 2010, firearms were used in the majority of the 38,364 suicide deaths in the United States... between 2005 and 2009, for every 100 suicide attempts in which a firearm was used, more than 83 ended in death..."

pg. 30 " ...more than 600 people in the United States died as a result of an unintentional discharge of a firearm in 2010. Risks are highest among adolescents and young adults. Approximately 10 per cent of unintentional deaths in 2010 involved children under age 15.

About half of unintentional firearm-related fatalities are self-inflicted. Unintentional firearm-related deaths caused by someone other than the victim are primarily committed by friends or family members. Only 2 per cent of unintentional firearm-related deaths were connected with self-defense."

pg.50 "In 2010, there were approximately 19,000 suicides by firearm in the United States...Thousands more were injured and survived with varying degrees of disability. Stratifying risk among people with access to guns and reducing risk may confer a public health benefit. The interaction of alcohol and gun use has been the subject of attention."

Quotes from the book The Gun Debate: What Everyone Needs to Know by Philip J. Cook and Kristen A. Goss, Oxford University Press (2014)

Pg. 20 "What are the Risks and Benefits of Keeping a Firearm in the Home for Protection?

The risks of keeping a firearm in the home include accidental shootings, suicide, and escalation of domestic violence. In a particularly telling analysis, Matthew Miller and several colleagues at the Harvard School of Public Health compared the 16 states with the highest rates of gun ownership with the six states with the lowest rates. The two groups each had a total of about 31 million adults in 2009, but the group of states with high gun ownership had more than four times as many gun suicides as the states with low gun ownership.(The non-gone suicide rate was virtually identical in the two groups.)

Keeping a firearm at home also has benefits. Most gun owners believe that a gun provides an effective means of fending off intruders, thereby reducing the chance of injury to a household member. In about 3% of such incidents, the occupant used a gun, which means about 30,000 times per year. Hence the annual probability of a gun-owning household's using a gun against a home intruder is less than one in 3500. In other words, there is one defensive gun use per year against an intruder for every 3500 homes that keep guns.

Keeping a gun at home has other benefits, including recreational hunting, target shooting, and collecting, and practical uses such as shooting hungry woodchucks on the farm. All of those uses are compatible with safe storage practices that reduce the chance of accidental misuse. In the end, the benefits of keeping a firearm in the home must be weighed against the risks. Those who keep a loaded handgun accessible to fend off intruders buy their sense of security at a price, especially if there are children at home, or violence-prone adults, or anyone who abuses drugs or is suicidal."

Pg. 34 "How Many Americans Are Killed or Injured by Gunfire?"

Approximately 1 million Americans have died from gunshot wounds in homicides, accidents, and suicides during just the last three decades-more than the sum total of combat deaths in all the wars in US history. In 2010, the most recent year for which the National Center for Health Statistics provides final tabulations on injury deaths, there were 31,672 fire-arm deaths, including 11,078 homicides, 19,302 suicides, and 606 unintentional killings. As a point of reference, there were almost as many gun deaths as traffic deaths in 2010. Another point of reference is the years of potential life lost before age 65: Gunshot injuries account for one of every 15 years lost to early death from all causes.

Of course not all gunshot injuries are fatal. The homicide victims are just the tip of the violence "iceberg." In most cases of gun robbery and assault the victim is not injured – the perpetrator threatens the victim without shooting, or shoots and misses. If the victim is shot, the chances are only about one in six that it will prove fatal-in which case the assault becomes a homicide.

Emergency rooms treated 73,505 nonfatal gunshot injuries in 2010, including 53,738 nonfatal injuries from criminal assaults. In the same year, the police recorded more than 300,000 assaults and robberies in which the perpetrator used a gun to threaten or shoot the victim.

While homicides and suicides are committed with a variety of weapons, firearms predominate. More than two thirds of homicides, and half of suicides, are committed with a firearm. Other prominent means of committing suicide include suffocation (25%) and poisoning with drugs or other substances (17%). Cutting and stabbing account for just 2% of suicides and 11% of homicides."

Pg. 42-43 "Does the Availability of a Firearm Increase the Risk of Suicide?"

There are literally millions of suicide attempts and gestures every year, but only a relative few involve a self-inflicted gunshot. Yet guns account for fully half of "successful" suicides. As in the case of assault, guns are simply more lethal than other readily available suicide methods: the case-fatality rate is more than 80%. Of course people who have sustained determination to kill themselves may eventually find a way. But most suicides are a response to a trance to transitory circumstances. One study found that among people who make near-lethal suicide attempts, 24% took less than five minutes between the decision to kill themselves and the actual attempt, and 70% took less than one hour. Teen suicide is particularly impulsive, and if a firearm is readily available, that impulse is likely to result in death. It is no surprise, then, that households that keep firearms on hand have an elevated rate of suicide for all concerned – the owner, spouse, and teen children.

It is really a matter of common sense that in suicide, the means matter. For families and counselors, a high priority for intervening with someone who appears acutely suicidal is to reduce his or her access to firearms."

Pg. 44 "Who is at Risk for Being Shot?"

"...About one in five homicides involves women as victims. For women, unlike men, the greatest danger lies within the family, especially spouses or intimate partners. That said, the long-term trend for domestic violence has been highly favorable. The increasing independence of living arrangements gets much of the credit. Compared with, say, the 1950s, women are now far less likely to live with a man, and if they do, they can more easily move out if the relationship becomes violent. Nonetheless, domestic violence remains a very serious problem. When there is a gun in the home, that violence is more likely to escalate to murder – usually of the woman.

Suicide presents a different picture. The most obvious similarity with homicide is with respect to gender. Once again, just one in five victims is female. That male – female difference in suicide rates is surely influenced by the differential access to and familiarity with guns. While females are at least as likely to attempt suicide as males, they are much less likely than men to use a gun – and hence to be successful.

Suicide, unlike homicide, is concentrated among whites. For white men, the rates are high and reasonably uniform across the age spectrum from 20 to 80. Other less obvious characteristics actually bring the suicide picture closer to homicide victimization: suicide victims are disproportionately unmarried, unemployed, low income, and educated at the high school level or less. There is also a high prevalence of mental illness associated with suicide, most commonly depression."

Gun Violence Prevention and Gun Safety Initiatives: What Can Psychologists Do?

On the morning of December, 8, 2012, my telephone rang. It was my father, who lives in Israel, calling to tell me of the tragic news that his wife's 56-year-old son, Boaz, had shot himself in his home in Houston, Texas. My father and his wife, Leah, were incredulous that Boaz would choose to end his life in this way. Leah was inconsolable, and my father was in shock and completely grief-stricken.

The psychological aftermath of the tragedy of suicide deaths from guns is all too common in our country numbering more than 20,000 deaths in 2013. Suicide accounts for more than 60% of firearm deaths, according to the Center for Disease Control and Prevention. Deaths from gun violence leave those left behind to struggle with feelings of guilt and many unanswered questions. The December 14, 2012 tragedy of the Sandy Hook Elementary School shooting in Newtown, CT—and other mass shootings, which have occurred with all too much regularity have plunged the country into a collective feeling of confusion, loss and grief.

Today, gun violence has taken center stage in my mind ever since my personal loss and the ongoing reality of thousands of deaths per year to suicide and gun related violence. The loss of life from gun-related deaths in the United States is staggering to consider. We lose over 30,000 lives per year. My stepbrother's death, combined with the tragic headlines and my own clients' descriptions of grief over the loss of loved ones from gun violence has brought me to an emotional tipping point. I needed to do something to cope with my personal and collective loss and bring others together to talk about what we can do to make a difference regarding gun violence and gun safety.

So what can we do as psychologists and citizens to address this ongoing societal epidemic? As effective communicators who have witnessed the psychological aftermath of gun violence, I think we are well-positioned to take the lead on this critical issue. I have started to take the following steps to try to do my part, and I encourage all psychologists in our state to consider what we can do as a profession.

1. Join a citizens' advocacy group. I joined the Ambler Coalition for Peace, a group of citizens whose mission it is to discuss steps to take within our local community to address the issue of gun violence prevention and gun safety. We meet monthly to discuss steps to take in our local community, and in January we hosted a "Hot Chocolate with a Cop" event at a neighborhood cafe, where citizens asked questions of police regarding the availability of free gun locks and other issues. The safekeeping program, for example, allows residents to store a gun at the police station in the event that a family member may be psychologically unstable. Our peace coalition is planning to host an open forum for police, local and state legislators, and NRA members to come together to have a panel discussion on commonsense gun safety measures. Most important, we are developing effective lobbying strategies and plan to meet with legislators to talk about reasonable gun safety measures.

2. Encourage gun shop and range owners to become trained in suicide awareness. Gun shop owners are on the front lines of the war against gun violence, since they choose whether to sell a gun to a customer or not. While background checks are required at gun shops and gun shows in our state (unlike private gun sales, for which no background checks are required), the need to provide suicide awareness training is clear, especially information about red flags to look for when someone wants to purchase a gun. Research in New Hampshire shows that gun shops that post suicide awareness material and train their staff in suicide awareness training results in a significant decrease in suicide resulting from gun sales. Contacting gun shop owners and asking if they are willing to post suicide awareness information in their shop as well as to provide staff training could help to save lives. For more information on this initiative that was successful in New Hampshire and the training for gun shop owners see the reference below on the New Hampshire Gun Shop Project.

3. Educate physicians—including primary care and emergency rooms doctors as well as specialists--on assessing patients for suicide risk. As psychologists, we have a critical role to play in educating those in the medical field about the importance of suicide screening and referring clients for mental health treatment when needed. The Columbia-Suicide Severity Rating Scale (C-SSRS) is one of many options; it comes with a brief free training on how to administer the test and how to ask the questions that are a structured part of the assessment.

4. Educate ourselves regarding state and national gun safety legislation and promoting gun manufacturers to market smart guns. In Pa. House Bills 1010(Universal Background Checks), 1020 (Reporting Lost or Stolen Firearms) and 1030 (Firearm Restraining Order)are being proposed. Training is available for community organizations to learn how to approach legislators. Contact me for more information.

5. Join the Pennsylvania Psychological Association Task Force on Interpersonal Violence. This group is working on numerous initiatives and collaborations to educate people about interpersonal violence, through the lifespan, such as child abuse, campus rape, domestic violence and elder abuse. The task force is developing an updated speakers' bureau. Members can volunteer to speak to legislators, police, college students, or other groups about interpersonal violence including gun violence.

It is my sincere hope that my efforts--combined with those of other members of PPA and other organizations in our state and throughout the country--will result in a significant decrease in gun-related violence and improved gun safety. I can think of no better way to acknowledge the memory of my stepbrother Boaz and the many other victims of suicide and gun violence.

References

Cook, Phillip J. & Goss, Kristen A.,

The Gun Debate What Everyone Needs to Know (2014) Oxford University Press.

Leshner, Alan I., Altevogt, Bruce M., Lee, Arlene F., McCoy, Margaret A., and Kelley, Patrick W. Editors, Priorities for Research to Reduce the Threat of Firearm-Related Violence, (2013) Institute of Medicine and National Research Council, The National Academies Press, Washington, D.C.

Vriniotis, M, Barbr, C. Frank, E. & Demicco, R. (2014) A suicide prevention campaign for firearm dealers in New Hampshire. Suicide and Life-Threatening Behavior. Advance online publication. <http://dx.doi.org/10.1111/sltb.12123> or www.nhfsc.org.

Runyan, Carol W., Brown Talia L. & Brook-Rusell, Ashley, (2015) Preventing the Invisible Plague of Firearm Suicide, American Journal of Orthopsychiatry, 85 (3), 221-224.

For More Information

To learn about suicide training for gun shop and range owners, see www.youtube.com/watch?v=97Fu2gmShZg and www.youtube.com/watch?t=1&v=MAKp0HSorBw.

For training on the C-SSRS go to http://cssrs.columbia.edu/training_cssrs.html.

PPA Task Force: To volunteer for the speakers bureau, please contact : ? (I Will find ut and get this information to you)

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Questions

What role can psychologists in Pa. play in fostering gun safety and gun violence prevention strategies?

- a) Join local and faith based organizations.
- b) Get trained in approaching legislators on gun violence related topics and suicide awareness.
- c) Contact primary care doctors, gun shop owners, police and legislators in our communities to offer suicide awareness training.
- d) All of the Above.

According to data from the Centers for Disease Control and Prevention, What percentage of gun deaths are the result of suicide and how many suicides took place in the United States in 2013?

- a) Over 50%% and 20,000 deaths.
- b) 40% and 10,00 deaths per year.
- c) 25% and 5,000 deaths per year.
- d) 80% and 90,000 deaths per year.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1010 Session of 2015

INTRODUCED BY SANTARSIERO, D. COSTA, DEAN, SCHREIBER, FRANKEL, SCHLOSSBERG, BOYLE, GAINNEY, SIMS, KAMPF, STURLA, SANTORA, RAVENSTAHL, COHEN, KILLION, M. DALEY, VITALI, O'BRIEN, ROEBUCK, C. PARKER, ROSS, CRUZ, CARROLL, ADOLPH, DAVIS, SCHWEYER, BRIGGS, McCARTER, KIRKLAND, DAVIDSON, CALTAGIRONE, J. HARRIS, KIM, YOUNGBLOOD, BISHOP, DONATUCCI, MICCARELLI, TAYLOR, MCCLINTON, BRANEKY, D. MILLER, DeLISSIO, PASHINSKI, DEASY, WHEATLEY, BRADFORD, KINSEY, THOMAS, BULLOCK, GALLOWAY, ACOSTA, DAWKINS AND LEWIS, OCTOBER 28, 2015

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 28, 2015

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for sale or transfer of firearms.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6111(f)(2) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended and the subsection
8 is amended by adding a paragraph to read:

9 § 6111. Sale or transfer of firearms.

10 * * *

11 (f) Application of section.--

12 * * *

13 [(2) The provisions contained in subsections (a) and (c)
14 shall only apply to pistols or revolvers with a barrel length
15 of less than 15 inches, any shotgun with a barrel length of

1 less than 18 inches, any rifle with a barrel length of less
2 than 16 inches or any firearm with an overall length of less
3 than 26 inches.]

4 * * *

5 (5) In the case of a purchase or transfer of a firearm
6 at a lawful gun show, meet or auction, this section shall
7 apply as follows:

8 (i) At a lawful gun show, meet or auction, a
9 potential purchaser or transferee who has submitted and
10 received approval of an application/record of sale
11 through the instantaneous background check system may use
12 the unique approval number from the application/record of
13 sale for later firearm purchases or transfers completed
14 at the same lawful gun show, meet or auction with the
15 same licensed importer, licensed manufacturer, licensed
16 dealer or sheriff within 48 hours of the approval.

17 (ii) When engaging in a later purchase or transfer
18 of a firearm under subparagraph (i), the potential
19 purchaser or transferee may provide the receipt under
20 subsection (b)(5) and valid photo identification to the
21 same licensed importer, licensed manufacturer, licensed
22 dealer or sheriff who conducted the earlier background
23 check as proof that the potential purchaser or transferee
24 is approved to acquire a firearm under subparagraph (i)
25 and is exempt from Federal and State background check
26 requirements in accordance with 18 U.S.C. § 922(t)(3)(A)
27 (relating to unlawful acts) for firearm purchases or
28 transfers completed under subparagraph (i).

29 * * *

30 Section 2. The provisions of 37 Pa. Code are abrogated to

1 the extent of any inconsistency with this act.

2 Section 3. This act shall take effect in 60 days.