

# ALASKA STATE LEGISLATURE

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*REPRESENTATIVE ANDY JOSEPHSON*

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## **HB89: Extreme Risk Protective Orders** **Sponsor Statement**

On June 25, 2022 President Joe Biden signed the Bipartisan Safer Communities Act into law, a bill passed one month after 19 children and two teachers were killed inside Uvalde Elementary School. Although some people have spun this bill to be a federal red flag law, in reality it accomplishes many necessary reforms to gun responsibility. It also sets aside \$750 million to help states implement and improve Extreme Risk Protection Order (ERPOs) laws.

Firearm violence is a widespread problem in the United States. In the United States in 2022, there were 48,204 deaths caused by a firearm. Of these, 41% were homicides, and 56% were suicides. Alaska had the seventh highest rate of firearm deaths in the country. ell.

Nationwide, it is commonly accepted that certain citizens should not possess a firearm. Under U.S.C. § 922(d), it is unlawful for a person who “has been adjudicated as a mental defective or has been committed to any mental institution” to be sold or disposed a firearm or ammunition. In fact, every state also has a statute explicitly restricting certain mentally ill citizens from being sold a firearm. Further, there is typically a ban on felons having firearms in possession. The defense behind these restrictions is that the second amendment is not unlimited.

Twenty-one states so far have passed red flag laws. These laws allow law enforcement to confiscate, after a petition is raised by specifically identifiable persons, firearms from a person who is believed to be a danger to themselves or others. These laws give states the capacity to effectively prevent gun violence by also allowing the courts to issue an *ex parte* order, similar to a domestic violence protective order. This allows law enforcement to quickly stop a potential mass shooting or suicide in a time frame otherwise impossible under current statute.

Alaska needs to give law enforcement the authority to adequately address potential gun violence. Modern technology has given law enforcement the capacity to spot red flags quickly and easily, but current statute lags behind in giving them the authority to act upon that knowledge in a timely manner. This bill would be a huge step toward bringing technology and safety closer to one another.

I urge your support of this bill.

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*January-May: State Capitol, Room 432, Juneau, Alaska 99801 • (907) 465-4939 • (800) 465-4939*

*June-December: 1500 W Benson Blvd, Room 312, Anchorage, Alaska 99503 • (907) 269-0265*

*Rep.Andy.Josephson@akleg.gov*