



THE END GUN VIOLENCE ACT

Led by Congressman Joe Neguse

Legislation to restrict the sale of firearms to those convicted of violent misdemeanor crimes for five years

Endorsements: Giffords, Everytown for Gun Safety, Moms Demand Action, Colorado Ceasefire, Alliance for Suicide Prevention of Larimer County, Newtown Action Alliance, Guns Down America, Sandy Hook Promise, Violence Policy Center, Community Justice Action Fund

Cosponsors: Jake Auchincloss, Robin Kelly, Lucy McBath, Lou Correa, Jamie Raskin, Ted Deutch and Jason Crow.

On March 22, 2021, a man carrying an assault-style weapon walked into a King Soopers supermarket in Boulder, Colorado, ultimately killing ten innocent people and injuring two others. The gunman had a well-documented history of violence. In 2018, the shooter was convicted of third-degree assault, a violent misdemeanor, for punching a classmate. Despite this conviction, the shooter was legally eligible to buy a gun.

Under federal law, those convicted of violent misdemeanor crimes are only prohibited from accessing guns if the assailant was married to, lived with, or had a child with the victim. This narrow prohibition has created the so-called “boyfriend loophole,” allowing those with violent convictions that fall outside these specific criteria the ability to access to firearms and perpetrate mass casualty events, like the one we experienced in Boulder.

Proposal: This bill would prohibit the sale of firearms and ammunition to any person who has been convicted of a misdemeanor crime of interpersonal violence for five years. Currently, 22 states and the District of Columbia prohibit handgun purchases by persons convicted of certain misdemeanor crimes. However, these individuals are still eligible to purchase firearms in the remaining states, creating a patchwork of eligibility and increasing the risk of firearm-related violence. Establishing a federal law to prohibit the sale of firearms to those who have been convicted of violent misdemeanor offenses will legally protect vulnerable populations not currently covered by state law and create a national standard.

Background: In 1996, Congress amended the Gun Control Act of 1968 to prohibit individuals convicted of a misdemeanor crime of domestic violence from shipping, transporting, possessing or receiving firearms or ammunition. In passing this amendment, Congress acknowledged the link between intimate partner violence and firearm use. Since then, research has shown that persons convicted of misdemeanor crimes of violence are at high risk for committing new



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firearm and/or violent crimes. Despite advocacy from gun violence prevention groups and supporting evidence, Congress has not updated federal law, which has produced deadly results.

Supporting Evidence: There is evidence to support restricting the sale of firearms to all individuals convicted of violent misdemeanor crimes. Studies have shown that male handgun purchasers with one prior conviction for a violent misdemeanor, compared with those with no prior criminal history, are more than eight times as likely to be charged with a gun and/or violent crime in the future. Among those with multiple convictions for violent offenses, the risk increases by more than tenfold.

Research has conclusively shown that having a gun in the home increases the risk of homicide of an intimate partner by eight times. In households with guns and a history of domestic violence in the family, the homicide risk to an intimate partner is 20 times greater than a household without guns. But, violence inside the home is not the only indicator demonstrating a likelihood for future gun and/or violent crimes. A recent study comparing states with and without laws prohibiting those convicted of violent misdemeanors from purchasing firearms found that states that enacted violent misdemeanor laws had homicide rates that were almost 20 percent lower than states without such laws.