

A RESOLUTION

23-371

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2020

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to establish an Extreme Risk Protection Order Implementation Working Group, to provide for its membership, and to specify its duties.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Extreme Risk Protection Order Implementation Working Group Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On December 18, 2018, the Council passed the Firearms Safety Omnibus Amendment Act of 2018, effective May 10, 2019 (D.C. Law 22-314; 66 DCR 1672), which created the District’s “red flag” law.

(b) The District’s “red flag” law allows concerned family and household members, mental health professionals, and law enforcement officials to file extreme risk protection orders with the Superior Court to have firearms and ammunition removed from people who pose a significant danger to themselves or others.

(c) Extreme risk protection orders have been hailed as valuable tools to prevent self-harm and harm to others, including in suicide, domestic violence, and – importantly – community violence situations. For example, a study of the effectiveness of Connecticut’s red flag law estimated that one suicide was averted for every 10 to 11 guns seized.

(d) Between October 1, 2018, and August 7, 2019, Maryland’s courts received approximately 788 requests for extreme risk protection orders. Between March and July 2019, Florida’s red flag law was used nearly 2,400 times.

(e) Many jurisdictions have successfully coordinated government agencies, non-governmental organizations, and community advocates to drive effective implementation and save lives, but the District lags significantly behind. Since the District’s red flag law took effect, only 2 petitions have been granted.

(f) In the District, there were 129 homicides and 709 assaults with a dangerous weapon, in 2019, that involved a firearm. As of February 26, 2020, there have been 21 homicides and 108 assaults with a dangerous weapon, year-to-date, that involved a firearm.

(g) The gun violence epidemic is unacceptable and preventable. Emergency legislation is necessary to formally coordinate the efforts of District agencies, federal partners, firearms safety

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experts, and community members to implement the District's red flag law, including through enhanced public education and training.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extreme Risk Protection Order Implementation Working Group Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.