

March 1, 2023

Dear lawmaker:

Gun violence is a public health crisis and the number one cause of death among children in the United States. It is also a complex issue that requires solutions that address both gun safety as well as the root causes of gun violence. To keep our children safe and build safe communities we must take a holistic approach to preventing gun violence in Michigan.

Common sense gun violence prevention policies like safe storage, extreme risk protection orders (ERPO) and expanding background checks have overwhelming support from Michiganders across the state regardless of political affiliation or gun ownership, but as we advance these policies, we must work to ensure that they are both **effective** and **equitable**. We must also make an adequate investment to fund evidence-based, community violence intervention programs and take steps to ensure that no matter your background or ZIP code, that every Michigander has the resources and services they need to live safe, healthy lives.

As you consider safe storage and extreme risk protection order bills in the coming days, we the undersigned, urge you to consider making the following changes to ensure that the bills are both effective and equitable.

Changes to Safe Storage (SB 79 & HB 4144):

- Include legally prohibited people in addition to “minors” in all instances except in Section 6. Amend language to say, “a legally prohibited person or a minor.”
- Provide a subsidy for a safe or lock box with the purchase of a new handgun or pistol so that cost is not a barrier to owning a firearm. This funding should not come from an increase in CPL costs.

Changes to ERPO (SB 83 & HB 4145):

- In Section 3 create a prohibition on purchase of firearm. Instead of “...the defendant or others by possessing a firearm” include “...the defendant (respondent) or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm.”
- In Section 7, add “attempts or threats of suicide or self-harm” and “a history of drug and/or alcohol misuse” to the list of risk factors.
- In Section 10 (4), require the court to schedule a compliance hearing no later than **three judicial days** (rather than 10) after an extreme risk protection order is served.
- Include the National Instant Criminal Background Check System (NICS) to all instances where Criminal Justice Information Services (CJIS) of the Federal Bureau of Investigation (FBI) and Bureau of Alcohol, Tobacco, Firearms, and Explosives (AFT) are included. **MAKE SURE** it's removed after the temporary order is lifted.

- Include a provision so that when an individual’s firearm restriction is lifted and their name is ordered to be removed from NICS/CJIS/FBI/AFT (or any other list) that the responsible agency shall revisit the progress of the removal, every 90 days, until the removal is verified to be complete.
- Any mental health services related to the issuance of an extreme risk protection order shall be comprehensive and comply with the MI Mental Health Code including, but not limited to, MCL 330.1712: Individualized Written Plan of Services.
- Explicitly state that gender identity, sexual orientation, race, ethnicity, political affiliation or religion cannot be considered a risk factor when determining if an individual poses a risk to themselves or others.
- Change “plaintiff” to “petitioner” and “defendant” and “restrained individual” to “respondent.” Given that ERPO laws are civil matters it is best to avoid terms utilized by the criminal legal system.
- Require the Department of Health and Human Services to educate the public about extreme risk protection orders and how an individual can seek help if they believe a family member is in crisis.

Thank you for your consideration,

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