

Testimony of Amanda Wilcox  
Legislative Chair, Brady California  
Before the United States Senate Judiciary Committee  
March 26, 2019

Chairman Graham, Ranking Member Feinstein, and distinguished members of the committee, thank you for the opportunity to come before you today to share my story. My name is Amanda Wilcox, and I am the Legislative Chair of Brady California, a network of grassroots chapters dedicated to ending gun violence. I have been a volunteer gun violence prevention advocate for the past 18 years.

In January 2001, my daughter Laura was home on winter break from college and filling in as the receptionist at our rural county behavioral health clinic when a client came in and opened fire. He shot Laura four times at point blank range, killing her instantly. When his rampage at the clinic and a nearby restaurant ended, three people lay dead and three more were severely injured. My community was left shaken, the fallen will be forever missed, and the world was diminished by the loss of an incredible young woman.

Laura, bright and beautiful at age nineteen, had extraordinary capability, kindness, and spirit. She was an outstanding student, graduating as high school valedictorian, and was at the time of her death a sophomore at Haverford College and in the midst of her campaign for the student body presidency. Laura was already living a life full of service; she wanted to make a positive difference in the world; she had unlimited possibilities and the brightest of futures.

After Laura's sudden death, my life, and that of my husband, Nick, was turned upside down. We were in a state of extreme shock, emotional pain and deep grief. Later, as we struggled to comprehend the circumstances of our daughter's death, we learned that the shooter's family, girlfriend, and caseworker were all worried about him. His father and grandfather had died by suicide with a firearm. They knew that he had guns. The warning signs were there. But, because he had never committed a crime or been subject to an involuntary mental health hold, which carries a temporary firearm prohibition under California law, there was no legal tool for removing his firearms. It was clear to us then – and still is today – that there needs to be a way to remove firearms from a person who is in crisis, clearly dangerous, and at risk of harming

themselves or others. It was too late for Laura, but my husband and I wanted to help save others by working to keep guns out of dangerous hands.

Since Laura's death, there have been many high profile shootings – in Tucson, Aurora, Isla Vista, Parkland – and in so many cases, there were warning signs and people were concerned. And every day, there are shootings that most of us never hear about. But in my small rural county, four people I know have died by suicide with a gun; and in my own little town, an elderly man with dementia shot and killed his caregiver.

In so many shootings—whether a suicide, domestic violence, mass or school shooting—a loved one or member of law enforcement typically sees the signs before the tragedy occurs. The extreme risk protective order law allows family members and law enforcement to petition the court for a temporary firearm prohibition when a person is at risk of injury to self or others by having a firearm. The law enables those who know the person in crisis the best – worried family members – or law enforcement to intervene and save lives. My central role in the enactment and ongoing implementation of California's extreme risk law has been very meaningful to me, as had the law been in place in 2001, Laura might be alive today.

In order to protect as many individuals as possible, extreme risk laws should be crafted with a few things in mind: first is accessibility. Family members, intimate partners, and law enforcement, at a minimum, should be able to bring petitions. These are frequently the individuals with closest access to the person in crisis, and who can identify behaviors that are out of the ordinary and concerning, particularly for those who are at highest risk for self-harm. Second, the court must allow an “ex-parte” process for those cases that show immediacy and when it is essential to issue an order but is not feasible to schedule a hearing with the person in crisis present. This process ensures that hearings can be scheduled expeditiously and guns can be removed during the highest point of the crisis or until a full hearing can be scheduled.

Based on our experience in California, I know that extreme risk laws need to be accompanied by a well-funded, thoughtful, and robust implementation program that incorporates all major stakeholders, including law enforcement officers, court clerks, and judges, as well as social service providers, medical professionals, or others who may be working with potential family

petitioners. A process for implementing the law in each jurisdiction needs to be developed. This takes resources.

Key advocates must be identified and trained, so that they have the tools necessary to train others. Judges and court clerks must be trained in the process by which extreme risk hearings and orders can be scheduled and issued, and appropriate records entered into state and national databases, such as the National Instant Criminal Background Check System (NICS). New and current law enforcement officers must be trained in the appropriate procedures for bringing petitions, seizing and storing firearms responsibly, and how to connect with concerned family members. Other important members of the community, such as faith leaders, healthcare professionals, and legal advocates must similarly be given resources to fully understand how to implement extreme risk laws and empower their neighbors, friends, clients, and connections.

As a mother whose daughter needlessly lost her life, I ask you to support incentives and funding for states to enact and implement extreme risk laws. Saving lives is not a partisan issue. In red, blue, and purple states across the country, polling shows that these laws are wildly popular: 72 percent of Texans, 87 percent of Minnesotans, 81 percent of New Hampshireites, and 68 percent of Utahns support temporary prohibitions and seizure of firearms when it's clear that an individual poses a risk to themselves or others. In Colorado, nearly 80 percent of gun owners even support such a law. Half of state laws currently in effect were signed by Republican Governors, and these laws have been passed by both Democratic and Republican-controlled state houses. Making extreme risk laws available throughout the country will, without a doubt, prevent multiple forms of gun violence every day - those tragic cases where an individual takes their own life and the needless bloodshed when someone brings a gun into a place of learning, worship, or recreation. I look forward to working with all of you on this Committee to find a path forward.

In 2001, Laura was killed in an instant by four bullets. In the aftermath, I was overwhelmed by the permanence of her death. Laura was gone forever. That is why extreme risk laws resonate with me; one can always give a gun back. I cannot get her life back.

Thank you.