

Senate State, Veterans, & Military Affairs
 04/20/2023 01:30 PM
 SB23-279 Unserialized Firearms & Firearm Components
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Brooke Lundgren For herself	<p>I respectfully ask that you vote yes and support this bill to pass. Gov. Polis, I ask that you sign this bill and make Colorado safer. I am an independent voter, a teacher, a mother, and the wife of a USMC Iraqi veteran. Although I wear many hats and see through many lenses, this is one lens I see clearly through. The public should not have access to such dangerous weapons. They cause utter destruction, breed fear, and have no place in Colorado. I feel more daily stress now than I did in 2006 when my husband was deployed to Ramadi. I was pregnant with my son and my husband was away at war, but I knew that it would eventually end. I found relief in knowing that the deployment wouldn't extend beyond his tour. In contrast, the current gun violence is over and over and over again. Day in and out. And there is no end in sight. Please help make our lives feel safer.</p> <p>I would have liked to testify in front of you today, but you likely know that this is the week of April 20th and the anniversary of Columbine. I teach second grade in Littleton and my two high school students attend a Jeffco high school near Columbine. Last week alone, my elementary school had a secure lock-in, my children's high school had threats made against the school on two separate days and parents were notified, and there was a shooting outside Columbine. Those events were all on separate days last week, so there were literally safety concerns every day. Thus, I don't feel I can leave my students in the hands of a substitute to come to the Capitol to speak with you.</p> <p>Last week is one snapshot of the life that students and teachers face daily and weekly. The stress and trauma of it are overwhelming. I teach Social Emotional lessons every week. It is not enough. My own kids have heard SEL lessons since they were little. It is not enough. It is not enough to broadly address mental health without addressing the underlining issue, the ability to access these unserialized weapons. They have no place in our communities or homes.</p> <p>Please vote yes and help us feel safer.</p> <p>Thank you kindly,</p> <p>Brooke Lundgren</p>

<p>Anna Cripe For themselves</p>	<p>Three weeks ago I was here. in this capital. same issue. not even 24 hours after my school had been the victim of gun violence for the third and if you consider the swatting, 4th time this school year and just 5 days after the funeral of our friend and classmate. For the 3rd time this school year, we hid. We hid for our lives. Behind every camera is a school. A school that we still go to when the news is turned off and the articles stop being written. This is our lives. But it doesn't have to be. Ghost guns are just as lethal as Firearms, the only difference is that there are no rules to get them. No background checks and no age limits. If someone is denied access to a gun for any reason why is it so easy, and legal for them to own one anyway. We can pass age limit laws, and waiting periods, but it doesn't matter if they are so easily avoided online. There are more requirements in Colorado for me to be able to graduate than be able to own a gun as long as it is privately assembled. Well, we can't graduate if we are dead. I am tired of hiding under lockers. On March 22 I walked into the dance studio I walk into every day. The studio I laugh in, and now cry in. and just a couple minutes later. I hid under the lockers my teammates use. And there we stayed for over an hour. Never again should a person have to feel what I and my friends felt in that moment and the days following. A week ago we walked into our school after an extended spring break due to "mental health" We walked in handed stickers and bracelets. Parents doing whatever they can to make us feel supported. We walked into signs that read "angel strong" and therapy dogs. But more than that we walk into the building that just two weeks prior we walked out of, surrounded by police and cameras, holding our friends tighter than you should ever have to. Never again should a child have to go through that. What is the point of regulating the in-store purchase of guns if they can just turn around and buy one anyway?</p>
<p>Zachary Hester Against themselves</p>	<p>To Whom it May Concern:</p> <p>This bill attempts to add restrictions to a category of firearms that have no statistically relevant involvement in violent crime with or without firearms. Clearly, this bill is an appeal to emotion with no data to back up any purpose for this bill to exist.</p> <p>It points out a fallacy of modern governing: That the government "permits" anything is a new concept in America. All people in this world have certain rights that do not depend on permission and are universal whether or not their government deems it legal by code.</p> <p>In this instance, people's ability to construct, assemble, and maintain firearms with no oversight of the government is not a given right. It's a universal right. This bill is one of many recent encroachments on our basic human rights. It is clearly driven by small, well-funded, out-of-</p>

	<p>state organizations with a larger agenda at stake. Any state legislators attached to the promotion of this completely illogical bill will be known as people who value out-of-state special interest groups over the basic human rights of their communities.</p> <p>I respectfully urge everyone vote against this bill as it will have no effect on violent crime. It is fundamentally unenforceable and will drive resources away from public services that could actually make a difference in preventing violent crime in our communities.</p> <p>Thank you for your time, Zachary Hester</p>
Alison Sittiseri For themselves	<p>Thank you Mr/Madam Chair, members of the committee and sponsors Fields, Hansen, Boesenecker, and Joseph. My name is Alison Sittiseri and I'm a sophomore at East High School. I'm here to support "SB23-279". As we know, this bill would make possessing and unserialized firearm and firearm components an unlawful conduct and also prohibit the manufacturing of firearms, frames, and receivers by unlicensed persons. Of course I acknowledge that this would not eliminate all illegally possessed firearms, but it would prevent some individuals from getting their hands on these deadly weapons. It also creates an obstacle for those wishing to obtain a gun. This can, and will save at least one life and hopefully many others.</p>
Antonia Pieracci For themselves	<p>I am a parent of 3 children and a Clinical Psychologist in Denver, CO. The death and the mental health toll from gun violence in Colorado is drastic. As a Clinical Psychologist in Denver I treat Colorado survivors of gun violence whose lives are forever changed by gun violence. My children's mental health has been affected by the school shootings in Colorado including the 2 deaths and many injuries from gun violence in their own school this year. My children and I wonder each day as they go to school if they, their friends, teachers and administrators will be shot as they try to learn. My aunt and uncle are survivors of gun violence as stray bullets came within inches of their heads in their heads in their suburban Denver retirement community. Ghost guns are one of the fastest-growing problems facing our country and our state. We can reduce deaths and improve mental health by passing this common sense gun law. Please pass SB23-279 to make Colorado safer for all of us. Thank you. Antonia Pieracci. Denver, CO.</p>
Elizabeth Milhaupt For themselves	<p>I am voting YES on SB23-279, Unserialized Firearms And Firearm Components. I am personally scared to send my children ages 7 and 11 to their respective Elementary and Middle Schools due to the current culture of firearm assault on schools. Additionally, I have been working in a DPS middle school for the past 16 years providing mental health support for middle schoolers and have been scared for my own life and my students as tragedy continues occur in Colorado schools and nationwide. We as Coloradan's need to protect our children in their schools by banning assault weapons.</p>

	<p>This evidence-based, common-sense bill will undoubtedly save lives in Colorado. We must act NOW to make Colorado a safer place to live. These do-it-yourself (DIY) firearms are made from parts available without a background check and are predictably emerging as a weapon of choice for criminals, gun traffickers, and, generally, people legally prohibited from buying firearms. Because it has no serial number, a ghost gun cannot be traced back to where it came from, which frustrates police investigations and robs victims and survivors of justice. The rise of ghost guns is the fastest-growing gun safety problem facing our country. Thank you for your consideration of my testimony.</p>
<p>Mary Anderson For themselves</p>	<p>I am a mother and a US citizen. My husband is a responsible gun owner. It is abundantly, overwhelmingly, embarrassingly clear to both of us that we a gun violence epidemic on our hands. Sadly, this is nothing new. And even sadder, public sentiment on this issue does not match legislation.</p> <p>The government has a responsibility to speak on behalf of its citizens. This is a core tenet of democracy. Instead, it feels like the laws are in place to protect and enable corporations like the NRA and other similar organizations lining the pockets of politicians.</p> <p>It feels like, in this moment, we have mountains to move. But we must start with a first step. Then another and another. This bill is a step in the right direction. This is a bill that does not infringe on the rights of gun owners, but instead demands responsibility. The same responsibility asked of us to vote or drive.</p> <p>This is not a social experiment where we are entering uncharted waters. We are far from the only developed nation to have guns. We have historical data that shows increasing regulation surrounding gun ownership does not deter responsible gun ownership, hunting, etc. What it does do is cut down on mass shootings, mental health incidents, organized crime, etc.</p> <p>To call ourselves a great nation when we can't even protect innocent children while they attend school is a JOKE. We talk about freedom, but there is no freedom for these children under the current construct of gun control. It is time for bravery. It is time to acknowledge facts and data. It is time for campaign reform and increased transparency about who funds campaigns. It is time to pass the SB23-279 Unserialized Firearms And Firearm Components.</p>
<p>Christopher Magee Against themselves</p>	<p>Hello.</p> <p>My name is Chris Magee. I'm a resident of Montrose CO and I rise in opposition to this bill.</p>

	<p>I am not a Democrat or a Republican but an American and like many I'm sick of innocent people losing their lives to gun violence. The question is how do we solve this problem? Making unserialized aka home made firearms illegal is not the answer. It will simply make law abiding citizens criminals while letting the people who want to commit violent acts continue their pursuit.</p> <p>I like many who do not believe in punishing the law abiding citizens of Colorado did my part during the 2013 recalls. We came to the table as concerned citizens and were ignored.</p> <p>I am the generation that came of age under the shadow of Columbine....The Shadow of Virginia Tech..Columbine occurred under the false blanket of federal gun control. Virginia Tech the shooter killed over 30 people with two hand guns he bought legally. CA has had multiple mass shootings despite some of the strictest gun control in the country and it keeps happening. Colorado keeps passing gun control and these shootings keep happening despite those laws. A passage of yet another feel good piece of legislation that does nothing to fix the problem is not the answer.</p> <p>Thank you for your time.</p>
<p>Kristen Molsness For themselves</p>	<p>Hi,</p> <p>My name is Kristen Molsness and I'm a parent in Lakewood, CO. My two year old son has to do active threat drills in his daycare because this is how prevalent gun violence has become. This is heartbreaking.</p> <p>Please vote YES on SB23-279, Unserialized Firearms And Firearm Components. This evidence-based, common-sense bill will undoubtedly save lives in Colorado. We must act NOW to make Colorado a safer place to live. These do-it-yourself (DIY) firearms are made from parts available without a background check and are predictably emerging as a weapon of choice for criminals, gun traffickers, and, generally, people legally prohibited from buying firearms. Because it has no serial number, a ghost gun cannot be traced back to where it came from, which frustrates police investigations and robs victims and survivors of justice. The rise of ghost guns is the fastest-growing gun safety problem facing our country.</p> <p>Thank you, Kristen Molsness</p>
<p>Robert Smith Against themselves</p>	<p>I am testifying against this bill, neither the state nor federal constitutions explicitly prohibit the private manufacture of firearms. This bill is unconstitutional and is the same as those passed in other states that have been sued based on their constitutional merit. This proposed law is not consistent with the text history or tradition of the United States. I have</p>

	<p>not seen any data to indicate that a PMF was used in a multi casualty event or even a single homicide in the state of Colorado such a sweeping ban is not justified in principle or practice. Once again real meaningful solutions are not being discussed like metal detectors in schools or more school resource officers being hired. Private businesses can always upgrade security measures at their own discretion.</p> <p>Thank you for your time,</p> <p>Robert Smith</p>
<p>Lauren Bull For themselves</p>	<p>I am a physician in Denver where I care for all ages of patients. I continue to be deeply grieved and enraged by the senseless acts of gun violence in our community. The shooting at East High School earlier this year on the anniversary of the Boulder King Soopers shooting in 2021 sickens me. We MUST do something to stop this.</p> <p>While we may not have the ability to change everything at the national level, I firmly believe that we DO have the ability and we CAN change it for the state of Colorado. Our one state has suffered deeply from gun violence starting with Columbine decades ago. It cannot go on. The evidence doesn't lie- common sense gun laws, such as stopping ghost guns, can and will save lives.</p> <p>As a physician in our community, I am sick and tired of seeing my patients, my staff, and my colleagues fearful of the perils of gun violence. Whether it is the pain of being directly involved in an event or caring for the victims afterward, as the courageous staff at my hospital did after the East High school shooting.</p> <p>I am here as a physician in our community, someone who took the Hippocratic oath to do no harm, begging you to please vote YES on all five upcoming gun violence prevention bills including SB23-279. YOU have the ability to make a difference in Colorado by voting yes on each gun violence prevention bill this legislative session, including this one. We need you. We are trusting you. Please do not let us down. Our children, our community, and my patients all deserve better.</p> <p>Thank you, Dr. Lauren Bull</p>
<p>Bryant Hart Against themselves</p>	<p>I am against this legislation. As with nearly all gun control laws, the loss of rights, inconvenience, red tape and cost to lawful gun owners far outweighs any possible public safety benefit. Rarely does actual data support the premise. Rather, as a law, this would be far more likely to serve as a way to entrap otherwise law abiding people. Lavrentiy Beria, one of the most brutal secret police chiefs in the history of man once said "show me the man and I'll show you the crime". This is yet another law which at best will be a massive inconvenience, and at worst a rights killing way to apply legal pressure to honest citizens. A solution in search of a problem, and a way for legislators to dunk on the other political team. Please defeat this ill conceived bill.</p>

<p>Travis Couture-Lovelady Against National Rifle Association</p>	<p>This "Ghost gun" bill does nothing except misdirect attention toward hobbyists by employing scary terminology. "Ghost gun" is an invented term designed for the sole purpose of pushing gun control. It is unconstitutional.</p> <ul style="list-style-type: none"> * American tradition dating back to before the revolutionary war. * Nevada statute was declared by court vague and ambiguous. * Feds have already moved this area so no need for state action. If doesn't mirror feds it could be interpreted differently causing confusion for people trying to comply. * Lacks historical nexus, people have been doing this forever so it would fail under Bruen test. * Enforce existing law, prohibited person cannot possess any firearm regardless of where or how it was made. * CA passed law and it didn't work! They have seen proliferation where now they are now going after parts, printers and CNC machines because criminals don't follow it. <p>This bill is unconstitutional and on behalf of our members in Colorado we ask for a no vote.</p>
<p>Derrick Richard Against themselves</p>	<p>Are you all really this tone deaf? I hope you heard some of the testimonies from the attempted assault weapons ban on April 19th that fell flat on its face. Coloradans do not want nor need more useless gun legislation. We are sick of this. You couldn't legislate your way out of a wet paper bag so in an attempt to "do something" you try and push more gun control. We won't comply or tolerate it. Find actual solutions.</p>
<p>Briston Brown Against themselves</p>	<p>I strongly oppose SB23-279. SB23-279 is an unconstitutional gun control bill aimed at taking away constitutional rights to bear arms from citizens under the guise of stopping criminals. Americans have been manufacturing firearms since the beginning of this country. With 3D printing and the internet, American citizens have more access to 3D print their own firearms. The sponsors of this bill intends on tackling criminal elements that are still able to get/create their own firearms at the cost of making citizens unable to create their own firearms. They state serial numbers will help us stop criminals. Per law enforcement information/statements, serial numbers on firearms do nothing to deter or stop criminals/crime. It's already illegal for prohibited criminals and/or felons from possessing a firearm yet they still break this law to commit more crimes. Even with Universal Background Checks in Colorado, which are suppose to stop criminals from getting guns, criminals are still able to get guns through stealing/black market means. What makes anyone believe that banning "ghost guns", because they don't have a serial number on them, will prevent criminals from getting a gun? Supporters will argue criminals can make their own firearms to circumvent the law - despite that they already do that. Even with 3D printing accessibility, it's costly and requires materials to a point we see more crimes committed with stolen/blackmarketed guns vs ghost guns.</p>

	<p>This unconstitutional bill only serves to restrict, strip, and punish law abiding citizens from exercising their constitutional rights to arms, regardless if they are serialized or not. The intent is to stop the ability of Colorado citizens to create their own firearms and ability to pass this knowledge/ability to do so to our future generations. Criminals will not be impacted by this law, only law abiding gun owning citizens will be. This will not stop or prevent more crime.</p> <p>Lastly and as per the Supreme Court decision in New York State Rifle & Pistol Association, Inc. v. Bruen, there needs to be a historical precedence (text, history, and tradition) in restricting the 2A rights of the people. There is no history of our country, let alone Colorado, doing so regarding "ghost guns".</p> <p>Per their oath to protect our constitution, I urge our representatives to oppose this unconstitutional bill, as I do, and uphold their oath to the citizens of Colorado.</p>
David Aglietti Against themselves	<p>I strongly oppose this bill as it is obviously unconstitutional, as you are fully aware. Furthermore, adding serial numbers to firearms does not prevent, reduce, or deter crime in any way. In fact, criminals often simply grind or file the serial numbers off of firearms. So, if the point of this bill is not to reduce crime, then what is the actual goal of this bill?</p>
William Rich Against themselves	<p>Please stop trying to infringe on our rights. Home manufacturing of firearms has been a part of the country since its inception. There are already laws dealing with the deletion and changing of serial numbers. This is just more virtue signaling and crying by the gun controllers.</p> <p>William Rich</p>
Jamie Lightner Against themselves	<p>Just like yesterdays ban attempt, this law is unconstitutional, which will be fought in court. This will cost millions of dollars and be eventually ruled illegal by the courts. You may not like it, but we have God given rights you can't touch.</p>
Melissa Colonna For themselves	<p>My name is Melissa Colonna and I'm representing myself from Littleton.</p> <p>Please vote YES on SB23-279, Unserialized Firearms And Firearm Components. This is a common sense law. MAKE IT MAKE SENSE! I cannot make my drugs so why I can create an unserialized gun? Please make Colorado a safer community for our families. These do-it-yourself (DIY) firearms are made from parts available without a background check and are predictably emerging as a weapon of choice for criminals, gun traffickers, and, generally, people legally prohibited from buying firearms. Because it has no serial number, a ghost gun cannot be traced back to where it came from, which frustrates police investigations and robs victims and survivors of justice. The rise of ghost guns is the fastest-growing gun safety problem facing our country. Thank you, Melissa Colonna and my young children (aged 2 & 4).</p>
Keya Kalantari Against themselves	<p>I am writing today to oppose the proposed legislation that would effectively outlaw unserialized frames, receivers and components. This bill does nothing to solve the growing crime problem in our state. Nor does it make our communities any safer. In the day and age of</p>

	<p>supervene court rulings such as NYSRPA V Bruen, lawsuits will be filed by individuals and entities to include myself with this law eventually being throw out by the courts as has been done recently in the fifth federal circuit court. This bill is an egregious violation of the rights granted to American citizens under the second amendment as there has always been history and tradition in this great nation of being able to build your own firearms at home for personal use. I ask the committee not to vote in favor of this bill, if public safety is truly your concern please address the growing issues of the untreated mental health crisis in out state as well as the out of control issues with rampant fentanyl usage/distribution and lastly, please address the rampant issues with regards to homelessness and fatherless households. It is easy to want to throw blame for societal issues at the feet of the second amendment, when instead this committee could do the right thing by addressing the true root causes of violence in our state.</p>
<p>Justin Beard Against themselves</p>	<p>I firmly oppose SB23-279. America has a centuries long tradition of gunsmithing and building firearms for personal use. The idea that 'ghost guns' are used in many crimes is unfounded.</p> <p>IF a crime gun has no serial number it is usually due to the fact that the criminal ground off the number on a commercial firearm. Criminals are by and large NOT spending the time and effort to build a gun from scratch with an 'unfinished receiver' or buying a 3D printer. They are either buying the guns outright (if not prohibited legally), being provided them via straw purchase, or in most cases just stealing them.</p> <p>In addition this law has some language flaws. When referring to "Unfinished Frame Or Receiver" in Definition (l) you reference "when it may readily be completed, assembled, or converted..." Unfortunately 'readily' is not defined and is too broad and could lead to entrapment. Is readily completed 5 minutes with basic hand tools? Are power tools required? How about a machine shop with a few hours to spare? Even a bare block of metal can be finished into a receiver within a few hours with the right equipment.</p> <p>The BATFE has specific guidance on what constitutes a receiver and what is not, and it appears you are ignoring those rulings.</p> <p>Finally, you give a date of 01/01/2024 to have current un-serialized homemade receivers have a serial number applied by an FFL. However, I postulate that NO FFLs in the state currently have the equipment or expertise to engrave receivers, and have no incentive to do so anyway. How are the many thousands of receivers going to get engraved if there is no one to do it?</p> <p>This seems like an undue burden on owners of these receivers (and in the case of this bill, even items that are not federally considered guns since they are unfinished).</p>

	<p>This bill will only criminalize law abiding firearm hobbyists and will have little to no effect on the actions of criminals who prefer easier access to guns than building them themselves.</p>
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After hearing all the school issues yesterday I'd appreciate the opportunity to take a moment here for two points.

1st: A while before COVID I attended a meeting where DPS security spoke about their Active Shooter Drills. At that time the police would arrive unannounced at a school and start setting off fireworks to simulate gunfire. And we wonder why our children are traumatized.

2nd: Last Monday I attended a Denver City Council and Denver School Board meeting. Let me say that I see no hope of the Denver school system improving safety with their current organization. That said, I'd suggest that everyone interested check into an organization called FASTER at [FASTERSAVESLIVES.ORG](https://fastersaveslives.org) . According to an April 13th article in the Washington times that I vetted yesterday with the organization itself, NO school that has worked with FASTER has ever had a shooting and there have been NO instances of problems with the FASTER trained volunteers that assist in security.

And also before I begin on this bill I'd like to say that I hope you aren't swayed by personal stories that don't apply to what we're looking at. Or saying that a lot of people are killed with firearms (but don't mention that in Colorado 76% are suicides) and that is why this bill is needed. Both are emotional bait and switch. We're talking about firearms with no serial numbers and parts to make them today. Oh, and machine gun conversion devices which are not part of that discussion and are already illegal to use. That section by the way, should also have sound suppressors deleted, etc. as those are covered Federally.

To the bill: Americans have been making firearms since Revolutionary War times. I don't think you'll find any law restricting that activity from that era, which means it's doubtful that your proposed bill will pass the recently better-defined Supreme Court approved legal test.

Why would someone want to buy a partially machined receiver and make their own firearm? Those who I am familiar with have done it because the final product can be customized to whatever they want and because it's an interesting exercise that they can be proud of. Some are also a little paranoid about everything being registered with the government, but I'm sure that's not why you're doing this.....I

hope. You might want to ask that of your colleagues as the bill has the likelihood of immediately make criminals out of everyone who has made their own legal firearm since October of 1968.

One reason I've heard for banning so-called ghost guns is that they make the job of the police harder. I understand that a majority of firearms used in crimes are stolen. A serial number won't help determine who is accountable for those firearms. I have heard of NO INSTANCE where recovery of a so-called "ghost gun" has been crucial to a perpetrator's arrest. Have you? Today shooting someone with a firearm is already a crime. It is also already a crime to transfer such a home made firearm from the maker to someone else (with some very limited exceptions). The crime logic chain doesn't pass muster.

Another reason spoken about is that minors can make a firearm. How many do compared to those that get access to a firearm through other means such as from home or purchase off the street? The troubled youth that shot two administrators at East High School with a firearm that, when last heard about, he built, was a tiny exception rather than a normal pathway for firearm acquisition. Do we need a law to handle a handful of such cases across a number of years in the entire United States?

Then there are those that believe all guns should have a trail accessible by the government. I've heard enough from those people to begin to believe that maybe at least some of my gun owner friends' paranoia is justified. You know better than I do about that but if it's true you're feeding that paranoia.

This bill is a solution looking for a problem to justify it, no matter how small that problem might be. Please pull the trigger and kill this bill here and now.

Thank you.

Keith Emerson

Denver, Colorado

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Testimony of Liddy Ballard, Brady Campaign to Prevent Gun Violence
Support for SB23-279 before the Senate State, Veterans, and Military Affairs
Committee
April 20, 2023

Dear Chair Coleman, Vice-Chair Sullivan, and Distinguished Members of the Senate State, Veterans, and Military Affairs Committee,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America’s gun violence epidemic. Our organization today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah’s legacy by uniting Americans from coast to coast, red and blue, young and old, liberal and conservative, to combat the epidemic of gun violence.

Thank you for allowing us to submit testimony before this committee. **SB23-279 provides a strong defense to the proliferation and dangerous impact of unregulated and untraceable ghost guns throughout the state of Colorado.** Colorado knows all too well the impact unregulated access to firearms has on public safety, with reports stating that a ghost gun was one of the guns used in the deadly, hate-fueled crime at Club Q in Colorado Springs in 2022 that left 5 dead and more than 20 wounded.¹ It is past time for Colorado to take action – ghost guns threaten the safety of Coloradans every single day.

What are Ghost Guns?

Ghost guns are unserialized and untraceable firearms that can be built by anyone using “unfinished” frames or receivers. These parts of a firearm contain essential operating parts of the firing mechanism and are the only part of a gun regulated under federal law. However, until last year, when a frame or receiver was “unfinished” by a small fraction, it was unregulated — a

¹ Slevin, C. (February 22, 2023). *Detective: Colorado Springs club shooter ran neo nazi site*. NBC 29. <https://www.nbc29.com/2023/02/22/colorado-gay-club-shooting-no-mystery-motive-unknown/>

consequence of ATF not having interpreted unfinished components as firearms.² Thankfully, President Biden issued an executive order in June 2021 directing the Attorney General to address the issue, and on April 11, 2022, the Attorney General issued a final rule that treats unfinished frames and receivers as firearms. This is an important step forward but it has not removed the need for states to take action, as the federal regulations are likely to be challenged in court and executive orders are subject to change when there is a change in administration. We have also seen the gun industry immediately promise to find ways around the rule change to be able to continue to sell unregulated and unserialized guns.³

These unregulated parts are often sold by online dealers and are designed and marketed to circumvent federal regulations like Brady background checks because they can be purchased by anyone, even individuals who are unable to pass a background check, and thus are prohibited from purchasing a fully assembled gun. This includes domestic abusers, gun traffickers, persons subject to an extreme risk order, and even children and teenagers who can't purchase a gun by virtue of their age.

The process of converting parts into a ghost gun, whether it be a semi-automatic handgun or an AR-15 style assault rifle, involves just a few steps and can be completed in as little as 15 minutes without the consumer possessing any specialized skill or abilities. Once assembled, ghost guns are just as deadly and dangerous as traditional firearms. Each of these parts and processes have been specifically designed to fall outside of federal, state, and local gun regulations and undermine many existing gun safety laws. These weapons are, by design, perfect crime guns and it is time for Colorado to take action..⁴

Ghost Guns Undermine Existing Gun Safety Laws and Are Designed for Crime

The fact that these parts can be purchased by anyone with no background check and without engaging in any human interaction (like with a federally licensed firearm dealer) makes them attractive and accessible to individuals who fear they may not be able to pass muster at a responsible, licensed dealer. Ghost gun sellers and manufacturers know all of this and intentionally target prohibited purchasers and other potentially dangerous parties by emphasizing the untraceable nature of ghost guns - namely, the absence of a serial number and the very fact that their products can be purchased without a background check or interaction with a gun dealer as major selling points.

² ATF: Bureau of Alcohol, Tobacco, Firearms, and Explosives. (April 6, 2020). *Are 80% or unfinished receivers illegal?*. ATF Media. <https://www.atf.gov/firearms/qa/are-%E2%80%9C80%E2%80%9D-or-%E2%80%9Cunfinished%E2%80%9D-receivers-illegal>

³ Hickey, S. (January 4, 2023). *Polymer 80 issues statement on ATF's recent letter*. The Outdoor Wire. <https://www.theoutdoorwire.com/releases/5e0c59b4-be64-4be3-b631-a3249012986d>

⁴ Giffords. (November 28, 2017). *Giffords law center asks internet service providers to immediately shut down websites for businesses that allow dangerous individuals to make untraceable assault weapons with no background checks*. Giffords. <https://giffords.org/press-release/2017/11/giffords-law-center-asks-internet-service-providers-immediately-shut-websites-business-es-allow-dangerous-individuals-make-untraceable-assault-weapons-no-background-checks/>

Additionally, these weapons undermine and interfere with criminal investigations because they are unserialized, thus are essentially invisible to law enforcement. This means that the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) cannot trace ghost guns from the manufacturer/importer to the retail purchaser, making it harder to identify the chain of possession and the eventual end user of a gun recovered from a crime scene. In fact, if found at a crime scene, law enforcement has little means by which to trace the weapons' origin or ownership. This untraceable quality also interferes with law enforcement's ability to identify potential traffickers and to detect in-state and interstate patterns in the sources of crime guns. This makes the parts used to assemble these weapons highly attractive to illegal gun traffickers and those who might purchase from them.

The Rapid Proliferation of Ghost Guns in the United States and in Colorado

Sales of ghost gun parts have increased significantly in recent years and alongside it, the use of ghost guns in crime. According to the ATF, from 2016 through 2020, law enforcement officers recovered more than 23,906 ghost guns from potential crime scenes across the country. The ATF was only able to trace less than 1% (.006) of these firearms back to an individual purchaser.⁵ These weapons have been linked nationwide to homicides,⁶ suicides,⁷ mass shootings,⁸ school shootings,⁹ robberies,¹⁰ the shooting deaths of law enforcement officers,¹¹ and acts of domestic violence.¹²

A steady supply of ghost guns plagues communities nationwide - and its devastating impact is increasing exponentially with each year. The proliferation of ghost guns and their destructive effects can be seen in communities throughout the state of Colorado: between November 2019 and December 2020, there were 38 ghost gun recoveries total in Denver – which averaged to around 2 recoveries per month.¹³ Since that time, there has been a **350%** increase in recoveries

⁵ ATF: Bureau of Alcohol, Tobacco, Firearms, and Explosives. (2021). Definition of Frame Or Receiver And Identification Of Firearms. *Federal Register*, Vol. 86 (No. 97), 27,720-27,753. <https://www.govinfo.gov/content/pkg/FR-2021-05-21/pdf/2021-10058.pdf>.

⁶Fenton, J. (February 18, 2021). *Baltimore police report a 40% increase in untraceable ghost guns as legislators consider action*. The Baltimore Sun. <https://www.baltimoresun.com/news/crime/bs-pr-md-ci-cr-ghost-gun-ban-20210218-ae2dortu6ngn5llmfmq6yxtx6m-story.html>

⁷ Hurd, R. (August 12, 2016). *Homemade guns in Stanford student's murder suicide spurs questions on ghost guns*. The Mercury News. <https://www.mercurynews.com/2015/08/06/homemade-gun-in-stanford-students-murder-suicide-spurs-question-on-ghost-gun/>.

⁸ Clayton, A. (May 18, 2021). *Ordered online, assembled at home the deadly toll of California's ghost guns*. The Guardian News. <https://www.theguardian.com/us-news/2021/may/18/california-ghost-guns-deadly-toll>.

⁹ Morse, D. (January 22, 2022). *Magruder high school student charged as adult with attempted second degree murder*. The Washington Post. <https://www.washingtonpost.com/dc-md-va/2022/01/22/magruder-high-shooting-ghost-gun-student-charged/>

¹⁰ Sprouse, R. (December 25, 2021). *Seven teens in dc arrested for armed robbery and ghost guns*. WUSA9. <https://www.wusa9.com/article/news/crime/seven-teens-in-dc-arrested-for-armed-robbery-and-ghost-guns-new-york-avenue-ivy-city-motel/65-e571eaaf-bfef-408d-a439-699021dba5c0>

¹¹ Blankstein, A., Leonard, E. (August 15, 2019). *Ex con who killed California cop used homemade ghost gun*. NBC News. <https://www.nbcnews.com/news/crime-courts/ex-con-who-killed-california-cop-used-homemade-ghost-gun-n1042811>.

¹² Andone, D. (November 21, 2019). *The gunman in the Saugus high school shooting used a ghost gun sheriff says*. CNN. <https://www.cnn.com/2019/11/21/us/saugus-shooting-ghost-gun/index.html>

¹³ Horvath, A. (January 4, 2022). *Denver city council votes to ban ghost guns*. Rocky Mountain PBS. <https://www.rmpbs.org/blogs/news/denver-city-council-votes-to-ban-ghost-guns/>

per month in Denver, with 169 ghost guns recovered in 2021, and a projected 162 ghost guns to be recovered in 2022, which is over *13 ghost guns recovered per month*.¹⁴

What SB23-279 does

SB23-279 will make it illegal to knowingly sell, transport, purchase, or possess unserialized firearms and unfinished frames or receivers in Colorado after January 1, 2024. The bill explicitly allows owners to get their ghost gun or unserialized part serialized by a federal firearms licensee, creating a pathway for owners to become compliant with the law. Importantly, this bill will immediately shut down the sale of unrelated parts including those designed or marketed to be easily converted into a firearm.

Conclusion

Plain and simple, ghost guns are intentionally designed to circumvent the gun laws on the books and hamper law enforcement investigations. This is not an industry for hobbyists, but an industry that targets individuals who want to avoid background checks and mass produce untraceable firearms, and Coloradans paying the price. It is important to act aggressively to roll back the astounding proliferation of these weapons in Colorado. This legislation is absolutely necessary to protect Colorado by ensuring that ghost guns do not become an increased source of crime guns in the state, and to guarantee that federal and Colorado laws are not circumvented.

Waiting another year could mean thousands more of these unregulated and unserialized firearms entering communities all over the state. It is past time to act. For these reasons listed above, **Brady strongly encourages this Committee to vote in favor of SB23-279 to save the lives of Coloradans.**

¹⁴ Weis, K. (August 19, 2022). *Amid rise in ghost guns in Colorado ATF makes historic rule changes on gun sales*. CBS News Colorado. <https://www.cbsnews.com/colorado/news/rise-ghost-guns-colorado-atf-historic-rule-changes-gun-sales/>

Carolina Gutierrez, MD, FAAP
Testimony in Support of SB23-279
April 2023

Mr. Chairman and distinguished members of the Committee,

My name is Dr. Carolina Gutierrez. I am writing to speak in favor of bill SB23-279, representing myself as well as the Colorado Chapter of the American Academy of Pediatrics. I work as a primary care provider in one of Denver's most underserved communities. Within this role, I care for patients across the age spectrum. I am also an aunt of four beautiful kids, three of which are school age. I care for kids in my personal and professional life and I am writing to share the concerns my patients and their parents have shared with me, which so closely mirror my own.

One of my favorite parts of my job is talking to kids about their plans for the future during their annual wellness exam. In recent months, that conversation has unfortunately been turning into discussions regarding their development of fears, uncontrolled anxiety and how to best manage these symptoms. I must say that the fears they've shared with me are well-founded. This past year has been an unprecedented year for gun violence in the state of Colorado and for the city of Denver. Teens in Denver experienced back to back shootings in the same high school. I've had more than a dozen conversations with kids within the past couple of weeks about their fears surrounding going to school or losing a friend or loved one.

We must recognize the impact that this constant exposure to stress and trauma is causing on their mental health. A 2018 National Opinions Research Center (NORC) survey of 1058 parents and their 743 teens found that most teens surveyed (57%) fear that a school shooting could happen at their school [1]. I don't have a more recent study to share with you, but I would be willing to bet that if a study were conducted now, those percentages would be higher. Children and their parents have been trying to tell you this – five different high schools in Denver flooded the Capitol in March 23rd to tell you they don't feel safe at school and to ask you for help. They're asking me to help them manage the consequences of this violence in their life in clinic, and I'm writing to ask you to do your best to keep this violence from happening in the first place.

SB23-279 is in the best interest of our community and a step in the right direction towards gun violence prevention. Non-serialized firearms (ghost-guns) can be assembled from kits or printed by a 3D printer; they do not have a serial number to link them to a purchase, and an individual does not need a background check to purchase them [2]. This bill would prohibit these weapons in the state of Colorado but would not immediately penalize individuals who already own them. The bill provides a compliance period so responsible gun owners can get their weapons serialized by a licensed arms dealer. In Colorado, these ghost-guns have been tied to two of our most recent mass shootings – one of the shootings at East High School and the one at Club Q. Weapons in the hands of unregistered civilians unnecessarily endanger our communities and, as I've explained above, have taken a toll in our collective mental health. Please vote in favor of SB23-279

1. Cogan, R., Nickitas, D.M., Mazyck, D. *et al.* School Nurses Share Their Voices, Trauma, and Solutions by Sounding the Alarm on Gun Violence. *Curr Trauma Rep* 5, 178–186 (2019).
<https://doi.org/10.1007/s40719-019-00179-1>
2. Karni, A. (2021, April 9). *Ghost guns: What they are, and why they are an issue now*. The New York Times. Retrieved April 19, 2023, from <https://www.nytimes.com/2021/04/09/us/politics/ghost-guns-explainer.html>
3. Goodland, M. (2023, April 13). *Legislation to ban ghost guns introduced*. KUSA.com. Retrieved April 19, 2023, from <https://www.9news.com/article/news/local/next/next-with-kyle-clark/legislation-to-ban-ghost-guns-introduced-colorado/73-9a47c8cd-f350-494e-8104-83a9bbd9d72f>

**Gun Control Research- Professor Donald Kates and Professor Gary Mauser
Criminals Don't Obey the Laws**

“The people you need to control are not going to obey the gun control laws...and the people you don't need to control, those are the ones who obey. So what you get is...either nothing, or you get worse results with gun control.

Professor Donald B. Kates is co-author of “Would Banning Firearms Reduce Murder and Suicide? A review of International and Some Domestic Evidence” published in the spring of 2007 in the *Harvard Journal of Law and Public Policy*, the most widely distributed law review in the US. Professor Kates served as a professor at Stanford Law School. His co-author, Professor Gary Mauser, served as a Canadian university professor.

The Kates- Mauser study looked at 18 European nations with varying levels of gun ownership. They concluded:

“Whether gun availability is viewed as a cause or as a mere coincidence, the long-term macrocosmic evidence is that gun ownership spread widely throughout societies consistently correlates with stable or declining murder rates. Whether causative or not, the consistent international pattern is that more guns equal less murder and other violent crime.”

Lewin, Marshall, “Would Banning Firearms Reduce Murder and Suicide?” *America's 1st Freedom*, National Rifle Association, Fairfax, Va., August 2007, Page 32.

Firearms Coalition of Colorado PO Box 1454 Englewood, CO 80150-1454

Testimony in opposition to: SB23-279, Unserialized Firearms and Firearm Components

The Firearms Coalition of Colorado

Thank you, Chair and Committee

Name is Robert Edmiston,

I am with the Firearms Coalition of Colorado an NRA- affiliated, all-volunteer, grassroots organization dedicated to the protection of individual rights and public safety.

I am a former U.S. Army Officer and Vocational Rehabilitation Counselor. I have a Master's Degree in Psychology, Counseling and Guidance.

I am here in opposition to the measure under consideration.

There has been a long tradition, since the founding of the United States of America regarding the creation of firearms for personal use. The measure in question prohibits in the section referenced below, the manufacture of an unserialized firearm.

TO SUBSECTION (7) OF THIS SECTION. 2 (5) (a) (I) A PERSON SHALL NOT MANUFACTURE OR CAUSE TO BE 3 MANUFACTURED, INCLUDING THROUGH THE USE OF A THREE-DIMENSIONAL 4 PRINTER, A FIREARM, OR FRAME OR RECEIVER OF A FIREARM. 5 (II) THIS SUBSECTION (5)(a) DOES NOT APPLY TO A FEDERALLY 6 LICENSED FIREARM MANUFACTURER.

Given the Constitutional test for historically relevant precedents established in the *Bruen* Decision, this provision of the bill would appear to fail judicial review on its face.

We believe the measure will be ineffective in its apparent intended purpose of preventing the acquisition of so-call "Ghost Guns" by criminals, since criminals, by nature are not going to obey the law. (Please see the attached handout by Kates and Mauser.)

The Canadian Government gave up its very expensive attempt to maintain a registry of long guns, since research on the effectiveness of the effort indicated that the extensive record keeping had not resulted in the solution of a single criminal case. We believe the measure will be impossible to enforce and will place an unreasonable burden on the honest citizens of Colorado.

We urge a "No" vote on this bill.

Thank you.

Robert Edmiston
Volunteer Lobbyist
The Firearms Coalition of Colorado