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**Attorney General Phil Weiser**  
**Testimony on House Bill 21-1255**  
**Before the Committee on the Judiciary,**  
**Colorado House of Representatives**  
**- April 13, 2021 -**

Members of the Committee, thank you for allowing me to join you today to express my strong support for House Bill 21-1255. I am very grateful for the sponsors—Representatives Duran and Gray, as well as Senators Jaquez Lewis and Pettersen—for their leadership on this important bill. And thank you as well to the proponents of this legislation, including Violence Free Colorado, for their work to stem the tide of violence within intimate relationships and protecting survivors.

Domestic violence (“DV”), also known as intimate partner violence, remains a threat and an affliction that we must curtail—and ultimately eradicate—here in Colorado. Domestic violence takes many forms, often including physical, psychological, or sexual abuse and trauma.

As chair of Colorado’s Domestic Violence Fatality Review Board (“Review Board”), I oversee our work demonstrating how intimate partner violence can escalate and end in death. The Review Board found that in 2019, Colorado had at least 60 incidents where domestic violence resulted in a fatality. Of those 60 incidents, 70 people lost their lives.<sup>1</sup> Of the 70 people who died, the plurality (27, or 38.5%) were women killed by a current or former male partner, followed by men who died by suicide during DV incidents (16, or 22.8%).<sup>2</sup> These deaths have enduring ripple effects, especially for children who lose parents through DV incidents (and sometimes witness their parents’ deaths first-hand).

Limiting access to firearms for individuals subject to DV-related protection orders is a commonsense health and safety measure. In 2019 in Colorado, for example, gunshot wounds accounted for nearly two-thirds of DV deaths.<sup>3</sup> National

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<sup>1</sup> Colorado Domestic Violence Fatality Review Board, 2020 Annual Report p.4, <https://coag.gov/app/uploads/2020/12/CDVFRB-2020-Annual-Report.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 19.

studies have found that firearms are involved in approximately 50-60% of fatal DV-related incidents.<sup>4</sup> In fact, research shows that DV perpetrators with access to firearms are 5 to 8 times more likely to kill their victims than those without firearms.<sup>5</sup> In short, requiring individuals subject to DV-related protection orders to relinquish their firearms can help save lives.

In 2013, the General Assembly wisely moved to protect the safety of survivors of domestic violence by passing Senate Bill 13-197. That bill required some domestic violence offenders who are subject to a protection order stemming from an act of domestic or intimate partner violence to relinquish their firearms and refrain from possessing or purchasing firearms for the duration of the order. In the intervening years, however, stakeholders identified aspects of the law ripe for clarification. By clarifying various aspects of the process, this bill takes important steps to help ensure the relinquishment process is fair, straightforward, and reduces the risk of intimate partner violence using firearms. Let me briefly mention a few key examples.

First, this bill clarifies and strengthens important aspects of the relinquishment process itself. The relinquishment process should be easy to understand, easy for courts and law enforcement to implement, and easy for respondents and defendants to navigate. By clarifying how and when respondents and defendants must act to comply with the relinquishment requirement, and by specifying the courts' role in monitoring for compliance, this bill takes important steps to ensure that the relinquishment process works as intended.

Second, by clarifying that the duty to relinquish firearms following a protective order applies not only to current and former spouses and cohabitants, but also to current and former unmarried couples, the bill closes the so-called "boyfriend loophole." This commonsense reform extends the protections in current law to cover all intimate partners subject to domestic violence protection orders, regardless of marital status.

Third, the bill prohibits respondents and defendants subject to the relinquishment requirement from transferring firearms to a private party living in the same residence as the respondent or defendant. This provision is consistent with the core purpose of the relinquishment requirement—keeping firearms out the hands of domestic abusers who are subject to a protection order.

Together, these and other provisions of House Bill 21-1255 are thoughtful improvements to the current relinquishment process. And I strongly urge the Committee's approval of this bill.

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<sup>4</sup> *Id.* at 4.

<sup>5</sup> *Id.* at 8.

Members of the Committee, thank you for the opportunity to speak to you today. I am pleased to answer any questions you may have.