

THE RIGHT TO SELF DEFENSE

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND FEDERAL
GOVERNMENT SURVEILLANCE

OF THE

COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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THE RIGHT TO SELF DEFENSE

Tuesday, March 4, 2025

HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE

COMMITTEE ON THE JUDICIARY

Washington, DC

The Subcommittee met, pursuant to notice, at 10:06 a.m., in Room 2141, Rayburn House Office Building, the Hon. Andy Biggs [Chair of the Subcommittee] presiding.

Present: Representatives Biggs, Tiffany, Nehls, Moore, Kiley, Lee, Knott, McBath, Moskowitz, Goldman, and Swalwell.

Also present: Representative Raskin.

Mr. BIGGS. The Subcommittee will come to order.

Without objection, the Chair is authorized to declare a recess at any time. I welcome all of you to this hearing today, which the topic is the Right to Self-Defense.

I now recognize the gentleman from Wisconsin, Mr. Tiffany, to lead us in the pledge of allegiance.

ALL. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. BIGGS. I thank the gentleman.

Now, I will recognize myself for an opening statement.

Again, thank you everyone who is here today. I am pleased to Chair the hearing we have before us focusing on the Second Amendment and the right to self-defense. The Second Amendment protects our rights to keep and bear arms, which includes both firearms and knives.

The Supreme Court's landmark decision in *New York State Rifle & Pistol Association, Inc. v. Bruen* held that the Second Amendment protects the right to carry a handgun for self-defense outside the home, not just inside the home as the court held in *Heller*.

At a time when violent crime continues to plague our communities and rogue prosecutors allow criminals back out on the streets, now more than ever it is important to preserve our right to defend ourselves and our loved ones. It's disgraceful to think someone protecting their family from deadly attack could be punished for defending their family.

Unfortunately, my colleagues across the aisle do not share the same views. Instead of passing legislation to keep criminals off the

streets, former President Joe Biden's ATF sought to achieve far-Left policy outcomes through Federal agency rulemaking.

Former President Biden's ATF promulgated various rules to regulate pistol braces and the frames and receivers on firearms, or so-called ghost guns. Former President Biden's ATF also issued a rule to create several presumptions about when an individual is defined as a dealer in firearms and needs to be licensed as a Federal firearms licensee. Instead of continuing the longstanding relationships with FFLs, which serve as the first line of defense against criminals, the Biden ATF actually treated FFLs like they were the criminals. These efforts targeted lawful firearm owners and did nothing to prevent actual criminals from committing violent crimes.

My colleagues across the aisle fail to realize how more gun control only harms and impacts on the vulnerable populations they claim they want to protect. Thankfully, under this new administration, firearms owners and firearms businesses alike can breathe a sigh of relief.

The right to self-defense is a cornerstone in our country. Despite what the mainstream media may like you to believe, 38 States have Stand Your Ground laws compared to a duty to retreat. However, the current landscape of firearm laws across the country surrounding when and where you carry a firearm are often complex and difficult to navigate. To think that a person lawfully owning and carrying a firearm in one State becomes a criminal as soon as they cross into another is completely absurd. Some things need to change.

The same confusing landscape of complex criminal laws exists for carrying a knife across State lines. My bill, the Knife Owners' Protection Act, would protect the right of law-abiding citizens to transport knives interstate notwithstanding the burden and patchwork of State and local prohibitions. I look forward to marking up the Knife Owners' Protection Act in this Committee. Our Committee will continue to stand with FFLs, firearms and knife owners, and any law-abiding citizen who refuses to become a victim.

This week, the two Ranking Members sent a letter to the Attorney General asking her to refrain from repealing the ATF's unconstitutional regulations. In that letter, they cited a misleading statistic that I'd like to take the time to clarify. They said, quote,

Today, there are more gun dealers than there are locations of Starbucks, McDonalds, Dunkin' Donuts, Burger King, Subway, and Chick-fil-A combined.

They justify this statement by citing to a report on the number of active firearm licenses.

However, the Ranking Members mistakenly equate one firearm license to one firearm dealer, as if a single FFL has a retail outlet. In fact, there are only about 25,000 physical addresses for firearms dealers in this country. A single firearms dealer can hold multiple licenses, and someone can have a license without actually being a firearms dealer. That is the fact.

At this time, I am going to yield back and recognize the Ranking Member, Ms. McBath, for her opening statement.

Ms. MCBATH. Thank you, Chair. I appreciate it.

Good morning and thank you to all our witnesses that are joining us this morning.

Every single day more than 110 Americans die from gun violence and more than 110 families have to confront their worst fear, that they have lost a person who means absolutely everything to them. I came to Congress because one of those families was my family.

In November 2012, I got the call that no parent should ever have to face, that my son had been taken by gun violence. My son Jordan would now have just celebrated his 30th birthday. Every day I think about the life that he should be living, and I think about the millions of Americans' lives that are lost or changed by preventable gun violence. I know that I am not alone.

For decades, survivors and those who aspire to a safer tomorrow have been working together to bring an end to gun violence. In June 2022, after more mass shootings in Uvalde and Buffalo, we passed the Bipartisan Safer Communities Act, the first comprehensive gun violence prevention bill in nearly 30 years.

For the past 2½ years, the Bipartisan Safer Communities Act has kept guns out of the hands of dangerous people, like gun traffickers and domestic abusers. It has invested in improving mental health resources, both in our local schools and throughout all our communities. It has supported State and local efforts to reduce gun violence, including funding State crisis intervention programs.

Since the passage of the Bipartisan Safer Communities Act, there have been 3,500 fewer murders. That's more than 3,000 families who have never had to receive that devastating news that would change their lives forever. Those are families with a son or daughter who did come home from school, with a mom who did make it back from running an errand or attending a prayer service, or with a dad who did come home after working the late shift. In just two years, there are more than 3,000 families who didn't have to face the pain of losing a loved one to murder, the two largest single year decreases in murder ever recorded. We have the ability to keep this momentum going.

It's not just reducing murder. The Bipartisan Safer Communities Act has helped bring violent crime down to an almost 50-year low without infringing on the Constitutional rights of a single responsible gun owner or gun seller.

Given this incredible progress, it is no wonder that law enforcement supports the work that we have done and the improvements that continue to be made because of this historic law.

In 2023, the National Sheriffs' Association called on Congress to appropriate \$200 million for the Community Violence Intervention and Prevention Initiative, a program that we doubled in size by passing the Bipartisan Safer Communities Act.

As the sheriffs' letter explains, this funding supports law enforcement mentorship, life skills, and vocational training programs. This work is making all of us safer and changing lives for the better, bridging gaps and encouraging trust between law enforcement and the communities that they serve.

Similarly, last year we received a letter from Police Leaders for Community Safety in support of a provision of the Bipartisan Safer Communities Act that requires those who sell guns predominantly to earn a profit to obtain a license and conduct background checks.

Police Leaders for Community Safety explain that this provision prevents felons and other prohibited purchasers from evading background checks and enhances public safety.

We know that we're still losing far too many lives to gun violence, violent crime, and suicide, but the solution is clear. We must continue the progress of the Bipartisan Safer Communities Act, and we must build on it.

Our colleagues want to take us back to a time where there were more guns in our communities that might end up in the hands of people who simply should not have them, but we know what is at stake and that is American lives.

At the end of a long day, we all just want our loved ones to come home safely, so that our husbands or wives will walk through the door, whether they work in an office, a school, a hospital, or a police precinct. We want to tuck our children into bed each and every single night. We want our moms, our dads, and our best friends to be kept safe from harm and able to speak to us on the other line of a telephone.

The Bipartisan Safer Communities Act is making sure more people share these important moments together and that fewer families face the heartbreak when those moments abruptly stop. I once again call on my colleagues to stand with us in working together to end unnecessary gun violence.

Before I yield back, I ask unanimous consent to submit into the record a letter from the National Sheriffs' Association in support of community violence intervention funding.

Mr. BIGGS. Without objection.

Ms. MCBATH. Also, a letter from the Police Leaders for Community Safety in support of the engaged in business provision of the Bipartisan Safer Communities Act.

Mr. BIGGS. Without objection.

Ms. MCBATH. Thank you, and I yield back.

Mr. BIGGS. The gentlelady yields. The Chair now recognizes the Ranking Member for the entire Committee, Mr. Raskin, for his opening statement.

Mr. RASKIN. Thank you kindly, Mr. Chair. Just on that interesting point you raised at the beginning, I think we stand by our math. There are more than 50,000 gun-dealer licensees in America, more than 6,000 pawnbroker licensees, and more than 20,000 manufacturer licensees, who each have the right to directly sell from their unique physical locations. That does add up to more than the various fast-food outlets and so on that we identified. We'll submit for the record the exact arithmetic. I'm glad that you at least implicitly seem to agree that, if true, this is a shocking statistic that there are that many gun violence dealers in the country.

In 2022, shocking levels of gun violence caused Congress to come together after decades of inaction to pass the first major piece of gun safety legislation in 28 years.

Ever since President Biden signed the Bipartisan Safer Communities Act into law and with the efforts of the ATF, we've made substantial gains in reversing the gun violence epidemic.

We ended 2024 with a 25 percent drop in nationwide homicides compared to 2022. Of course, firearms are involved in more than 80 percent of murders in the country. According to the Office of

Gun Violence Prevention's one-year progress report, in September of last year more than 600 defendants had been charged under our new gun trafficking and straw purchasing laws and 900 firearm transfers to people under the age of 21 were prevented by enhanced background checks.

The key point is that this law and other Biden Administration regulations saved thousands of lives, contributing to 3,500 fewer murders between 2023–2024, without ever once infringing on the Second Amendment.

We know this because the Supreme Court never invalidated any part of the Bipartisan Safer Communities Act or any other Biden Administration gun safety rule as a violation of the Second Amendment. On the contrary, they've all been deemed to be Constitutional.

Yet, our colleagues continue to insist that commonsense gun safety laws of this type violate the Second Amendment. The Second Amendment doesn't protect the right of access to a firearm without a violent criminal background check or the right to purchase machine guns or military-style assault weapons.

The Supreme Court, including in the *District of Columbia v. Heller* decision, has repeatedly stated that reasonable regulations of firearms to protect public safety are consistent with the Second Amendment. Our colleagues want to preempt State and local law and force Americans to accept more dangerous weapons in their community, all under the guise of protecting the Second Amendment.

I challenge my colleagues to explain how any of the Biden Administration reforms actually violate the Second Amendment, because no court ever said they did. The problem is that some of our colleagues have completely deformed and misstated what the Second Amendment stands for. Their now-infamous insurrectionist theory says that the Second Amendment gives you the right to overthrow the government.

Our former colleague, Matt Gaetz, said the Second Amendment, quote,

Is about maintaining within the citizenry the ability to maintain an armed rebellion against the government if that becomes necessary.

This purported right to overthrow the government means that the people must enjoy access to munitions equivalent to that of the arsenal possessed by the government. As my friend, Representative Chip Roy, says, the Second Amendment was, quote,

... designed purposefully to empower the people to resist the force of tyranny used against them.

My friend Lauren Boebert says that the Second Amendment, quote,

... has nothing to do with hunting unless you're talking about hunting tyrants maybe.

Despite all this pseudo-revolutionary rhetoric about how the Constitution provides a right of civil insurrection, the actual Constitution in a half dozen different places treats insurrection and rebellion not as protected rights but as serious and dangerous offenses against our government and against our people. Article I gives Congress the power to call forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

The Republican Guarantee Clause in Article IV tells the U.S. to guarantee a Republican form of government to the States and protect them, quote, “against domestic violence.” These provisions followed Shays’ rebellion, an armed uprising in Massachusetts in the 1780s, which the Founders strongly condemned, and which influenced the writing of the Constitution.

The Constitution thoroughly rejects the Right-wing fantasy that random bands of disgruntled citizens can claim the powers of a militia to commit violent acts against the police. Article I, section 8, clause 16 reserves, quote,

To the States respectively the appointment of the officers and the authority of training the militia, according to the discipline prescribed by Congress.

This intergovernmental cooperation is how we come to have what the Second Amendment calls for in its first clause, a well-regulated militia. This means well-regulated by the government, as the Supreme Court has repeatedly said. The Proud Boys and Oath Keepers are not a militia. A private militia is a contradiction in terms.

In 1886, the Supreme Court upheld a State law criminalizing private paramilitary groups, and every State in the Union today bans private militias. A militia is not the reserve power of the people to attack the government. On the contrary, it is the instrument by which the Federal and State governments can suppress violent insurrections against the government.

Now, today, when I point out these problems with their theory to my distinguished colleagues, they generally fall back on two responses. One is they will quote Patrick Henry, who said, “Give me liberty or give me death,” which is great because that was a great bumper sticker in the 18th century. Patrick Henry was an anti-Federalist who opposed the ratification of the Constitution, so that’s like quoting speeches by Jefferson Davis to settle the meaning of the 14th Amendment.

They also invoke, more plausibly, the American Revolution and the Declaration of Independence for the idea that after a long train of abuses and usurpations, an aggrieved people have the right to alter or abolish the bonds holding them to a tyrannical government.

Now, that’s true, of course, but it’s irrelevant because the revolutionaries undoubtedly asserted their right not as a right under the British Constitution or the Magna Carta, but as a matter of natural right to overthrow a tyrannical government. That’s very different from saying the Constitution itself guarantees the right to have the means to overthrow the government.

If you think that the 2020 Presidential election, for example, which Joe Biden won by more than seven million votes, 306–232, is an exercise of tyranny akin to King George’s tyranny against the colonists, by all means, you can come down and beat up our police officers and try to overthrow the government. If we catch you and we stop you, we will prosecute you under the full force of the law and put you in jail, at least until the next President decides to pardon the people who have done that.

Look, this fraudulent Constitutional philosophy of insurrectionism is exacting a brutal toll on the American people and our social contract by blockading perfectly reasonable and Constitutional gun safety measures that are saving lives in America. The

whole purpose of the social contract is to make ourselves safer than we would be in a lawless State of nature, which Hobbes described as a State of war.

Yet, the insurrectionist caucus has brought us gruesome episodes of high-tech military-style violence everywhere in America, from Walmarts to grocery stores to elementary school classrooms. It's time to reassert the real primacy of the Constitution and its real meaning.

Thank you. I yield back to you, Mr. Chair.

Mr. BIGGS. Thank you. I didn't know you were going to make it to the yield part. Thank you, Mr. Raskin.

I would just—since you invoked me directly, I'll respond directly. You said implicitly in my statement was that I was shocked at the number of retail gun dealers. I am not shocked by that. It is a legal enterprise.

I still question the data that you have. I would refer to you a couple things. Just *VanDerStok v. Garland*, a Fifth Circuit case, as well as *Heller*, *McDonald*, and *Bruen*, which contradict—you were essentially arguing as to *Heller*.

So, with that, since you invoked my name directly, I feel I had the right to respond.

Mr. RASKIN. Why would you bother to contradict the data if you're proud of that fact?

Mr. BIGGS. So, now what we're going to do is we're going to swear in the witnesses.

I would just say this too: Without objection, all the opening statements will be included in the record.

Now, we'll introduce today's witnesses before we swear them in.

Mr. Doug Ritter is the Founder and Chair of Knife Rights, a non-profit organization that advocates on behalf of knife owners. Formed in 2006, Knife Rights advocates at the Federal, State, and local levels and engages in litigations that challenge unduly restrictive laws pertaining to the possession and ownership of knives.

Ms. Dianna Muller is the founder of Women for Gun Rights, a nonprofit organization that advocates for gun rights, education, firearm safety, and violence prevention. She's a retired police officer, having served 22 years with the Tulsa, Oklahoma, Police Department.

Mr. Dave McDermott is the founding partner of the McDermott Law Group, a firm that specializes in criminal defense and personal injury cases. He's litigated criminal justice cases for more than 27 years and specializes in self-defense cases.

Mr. Gregory Jackson is the former Deputy Director of the White House Office of Gun Violence Prevention. He's a community organizer, advocate, and campaign strategist.

We welcome all of you today. We appreciate your time coming and sharing your expertise with us, and we look forward to hearing from you today.

We're now going to ask you to be sworn in, so if you'd please stand and raise your right hand.

Do you, each of you, swear or affirm under penalty of perjury that the testimony you are about to give is true and correct, to the best of your knowledge, information, and belief, so help you God.

Mr. BIGGS. Thank you. You may be seated.

The record will reflect that the witnesses have answered in the affirmative.

I want you to know that your written testimony will be entered into the record in its entirety. Accordingly, we ask you to summarize your testimony in five minutes. What that means is, about 15 seconds before I'll just give a couple of raps so you know that it's time to wrap it up. Then once you get to five minutes, I'll hit it a little harder, so you know that you're approaching filibuster territory. Then at some point I'll just have to interrupt. I'll try not to interrupt because we do want to hear what you have to say.

Our first witness today, who's going to testify is Mr. Ritter. You may begin.

STATEMENT OF DOUG RITTER

Mr. RITTER. Chair Biggs, Ranking Member McBath, and the Members of the Committee, thank you for inviting me to testify about the Knife Owners' Protection Act, or KOPA. This bill is commonsense criminal justice reform that would protect law-abiding knife owners when they are traveling throughout the U.S., despite whether they are traveling through States or localities with restrictive knife laws.

Please indulge me for a moment for a hypothetical. Imagine a chef is driving across the U.S. to cook at guest appearances, perhaps from or in your own districts. The chef has numerous knives in his vehicle that many may exceed some arbitrary local-length limitations.

Now, imagine the chef is stopped by the police for, I don't know, a broken taillight, and the police officer asks, do you have any weapons in the vehicle? The chef, being the responsible citizen that he is, discloses that although he doesn't consider them weapons, he has knives in his vehicle.

This simple scenario could result in the chef being arrested and charged. It could result in severe consequences for the chef and, in turn, for his family. KOPA would protect our chef from unnecessary encounters with the police, which too often end in tragedy.

This bill is the right policy for everyone. It levels the playing field for all. This bill is—this is why knife law reform measures have received bipartisan support in many States. Under KOPA, if possession of the knife is legal where the journey starts and ends and the knife is locked up in accordance with KOPA, a knife owner would no longer be threatened with arrest simply for traveling from one place to another, even if they have to pass through a jurisdiction where the knife is illegal.

Currently, those who travel across the country with knives for work and recreation are subject to arrest and prosecution under a very confusing patchwork of inconsistent State and local laws and regulations. What is perfectly legal in one place may be a serious crime just over the border of that jurisdiction and can carry significant penalties, including jail time. Moreover, enforcement is not uniform even within jurisdictions.

In response to this problem, over the past 16 years, 51 criminal justice reform bills have been enacted in 32 States to repeal bans on various knives that are possessed for work and recreation, and most have had bipartisan support. In fact, the knife reform legisla-

tion has been passed in seven of the ten States represented on this Committee, five of them with bipartisan support: Georgia, New York, Tennessee, Texas, and Wisconsin.

Other States already do not ban knives of any sort, yet some States and many other localities still have knife bans on the books. Virtually all the existing knife bans were instituted against a background of racial bias after the Civil War in the late 1950s.

We also know all too well that minorities and the economically disadvantaged are too often inappropriately stopped by law enforcement, sometimes with tragic consequences. This bill simply ensures that owners with their knives locked up in accordance with this proposed law are protected and not subject to unjust prosecution for possessing a knife that is legal in the vast majority of the States.

Knives are one of humankind's oldest tools possessed and carried by hundreds of millions. They are carried daily by law-abiding laborers, truck drivers, campers, hikers, sportsmen and sportswomen, and many others as they travel this great Nation.

KOPA with simply providing safe harbor to someone traveling with knives where it is lawful for the knives to be possessed at both points of origin and destination so long as the knives are transported in accordance with the specific requirements that keep them inaccessible during the intervening travel. These knives will not be a threat to anyone since they are required to be locked up.

This bill cannot be used to protect bad actors. If someone transports a knife with the intent to commit an offense that is punishable by imprisonment for more than 1 year, that person cannot be protected by this law. Also, KOPA does not override TSA regulations.

I strongly urge everyone on this Committee, Republican and Democrat alike, to support KOPA. This is not a partisan bill. It is a balanced solution to the difficult patchwork of knife laws throughout the United States. KOPA is a criminal justice reform bill that protects innocent knife owners while ensuring bad actors are not shielded.

I look forward to answering any questions the Committee may have.

[The prepared statement of Mr. Ritter follows:]

**Testimony of Doug Ritter, Chairman, Knife Rights
for the Hearing on
Knife Owners' Protection Act of 2025 (H.R. 60)
Before the Subcommittee on
Crime and Federal Government Surveillance
United States House of Representatives
March 4, 2025**

Chairman Biggs, Ranking Member McBath, and members of the committee, thank you for inviting me to testify about the Knife Owners' Protection Act or "KOPA". This bill is a commonsense criminal justice reform solution that would protect law-abiding knife owners when they are traveling throughout the U.S., despite whether they are traveling in or through states or localities with restrictive knife laws.

Please indulge me for a moment with a hypothetical. Imagine a chef is driving across the US to cook at guest appearances, perhaps in your own districts. This chef has numerous knives in their vehicle; many of them may exceed some arbitrary local length limitation. Now imagine this chef is stopped by the police for a broken taillight and the police officer asks, "Do you have any weapons in the vehicle?" The chef, being the responsible citizen that he is, discloses that although he doesn't really consider them weapons, he has knives in his vehicle. This simple scenario could result in the chef being arrested and charged. It could result in severe consequences for the chef and, in turn, for his family.

KOPA would protect our chef from unnecessary encounters with the police, which too often end in tragedy. This bill is the right policy for everyone. It levels the playing field for everyone, which is why knife law reform measures have received bipartisan support in many states. Under KOPA, if possession of the knife is legal where the journey starts and ends and the knife is locked-up in accordance with KOPA, a knife owner would no longer be threatened with arrest simply for traveling from one place to another, even if they have to pass through a jurisdiction where the knife is illegal.

Currently, those who travel across the country with knives for work and recreation are subject to arrest and prosecution under a confusing patchwork of inconsistent state and local laws and regulations. What is perfectly legal in one place may be a serious crime just over the border of that jurisdiction, and can carry significant penalties, including jail time. Moreover, enforcement is not uniform even within jurisdictions.

Over the past 16 years, 51 criminal justice reform bills have been enacted in 32 states to repeal bans on various knives that are possessed for work and recreation, and most have had bipartisan support. In fact, knife reform legislation has been passed in 7 of the 10 states represented on this committee, 5 of them with bipartisan support--Georgia, New York, Tennessee, Texas and Wisconsin. Other states already do not ban knives of any sort. Yet, some states and many other localities still have knife bans on the books.

Virtually all of the still-existing knife bans were instituted against a background of racial bias after the Civil War¹ and in the late 1950s.² We also know all too well that minorities and the economically-disadvantaged are too often inappropriately stopped by law enforcement, sometimes with tragic outcomes.³ This bill simply ensures that knife owners with their knives locked up in accordance with this proposed law are protected and not subject to unjust prosecution for possessing a knife that is legal in the vast majority of the U.S.

Knives are one of humankind's oldest tools possessed and carried by hundreds of millions.⁴ They are carried daily by law-abiding laborers, truck drivers, campers, hikers, sportsmen and -women and many others as they travel this great nation.⁵ KOPA does NOT change state and local law. KOPA would simply provide safe harbor to someone traveling with knives where it is lawful for the knives to be possessed at both the points of origin and destination, **so long as the knives are transported in accordance with specific requirements that keep them inaccessible during the intervening travel.** These knives will not be a threat to anyone since they are required to be locked up.

Also, this bill cannot be used to protect bad actors. It expressly states that if someone transports a knife with the intent to commit an offense that is punishable by imprisonment for more than one year, that person cannot be protected by this proposed law, in common with numerous other statutes. However, the way this bill is written, it ensures that this criminal exception in KOPA is not abused by authorities in the case of someone being stopped for a minor offense, such as a traffic ticket or the like.

This is not a theoretical problem, but a real one. By way of example, one of the most frequently travelled places in the U.S., New York City, had been for over a decade preceding 2019 targeting possession of the most common types of folding knives. They arrested and prosecuted what is conservatively estimated to be 70,000 law-abiding knife owners for possession of one-hand opening folding knives representing in excess of 80% of the pocket knives sold in the U.S. today.⁶ In some instances, they were simply driving, stopped for a traffic violation and a knife found in the glovebox or trunk. Many were from outside NYC. Each was booked into jail and underwent the considerable expense (upwards of \$10,000, in some cases even more) and travails of defending themselves. Many were convicted for nothing more than carrying a common tool in their pocket.

¹ Kopel, David B. and Greenlee, Joseph S. "The History of Bans on Types of Arms Before 1900," Notre Dame Law School Journal of Legislation, Vol. 50 no. 2 (2024), pp. 370-372, <https://scholarship.law.nd.edu/jleg/vol50/iss2/3/>.

² Kopel, David B.; Cramer Clayton E.; and Olson, Joseph Edward. "Knives and the Second Amendment," University of Michigan Journal of Law Reform, Vol. 47 no. 1 (2013), p. 176, <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=10278&context=mjlr>.

³ "Killing of Freddie Gray." Wikipedia, Wikimedia Foundation, 23 February 2025, Freddie Gray https://en.wikipedia.org/wiki/Killing_of_Freddie_Gray

⁴ "Sporting Knives and Tools in America: Essential to Daily Life." American Tools and Knife Institute, <https://www.akti.org/wp-content/uploads/Akti-KnifeUserData.pdf>, Accessed 26 Feb 2025.

⁵ *Id.*

⁶ *Id.*

Virtually anyone with a prior conviction for even a minor misdemeanor in their distant past had charges upgraded and were prosecuted for felonies and some were sent to prison.⁷

In an action that has disturbing familiarity for sportsmen and women, an individual traveling via Kennedy Airport in New York, changing planes enroute to an overseas destination, with a number of expensive custom knives in checked baggage was arrested, and the knives he had in his baggage were seized by Port of NY/NJ law enforcement. The knives were perfectly legal at their point of departure and at the destination to where he was ultimately traveling, as is often the case with sportsmen and women traveling overseas to hunt with their firearms. Unfortunately, this cost the unfortunate victim thousands of dollars to defend, to say nothing of the value of the knives seized, which was approximately \$15,000.

The persecution of honest, law-abiding citizens for carrying common knives is not just a localized occurrence in New York. Similar arrests and prosecutions have occurred in Colorado, Michigan, New Jersey, and New Mexico, to name a few. With knife law preemption the law in only nineteen states, anyone travelling through not just a state but also local jurisdictions that have knife bans or restrictions, may subject the knife owner to arrest and prosecution. The peril is real. Simply crossing a city or county line is all it can take. Worse, depending upon the political environment at any particular time and place, it can occur without warning, notwithstanding Knife Rights' successful efforts to repeal such bans and restrictions in many states.

To illustrate how confusing and complex travel with knives can be, consider that 46 states allow civilian possession of switchblades (automatically opening knives) to varying degrees, with no restrictions whatsoever in 32 states and, with some limitations, they are legal to open carry in 38.⁸ However, in many other states possession is a serious crime. In a number of states, automatic knives are legal for use while hunting or fishing, but are otherwise restricted, while neighboring states have no restrictions whatsoever.⁹

Just four states have laws similar to the fifth exemption to the Federal Switchblade Act passed by Congress in 2009 to protect one-hand opening and assisting opening pocket knives; in many other states the legality of one-hand-opening and assisted-opening knives, the most popular knives in America, is subject to widely varying interpretation,¹⁰ as we have witnessed in New York City.¹¹ In Baltimore, Freddie Gray was arrested, and then tragically died in custody, for possession of a knife that was undoubtedly legal under Maryland law and arguably in Baltimore as well.¹²

⁷ "Warning: New York City Knife Law & Administration Code." Knife Rights, March 30, 2019 <https://kniferights.org/wp-content/uploads/Legal-Aid-Memo-NYC-Gravity-Knives.pdf>, Accessed 26 Feb 2025.

⁸ "Knife Rights is Rewriting Knife Law in America: Civilian Switchblade Legal States as of January 1, 2025." Knife Rights, January 1, 2025, https://kniferights.org/wp-content/uploads/switchblade_states.pdf, Accessed 26 Feb 2025.

⁹ *Id.*

¹⁰ *Legal Blade*, Knife Rights 3.0 Apple App Store or Google Play, Accessed 28 Feb 2025.

¹¹ Campbell, Jon. "How a 50's Era New York Knife Law Has Landed Thousands in Jail." *The Village Voice*, 7 Oct 2014, <https://www.villagevoice.com/how-a-50s-era-new-york-knife-law-has-landed-thousands-in-jail/>, Accessed 28 Feb 2025.

¹² "Killing of Freddie Gray." *supra* note 3.

While some states have permissive or relatively permissive knife laws, only 19 states have a Knife Preemption Law so far -- Alaska, Arizona, Georgia, Idaho, Iowa, Kansas, Louisiana, Montana, Nebraska, New Hampshire, Ohio, Oklahoma, Tennessee, Texas, Utah, West Virginia and Wisconsin, all enacted since 2010, plus New Mexico and Wyoming, which had existing preemption via their Constitution.¹³ So, even where state law is permissive, local governments within those states without preemption can still enact their own stricter regulations, and many do so.

The national patchwork of knife laws is complex, confusing, and is in constant flux. Law-abiding travelers with knives are presently at the mercy of these ever-changing laws and regulations, making it virtually impossible for any citizen to be fully cognizant of the knife laws in all the places they travel. These travelers need KOPA to protect them.

The solution that is provided by KOPA is not novel but is based on existing legislative precedent. The current situation with knives is similar to the circumstances with guns that existed prior to the passage of the Firearm Owners' Protection Act, 18 USC 926A ("FOPA") in 1986, when Congress acted to protect law-abiding gun owners. It was the intent of congress to protect firearm owners from a similar inconsistent patchwork of laws by insulating their travels as long as firearms possession was lawful at both the origination and destination points of travel. Unfortunately, FOPA provides no protections to knife owners; so they are completely unprotected from the same perils. A sportsman or woman travelling with both firearms and knives who follows FOPA's requirements to the letter and also locks up his knives in an abundance of caution, could be insulated against prosecution for firearms possession, yet be arrested and prosecuted for knife possession.

Regrettably, over the intervening years, the Second and Third Federal District Courts have punched a number of holes in FOPA, lessening the protections that Congress intended.¹⁴ KOPA intends to provide the same protection for knives that was originally intended in FOPA for firearms but makes sure to address known vulnerabilities in FOPA, which have been used by courts to circumvent the law by unjustly subjecting travelers to local laws in some jurisdictions. The provisions in KOPA would help prevent prosecutions and convictions in the jurisdictions that present the biggest dangers to knife carriers by preventing circumvention of Congress' intent.

Most importantly, KOPA provides for a private right of action. A private right of action that would normally be available under 42 U.S.C 1983 is not guaranteed from a KOPA violation, particularly in the case of those jurisdictions most likely to abuse the law, including New York and New Jersey. The U.S. Court of Appeals for the Second Circuit held in a binding decision, *Torraco v. Port Authority*, that FOPA, the law which KOPA mirrors

¹³ "About Statewide Knife Preemption." American Tools and Knife Institute, <https://www.akti.org/legislation/about-knife-preemption/>, Accessed 26 Feb 2025.

¹⁴ United States Court of Appeals for the Third Circuit, *Revell v. Port Authority of NY and NJ*, 598 F.3d 128 (3d Cir. 2010); United States Court of Appeals for the Third Circuit, *Association of NJ Rifle v. Port Authority of NY*, 730 F.3d 252 (3d Cir. 2013); United States Court of Appeals Second Circuit, *Torraco v. Port Authority of NY and NJ*, 615 F.3d 129 (2d Cir. 2010).

in many respects, does not give rise to a private cause of action under 42 U.S.C 1983. Given these courts' animus towards weapons and freedom in general, there's no reason to expect them to treat knives any differently. Moreover, in New Jersey, alone among all the states, ALL state knife law violations are FELONIES!

KOPA includes a private right of action to defend those who travel under its protection, providing for penalties for law enforcement, prosecutors and others who ignore the protections provided. Similar to the protections and penalties generally provided in USC 1983 to those whose civil rights are violated, an improperly arrested knife owner could be compensated for the expense of defending themselves from an unwarranted violation of the rights intended to be protected in KOPA.

Without a right of action, there is no true deterrent against rogue states and localities who disregard the intent of Congress to protect these travels. Acting with impunity, without fear of any meaningful recourse from victims, these jurisdictions will further persecute citizens who attempt to defend themselves from illegal, unjust or misguided enforcement actions.

Should a lawful traveler have to risk bankruptcy to defend against an illegal arrest and prosecution? Many citizens will be forced to simply capitulate or take an unwarranted plea deal given the extraordinary expense involved in mounting a defense, typically far from home. In some cases, these violations of justice will have lasting adverse impact on their lives and the lives of their family. The private right of action in KOPA is essential. Without it, the new law would hardly be worth the paper it was printed on in the states where its protection is most needed.

Were there no private right of action included in KOPA, it could actually put many knife owners at greater risk of prosecution, financial jeopardy or ruin and loss of civil rights because they might well believe themselves protected. However, without a right of action, they actually would be vulnerable. This is particularly the case in states and cities with very restrictive knife laws where they are currently wary of breaking the law but may think they can safely transport their knives after the passage of KOPA. KOPA without a private right of action would provide knife owners with a false sense of security that could trap the unwary.

To take advantage of the protections in KOPA, the knife or knives must be in a locked container. In the case of motor vehicles, the knife or knives cannot be immediately accessible from the passenger compartment. In other words, they need to be locked up in the trunk, or in the case of a motor vehicle without a compartment separate from the passenger compartment like most SUVs, the knife or knives must be contained in a locked container (such as a briefcase or tool box) or lockable glove compartment or console. In the case of transportation by other means (including any conveyance over land on or through water, or through the air), the knife or knives must be in a locked container.

KOPA does NOT override TSA regulations or U.S. law regarding knife carry on airlines. For travel in any aircraft where there is TSA passenger screening, the knife owner still cannot carry a knife on board, even if securely locked. Passengers with a knife or knives in checked and locked baggage, or if they are inside a locked container inside the baggage, as currently allowed, would be protected by KOPA as they transit any location

where those knives might not be legal. Knives in unlocked baggage are not protected while traveling over land, or through water, or through the air.

If so secured, KOPA protects an interrupted journey that requires a stay over where the knives may be illegal, as long as the journey is continuous. A multiday stop-over would not be covered unless the result of circumstances beyond the traveler's control. Removal of the knives from the locked container would void the protection under KOPA. The safest choice would be a separate locked container just for the knife or for the knives in checked baggage.

KOPA provides an exception for "emergency knives." KOPA protects the carry in any mode of transportation, **except for travel in any aircraft where there is TSA passenger screening**, of a commonly available emergency knife designed to enable the user to cut a seat belt or other entanglement in case of an accident or emergency. This is restricted to knives with a blunt point or with a guarded blade. Thus, drivers, pilots and boaters cannot be prosecuted for being responsible and ensuring that they and passengers can escape a locked seatbelt in case of an emergency that threatens their life.

A citizen's right to travel from one place to another with a legal product should be protected, and preventing Americans from being wrongfully targeted by passing KOPA is a reasonable objective for Congress to pursue. Americans have a right to know that they will be safe from prosecution when they are simply travelling within the U.S.

I strongly urge everyone on this committee, Republican and Democrat alike, to support KOPA. This is not a partisan bill, but as I explained earlier, it is a balanced solution to the difficult patchwork of knife laws throughout the United States. KOPA is a criminal justice reform bill that protects innocent knife owners while ensuring bad actors are not shielded. I look forward to discussing this bill further with you during the hearing.

Mr. BIGGS. Thank you, Mr. Ritter.
And now I would recognize Mr. Jackson for his five minutes.

STATEMENT OF GREGORY JACKSON, JR.

Mr. JACKSON. Thank you, Chair Biggs, Ranking Member McBath, and the Members of the Committee, for inviting me to be a part of this important hearing.

I'm Greg Jackson, the former Deputy Director for the White House Office of Gun Violence Prevention that led our country to a 25 percent reduction in homicides during the Biden-Harris Administration.

I spent the last decade of my life working to address gun violence from across the country. From teens lost in shootings at festivals in Baltimore to bowlers in Lewiston, it is crystal clear that gun violence is shattering communities across our country and stealing from America what President Jefferson acknowledges are natural rights of life, liberty, and the pursuit of happiness.

As someone raised on a farm in rural Virginia, some of my earliest memories were hunting with my father and celebrating the rich heritage of his first rifle, a Winchester Ranger shotgun, as he handed it down to me.

In 2013, my life changed forever when I was caught in a crossfire when walking home in Washington, DC. The bullet that struck me left me within 50 percent of dying that night, and one of the hardest nights of my life by far.

Since I was shot, more than a million Americans have been shot or killed by this crisis, students in elementary schools, worshippers in churches, senior citizens in grocery stores, and even fans of Superbowl parades. Every year, over 140,000 Americans are shot, and that's equivalent to double the crowd of the Superbowl. That's equivalent to our entire Active Duty for the U.S. Marine Corps being shot every single year.

This is now the leading cause of death for youth in America, and also a leading cause of death for pregnant women in America, and now a leading cause of newly disabled Americans. During the height of the pandemic, gun deaths surged, increasing homicides by 45 percent and even gun suicides by nearly 10 percent. As the Nation mourned in 2022, when mass shootings struck in Buffalo and Uvalde, activists like myself and those sitting behind me demanded action. We saw Democrats and Republicans step up and work together to pass the first law in 30 years, the Bipartisan Safer Communities Act.

This bill took important steps to advancing our background check system, making gun trafficking a Federal offense, and prohibiting gun purchases from domestic abusers. It also invested \$15 billion, which created the largest investment in youth mental health, adding 14,000 school-based mental health professionals to our schools, creating the 988 Suicide and Crisis Lifeline, and also provided historic investments in law enforcement and community-based violence intervention programs across our country.

After signing this law, President Biden created our office to implement this law, to expand partnerships, to improve services for those impacted, but also to identify new ideas. When we saw things like 76 percent of school shootings coming from guns in the home,

we worked with the Department of Education to launch the first-ever school-based Safe Storage Campaign.

When we saw Glock switches terrorizing communities in places like Birmingham, we worked with ATF to shut down over 350 websites that were selling these Glock switches to Americans from China. We took innovative approaches to direct this crisis, within the bounds of the law and the Second Amendment.

Most importantly, our actions saved lives. In 2023, we saw a 12 percent decline in homicides. In 2024, we surpassed those reductions, bringing down homicides by 14 percent and a 10 percent reduction in violent crimes. These reductions were actually steepest in major cities that had tough gun laws and had strong leaders resourcing law enforcement and community-based strategies.

Boston went down 80 percent, Greensboro down 41 percent, Milwaukee down 42 percent, Philadelphia down 36 percent, Baltimore down 22 percent, the State of Arizona down 50 percent, the steepest decline in that State's history.

Even places like Miami saw the lowest number of homicides since the 1950s. There was no accident. This is no accident when we see these numbers. This is a direct result of strong gun laws and strong investments in strategies that we know work and can save lives.

Frankly, I'll closing with this. These percentages and data, for so many people you hear them and you see them as numbers, but we know it's more than numbers. In 2023, I lost my mentee de Marcos. He was literally on his front porch after basketball practice and was shot and killed as a bystander. You literally sit next to a strong leader and champion, Congresswoman McBath, who lost her son to a fatal but preventable shooting.

We know that with every number and every life we save, that's one more family that gets to go to a wedding instead of a funeral, that gets to attend a baby shower instead of walking to a hospital to decide if their loved one has been lost.

So, we stand proudly by this work. We know that these gun laws and these resources, they save lives, they make our family safer, they make your family safer, and they make America safer. Thank you.

[The prepared statement of Mr. Jackson follows:]

Testimony of Gregory Jackson, Jr.
Former Deputy Director of the White House Office of Gun Violence Prevention and Special
Assistant to the President

U.S. House Judiciary Subcommittee on Crime and Federal Government Surveillance Hearing
on "The Right to Self Defense"
March 4, 2025

Good morning Chairman Biggs, Ranking Member McBath, and members of the committee. Thank you for inviting me to be part of this important hearing. I am Greg Jackson, formerly Deputy Director of the first-ever White House Office of Gun Violence Prevention and a Special Assistant to President Biden.

I have worked to end gun violence for over a decade through advocacy organizations, local government, and most recently at the federal level. Like many Americans, I didn't find this issue by choice, but by tragedy. Growing up in rural Virginia, many of my childhood memories involve hunting or shooting targets with my father. I was taught the responsibility, power, and heritage of gun ownership in our family's history. But in April 2013, my life changed forever when I was caught in the crossfire and shot as an innocent bystander while walking home. The bullet that struck me hit two arteries leaving me with only a 50% chance of survival. After six surgeries, months of therapy learning to walk again, I sit before you today with physical and emotional wounds that still require medical treatment 12 years later.

Since I was shot, more than a million Americans have been shot or killed by guns—students in elementary schools, worshipers in churches, senior citizens in grocery stores, fans at Super Bowl parades, children in parks and everyday Americans in their neighborhoods. With more than 140,000 Americans being shot a year, gun violence shatters lives through mass shootings, interpersonal conflicts, domestic violence, self harm, homicides, suicides and heartbreaking accidents.¹ Gun violence is the leading cause of death for youth in America,² and homicide is the leading cause of death for pregnant women in America,³ and now is a leading cause of newly disabled Americans.

This crisis is pervasive, and while there is no single solution to stop all shootings, I have advanced a bipartisan public health approach—making historic progress and saving countless lives without violating the Second Amendment.

In 2020 and 2021—during the height of the COVID-19 pandemic—gun violence surged drastically, with gun homicides increasing by 45 percent and gun suicides increasing by nearly 10 percent nationwide.⁴ In the spring of 2022, the nation was reeling after back to back mass

¹ Everytown for Gun Safety. (October 2024). *Gun Violence in the United States*. Retrieved from https://everytown.org/wp-content/uploads/2020/03/USA_2024-October.pdf.

² Office of the Surgeon General. (2024). *The U. S. Surgeon General's Advisory on Firearm Violence: A Public Health Crisis in America*. Retrieved from: <https://www.hhs.gov/sites/default/files/firearm-violence-advisory.pdf>.

³ Ibid.

⁴ Johns Hopkins Bloomberg School of Public Health. (October 2022). *New Analysis: Guns Drove the Increases in Homicides and Suicides from 2019 to 2021*. Retrieved from: <https://publichealth.jhu.edu/new-analysis-guns-drove-the-increases-in-homicides-and-suicides-from-2019-to-2021>.

shootings. The first, on May 14th at a grocery store in East Buffalo, New York, claimed the lives of 10 and injured three others. The second, on May 24th at Robb Elementary School in Uvalde, Texas where 19 kids and 2 teachers were killed and 17 more people were injured.

These tragic shootings and so many before inspired bipartisan negotiations leading to the passage and enactment of the Bipartisan Safer Communities Act (BSCA), breaking a near-30 year logjam on gun violence prevention legislation in the Congress. This bipartisan bill made several significant changes to the law, including requiring enhanced background checks for 18 to 20-year-olds, clarifying which gun sellers must be federally licensed, establishing federal laws on firearms trafficking and straw purchasing, and prohibiting individuals convicted of domestic violence against a current or former dating partner from possessing firearms for five years.

This law also provided historic \$15 billion for mental health, school safety, and violence prevention programs, strengthening both community and law enforcement strategies to reduce violence. This law sent \$750 million to states for the newly-created Byrne State Crisis Intervention Program (SCIP) for the implementation and establishment of state crisis intervention court proceedings and Extreme Risk Protection Order or "red flag" laws; \$250 million was provided over five years for the Office of Justice Program's (OJP) Community Based Violence Intervention and Prevention Initiative (CVIPI) to support community-based, evidence-informed violence intervention work; \$1 billion for the Department of Education for school safety programs, crisis intervention programs, and school personnel training to help prevent youth suicide; \$1 billion to hire and train school-based mental health professionals; and nearly \$1 billion for several mental health and trauma-related support programs in the Department of Health and Human Services (HHS). Each of these represent some of the largest investments in prevention, intervention, and mental health services for youth in our nation's history.

After the passage of this historic law, President Biden created the first-ever White House Office of Gun Violence Prevention (OGVP). Our team was tasked with expediting the implementation of the BSCA, identifying new executive actions, expanding partnerships with leaders on the ground, and improving support for those impacted by this crisis. Our work also focused on leveraging existing federal resources to save lives. Though it may be assumed, I will state outright that our goal was never to violate the rights or perceived rights of the Second Amendment. In fact, every policy and program our office implemented was viewed through the lens of ensuring it would not violate the Second Amendment. As someone who grew up in a responsible gun owning household and as a survivor of gun violence, I can assure you that our mission was simply to do all we could within the bounds of the law to make our communities safer, save lives from gun violence, and better support those impacted by gun violence.

We started by creating the first ever gun violence emergency response protocol to support communities recovering from the toll of gun violence, like Lewiston, Maine, which suffered more casualties in one mass shooting than homicides over the past ten years. Our brave team deployed to help those suffering loss, treat those injured, help schools reopen, help impacted businesses survive, and even aid first responders traumatized by these shattering events. Our

team also held listening sessions with survivors of shootings from Parkland, Florida to Baltimore, Maryland seeking ways to enhance assistance offered to communities devastated by gun violence.

Secondly, our office partnered with agencies across government to advance new ways to reduce the crushing impact of violence. Seventy-six percent of school shootings occur with guns from the home, so the Department of Education rolled out the first national school focused Firearm Safe Storage campaign.⁵ When it became clear that there is a lack of up-to-date data surrounding gun violence, the Centers for Disease Control and Prevention (CDC) built a system to use emergency room and health data to illuminate gun violence across our country. When we heard from law enforcement about the growing presence of “Glock switches” fueling mass tragedy events, the Departments of Justice and Homeland Security worked together to shut down 350 websites that were illegally selling machine gun conversion devices online from China.⁶ When we met survivors now confined to wheelchairs requiring decades of medical support, we clarified with Medicaid that these individuals can receive the medical care they need, irrespective of how they were injured. When we encountered parents terrified to send their kids to school, we rolled out strategies and resources to make schools safer and harder to target by violent attacks.

During OGPV’s 16-month tenure, we supported efforts across all levels of government that resulted in real and meaningful improvements for public safety. State and local law enforcement agencies across the nation received additional resources to solve homicide and non-fatal shootings.

- The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)’s rule regarding companies that made unfinished “frames and receivers” drastically decreased the proliferation of so-called ghost guns—unserialized, untraceable weapons that are sold in kits online and without a background check, making them attractive to people otherwise prohibited from possessing firearms.
- More than 700 people who were illegally trafficking firearms were charged for their actions because of the new statute created by BSCA.
- The enhanced background checks required for 18 to 20-year-olds prevented 1,000 sales to young people with troubling records.
- The rule clarifying who is considered “engaged in the business” of dealing firearms helped to address the single largest source of guns involved in gun trafficking investigations by cracking down on the 20,000 unlicensed gun sellers who were not running background checks as required by law.

⁵ National Threat Assessment Center. (2019). *Protecting America’s Schools: A U.S. Secret Service Analysis of Targeted School Violence*. U.S. Secret Service, Department of Homeland Security. Retrieved from: https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf

⁶ United States Attorney’s Office, District of Massachusetts. (2024, 11 September). *Federal Authorities Seize Over 350 Website Domains Used to Import Illegal Switches and Silencers from China*. Retrieved from: <https://www.justice.gov/usao-ma/pr/federal-authorities-seize-over-350-website-domains-used-import-illegal-switches-and-silencers-from-china>

- The Bipartisan Safer Communities Act also allowed law enforcement to better address the deadly nexus of intimate partner violence and guns, blocking more than 4,600 firearm sales to individuals convicted of misdemeanor crimes of domestic violence last year alone.
- We also worked across multiple federal agencies to improve the safe storage of firearms in the home and prevent young people who may be considering harming themselves or others in school or those with suicidal ideation from easily accessing a gun. DOJ, HHS, and the Departments of Education, Veterans Affairs, Homeland Security, and Agriculture all took significant steps to encourage guns to be safely stored.

The funding made available by BSCA was put to incredibly important use. The Department of Education made the single largest investment in school-based mental health in history to hire and train 14,000 desperately-needed counselors, psychologists, and social workers. Additionally, Byrne SCIP grants enabled states to build out state crisis intervention programs, including red flag laws. Twenty-one states and the District of Columbia currently have red flag laws, which empower families and law enforcement agencies to petition courts for a civil order to temporarily suspend a person's access to firearms before they commit violence or harm themselves. Red flag laws are one of the most powerful tools available to help prevent violence when a person is showing clear warning signs of being at risk.

Nearly three years since the law's passage, there is CLEAR evidence that this law, the funding it provided to states, schools, law enforcement and communities, and the many other initiatives have had a significant impact on gun violence.

In 2023, most cities across the country began experiencing historic reductions in violent crime, reversing the trend seen during the first several years of the COVID-19 pandemic. The Federal Bureau of Investigation's (FBI) Uniform Crime Reporting data indicated a 3 percent decline in violent crime and a nearly 12 percent decline in murder from 2022 to 2023.⁷ In the following year, from 2023 to 2024, violent crime decreased by 10.3 percent and murder decreased almost 23 percent.⁸ These declines did not happen by chance; they are the result of an intentional, coordinated, comprehensive effort to reduce gun violence involving multiple federal agencies that accelerated significantly with the creation of OGVP in September 2023.

Lastly, increased investment in CVI programs has helped to reduce gun violence and make communities safer. Community violence intervention (CVI) are strategies targeting the individuals who are at highest risk of violence, including outreach-based violence intervention programs that employ people in impacted communities to conduct direct street-level outreach and conflict mediation, negotiate cease-fires, and attempt to shift the culture of conflict resolution; hospital-based violence intervention programs (HVIPs) that help interrupt cycles of violence by bringing trauma-informed victim and survivor services to violently injured individuals

⁷ The Violent Crime Reduction Steering Committee. (2025, 16 January). *Implementation of the Department of Justice's Comprehensive Strategy for Reducing Violent Crime*. Retrieved from <https://www.justice.gov/archives/media/1384801/dl>

⁸ Ibid.

and their families or social circles in the hospital setting; and cognitive behavioral therapy-integrated mentorship programs that link at-risk individuals to mentors from their community who have similar lived experiences, as well as other types of programs. Baltimore, Maryland experienced a 21 percent decline in homicides in 2023 after creating an Office of Neighborhood Safety and Engagement and utilizing a Group Violence Reduction Strategy involving “intentional collaboration between law enforcement, social services, and community members.”⁹ San Antonio, Texas is another community that reduced crime—specifically, violent crime decreased by 37 percent in 2023—after utilizing federal dollars from the American Rescue Plan Act to support social services and violence intervention strategies.¹⁰

All of these efforts have resulted in an America that experiences fewer deaths and injuries from gun violence today than 5 years ago during the pandemic. There is still so much more work to be done, but it is critical that our state, local, and federal governments do not stray from the path that has meaningfully improved public safety. Unfortunately, we have already experienced a major setback with the shuttering of the White House Office of Gun Violence Prevention in January, but Congress can take action to pass legislation to create an office that sustains beyond administrations by passing the Office of Gun Violence Prevention Act introduced by Representative Frost and Senator Murphy. Every person indeed has a right to self-defense, but we cannot allow harmful policy proposals that would enable people who should not have firearms—like domestic abusers and people convicted of violent felonies—to easily access them during times of crisis. Gun violence can continue to decrease if we invest in prevention and intervention, support survivors of violence, and enforce long standing laws intended to prevent people with a history of violence from possessing weapons.

Thank you.

⁹ Andone, D. and Tucker, E. (2024, 29 September) “This is not luck. This is a systemic approach”: These major US cities are trying to curb violent crime — and it’s working.” *CNN*,

<https://www.cnn.com/2024/09/29/us/us-violent-crime-rates-down-dg/index.html>

¹⁰ Ibid.

Mr. BIGGS. Thank you. Now, we're going to recognize Mr. McDermott for his five minutes.

STATEMENT OF DAVE MCDERMOTT

Mr. MCDERMOTT. Thank you. Good morning, Chair Biggs, Ranking Member McBath, and the distinguished Members of the Subcommittee.

Thank you for the opportunity to appear before you to share my experiences as a leading self-defense attorney in this country.

My name is David McDermott. I've been a private criminal defense attorney for 27 years. I'm the founding partner of McDermott Law Group, which is also referred to as not your typical attorneys.

For the past 10 years, I've focused on a niche area of defending people after they've had to defend themselves. I refer to these cases as self-defense cases, although the prosecutor's office refers to them as murder cases, attempted murder cases, or a host of other cases stemming from criminal charges.

I've provided legal representation to hundreds of people throughout the country both before and after they've been involved in a self-defense incident. You'd be hard-pressed to find anybody that's litigated more of these cases.

I have appeared on or in multiple news channels, podcasts, magazines, radio shows, and newspapers to discuss these cases and answer questions on self-defense laws. I've given countless lectures in front of thousands of people in multiple States throughout the country on the issue of self-defense, and I've garnered a nationwide reputation for consistently securing not guilty verdicts after asserting self-defense on behalf of my clients.

A good number of people that I represent in this matter are U.S. Concealed Carry Association members, also known as the USCCA. The USCCA is one of the largest and fastest-growing organizations dedicated to educating and training responsible gun owners. I'm a proud member of the USCCA and one of the critical response attorneys for over 860,000 members nationwide.

Training and education are paramount to being a responsible gun owner and, in my opinion, nobody does this better than the USCCA. This type of exposure and knowledge helps to navigate through these stressful and highly intense situations to better understand what people should and shouldn't do and, where necessary, to save lives in the process.

I'm incredibly passionate about what I do for a couple of reasons. First, I believe in what I do. I believe in a person's Constitutional right to defend him or herself as well as others. Second, I was a victim of a random act of violence, which also allows me to personally relate to the fear my clients describe when they find themselves involved in these situations.

At the age of 17, I was walking with my then girlfriend, now wife, Dana, one of my sisters and a few friends when a large group of gang members ran over to us. As they grabbed the hat off the head of one of my friends, I quickly turned to my sister and Dana and told them to run. I was certain we were about to be attacked. As soon as I could say this, though, I was hit very hard in the head with a blunt object. I immediately went down on my knees as I was beaten repeatedly with a lead pipe and baseball bat. Dana and my

sister were held at gunpoint as these gang bangers continued to beat me bloody. As luck would have it, a police officer happened to drive by in the parking lot next to where this was happening and the gang members quickly dispersed.

Nobody wakes up and says, I hope today is the day where I get attacked and I wonder if I'm going to die. Unfortunately, these acts of random violence happen more than we want to believe. We often see or hear about these incidents in the news when we turn on the TV or the radio. With such a focus and emphasis on violent crimes, it comes as little surprise that more and more people have decided to purchase firearms to defend themselves.

Unfortunately, many people find themselves in situations where they are forced to defend themselves and then being criminally charged after doing so. My firm has had five self-defense jury trials set this month alone. The first of these trials was scheduled to start yesterday but, as luck would have it, we were able to convince the prosecutor to dismiss the case against our client.

I have no shortage of exposure to these types of cases, which is why I'm excited to be in front of you to share some perspective as to what happens after someone has been involved in a self-defense shooting.

I often say this with self-defense shooting cases. You can go from being a victim of the aggressor to being a victim of the system as quickly as you pull the trigger. Our system is flawed when it comes to self-defense, as there's a lot of ignorance when it comes to this topic. The fact that we lack uniformity in our Nation's laws is a significant contributing factor.

For example, if you're being attacked and you reasonably believe you're about to receive great bodily harm or death, some States require you to attempt to run or flee from your attacker before using lethal force to defend yourself, while others allow you to stand your ground.

Whether and how you can defend yourself shouldn't come down to what State you're in. Everyone should have the right to defend themselves in the same way. The disparity between these different rules of engagement concerning self-defense has caused a lot of confusion.

From my personal experience, this confusion is not merely confined to people outside of the legal profession but people in the legal profession as well. I've seen attorneys, criminal defense attorneys, prosecuting attorneys, and even judges that have been mistaken about the self-defense laws of the jurisdiction in which they practice.

If this isn't bad enough, there is such a negative stigma concerning firearms in this country. Many people believe that all firearms are bad, some even going so far as to believe that people that own firearms are bad as well. Many believe that they shouldn't be able to carry or to defend themselves against firearms. Some of these people that share these beliefs are judges, others are potential jurors.

Imagine being the victim of a violent attack, being robbed, or being carjacked. Imagine you reasonably believe you are about to receive great bodily harm or death. Imagine that the only way to

stop this threat is to shoot the attacker. Imagine protecting yourself under these circumstances.

Now, imagine a legal system that is divided in terms of how it perceives this incident, a system that regards you as the criminal after defending yourself, a system that arrests you, a system that criminally charges you, a system where attorneys and/or judges don't always apply the correct law, a system where you are being prejudged merely because you own a firearm and/or because you chose to protect yourself with that firearm.

This is not the system we want for the people of the United States.

Thank you for the opportunity to be here today. I welcome any questions.

[The prepared statement of Mr. McDermott follows:]

David McDermott, Founding Partner McDermott Law Group and USCCA Network Attorney

**March 4, 2025 Written Testimony to the
U.S. House of Representatives Judiciary Subcommittee on Crime and Federal
Government Surveillance**

Good morning, Chairman Biggs, Ranking Member McBath and distinguished members of this Subcommittee. Thank you for the opportunity to appear before you to share my experiences as one of the leading self defense attorneys in the country.

My name is David McDermott. I've been a private criminal defense attorney for 27 years. I am the founding partner of McDermott Law Group, LLC (also known as Not Your Typical Attorneys). Over the past ten years, I've focused on the niche area of defending people after they've had to defend themselves. I refer to these cases as self-defense cases, although the prosecutor's office refers to them as murder cases, attempt murder cases or a host of other cases stemming from criminal charges. I've provided legal representation to hundreds of people throughout the country, after they've been involved in a self-defense incident; and you'd be hard pressed to find anyone that's litigated more of these cases. I have appeared on or in multiple news channels, radio shows, podcasts, magazines and newspapers to discuss these cases and/or answer questions concerning self-defense laws. I have given countless lectures, in front of thousands of people in multiple states throughout the country, on the issue of self-defense. And I've garnered a nationwide reputation for consistently securing not guilty verdicts after successfully asserting self-defense on behalf of my clients.

A good number of the people that I have represented in this manner are US Concealed Carry Association Members, otherwise known as the USCCA. For those of you who don't know, the USCCA is one of the largest and fastest-growing organizations dedicated to educating and training responsible gun owners. I am a proud member of the USCCA and one of the critical response attorneys for over 860,000 members, nationwide. Training and education are paramount to being a responsible gun owner; and, in my opinion, nobody does this better than the USCCA. This type of exposure and knowledge helps people to navigate through these stressful and highly intense

situations; to better understand what they should and shouldn't do; and, where necessary, to save lives in doing so.

I'm incredibly passionate about what I do for a couple of reasons. First, I believe in what I do. I believe in a person's constitutional right to protect him or herself and/or others. Second, I was a victim of a random act of violence, which allows me to personally relate to the fear that my clients describe when they find themselves in similar situations.

At the age of 17, I was walking with my then girlfriend (now wife), Dana, one of my sisters and a few friends, when a large group of gang members ran over to us. As they grabbed the hat off of the head of one of my friends, I quickly turned to my sister and Dana and told them to run. I was certain we were about to be attacked. As soon as I could say this though, I was hit very hard in the head with a blunt object. I immediately went down to my knees as I was beaten repeatedly with a lead pipe and a baseball bat. Dana and my sister were held at gunpoint as these gang bangers continued to beat me bloody. As luck would have it, a police officer happened to drive into the parking lot next to the concrete sidewalk where this was taking place, and the gang members took off running.

Nobody wakes up and says "I hope today's the day where I get attacked and I don't know whether I'm going to die or not." Unfortunately, these acts of random violence happen. We often see or hear about these incidents in the news, when we turn on the TV or the radio. With such a focus and emphasis on violent crimes, it comes as little surprise that more and more people have decided to purchase firearms to defend themselves.

Many people find themselves in situations where they are forced to defend themselves and then being criminally charged after doing so. My firm had five self-defense jury trials set in the month of March alone, one beginning each Monday. The first of these trials was scheduled to start yesterday, but just last week we were able to convince the prosecutor to dismiss the case against our client.

Unfortunately, I have no shortage of exposure to these types of cases. Which is why I'm excited to be in front of you, to share some perspective as to what occurs AFTER someone has had to defend him or herself. I often say that with self-defense shooting cases, you can go from being a victim of an attacker to being a victim of the system, as quickly as you can pull the trigger.

Our system is flawed when it comes to self-defense, as there is a lot of ignorance when it comes to this topic. The fact that we lack uniformity in our nation's laws is a significant contributing factor.

For example, if you're being attacked and you reasonably believe you are about to receive great bodily harm or death, some states require that you attempt to run or flee from your attacker before using lethal force to defend yourself; while others allow you to stand your ground and defend yourself where you are (provided your legally entitled to be there). Whether and how you can defend yourself shouldn't come down to what state you're in. Everyone should have the right to defend themselves in the same way.

The disparity between these different rules of engagement concerning self-defense has caused a lot of confusion. From my personal experience, this confusion is not merely confined to people outside of the legal profession, but people in the legal profession as well. I have seen attorneys - defense attorneys, prosecuting attorneys, and even judges that have been mistaken about the self-defense law(s) of the jurisdictions in which they practice.

If this isn't bad enough, there's such a negative stigma concerning firearms in this country. Many people believe that all firearms are bad, some even going so far as to believe that people that own firearms are bad as well. Many believe people shouldn't be able to carry, or to defend themselves with firearms. Some of these people that share these beliefs are judges; others are potential jurors.

Imagine being the victim of a violent attack, being robbed, being carjacked. Imagine you reasonably believe you are about to receive great bodily harm or death. Imagine that the only way to stop this threat is to shoot the attacker. Imagine protecting yourself under these circumstances. Now imagine a legal system that is divided in terms

of how it perceives this incident. A system that regards you as the criminal after defending yourself. A system that arrests you. A system that criminally charges you. A system where attorneys and/or judges don't apply the correct law. A system where you are being prejudged, merely because you own a firearm and/or because you chose to protect yourself with that firearm.

This is not the system we want in place for the citizens of the United States.

Thank you for the opportunity to testify on this important topic. I welcome your questions.

Mr. BIGGS. Thank you, Mr. McDermott.
Now, we recognize Ms. Muller for her five minutes.

STATEMENT OF DIANNA MULLER

Ms. MULLER. Good morning. Thank you, Chair Biggs and Ranking Members McBath and Raskin.

I'm Dianna Muller. I'm a 22-year retired police officer from Tulsa Police Department. I'm a national world champion shooter and a founder of Women for Gun Rights, a nonpartisan organization dedicated to safeguarding the Second Amendment.

It's an honor to represent the countless women who have experienced unthinkable tragedy and crime, like murder, rape, domestic violence, and stalking. Their stories are absolutely horrifying but underscore the importance of our organization and the desire of citizens to protect themselves and their families. Everyone in this room, Democrat and Republican, red shirt or teal shirt, we all have the same goal. We all want to be safe.

Women for Gun Rights believes that education is the key to firearm safety and violence prevention. Women are the fastest growing group of gun owners in our Nation and for good reason. We are smaller and less equipped for violence, and firearms level the playing field in an attack from a larger or faster assailant.

Women are choosing to carry to protect a life, not to take a life. I applaud the Majority for having this hearing highlighting the positive attributes of guns and gun ownership and welcoming input from people with experience with firearms, with training, and with violence.

With 22 years of work in the police work, I can tell you that you are your own first responder. On February 22, 2024, Laken Riley went for a jog in broad daylight on a campus in a nice area. She was physically fit. She's brilliant. She's beautiful. She had no idea the evil she would meet that day. She fought for 18 minutes to save her life. I've been in fights, and two minutes is a long time. She fought for 18 minutes. She was her own first responder, but she didn't have the tools to come out a victor.

One of our best tools is our mind, and how we prepare that is critical for survival. Words have power, and each of you have influence in your communities. If you are telling women that they can't protect themselves or that she's more likely to have a gun taken from her and used against her, you're creating a victim.

Women for Gun Rights is intent on empowering women and creating victors, not victims. Stop telling women they can't. They can. For example, one of our delegates from New Mexico was asleep in bed. In the middle of the night, a serial rapist let out early broke into her home and attacked her in bed. He had a firearm. She fought him, gained control of his firearm and shot him three times and ran out of the house. The gun that was intended to harm her saved her life.

On the other hand, you have Amanda. She was prepared. She had a concealed carry permit, she was a self-defense person, and she parked next to the campus police station. One night going to her car, a violent attack happened. He raped her. Not only did he rape her, but he went on to kidnap, rape, and kill his third victim. He's in prison now, but Amanda is confident if she had not been

legislated out of the opportunity to protect herself, her story and the other girl's story would have come out differently. The law, the commonsense law that was supposed to protect her was the law that made her a victim, caused her pain, and another to lose her life.

I implore you, stop working against women and start empowering them. If you want to save lives, I respectfully request that this body fund training for our citizens, especially women, to learn how to avoid conflict and survive an attack with any tool she deems fit for the job. It's her body, it's her choice, right?

I'll close with this. The Second Amendment and self-defense, for that matter, should not be a partisan issue, but it seems like the Democrats have coalesced against it. I, for one, am encouraged by the efforts of this Congress and this administration to restore our Constitutionally protected freedoms and make guns great again.

[The prepared statement of Ms. Muller follows:]

Testimony of Dianna Muller

FOUNDER OF WOMEN FOR GUN RIGHTS

United States House of Representatives
House Judiciary Committee, Subcommittee on Crime and Federal Government Surveillance

March 4, 2025

Thank you for inviting me to discuss self-defense and the role of the 2nd Amendment. For decades now, gun control advocates push for more laws and more restrictions. It's time to look at the evidence and acknowledge the truth. Guns save lives and control laws do not produce the desired results. It's time to elevate the conversation with alternative solutions that have proven to save lives.

The truth is we all want the same thing. We all want to be safe and for our families to be safe. The difference is how we believe that is achieved. For over 30 years, all of the strictest gun control policies have been adopted by several major cities across the country. The results are the same: more crime, more lawlessness and people are less safe because them. Based on years of evidence in cities like Washington, D.C., Baltimore, and Chicago, and Detroit, it's apparent that these policies simply do not work. Criminals are emboldened and crime soars. If these policies worked, these cities would be the shining example of their success. Instead they are the most violent and crime plagued.

We always hear about 'common sense' gun control.

- Common sense is that cities like Detroit, Washington, D.C., and Chicago, should adopt the laws of cities that ARE NOT plagued with violence. It is an injustice for the rest of the country to adopt the failed policies of cities that ARE plagued with violence.
- Common sense is that when you make more rules, more laws, more registrations, more fees, that it makes protecting yourself a rich man's game. These policies disproportionately effect lower income, minority communities. The Second Amendment is for every American, and gun control is steeped in racism.
- Common sense is holding criminals accountable for breaking the laws, instead of releasing them jail, raising bail for them to get out of jail, or encouraging them to be 'more confrontational'.
- Common sense is that women are smaller and less equipped for violence and a firearm is the great equalizer.
- Common sense is allowing citizens to protect themselves.

Responsible gun owners are exhausted of the incessant attacks on the Second Amendment. I founded the *Women for Gun Rights*, because we were tired of listening to women who don't represent us, women who are not experts in guns or violence, demand that legislators restrict our constitutional rights.

I am honored to represent the members of the Women for Gun Rights: mothers, daughters, young and old, Black, White, Latino and Asian, hunters and competitors, transgender and straight, #metoo and #notme, on the political left and right. The Second Amendment wins on the intersectionality scale. For example:

- Lara Smith, from California, is a staunch Democrat and the National Spokesperson for the Liberal Gun Club and understands that the Second Amendment is a constitutional, not a partisan, issue;

- Mia Farinelli, from Virginia, is a 21-year-old 3-gun competitive shooter that stands 5'4", weighs 85 pounds; an honor roll student that speaks two languages and is learning a third;
- Robyn Sandoval, from Texas, is left-leaning, reformed anti-gun mom who now heads up A Girl and a Gun, a nationwide women's shooting club;
- Gina Roberts, from California, is a transgender woman who knows the Second Amendment is for everyone;
- Corinne Mosher, from Nebraska, is a concert violinist turned tactical firearms instructor and takes keeping her family safe seriously;
- Amanda Johnson, from Florida, was raped at gun point on a gun-free campus, yards from the police station; even though she had a concealed carry license, she left it at home because she wanted to follow the rules. Her attacker went on to rape and kill his next victim. Amanda is confident she could have made a difference in both of their outcomes if she had not been disarmed.
- Lucretia Hughes, from Georgia, is an African American who strongly advocates for the 2nd Amendment, in part, because she lost her son to gang violence when a felon used an illegally obtained gun to shoot him in the head;
- Gabby Franco, from Virginia, is a mom and a naturalized citizen from **Venezuela** who has seen the effects of gun control in her native country; she will tell you about the decline of Venezuela. In 1998, it was the richest Latin American country, until Hugo Chavez was elected and enacted robust gun-control with the promise of reducing gun violence. His regulations created a choke hold that forced gun shops and ranges to close. Ammunition became scarce and expensive. Within ten years of registering all firearms, the banning of private gun ownership began while criminals remained armed and dangerous. Registration led to confiscation. Now citizens live at the mercy of criminals and the government. Small businesses have been destroyed and people stopped working. Production stopped and inflation made everyday goods unattainable or unavailable. Citizens live like prisoners in their homes since criminals have no fear of accountability. Venezuela is in chaos; a socialist nightmare. Gabby is committed to not letting that happen in America.
- Kristi McMains, from Indiana, vigorously fought off a stranger's attack in a parking garage for several minutes before getting to her gun and shooting the assailant. She fought so hard she broke all ten nails, had fibers in her teeth from his gloves, and broken ribs.
- Melissa Schuster, from Illinois, was brutally beaten, stabbed 17 times, raped and left for dead in her parent's home when a stranger kicked in the door. She will never be unarmed again.
- Nikki Goesser, from Tennessee, her husband was shot and killed by her stalker in a gun-free zone, while her permitted firearm remained in her vehicle, like the good, law abiding citizen she is.
- Mira O'Connell was asleep when a serial rapist broke into her home with a firearm. She fought, gained possession of the gun, shot him three times and ran out of the house thinking it was a fake gun because of auditory exclusion, a physiological response to acute stress. He died in the hallway. The firearm that was meant to harm her saved her life.

DEFENSIVE USE OF FIREARMS:

According to the government's own 2013 CDC study, data estimates between 500,000 times to 3 million times per year firearms save lives. You can't find the link to that study anymore, because it was purged from the CDC website at the demand of the gun control lobby.

Aren't those lives saved worth as much as the lives that have been taken by criminal homicide? Gun control laws sound good, but do nothing to prevent criminals from committing crimes and often cost responsible gun owners their lives or subject them to trauma by not being able to defend themselves. Guns save lives.

If you advocate for gun control, you do so from a place a privilege. You must be insulated for the perils of the world if you don't understand the role firearms play in keeping people safe. You surround yourselves in the Capitol with a people with guns to protect you, but the majority of our countrymen do not have that luxury. Every day in this very building, you are surrounded and protected by men and women with firearms.

RESULTS OF FIREARMS EDUCATION:

As an instructor, I've had the honor of introducing many people, especially women, to firearms training. I've witnessed many women go through amazing transformations. Their self-confidence is palatable. I had one woman who was terrified at the beginning of class and at the end, she looked me in the eye, took a hold of my shoulders and said, "You have changed my life. I. Am. A. Different. Person." I see it time and time again how a little education can go a long way!

While I fully appreciate you considering my testimony, you could get a better appreciation of the importance our community places on and the safe handling and operation of firearms if you were to come to the range.

JUSTICE SYSTEM:

As a police officer, I enforced the laws you created and I had a front row seat to the justice system. It's frustrating to see the revolving door where prosecutors reduce or drop charges and judges give minimal sentencing.

I find it ironic in an effort to reform the criminal justice system, that the previous administration took steps to be lenient on people who have actually committed crimes AGAINST LAWS YOU CREATED, while at the same time proposing more laws, that turn ordinary, law-abiding citizens into criminals. I submit that we hold people accountable for the laws that are already on the books before we pass any further legislation, that would only be a burden on the law-abiding. I'm encouraged with the new administration upholding our laws and making our communities safer.

Remember, police have no duty to protect (Warren v. District of Columbia) and these days they can't even protect themselves. Citizens are their own first responder.

MEANINGFUL SOLUTIONS:

We are here to talk about policies that will save lives. I was a police officer for 22 years. I have been a firearms instructor for over 30 years. I have been a professional shooter for the past 15 years. I am an expert on firearms safety and I've seen my fair share of the violence. I commend the majority for highlighting the positive attributes of firearms ownership and willingness to have true experts in the field speak on such matters. I would also to point out that the firearms industry places a lot of attention on safety and have many effective programs.

- The Hunter's Education program has proven successful by exponentially lowering firearms accidents/fatalities. When Colorado implemented hunter's education, fatal accidents were cut in half and non-fatal were substantially decreased. The program only continues to prove its value in saving lives as the rates continued to drop to the lowest to date. [link](#) Here is more information on Hunter's Education. [link](#)
- The Kid S.A.F.E. (Safety Around Firearms Education) Foundation takes the target audience a step further and focuses on all children, not just hunters. Originating in Oregon, the program is ready to go nationwide. Reaching children in urban areas that have a higher mortality rate, or children with English as a second language is imperative. We should be treating firearm safety similar to water safety. Link to child causes of death <https://www.childstats.gov/americaschildren/tables/phy7b.asp> Every kid in the country should be trained, with or without guns in their homes. Zero firearms accidents is the only acceptable goal. Let's teach our youth safety, discipline, and respect for firearms at a young age kids when kids are more likely to follow rules. <https://kidssafefoundation.org>
- FASTER Saves Lives is a school security programs. Created by concerned parents, law enforcement, and nationally recognized safety and medical experts, FASTER is a groundbreaking, non-profit program that gives educators practical violence response training at no cost to the school districts. <https://fastersaveslives.org/about-us/>
- Suicide makes up over 50% of gun deaths. Hold My Guns, Walk the Talk America, Rachel's Challenge, Active Heroes, Mission 22 are among the long list of organizations that partner or stem from the firearms community. National Shooting Sports Foundation partners with American Foundation of Suicide Prevention to provide resources and support to firearms retailers and ranges.
- National Train a Teacher Day offers free firearms safety training to teachers.
- Encourage training and empower citizens to be prepared, not scared. Non-lethal training includes situational awareness, flashlight training, and defensive fighting styles, as well as first aid training like 'stop the bleed'. Tourniquets are lightweight, easy to carry and easy to use. It's the modern-day CPR training and there's no reason every American shouldn't know how to use it and have one within reach!

None of these programs are from the NRA. Although I would like to point out that the NRA is the oldest civil rights organization and has been instrumental in firearms education over the years. I am the NRA. I am NOT the enemy. Millions of responsible American gun owners are NOT the enemy.

MENTAL HEALTH:

Our national mental health infrastructure was decimated in the 1970's. Long term facilities across the country were closed and those patients were turned out into the street¹. During my years as a police officer, it was always a problem trying to find a bed or access to inpatient or outpatient treatment. Bed availability and insurance/cost was always a hurdle to those that needed help and wanted help. Reports indicate that 10% of homicides, higher for mass killings, 20% of prison inmates and 30% of homeless involve mental illness².

One of the most overlooked yet critical factors in the rise of mass violence is the widespread use of pharmaceutical drugs, particularly antidepressants, benzodiazepines, and stimulants. These medications, many of which carry black box warnings for increased risk of suicidal and homicidal thoughts, have been prescribed at unprecedented rates, with over 40 million Americans currently on antidepressants. Studies have shown that these drugs can induce medically induced psychosis, suppress natural fear responses, and amplify aggression, especially when combined with stimulants like Adderall or testosterone therapies. The Nashville school shooter, Audrey Hale, was known to have been under psychiatric care, yet the proper drug screenings were never conducted, leaving critical questions unanswered. The real epidemic is not responsible gun ownership—it's the unchecked influence of Big Pharma, whose drugs have been a common denominator in countless acts of mass violence. Instead of disarming law-abiding citizens, we should be questioning why these dangerous medications are being handed out so freely without long-term studies on their psychological effects.

Independent studies would be welcomed. The Dickie Amendment did not prevent government from studying guns, it prevented public monies from promoting gun control.

- Study the effects of kids on medication in correlation to violent behavior.
- Study the effects of violent video games that desensitizes the horror and glorifies killing for points in correlation to violent behavior.
- Study how guns save lives.

If safety is truly your goal, I'm eager to work with any of you, in bipartisan way, to support and fund these programs. But if disarming America and fundraising off of tragedy is more important, then I won't expect to hear from you. I'm here to save lives. Women for Gun Rights members are available as a resource to all of you. We will meet, talk, train, whatever we can do to achieve safety in our communities through education, not legislation. Thank you for the opportunity to speak and I look forward to your questions.

¹ <https://www.heritage.org/firearms/report/part-ii-the-consequences-deinstitutionalizing-the-severely-mentally-ill>

² <https://www.dailysignal.com/2018/02/28/closing-mental-institutions-made-us-vulnerable-mass-shootings/>

Mr. BIGGS. Thank you.

The Chair now recognizes the gentleman from Wisconsin, Mr. Tiffany, for his five minutes.

Mr. TIFFANY. Thank you, Mr. Chair.

Mr. McDermott, I take it you're from Chicago, in the windy city, right?

Mr. McDERMOTT. That is correct.

Mr. TIFFANY. Tell us—so I'm just North of you in Wisconsin. Everything I understand is that you have some of the toughest gun laws in the country in the city of Chicago.

Mr. McDERMOTT. In certain respects, but we also have the right to stand your ground. So yes, we have tough gun laws; but when it comes to self-defense, we do have the right to stand your ground, although most people don't know that.

Mr. TIFFANY. Have those tough gun laws made Chicago safer?

Mr. McDERMOTT. In my opinion, not at all. Unfortunately, there are, as I'm sure you know, approximately 120 firearms in this country for every 100 citizens. A lot of those firearms are in Chicago. There was a period of time where the vast majority during COVID were being purchased out of Illinois.

So, we have a tremendous amount of firearms that are being purchased to combat the firearms that are already in existence there. More and more people are being attacked violently in Chicago. More and more people are in serious fear of being attacked by those individuals, and they're trying to, as best as possible, arm themselves against the situation.

Mr. TIFFANY. Yet, those tough gun laws have not reversed that trend. Is that correct?

Mr. McDERMOTT. Not in any way.

Mr. TIFFANY. Ms. Muller, do gun-free zones work? We see gun-free zones. You see the signs regularly, schools, other places like that. Do gun-free zones work?

Ms. MULLER. No, sir, they do not. They are actually the opposite of what they are intended to do. When you see a gun-free zone, 94 percent of mass public shootings happen in gun-free zones. They are killers. They empower criminals to come after people and basically shoot people in a barrel, shoot fish in a barrel. They are killers.

Mr. TIFFANY. So, I've had a couple school administrators say to me that just give us the option to be able to not put that sign "Gun-Free Zone" on the front of our school, and it actually would make it safer.

Do you agree with those school administrators?

Ms. MULLER. I absolutely agree. I believe that if you put up the sign that said "there were people armed in there" and people weren't actually armed, that would make your school safer.

Mr. TIFFANY. I want to talk to you a little bit about the final page of the testimony that I saw from you in regard to mental health. I really find it very interesting where you get into psychotropic drugs and things like that and how much we give this to people.

In particular, I'm concerned about the amount of psychotropic drugs that are given to boys that are 6–7 years of age, in kindergarten, first grade, to control their behavior. I believe it's rewiring

their brains. Now, I don't have scientific evidence of that, but I think we should be doing some research in regard to it.

Tell us what you think are some solutions that could be helpful to prevent some of these shootings that happen as a result of mental health breakdowns?

Ms. MULLER. That's a great question. I'm not a doctor, and that is a deep, deep well that you just dove into. I do know that when you tell me that there are black box warning labels and that it causes homicidal and suicidal tendencies, that's pretty much a no-brainer as to why don't we look and do some studies as to how these drugs are affecting our kids and even our adults. So, I would like some research in that area.

Mr. TIFFANY. Have you not found much research? Because I haven't either, and it seems to me it's something that there should be—you think about the National Institute of Health and how they've squirreled or—I can't use that term here at the dais—how they've wasted money, the American taxpayers' money.

It seems something like this would be a really good research project, especially with some leading universities around America. Isn't there much more research that needs to be done?

Ms. MULLER. Well, I'm glad that you brought that up, because it seems like there's one-sided research in several different areas, not only in the mental health and how it affects guns, but also just the gun-related deal.

The CDC did do a study in 2013 and the numbers that this saves. What's missing from this conversation is that the number of 45–48 thousand deaths annually from firearm-related causes is a horrible number, but you guys are leaving out of the conversation the number of saves.

That study said three million, up to three million saved annually. If we're going to look at apples and apples, yes, 45,000 deaths are terrible. When you compare that to the three million that it saved, we should have that conversation as well. It's disingenuous.

Mr. TIFFANY. Thank you in regard to that.

Ms. MULLER. It's scrubbed from the CDC. It's no longer there.

Mr. TIFFANY. Mr. Chair, I think that we should be following up with the administration to try to get better research in regard to this and get more comprehensive research.

I want to ask one other question for Mr. Ritter.

Give some context to these crime statistics that we've just been hearing from the other side. Hasn't crime been going down for a few decades, had spiked in 2020, and now is coming back down? Could you give us some context.

Mr. BIGGS. The gentleman's time is expired, but we'll allow the witness to answer.

Mr. RITTER. These statistics primarily deal with a broad range of weapons. My concern is knives. We certainly see that crimes committed with knives have remained somewhat steady over the years if you look at the FBI statistics. We know that the majority of those crimes are committed with chef's knives. So, if you want to ban knives, maybe take everyone's chef's knives away.

Mr. TIFFANY. I yield back, Mr. Chair.

Mr. BIGGS. Thank you.

The Chair now recognizes the Ranking Member, Ms. McBath.

Ms. MCBATH. Thank you, Mr. Chair.

Just before I ask my questions, I just want to say in reference to what Mr. McDermott said, it's absolutely the truth. It's correct that guns coming into Illinois we know specifically are trafficked from outside that State, as that's happening all around the country.

The Office of Gun Violence Prevention made demonstrable improvement in reducing gun violence in America. In its first days in office, the Trump Administration eliminated the office, threatening the progress that we've made in gun violence.

Mr. JACKSON, my questions are for you. If you can be succinct because I have a number of questions for you.

The Trump White House shuttered the Office of Gun Violence Prevention. What work won't happen as a result of that?

Mr. JACKSON. Well, there's no longer a team that's focused every day on getting the resources to life-saving strategies. We talked about domestic violence, but one of our jobs was pushing over \$450 million to States to help them implement strategies to remove firearms from domestic abusers.

Now, without our office there to oversee the dollars getting to the communities needed, implementing and expediting laws or executive actions, frankly, processes will be slowed and, unfortunately, lives will be lost.

Ms. MCBATH. Please tell us how State and local governments have taken up the mantle of the White House Office of Gun Violence Prevention?

Mr. JACKSON. Yes. Seeing the results that we saw federally, when we started the administration, there was only one statewide Office of Gun Violence Prevention. Now, there's 14. There were only 20 at the city level. Now, there's 140. Across the country, watching cities and States think about how do they prevent violence, looking at an all-of-government approach to not only keep guns out of the hands of those who are most at risk or most vulnerable, but how do we invest in mental health, behavior health, community violence intervention, crime gun intelligence, and law enforcement to reduce violence.

Ms. MCBATH. Some Republicans are attempting to defund Federal law enforcement, including the Bureau of Alcohol, Tobacco, Firearms and Explosives, the ATF.

How important is the ATF to State and local law enforcement's efforts to solve violent crime and protect our communities?

Mr. JACKSON. When we traveled the country, we heard firsthand from local law enforcement how important ATF is. There are real limitations to what local law enforcement can do. We looked at, for example, ATF prosecuted over 680 gun traffickers. Like Mr. McDermott said, guns that are moving from one State into another, ATF is the team that can prosecute and get those criminals off the streets. They also made sure that 4,600 domestic abusers were prohibited from getting firearms, and made sure they didn't purchase firearms through the enhanced background check system.

The ATF is crucial to look at how guns are moving across States and causing harm but also looking upstream and how do we hold traffickers, gun dealers, and the manufacturers accountable.

Ms. MCBATH. Thank you. Everyone is affected by gun violence. Have rural communities been receptive to the CBI programs?

Mr. JACKSON. Rural communities have heavily embraced our work. Frankly, when we think about gun violence, homicides, and suicides are such a devastating part of this problem, but we notice suicides are most intensely impacting older White males in rural America.

That's why our office partnered with the Department of Veterans Affairs, even connected with the Department of Agriculture to think about how do we educate our older Americans about lethal means and safe storage, but also start to empower families on how they can leverage tools like extreme risk protection orders to ensure that their elder family members are safe even in those moments of crisis.

Ms. MCBATH. What more should we be doing to support State and local law enforcement?

Mr. JACKSON. Well, we have to continue to invest and resource them. We had a roundtable with President Biden with police chiefs from across the country, and the number one thing that they said supported their work was having true community partners. That's where investments in community violence intervention and victim services played a huge role in assuring that it's not just law enforcement trying to solve this problem, that we have health departments, doctors, community organizations, and schools and principals, all equipped with tools and resources, to prevent violence before it happens.

We have to keep building on that. We have to strengthen the full ecosystem that's working together to keep our communities safe. We can do that by passing the Office of Gun Violence Act that will create an office beyond the White House, but also just protecting those important investments through the appropriations process.

Ms. MCBATH. There has been so much success, but we also have so much more to do, and we have to keep going. We have to continue to make sure that we keep all our communities safe.

I myself, having been exposed to gun violence directly, I care about everyone's community. I don't care what side of the aisle we sit on; we have to keep our communities safe.

I have a unanimous consent request. I ask unanimous consent to enter into the record an article by Alisha Ebrahimji entitled "More than half of U.S. teachers think being armed would make students less safe, report finds," published by *CNN* on May 21st.

Mr. BIGGS. Without objection.

Ms. MCBATH. Thank you.

Mr. BIGGS. The gentlelady's time has expired.

The Chair now recognizes the gentleman from Alabama, Mr. Moore.

Mr. MOORE. Thank you, Mr. Chair. I appreciate the witnesses being here today in attendance.

Ms. Muller, are you familiar with the ATF zero-tolerance policy that was implemented by Biden's ATF?

Ms. MULLER. I have heard of it.

Mr. MOORE. What are some of the consequences of taking these aggressive enforcement actions, do you think?

Ms. MULLER. Well, I'll begin with I'm a professional shooter, I'm not an FFL. What I do understand, and I hear from people who are FFLs is that the Biden Administration and the way they went—it wasn't a partnership anymore. It was more of an adversarial relationship. Therefore, it really hurts the relationship between the FFLs and the ATF.

So, I think it was a mistake and not really going after the right target.

Mr. MOORE. Yes. They're usually our front lines, right? They're keeping prohibited buyers off of the purchasing rolls, if you will. I would think working with the ATF would be beneficial, but often it looked like it was adversarial. Some of the FFLs were targeted in many ways by the ATF. It was counterproductive. Really, what they were intending to do and what they should have been doing maybe are two different things. It sends a wrong message a lot of times.

So, tell me. I've got a wife and two daughters. They're both concealed carry. Tell me how being able to carry a firearm, really, it levels the playing field for our female folks who are on the streets in dangerous situations. Tell us a little bit about that. How does that help?

Ms. MULLER. It really does level the playing field and give us a chance. People—I believe that the people that advocate for gun control are doing it with good intentions, but they're doing it from a place of privilege.

If you don't think that you need the Second Amendment and you don't think that you need to carry a firearm or have training, or have self-defense as a defense, then you are coming from a place of privilege. You're not living in a community that is plagued with violence. You're not living in a community that needs to have that kind of security. I would check your privilege and say that the Second Amendment is what gives everyone the right to be safe.

Mr. MOORE. I would agree with that. Very often the Left in the country wants to disarm its citizens, and then at the same time they often call for defunding the police.

You put those citizens in a tough spot because you don't want them armed to defend themselves. In many cases, the DAs and AGs in those communities were turning criminals loose with a slap on the wrist, basically, sometimes just cash bail. It puts those folks in those communities in grave danger.

Mr. McDermott, I noticed Memorial Day weekend in Chicago, well actually, the statistics were 34 were shot, eight were killed, and the youngest was a 20-year-old.

You said in Chicago we're seeing more and more gun purchases, but why are we seeing that? What's going on?

Mr. McDERMOTT. Well, quite frankly, the reason we're seeing more people purchasing firearms is because there's such an emphasis on defunding the police. There's so many different rules and regulations put in place to restrict what police can and can't do with respect to, for example, carjackings, which are a very significant crime in Chicago. They're very often taking place.

We are now saying the police can't—or not just now, but we've been saying police can't pursue these vehicles after a certain speed. There's no way for people to be able to protect themselves—excuse

me, there's no way for people to really feel a particular comfort in the police being able to protect them from these types of dangers. They're seeing it. It's constantly on the news. It's constantly in their face. More and more people are purchasing firearms to be able to defend themselves.

A big issue here, a lot of people direct the issue toward guns. There's not an issue with guns. The issue is with criminals. We continue to empower criminals on a daily basis. We continue to write laws that help criminals to get away with more crime and to disable at the same time those law-abiding citizens that are being forced to put—that are being put in a position where they're forced to defend themselves.

Mr. MOORE. Great.

With that, Mr. Chair, I'll yield back.

Mr. BIGGS. The gentleman yields.

The Chair now recognizes the gentleman, the Ranking Member of the entire Committee from Maryland, Mr. Raskin.

Mr. RASKIN. Thank you, Mr. Chair.

So, Mr. Jackson, guns are the leading cause of death for young people in America. Guns are—I learned from you, the leading cause of death for pregnant women in America. They are the leading cause of disabilities for newly disabled people I learned from you.

I know that the U.S. has more firearms than people, and I know that we've got a firearm homicide rate 25 times higher than other comparable wealthy countries.

Now, I hear the argument that because our society is swimming in firearms that people need more firearms to defend themselves. Of course, people have a Constitutional right to purchase a handgun to defend themselves, right, under the *Heller v. District of Columbia* case. Isn't that right?

Mr. JACKSON. Correct.

Mr. RASKIN. So, people have that right. It seems to me that the argument that is being advanced is a huge non sequitur. The claim is being made pushing an open door that people have a right to a gun to defend themselves if that's how they choose to defend themselves, and therefore, we shouldn't do anything else to try to limit the staggering amount of gun violence in society.

Now, you're here to tell us that the Biden Administration saw great success. Will you just give us what were the major elements of that success in reducing gun violence?

Mr. JACKSON. Right. Just to build on your statement, if guns made us safer, we would definitely be the safest country in the world, considering how many firearms there are in our communities.

We knew that gun violence is about more than just solving a crime, it's about preventing a health crisis. So, we looked at strategies to help victims heal, investing in the Crime Victims Fund and VOCA, investing in violence intervention programs and law enforcement crime intelligence strategies.

Mr. RASKIN. OK. Were any of those things struck down as violative of anybody's Second Amendment rights?

Mr. JACKSON. No.

Mr. RASKIN. OK. Why isn't everybody celebrating across the aisle that we actually saved thousands of lives through the things the

Biden Administration did without violating anybody's Second Amendment rights?

Mr. JACKSON. It baffles me, because I think we should all have the same goal of saving lives, and we now have a strategy that has been proven for two years in a row to save historic lives. Our cities are, frankly—Boston had an 82 percent reduction. I don't know how we can even debate—

Mr. RASKIN. Eighty-two percent reduction in gun homicides?

Mr. JACKSON. In homicides. Yes.

Mr. RASKIN. Can you explain this to me? People have a right to have a gun to defend themselves. Everybody agrees with that. You never challenged that, did you, in your office?

Mr. JACKSON. Correct.

Mr. RASKIN. OK. Why is it that people are taking the position we shouldn't be doing anything to reduce gun violence other than selling more guns?

Mr. JACKSON. Frankly, the gun industry is big business. We talked about there being over 20,000, 30,000, and 25,000 FFLs. Frankly, that may not sound big to some folks, but that's enough to fill Madison Square Garden. There's a lot of profit to be made in selling firearms, but we have seen firsthand that's not how we prevent violence.

Mr. RASKIN. Yes.

Mr. JACKSON. Guns don't make us safe. Preventing violence is what makes us safe, and that's what we have proved that has worked.

Mr. RASKIN. The whole point of the social contract, if you read John Locke, Hobbes, or Rousseau, anybody who wrote about the social contract, is we'll be safer coming together with laws than we would be if we were just in a State of war, a State of violence against each other.

Mr. JACKSON. Right. If we're talking about how to promote self-defense, aren't the laws that you're talking about themselves instruments of self-defense and community safety?

Mr. JACKSON. Correct. We should always focus on preventing conflict in the first place. We talked a little bit about stand-your-ground laws here today, but I will be up front with you. If I tried to stand my ground when I was shot, I would be dead because evading is the number one way to move—

Mr. RASKIN. There's so many of these spectacular mass gun shootings at schools and Walmarts, and so on where there were armed guards around, right?

Mr. JACKSON. Correct.

Mr. RASKIN. There are lots of cases where they just go right through the guards.

Mr. JACKSON. We think about Uvalde where we had hundreds of law enforcement or we had Buffalo where armed folks engaged the shooter and lost. We have to realize that the way that we can truly save lives is preventing someone from walking onto a campus or approaching senior citizens in a grocery store in the first place.

Mr. RASKIN. Thank you. I yield back, Mr. Chair.

Mr. BIGGS. The gentleman yields.

The Chair now recognizes the gentleman from California, Mr. Kiley.

Mr. KILEY. Thank you, Mr. Chair.

I would like to bring to the Committee's attention what is the single most radical attack on the Second Amendment that we have seen in a long, long time. It is a bill that was just introduced in the California Legislature, AB-1333, the relevant text of which is here behind me. What this bill seeks to do is to effectively overturn the Castle Doctrine to say that it is no longer a justifiable form of self-defense to defend a habitation or a property.

Now, you might say, Well, OK, something crazy is being proposed in California. What else is new? One of the advocacy groups for this measure—in fact, that by all reports seems to have written the measure—has stated that this bill is, quote, “a blueprint for the rest of the Nation.” So, it is worth taking very seriously the outrageous affront to the Second Amendment that this measure represents.

Even jurisdictions that have the weakest protections for the Second Amendment and for the right to self-defense have generally upheld the Castle Doctrine. Even States that impose a right to retreat, let's say, when you're confronted with deadly force still maintain the basic view that your home is your castle, and you have the right to defend yourself if there is a home invasion. After all, if you're confronted in your home, where are you supposed to retreat to?

Let's just try to get our minds around the absurdity of this idea. You're asleep in your home in the middle of the night. A burglar breaks into your home, is heading to the room where your young children are fast asleep, and what are you supposed to do? You have to affirmatively somehow confirm that this individual is actually posing a risk. This is what—I believe the Latin is *res ipsa loquitur*, “the thing speaks for itself.” He has just invaded your home in the middle of the night. Of course he is posing a risk.

What are you supposed to do? You run him through a metal detector, and only then if it goes off, you do have the right to defend yourself and your family and your children? Just think about what the impact of this is going to be. It will massively tip the scales in favor of the criminal in the case of such a confrontation.

It puts the onus on you, the victim, an ordinary citizen minding your own business in your own home whose home has just been invaded, to somehow meet a set of legal requirements before exercising your inherent right to self-defense.

The criminal, knowing this, will use it to press their advantage. Indeed, more broadly, criminals knowing that homeowners have been rendered defenseless will be much more likely to burglarize homes. Citizens, knowing the legal peril that they might face, will be less likely to take steps to actually defend themselves, which, again, will incentivize more burglaries.

Again, this is a measure that the lead advocacy group called a blueprint for the rest of the Nation. Maybe I'll pose this question to Mr. McDermott and Ms. Muller, if you have any thoughts as well.

What do you see as the risk of a measure like this, and how can we assure that we are protecting the Second Amendment rights of folks across the country in the face of these proposals?

Mr. McDERMOTT. Thanks for the question.

More than anything else, as Ms. Muller put it, many of these people that are enacting or proposing the enactment of these laws come from a place of privilege. I represent a lot of these people, post-self-defense incidents. It's an entirely different story.

It's entirely different when you have to speak on somebody's behalf and defend them in court as to what they did and something that many people would think makes sense. It was something that was life-sustaining. It was something that was necessary to preserve the lives and the lives of their family.

Criminals are not restricting their ability to commit crimes, but so many law-abiding citizens are restricted in their ability to defend themselves, and this is another way in which that happens.

I think a very serious concern here—and I talked about it in my opening statement—is the fact that we are imposing or suggesting the imposition of additional duty-to-retreat States, or duty-to-retreat jurisdictions, and this is very wrong.

This is basically coming from a place of—I liken this to Monday morning quarterbacking where you basically—when I'm litigating these cases in court in real time, and I'm listening to all these different things and I'm taking this all in, knowing what my client actually went through, and you have got somebody that's sitting in the comfortable place of their home and they're watching the football game on a big screen and they see all the different options that the quarterback has when he hikes the ball.

The quarterback is seeing a number of different people running at him full speed, big people getting ready to take him out, has seconds, sometimes milliseconds to go ahead and respond in those types of situations, and then people on Monday morning—just like lawmakers, unfortunately, the different jurisdictions are saying you should have done this differently. It's pretty sad. It's pretty pathetic.

It's not helping people to defend themselves, which is an innate right. Everybody in this room can agree that everybody has a right to defend themselves. It's just half this room disagreeing as to why or how they can do that.

Mr. BIGGS. Thank you. The gentleman's time has expired.

The Chair now recognizes the gentleman from New York, Mr. Goldman.

Mr. GOLDMAN. Well, I agree with Mr. McDermott. Everybody in this room recognizes there's a right to self-defense. I hope my colleague from California is permitted by his former colleagues to speak at the hearing on the California bill that is not a bill in this Congress.

Mr. McDermott, I want to just clarify something you said. You said earlier on that, in Chicago, that the gun laws have not worked. I beg to differ. The Everytown Gun Law Rankings that just came out—and I'm happy to introduce this: Illinois, in terms of its gun law strength, at number three. California is one; Massachusetts is two; Illinois is three; my home State of New York is four. The problem with those States is that there is an Iron Pipeline where guns that are manufactured outside of those States are trafficked into those States.

The ATF is the Federal Government agency that is charged—and I believe, Mr. Jackson, am I right that the ATF is the only one with technology that can trace guns?

Mr. JACKSON. They're definitely the best at it.

Mr. GOLDMAN. Yes. So, most local law enforcement send the guns to the ATF to trace so that they can figure out where they are coming from. That allows us to enforce Federal laws against gun trafficking.

Now, I want to raise a different point here because not only was Kash Patel recently confirmed to be the Director of the FBI—he has never managed a local bakery much less an institution of the size of the FBI—but then, President Trump named him also to be the Acting Director of the ATF. Mr. Patel spoke at the inaugural summit of an organization called the Gun Owners of America, which says on its website that they advocate for abolishing the ATF.

Mr. JACKSON, briefly, can you just summarize what would happen if the ATF were abolished?

Mr. JACKSON. We would lose the ability to federally enforce rogue gun dealers, to focus on disrupting problematic iron pipelines, as you spoke of—there's multiple across the country—to prosecute gun traffickers. It would greatly handicap our background check system and our ability to identify and frankly deny dangerous sales of firearms. Most importantly, it will strip us of the ability to look out for emerging threats. We know that there are things like Glock switches and innovations that are happening every day that are making weapons more deadly.

Mr. GOLDMAN. Ghost guns, right? Ghost guns as well.

Now, that's not just a potential problem. That's a real problem because the President has issued an Executive Order to reevaluate every gun regulation that has been implemented by the Biden Administration through Mr. Jackson and the excellent work, in part, of the Office of Gun Violence Prevention.

Now, one of those rules is engaged in the business of selling guns rule, which is clearly a target of my colleagues on the other side of the aisle. It's pretty remarkable to me because that rule—which is often referred to as the zero-tolerance policy—revokes Federal firearm licenses for people who, (1) willfully transfer a firearm to a prohibited person, someone who the law says is not allowed to own a gun; (2) fails to run a required background check; (3) falsify records; (4) fail to respond to a tracing request; or (5) refuse to permit ATF to conduct an inspection in violation of the law. In other words, that regulation is designed solely to enforce the law, and yet, for some reason, that is a purported infringement on our Second Amendment rights.

Ms. Muller, I have a couple of quick questions for you. Is there a Second Amendment right for a mentally ill person to own a firearm?

Ms. MULLER. There isn't one that is—

Mr. GOLDMAN. Is there a Second Amendment right for—I just have a little time—for someone convicted of or with an outstanding order from domestic violence to own a gun?

Ms. MULLER. Repeat the question, please.

Mr. GOLDMAN. Can someone who has committed domestic violence own a gun? Is there a Second Amendment right?

Mr. BIGGS. The gentleman's time has expired. You may answer the question if you can.

Ms. MULLER. No, sir.

Mr. GOLDMAN. No, there's not. This is not a Second Amendment issue.

Mr. BIGGS. Your time has expired. Thank you.

The Chair now recognizes the gentleman from Texas, Mr. Nehls.

Mr. NEHLS. Thank you, Mr. Chair. Mr. Kiley, thank you for your questions. You think about California. Well, it's California. You figure that.

As an old sheriff from Fort Bend County, Texas, we love the great State of Texas, if you come into the great State of Texas and you start waving a gun around and threatening our citizens or you break into a home in the State of Texas, you're leaving in a bag. You will leave in a bag. As a sheriff, many did. Breaking into people's homes, their castles, threatening, or scaring people, that's California for you, but I will tell you, not in the great State of Texas. We won't allow it.

First, I want to ask about the effect of Left-wing DAs charging people with crimes for engaging in obvious self-defense or defense of others. Mr. Daniel Penny, his name comes to mind as a recent example. Last year, Mr. Penny restrained Jordan Neely on the New York City subway after Neely continued to threaten women and children on the train, which unfortunately resulted in his death. I am sure that Mr. Penny didn't want to have to take the man's life. Nobody wants to do that.

Although this was an obvious case of self-defense of others, Manhattan DA Alvin Bragg charged Penny with manslaughter, likely due to public pressure from the Left-wing radicals who felt Mr. Neely should have been allowed—be allowed to threaten women and children with impunity. Even though the jury came to an obvious outcome of a full acquittal—it didn't take long—a full acquittal, the damage to Mr. Penny had already been done. He had been through an 18-month ordeal in which his name and reputation—they drug it through the mud.

So, the government and the media's message to New Yorkers was clear: Dare to protect your fellow citizens, and we will destroy your life.

You know the old Good Samaritan? Do you have Good Samaritans out there anymore? You may not have them anymore. Why would anybody do it when you have jobs like Alvin Bragg, and others that want to go after and make the individual that wants to help other people—he's all of a sudden the suspect?

Mr. McDermott, do these kinds of political prosecutions deter people from coming to the defense of others, and how does that put at risk vulnerable populations like women and children and the elderly? In other words, how important is it? How important is it for us to have a society where people feel empowered to come to the defense of the vulnerable, Mr. McDermott?

Mr. MCDERMOTT. Obviously, the question answers itself. It's extremely important. We have a number of different problems. First, many people recognize the right to defend themselves, and very

often, they disregard the right to defend others, as happened in that particular case.

There is certain uniform, I would say, rules in this space. There are certain things that you see repeating themselves very often. For example, my clients that are being charged with various serious charges, the majority of these clients, the vast majority of these clients, close to all of them, have no criminal backgrounds. Yet, the victims that are being—the complaining witnesses in these cases do have backgrounds. They have violent backgrounds.

I have a client right now that's in custody that will not be released from custody because she has been determined—it has been determined that she's a danger to society. She is a grandmother. She was protecting herself, she was protecting her daughter, and she was protecting her 75-year-old mother from two grown men that were beating on them, and she is being charged. This is happening far too often.

Mr. NEHLS. Thank you. Thank you, McDermott. I have got one question and one minute left. I want to talk about the Second Amendment and uniformity in the Second Amendment.

Based on the current laws of the States of New Jersey and Pennsylvania, for example, a Pennsylvania resident could receive an 18-month prison sentence and a \$10,000 fine simply for possessing a knife in New Jersey that he is legally allowed to have in Pennsylvania.

So, Mr. Ritter, how do you think that is in the spirit of the Second Amendment? How does the lack of uniformity among States—even in what kind of knife one can carry—degrade the right to self-defense?

Mr. RITTER. The issue is, under *Bruen*, there really is no defense for creating a ban on a particular kind of knife because all these knives are common; all these knives are, quite frankly, less dangerous than a firearm.

The purpose of my bill is to ensure that if someone from your great State of Texas is going to the great State of New Hampshire and has to pass through New Jersey, that they can do so without risk of being imprisoned for simply carrying a knife that's legal at both the start and the finish of their journey as long as they lock it up. This is about protecting your constituents.

Mr. NEHLS. Thank you, Mr. Ritter. With that, I yield back.

Mr. BIGGS. Thank you. The gentleman's time has expired.

The Chair now recognizes the gentleman from North Carolina, Mr. Knott.

Mr. KNOTT. Thank you, Mr. Chair.

I think it's interesting that my friends on the other side of the aisle have tiptoed around the issue and even claim to not be against the Second Amendment. They're not hostile toward the Second Amendment, but life experience and observation of any objective record shows that they are very hostile toward the Second Amendment. Even in some of the cases that they have cited in limited support of their questions, whether it be *Heller* or *Bruen*, the Democratic Party has been against those in lockstep and have been challenging those at lower circuits ever since those opinions went into effect.

Even in these questions, the insinuation that there are far too many guns in the United States. You should pass more laws but don't buy more guns. You should prosecute people who are too aggressive in self-defense. You should prosecute the use of lethal force even if it results in the death of an attacker. These are things that are fundamentally contrarian and against the claim that they are not for the Second Amendment.

One of the statements that was made by a witness at the panel says that guns do not make us safe, and as a career prosecutor, I have to differ in my opinion in the strongest sense.

I'll start with you, Ms. Muller. Do you agree with that statement? In your experience as a police officer, one statement that you made said that we are our own first responders. So, in your experience, ma'am, what is your opinion on whether or not guns do in fact make us safe?

[Audio malfunction in hearing room.]

Mr. BIGGS. The Subcommittee is called back to order. We appreciate your patience. We've rebooted the whole system.

Mr. Knott has been recognized, and so, Mr. Knott, we recognize you for the completion of your five minutes.

Mr. KNOTT. Thank you.

Ms. Muller, do you remember the question I asked? Essentially the notion that guns don't make us safe. In your experience as a law enforcement officer, and as a woman who carries, do you agree with that statement? Why or why not?

Ms. MULLER. No, sir, I do not. I honestly believe that gun control is the remnants of the racism and the systemic racism we hear about in America. Think about the newly freed slaves. What did they do to them? They disarmed them. They made it certain that they couldn't defend themselves.

The bottom line is that gun control is racist. Today, the communities that are most impacted by violence, they need the proper education about firearms and firearm safety. They don't need to be disarmed.

Mr. KNOTT. In your experience, ma'am, are firearms used as a deterrent for violent crimes that could result in serious injury or death?

Ms. MULLER. Absolutely. That's what that CDC study showed, and that's why it's no longer on their website. It's because it doesn't support their narrative.

Mr. KNOTT. Right. Now, in regard to your experience as a law enforcement officer, ma'am, what effect on safety in local communities did defunding the police and the open border policies of the Biden Administration have on public safety?

Ms. MULLER. I think it was detrimental, and I think that that's why Americans flew to the gun stores, and we've had record sales. We're touting that the bipartisan bill has decreased crime. Well, I would submit that it was because we have had over one million gun sales a month for the past four years, and that there's an estimated 26 million first-time gun owners. So, it's not that gun control is working. Maybe it's the opposite, that firearms do prevent crimes.

Also, on the heels of defunding the police, Baltimore has hired police officers, and they have prosecuted criminals. That is how you maintain a safer community.

Mr. KNOTT. Now, Mr. McDermott, in regard to Chicago, there has been a lot of talk about this Iron Pipeline and so on and so forth, but their current mayor, Mr. Johnson—he campaigned as someone who was very hostile toward the police department. He was very progressive in his willingness to let positions go unfilled.

What effect does local law enforcement backing the blue and enforcing existing laws have on gun violence in Chicago and other cities where violence is a problem?

Mr. McDERMOTT. Thank you. I believe Mr. Raskin indicated that Chicago is a place where there has been a lot of—the gun law strength has become much better. If you ask the people of Chicago, they don't feel safer. They don't feel safer at all. As a matter of fact, they feel even more scared, especially when you are talking about things such as defunding the police. This gives rise to a great concern.

A lot of people, as I said, are going out and purchasing firearms because they don't believe they can now feel that they have that type of protection there. It has created a number of different situations that weren't created before.

Something that hasn't been brought up is that the number of people that are being charged after defending themselves is at an all-time high from my experience. I don't know if there are any statistics on that, but from my experience, there is a number—there is a tremendous number of people that are being charged that were never being charged before after defending themselves in Chicago.

Mr. KNOTT. Yes. I find it interesting that the other side of the aisle says we need to pass more laws. That will reduce gun violence, passing more laws, right?

Mr. McDERMOTT. Well, because—

Mr. KNOTT. It's illegal to sell drugs. What do people do? They sell drugs. It's legal to commit assault. What do people do? Commit assault. It's illegal to commit property crimes. What do they do? They commit property crimes. If we just pass more laws, the criminals who use firearms will obey them. That's the narrative.

Mr. McDERMOTT. Absolutely. That's the narrative. Obviously, that's not what's happening. We are seeing that we are disarming—again, disarming law-abiding citizens.

Mr. KNOTT. Is there a gun control measure that will not affect lawful responsible gun owners but will affect criminals?

Mr. BIGGS. The gentleman's time has expired. You may answer the question, Mr. McDermott.

Mr. McDERMOTT. I am sorry. In what respect? You are saying is there a—

Mr. KNOTT. Is there a law that could be passed that will not punish law-abiding and responsible gun owners, but will prohibit criminals from breaking the law?

Mr. McDERMOTT. Not in this context. Not at all.

Mr. RASKIN. Mr. Chair?

Mr. BIGGS. The gentleman's time has expired. I understand you have a UC?

Mr. RASKIN. Yes. Actually, I have a point of order first. The witness—

Mr. BIGGS. Please state your point of order.

Mr. RASKIN. The witness just falsely identified something that he claimed I said. I never even mentioned the word “Chicago.” If we could change the record on that or at least I would like to clarify. He may have been thinking of something somebody else said, but I never mentioned Chicago.

Mr. BIGGS. We’re going to let it stand. The record speaks for itself.

Mr. RASKIN. OK. Then, I just want to state that this was completely false.

Mr. BIGGS. Thank you. Now, the Chair—do you have a UC?

Mr. RASKIN. I have a unanimous consent request to enter into the record an article from Benjamin Weiss titled, “Dems Demand Details From Bondi on Trump’s Directive to Review Gun Regulations,” published by *Courthouse News* on March 3, 2025.

Mr. BIGGS. Without objection.

Mr. BIGGS. The Chair now recognizes the gentleman from California, Mr. Swalwell.

Mr. SWALWELL. Well, this hearing is—

Mr. BIGGS. Hold it. We’ve got a problem with the clock again.

Mr. SWALWELL. I will take as much time as I may consume.

Mr. BIGGS. I know I’m not giving you 10:34.

Mr. SWALWELL. You don’t want to give me 10:34.

Mr. BIGGS. So, they’re checking on it. We’re going to be in recess for another—are we good? Are we good?

OK. All right. I need some help watching that clock. Now, Mr. Swalwell, please.

Mr. SWALWELL. Well, this hearing is beautifully titled, “The Right to Self-Defense.” I see some moms who are here who would like to talk about the right to self-defense because a lot of moms lost their children in many of the mass shootings conducted with assault weapons over the last 10 years.

I would like to ask, what was the self-defense in Aurora where 12 people were killed? What was the self-defense in Newtown where 26 people were killed, most of them babies, little kids? What was the self-defense in Orlando where 49 people were killed? What was the self-defense in Vegas where 58 people were killed?

What was the self-defense in Sutherland Springs where 26 people were killed? What was the self-defense at Parkland where 17 people were killed, mostly students? What was the self-defense at a synagogue in Pittsburgh where 11 people were killed? What was the self-defense in Thousand Oaks where 12 people were killed? What was the self-defense in Gilroy where three people were killed? What was the self-defense in El Paso where 22 people were killed?

What was the self-defense in Dayton where nine people were killed, or Boulder, where 10 people were killed, or the self-defense in Buffalo where another 10 were killed, or Uvalde where 21 were killed—mostly babies, mostly little kids—or Highland Park—not an assault rifle—or Charleston in a church, or Santa Fe? What was this self-defense?

When most parents hear that, that there's a right to self-defense, they say bullshit. My kids have a right to go home. My kids have a right to go home. I should be able to look them in the eye in the morning when I send them off to school and not have to think about what they're wearing because I may have to identify them later. That's what parents do right now. I know because they tell me. I know because I have three littles, two of them whom are already doing mass shooter drills.

I talked to a substitute teacher recently who told me that a student came up to her in her classroom and said, "Do you know where to put us?" She was confused, and she said, "What are you talking about where do I put you?" The student said, "You're not our normal teacher. Our normal teacher knows where to put us if somebody comes in here with a gun. Did they tell you where you're supposed to put us?"

Those are the questions that our children are asking right now. Will you protect me? Do you think they feel protected by this hearing? By putting into our streets and our communities the most dangerous weapons so they can go into the hands of the most dangerous people. That doesn't protect anybody.

Mr. JACKSON, I wanted to ask you—and thank you for your work—can you think of a legitimate purpose for an untraceable, unregistered gun?

Mr. JACKSON. No.

Mr. SWALWELL. Would you agree that the only reason you need what's called a ghost gun is because you're a prohibited purchaser and you can't get one any other way, or you intend to commit a crime and you don't want people knowing where the gun came from?

Mr. JACKSON. Exactly.

Mr. SWALWELL. I would like unanimous consent, Mr. Chair, to enter into the record a California Department of Justice report on California's fight against ghost guns.

Mr. BIGGS. Without objection.

Mr. SWALWELL. Mr. JACKSON, can you talk about some of the preparations and trainings and studies you and your office had done around mass shootings and what we can do to not traumatize our kids—because I think there is trauma associated with having to go through some of these drills—but, to also not leave them unprepared if that ever came to their classroom?

Mr. JACKSON. Yes. We looked pretty intensely at how guns are impacting our schools, and frankly, what steps have been taken, and one thing that was clear is that the biggest threat is guns that are coming from the home. Seventy-six percent of school shootings come from the home and not just some bogeyman in the alley. The real work that needs to be done is engaging parents to be more responsible and securing and storing their firearms to help prevent these tragedies.

Mr. SWALWELL. That's not taking anyone's gun. That's just saying there are things you can do to lock it up and keep it away.

Mr. JACKSON. Exactly.

Mr. SWALWELL. Thank you. I yield back.

Mr. BIGGS. The gentleman yields back.

The Chair now recognizes the Chair of the Full Committee, Mr. Jordan.

Chair JORDAN. Yes. I just want to make a point. Earlier, one of our Democrat colleagues talked about Kash Patel running the ATF. What I will say is this: When the ATF was run by someone else, I know some of the crazy things that happened.

Any of you have ever heard of Bryan Malinowski and what happened to Mr. Malinowski? They said that he had somehow sold—was accused of selling six firearms that he wasn't supposed to sell. They had a search warrant. Instead of going to Bryan Malinowski while he worked—he was the highest-paid municipal employee at the Little Rock, Arkansas—he worked at the Bill and Hillary Clinton Airport. Instead of going to the airport and talking to him, going to his house, and then doing the search warrant, they decided they were going to do a predawn raid.

They were all set to do it on one particular Friday, and then they found out he wasn't home. They called it off and they said we're going to wait until the next Friday when he is home and go at—again, a predawn raid. Ten cars pull up, ATF agents and local police. They go up.

The first thing you see from the doorbell cam is them putting the tape on the doorbell camera, and then 53 seconds later, Bryan Malinowski is shot in the head because he does what any normal person would do.

It's why Mr. Kiley brought up about the crazy law they're proposing in California. He was defending himself. He thought he was getting robbed. He was defending himself, gets shot in the head, and dies several hours later.

That's the ATF before. You can criticize Kash Patel. That's ridiculous. Thank goodness he is running the ATF, and we don't have the same people who ran it when that happened to Mr. Malinowski. It made no sense. Fifty-three seconds. Why not just execute the search warrant like you should? Why not talk to him? Why not pick him up at the airport? Mr. Malinowski, we're going to your house. Call your wife. Let him know we're coming. We'll go there. We'll execute the search warrant. No, they couldn't do it that way. I thank the Good Lord Kash Patel is running the FBI and, frankly, the Interim Director of the ATF.

I don't know if you guys want to comment. Ms. Muller, you can say something or Mr. McDermott. I will let you guys say something if you want, but—

Ms. MULLER. Amen.

Chair JORDAN. Amen. God bless you. I appreciate that. I appreciate that.

I'll yield the rest of my time. I appreciate the witnesses here today. I appreciate the Chair and the good work he does. I yield the rest of my time to the Chair.

Mr. BIGGS. Thanks, Mr. Chair.

Mr. Ritter, are knives included in the definition of arms under the Second Amendment?

Mr. RITTER. Certainly. They have been considered arms for millennia. Perhaps man's oldest.

Mr. BIGGS. Are there any cases, Supreme Court or other Federal cases, that shed light on how knives are protected under the Second Amendment?

Mr. RITTER. Certainly. Both *Heller* and *Bruen* bring up the subject of knives as arms, and they are certainly protected by the Second Amendment.

Mr. BIGGS. Under the KOPA, Knife Owners' Protection Act, the purpose of that is to allow someone to move from State to State, and while they're actually in transit, they don't have access to their knives. Is that correct?

Mr. RITTER. That is correct.

Mr. BIGGS. That's why there has been bipartisan support. Generally, they don't have access to those knives, but they also shouldn't be prosecuted for transporting their knives across State lines?

Mr. RITTER. That is correct. The reason we get bipartisan support is because the bills that we propose are all about criminal justice reform and people not being stopped simply because they're carrying a knife with no criminal intent whatsoever.

Mr. BIGGS. In KOPA, there's a provision dealing with private right of action. Why is that so important to the bill?

Mr. RITTER. Private rights of action are very important to KOPA, because KOPA is closely related to the Firearm Owners' Protection Act. In fact, it was originally based on that. Unfortunately, the Second Circuit in *Torraco v. Port Authority* determined that those sorts of claims do not give rise to a private right of action.

In some of the States where folks are most in danger of being prosecuted for having an illegal knife, even if they were to follow the—lock them up according to KOPA, there's a precedent that they have no right of action, and without a right of action, there's very little deterrence for rogue law enforcement or prosecutors to go after them, despite what Congress' intent may be.

Mr. BIGGS. Thank you. With that, the time—I'm going to yield it back to Mr. Jordan who is gone, and so the time has expired.

Now, I recognize the gentlelady from California, Ms. Laurel Lee. I'm sorry. Florida. I'm sorry. What did I say?

Ms. LEE. California.

Mr. BIGGS. Oh, gracious.

Ms. LEE. Understandable mistake, Mr. Chair. I will yield my time to the Chair.

Mr. BIGGS. Thank you. Ms. Muller, are people who want to restrict Second Amendment rights supportive of women's rights?

Ms. MULLER. Negative.

Mr. BIGGS. How so?

Ms. MULLER. Well, like I mentioned in my opener, that we are smaller and less equipped for violence, and that is why women are the fastest growing demographic of gun owners. It levels the playing field. If anybody thinks that they don't need a firearm or chooses not to have a firearm, that's their choice, but they're going to do so from a place of privilege because they may have security or they may live in a community that doesn't necessarily need to have security. Not all of us can afford to have our own security. Therefore, we have to take it in our own hands. I know mothers that refuse to outsource the security of their children.

Like Mr. Swalwell said, school shootings and all those shootings that you mentioned—I was trying to keep up with you, but I was thinking gun-free zone, gun-free zone, gun-free zone, and gun-free zone. Obviously, gun-free zones do not work. They are dangerous, they are deadly, and we can't protect our children. We cannot traumatize our children. There's a program called FASTER Saves Lives, and I would love to discuss that with you.

Mr. BIGGS. Thank you.

Mr. McDermott, should law enforcement officers be allowed to carry a firearm in gun-free school zones or on public transportation?

Mr. McDERMOTT. Absolutely.

Mr. BIGGS. Would you—

Mr. McDERMOTT. I'm sorry. I was just going to further along the lines—

Mr. BIGGS. Yes. I'm going to get back to that in a second. There are two questions I really want to ask here.

OK. Ms. Muller, would you have liked the option to purchase your service weapon right when you retired as a police officer?

Ms. MULLER. Yes, sir.

Mr. BIGGS. OK. Now, Mr. McDermott, I saw you writing furiously when my colleague from California was iterating various shootings, and I wondered what in the devil were you writing and what would be your response?

Mr. McDERMOTT. All right. A loaded question, no pun intended. When Mr. Swalwell was indicating—he kept on asking, was is self-defense here? Was is self-defense here? Was is self-defense here? It just kept hitting me a particular way. If there had been some form of self-defense, if somebody had been able to defend themselves in those particular areas, if somebody had actually done so, we wouldn't have been naming off these higher numbers.

Instead, to Ms. Muller's point and what I stand by myself, we have all these different gun-free zones, which is basically a fallacy. They do nothing to make our communities safer. They basically leave the good defenseless against criminals—law-abiding citizens defenseless against criminals, and they take advantage of it. They take full advantage of it.

Mr. BIGGS. Mr. McDermott, how difficult is it for someone traveling across State lines to know what the self-defense laws are in each State?

Mr. McDERMOTT. It's incredibly difficult. I'll tell you, when I said at the very beginning I've lectured in front of thousands of people now, one of the very first questions I ask after defining whether people know in the room what it is to be able to use lethal force and when you're compelled to use lethal force to defend yourself—one of the very first questions I ask at these different jurisdictions is, who in the room knows which type of jurisdiction they reside in?

Very often, people are confused. Very often, in certain States which are very anti-firearm, and which are very anti-police, many people believe in those jurisdictions that they're automatically a duty-to-retreat. That's also something that is argued by prosecutors in these particular States.

Even if they have stand-your-ground law, your client or this defendant could have actually retreated or could have gotten to a

safer place. The reason that this client—she is being charged is because she discharged her firearm or because she shot this person, and that's not why—that's not appropriate. It's not proper. It's not even correct, and it continues to happen.

Mr. BIGGS. So, looking at ATF, what actions do you think ATF under President Trump need to be prioritized?

Mr. McDERMOTT. What actions are under the ATF? Really, that's a loaded question. I think that we need to stop—first and foremost, we need to stop attacking law-abiding citizens with respect to their ownership of firearms. We need to recognize that people have a right to defend themselves. We need to recognize that we are not in a position—nobody is in a position to tell people how they can and can't defend themselves.

In that respect, we have to stop with this campaign to continuously collect firearms from law-abiding citizens. You need to do a bit more research into this, and you need to make sure that we're not crossing lines at those particular times.

Mr. BIGGS. Ms. Muller, same question.

Ms. MULLER. Well, I don't know about the ATF specifically, but I'll address the Office of Gun Violence Prevention. I actually wanted to rename that to the Office of Violence Prevention because we're all against violence. Guns are inanimate objects, and they are not violent in and of themselves.

Mira O'Connell, who was the one who defended herself from the serial rapist and took his gun, that is the exact opportunity for a gun to be used for good in good hands and for bad in bad hands. I would like to keep that office and use it for firearms education and actual studying.

Mr. BIGGS. Thank you.

Mr. SWALWELL. A unanimous consent request for a June 27, 2024, *NBC News* story about a former Uvalde District Chief charged with child endangerment when he had a gun, and 21 kids were killed because he didn't use it.

Also, a *Texas Tribune*, July 8, 2016, story: "Police use of robot to kill Dallas suspect." Unprecedented because five Dallas officers died while armed officers were not able to take down the shooter.

Mr. BIGGS. Without objection.

Mr. SWALWELL. Thank you.

Mr. BIGGS. The gentleman from Florida, Mr. Moskowitz, for five minutes.

Mr. MOSKOWITZ. Thank you, Mr. Chair.

Mr. McDermott, I want to tell you a quick story about my experience in my community. I come from a city called Parkland. I graduated Marjory Stoneman Douglas High School. In 2018, I was on the House floor at the time, and my wife texted me and she said, "I just drove past Marjory Stoneman Douglas and I've never seen that many police in my lifetime."

I wound up turning on the news and finding out that a troubled young man had walked into Marjory Stoneman Douglas and killed 17 people, a kid that the school board knew was a problem and didn't do anything about, had given him chance after chance after chance. Police had been to his house. The FBI had gotten hits on him and didn't followup. This has resulted in lawsuits and settlements.

He walked into that school and killed 17 people. He walked right past the security monitor. A person on a golf cart with a walkie-talkie saw him, OK, and didn't radio. He went from floor to floor. He started on the first floor. He started killing people in the hallway. He never entered a classroom. He just put his gun up to the glass of every door and just fired through the little glass window that these classrooms had, killing all sorts of kids and adults. We had adults run into the building to try to help kids. They were killed as a result of this.

The guy they depended on, that the students depended on, the SRO, right, did he respond? He didn't. He stayed outside the building like a coward. He never went into the building. When the police department showed up—by the way, everyone was dead by the time they got there. When the police department showed up, do you know what the SRO on scene told those police departments? Don't go in. He instructed—because he's the incident commander on scene. He instructed them not to go in, two different police departments. Eventually, Coral Springs, the local police department, decided to go in.

The Sheriff of the Broward County Sheriff's Office, OK, was removed by Governor DeSantis over this. The superintendent lost his job in Broward County over this.

So, what did Florida do? Florida. Republican Florida, run by the House—Republicans in the House, in the Senate, a Republican Governor, now a U.S. Senator, the whole Republican cabinet, the "gun-shine State." What did they do? Well, they passed the Marjory Stoneman Douglas School Safety Act. You know what that did? That did a bunch of things. It raised the age to buy a gun to 21 years old. Not possession. Parents could still buy their kids a gun. It raised the age to buy a gun to 21 years old. It instituted three-day waiting periods, red flag laws.

It also, by the way, created the Guardian Program which allowed nonclassroom teachers to go through training, and as a result, there would be additional guns on school campus. Folks that went through training with the sheriff's office. They made it a local option so that counties could decide if they wanted to do that. By the way, almost every single county opted into the program, OK? The program has been a success. It has actually been a success.

It was a comprehensive bill. It did all things. It looked at the problem and said, "what is the issue?" We can't just wait for the police departments to get there because sometimes, by the time they get there, everyone is dead. Well, we can't just depend on the SRO because sometimes these guys don't do the right thing.

We also have got to recognize that there are a lot of troubled people out there with mental health. We put hundreds of millions of dollars into mental health. We also wanted to make sure that young people, if they wanted to go hunting with their father or their parents, and they could do that, right? Their dad could take them, or their mom could take them and could buy their gun. We didn't want an 18-year-old walking into a gun store like this kid did and come out with an AR-15, unlimited ammunition, body armor.

This guy, as the kids were fleeing out of the building, tried to pick children off as they were running out of the building. You

know why he didn't succeed? The hurricane glass. We got lucky. Hurricane glass, which was put in the building to stop hurricanes, actually stopped the trajectory of the bullets. It took a lot of the speed out of the bullets' way so that they just fell on the ground and didn't kill anyone.

I would tell you that Florida is one of the most gun-friendly States in America. It has been for the longest time. Marion Hammer, the head of the NRA, was the main lobbyist there, right? Stand your ground, born and bred in Florida, OK?

I give my Republican colleagues credit. They saw what was happening. They saw an epidemic. They don't want to take people's guns away. They are Second Amendment rights advocates through and through. They did the right thing because there is a balance. This idea that there is no balance, I reject, and Florida proved that absolutely wrong.

Thank you, Mr. Chair. I yield back.

Mr. BIGGS. The gentleman yields. I now yield myself for five minutes.

The first thing I want to cover—and I appreciate—Mr. Jackson, I appreciate you being here and your testimony today.

As I listened to your testimony talking about post the all-time highs, I guess, of murders that took place during the COVID-19 era, I began thinking—I wonder what other independent variables went into that. Was there retrograde analysis done in that study, if there has been a study done at all, and were any of those other independent variables isolated?

I would suggest to you that—actually, in your testimony and in other people's testimonies today, we know that there was a spike. It happened during COVID-19. What caused the spike? Some people say it was COVID-19 that caused the spike. The people were frustrated. People were sick. People were out. People were isolated. All of that took place.

We also know that once that went away—I don't know that you can attribute it all necessarily to the legislation that I think my colleagues have—you actually changed as society began trying to get back to normal. That's why you see this spike, and you see this certain level that's kind of moving like that on the graph line that was there, and then you have the spike, and then it starts winding its way back down.

You don't know what the—actually, we don't know what the dependent variables are or the independent variables are as we look at that study—if we're going to look at it as a study, and that's why it's so important in my mind to really actually isolate those variables and you do the regressive analysis to see what's there. That's just where I am to start with.

I want to go now to Ms. Muller. Ms. Muller, what are some of the potential negative consequences of a jurisdiction that fails to grant an individual's application for a concealed carry permit?

Ms. MULLER. Are you referring to shall-issue and may-issue?

Mr. BIGGS. Yes, I am. I was going to get that from Mr. McDermott, but I'm here with you. So, you go ahead.

Ms. MULLER. Well, that any time you throw a barrier up between, let's say, a woman who is facing domestic violence and any time you throw a barrier to her being able to defend herself is

going to be detrimental. We hear it time after time. I know there was a woman in New Jersey that was waiting for her concealed carry permit. She was stabbed, I believe, in her driveway. The criminals don't wait, and if you need to defend yourself now, then you're only creating a barrier for people to be safe.

Mr. BIGGS. Ms. Muller, you were a law enforcement officer for 22 years in Tulsa, right?

Ms. MULLER. Twenty-two years. Yes, sir.

Mr. BIGGS. So, you encountered stressful situations as a law enforcement officer, right?

Ms. MULLER. Yes, sir.

Mr. BIGGS. Did you ever encounter somebody who was a violent criminal?

Ms. MULLER. Yes, sir.

Mr. BIGGS. What is the stress level when you encounter somebody that is threatening violence?

Ms. MULLER. On a scale of one to 10?

Mr. BIGGS. Yes.

Ms. MULLER. I'm going to go 8–10.

Mr. BIGGS. Yes. We really need to keep that in mind as we talk about these things, too.

So, Mr. McDermott, I want to talk to you. What's the difference between those may-issue and shall-issue jurisdictions with respect to the concealed carry permits?

Mr. McDERMOTT. Well, obviously, that was addressed in *Bruen*. It's just a significant—it's the may-issue and the discretion that extends to the government. The local police sometimes—in Illinois, it's ISP that makes the determination. The fact that it's often abused, and it certainly violates our Second Amendment.

There are States, such as Illinois, that are considered shall-issue States, and because of that and because of the ruling, in my opinion, there's a misconception with respect to the fact that *Bruen* doesn't actually apply to Illinois. Illinois is a State which is shall-issue. However, it has—when you look at the Concealed Carry Act, it has approximately 20-plus different ways in which they can go ahead and deny firearms to people. It's very discretionary. You can't get in touch with anybody. When you call to ask, you're never given a name. There's never a direct line. There's not an office where you can speak to somebody. It's basically an eyes-behind-the-curtain type of situation. Somebody is deciding who gets the firearms and who doesn't.

I know somebody that was arrested for having a FOID revoked. His FOID was revoked, his Firearm Owners Identification Card, which is what is required in Illinois, for example. His FOID was revoked because he was charged with a felony. The prosecutor later reduced it down to a misdemeanor because the evidence didn't support the felony. He took a plea for supervision on a misdemeanor, which he would never have had his FOID lost as a result of. He later—because he didn't know that it was permanently revoked—was arrested and charged with having a revoked FOID, which is mandatory jail time, or prison time, in the State of Illinois.

It's being abused consistently. These may-issue jurisdictions shouldn't exist, and that's what *Bruen* stands for.

Mr. BIGGS. Thank you. I thank all the witnesses and everyone who has attended this hearing. This concludes today's hearing.

Without objection, all Members will have five legislative days to submit additional written questions for the witnesses or additional materials for the record.

Without objection, the hearing is adjourned.

[Whereupon, at 12:10 p.m., the Subcommittee was adjourned.]

All materials submitted for the record by Members of the Subcommittee on Crime and Federal Government Surveillance can be found at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=117971>.

