# LWV

### THE LEAGUE OF WOMEN VOTERS® OF THE FAIRFAX AREA

# Fairfax VOTER

#### February 2015

Volume 67, Issue 6

# Improving Firearm Safety in Virginia

"For the third year in a row, more Virginians died due to firearms than traffic accidents. While no law can prevent every firearm death, there are key areas in which Virginia's laws could be improved to help significantly lower the risk of death by firearm." Thus begins the third in a series of LWVFA studies on gun safety. This time it is a call to action, spelling out with precision exactly what changes in Virginia law would make Virginians safer. Its focus is on protecting victims of domestic violence from firearms and strengthening child access prevention laws, an area where Virginia's laws are among the weakest in the country.

The previous two articles focus firearms safety - specifically on the incidence of suicide and homicides at the national, state and local level and the progress being made in Fairfax County. Both of these articles can be accessed at <u>http://lwv-va.org/thevirginiavoter.html.</u>

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# Presidents' Message



It may be the middle of winter, but February brings a warm spot in our hearts. We especially think of our loved ones with thoughts of many memories shared. We hope that you will share some of your League memories with us as we would like to add to the oral interviews first started by Bernice Colvard. We plan to celebrate the League of Women Voters 95th anniversary this March with an exhibit at the George Mason University Archives and a reception with the students. Kathleen Pablo has agreed to present her program for the students so that they can learn more about our founders' struggle to get the vote. Look for more information about our plans soon.

We would especially urge you to attend League Lobby Day in Richmond, February 4. It is a chance to meet with other Leaguers from around the state and to speak with our senators and representatives. Last year we passed out new copies of our Facts for Voters, a Directory of Public Officials and Government Offices, and spoke with our legislators about our personal and League concerns. What a great way to see how things work in our state capital. We will be forming carpools, so call or email the office to indicate your interest.

Our community and condo elections have been great fundraisers for our League. We thank all the volunteers who have helped make this possible. We are so saddened that one of our special members, Kay McQuie, will no longer be around to help us. We are disappointed that the Alexandria League has disbanded, but thankful that they "willed" us a condo election at the Watergate at Landmark, March 2. Mark your calendars now, as we will need your help to make this a successful election.

We are happy several of our committees are so vital - voter service, schools/education, domestic violence, and gun safety. We have members interested in immigration, land use, redistricting, and so many other topics. With more volunteers who can give a small amount of time, we can do more and be more effective. Please contact us to share your interests and talents.

Julie and Helen

# In Memoriam

Kay McQuie, a Leaguer for 48 years and a longtime member of Mt. Vernon Evening unit, died suddenly in her sleep December 28. Besides holding many unit offices, she was LWVFA's first Elections Coordinator and directed Skyline and Sequoyah condo elections for many years, as well as the recent, very convoluted 4900 Duke Street election. A perennial Voter Service volunteer, Kay was League's part-time office administrator, and has also served on the Budget committee and our Legacy committee since its establishment. Kay will be greatly missed by those who knew and worked with her.

#### Plan to Attend League Lobby Day

February 4, 2015

#### Capitol Building, Richmond, VA

#### Talk with Your Legislators

**Reservations Not Required** 

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### **School Schedule Changes: Summary of Unit Discussions**

#### **By Leslie Vandivere**

In summer 2014 the Fairfax County School Board revised the approved 2014–2015 standard school year calendar. The changes include full-day Mondays and at least 20 minutes of recess each day for elementary school students and increased planning time for teachers. In October 2014 the School Board voted to delay the time county high schools begin their days. Because of the many schedule changes, the School Board will not consider final approval of the 2015–2016 calendar until March 2015, when the effect of the changes is better understood.

Effective September 2015, high schools will start between 8 and 8:10 a.m. and end between 2:45 and 2:55 p.m. Later start times are widely regarded as providing health benefits for adolescents. The December unit discussions focused on these changes, how they will be accomplished, and their consequences.

#### **Teacher Conferences**

Units were asked to discuss the advantages and disadvantages of holding elementary school parent-teacher conferences throughout the year rather than scheduling them during two November teacher work days.

Most units thought there was an advantage to beginning the school year with a regularly scheduled conference to which all parents were invited. The face-to-face meeting established rapport and set the tone for the rest of the year. Parents provided information about students that was useful to teachers. Some units pointed

out that electronic communication between parents and teachers provided timely and flexible communication and met the needs of parents whose schedules made in-person conferences difficult. Several units noted that having a teacher work day rather than conferences would free up parking for voters on Election Day.

Among the disadvantages are unequal access to technology and the difficulty of providing translation services when needed. One unit was concerned that increased ad hoc conferences would result in unpaid overtime for teachers. The Centreville-Chantilly Unit and the Greenspring Unit were not certain whether the new approach required that conferences be mandatory or strongly encouraged. Without that information, they felt they could not address the question adequately.

#### **Physical Education**

Changes to the school calendar have resulted in the addition of 2.5 additional hours to the elementary school week. Units were asked whether FCPS should use the additional time to increase the required amount physical education from 60 to 90 minutes each week in elementary schools. (Some schools already provide 90 minutes of physical education.)

Support among units for additional physical education was nearly universal. Some units felt they needed more information about recess and its relation to physical education before making a decision. The Mt. Vernon Unit stated that they felt the extra physical education time should be spent on nutrition and wellness issues rather than sports training.

#### School Days Per Year: 180 or 183?

In order to qualify for the full amount paid by the Commonwealth from the Basic School Aid Fund, the Code

> of Virginia requires that the length of every school's term in every school division shall be at least 180 teaching days or 990 teaching hours in any school year. For its revised calendar, FCPS elected to calculate the length of the school year in hours, rather than in days. As a result, the school year is 180, rather than 183, days.

Units did not agree whether three days should be added back to the calendar. Several units pointed out that the number of planned snow days actually used introduces uncertainty into the calculation. Others worried about how the three days would be funded. If funded by cuts to the support staff salaries, members did not support the addition. The McLean Unit pointed out that the savings achieved by not adding three days was only .05% of a \$2.5 billion budget but would fall on the lowest paid employees.

#### **Early Dismissal Days**

All irregular high school schedules were eliminated in the



revised 2014–2015 calendar. The standard school calendar now includes six two-hour early dismissal days for all students. Unit members were asked to consider several consequences of this change.

Most units agreed that a two-hour early dismissal on the day before Thanksgiving and the day before Winter Break was a good idea because families could leave on vacations. The early dismissal, however, may cause child care problems for some families.

Half the units suggested that the new policy of early dismissal on the last day of the first three grading periods was a good idea because it provides teachers more time to plan and to complete grading paperwork. The other units did not agree with the early dismissal times because mastering material should be the goal for students.

All units did agree that early dismissal on the last day of school was beneficial. Most felt that a two-hour early dismissal was better than a two-hour school day, especially because of the scheduling difficulties a short day caused for busses.

#### **Student Holidays**

The revised calendar has five more student holidays than previous years. Units were asked if the number of holidays should be reduced.

Most units supported the revised number of holidays, especially since the revision allowed for more teacher planning time. Several units argued for more and shorter holidays during the school year and a shorter summer vacation. The McLean Unit made a particularly strong case for this tradeoff pointing out that students would experience less summer knowledge loss and children in free and reduced meal programs would benefit.

#### **Two-Week Winter Break**

All but two units supported the two-week winter break because it provides time for family travel, especially important for Hispanic as well as other families. Some units were concerned about child care for some families and children missing free and reduced meal programs.

# League Lobby Day Scheduled for February 4 in Richmond

League Lobby Day is February 4, with the opening session from 8:30 a.m. to 9:30 a.m. in the General Assembly Building, Senate Conference Room, 3rd Floor West. Legislators will join the group and talk about their priorities for the session. At 9:30, members are encouraged to seek out their representatives, perhaps make an appointment for later in the morning if a legislator is tied up, and talk to as many as you can about issues of concern to you. Often those issues will have come up at the earlier forum. AAUW will be joining us for this forum, along with NOW, Women Matter, and others. LWV-VA has moderated this WLRT session for years. The legislative sessions will start at noon and you are invited to attend as the League will be recognized. (There is a cafeteria on the 6th floor, a great place to gather for



Leaguers meet with Senator George Barker.

coffee and breakfast before the session.)

A full schedule for the day will be posted soon at <u>http://</u> <u>www.lwv-va.org/</u> <u>files/announcements</u> <u>2015\_10\_01 11d</u> <u>schedule page.html</u>. If you cannot make it Feb. 4, the following Wednesdays will also include a Women's Legislative Round Table session, same time, same place: Jan. 21, Jan. 28, Feb. 11, and Feb. 18. The state League will pay for two rooms, double occupancy (or half the cost if you do not want to share), for each of these sessions at the Hilton Garden Inn for the first people to ask. Email Brenda Carswell, <u>bcarsy@verizon.net</u> if you would like one of these.

# Join other Leaguers for this important show of strength of the League.



State President Anne Sterling with Leaguers in the Senate Gallery where the group was recognized by name.

# Improving Firearm Safety in Virginia

By the Firearms Safety Committee League of Women Voters of the Fairfax Area

In 2011, for the third year in a row, more Virginians died due to firearms than traffic accidents.<sup>1,2</sup> While no law can prevent every firearm death, there are key areas in which Virginia's laws could be improved to help significantly lower the risk of death by firearm.

First, Virginia's laws lack key measures to help protect victims of domestic violence from firearm injury or death at the hands of their abusers. The risk of homicide in a domestic violence situation increases by 500 percent when a firearm is present.<sup>3</sup> Moreover, domestic violence has been shown to be a contributing factor to active shooter incidents and mass shootings, which are on the rise.<sup>4</sup> Therefore, it is essential that Virginia's laws be strengthened to help prevent known abusers from accessing firearms. Second, Virginia's firearm child access prevention laws are weak at best. In the United States, as many as two children die each week in unintentional shootings due to unsecured guns. However, accidental shootings are not the only risk due to child access to firearms. Children who get access to unsecured guns also use them in suicides and school shootings.<sup>5</sup> Again, while no one law or policy is a panacea for gun violence, evidence-based research has shown that specific laws result in substantial decreases in gun deaths.

There is momentum at the State level to pass laws to prevent gun violence. This is a result of a number of factors including an increase in the rate of active shooter incidents and a rise in the public's consciousness that gun violence is

a public health crisis following the Sandy Hook elementary school mass shooting. Over the past year, six states have passed, and the governors have signed (including Republican governors), laws banning the possession of firearms by those convicted of misdemeanor domestic abuse, those served protection orders, or those deemed by the court to pose a physical threat to their families.6 According to the Law Center to Prevent Gun Violence, 13 states considered proposals this year to adopt or strengthen child access prevention laws. Eleven states considered legislation that

### LWVUS Statement of Position on Gun Control

and to save lives.

The League of Women Voters of the United States believes that the proliferation of handguns and semiautomatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens. The League supports regulating firearms for consumer safety.

Adopted by 1990 Convention and amended by the 1994 and 1998 Conventions

Therefore, the committee proposes the following

children from accessing firearms are narrow and modest yet

meaningful measures, proven to receive bipartisan support

actions by LWV-VA: 1) Support measures concerning domestic abuser access to firearms that:

 Include dating partners, misdemeanor-level stalking, and other violent misdemeanor crimes within the firearms prohibitions.

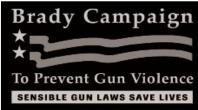
> Provide a mechanism or authorization at the Virginia state level to remove firearms that are already in possession of an abuser.

2) Support measures regarding child access laws that at a minimum:

would require locking devices, the safe storage of firearms, or both.<sup>7</sup> And recently on November 4th, voters in Washington State approved ballot Initiative 594 to expand background checks on nearly all gun sales. The measure passed handily with 60 percent of the vote.<sup>8</sup>

The League has recently reaffirmed strong GVP positions at the state level. For instance, the LWV-Washington publicly endorsed I-594.<sup>9</sup> It therefore seems timely and appropriate for the LWV of Virginia to give strong consideration to giving its support and endorsement at the state level for reasonable proposals. Preventing domestic abusers and

- ► Require safe storage of firearms;
- Provide for criminal penalties if a gun is stored negligently, a child gains access to the firearm, and some harm results.



#### Background

# Domestic Abuser Access to Firearms

According to an FBI Report released in Septeber of this year, "active shooter incidents"<sup>10</sup> are



becoming more common.<sup>11</sup> The study looked at 160 active shooter incidents in the U.S. over 14 years from 2000 - 2013. (Incidents that resulted from gang or drug violence were excluded.) The study found that we averaged 6.4 incidents annually in the first seven years (2000- 2006). But this number more than doubled in the following seven years (2007 - 2013) to an average of 16.4 active shooter incidents per year – that's roughly one every 3 weeks.

One of the most disturbing findings of the report was the nexus between active shooter incidents and domestic violence. In 16 of the incidents (10 percent), the shooters targeted current, estranged or former wives as well as current or former girlfriends. Three-fourths of the women were killed.<sup>12</sup> But death of the intimate partner was not the only risk. Access to a firearm in a domestic violence situation also presented a significant threat to children, friends, colleagues, and the community. Just those 16 incidents resulted in death or harm to 70 additional people (42 were killed and 28 were injured).



Virginia is not spared the deadly combination of domestic abusers and firearms. Tragically, on February 25, 2014, Glade Springs, a community in Virginia, witnessed first-hand the devastating effects when firearms are part of the equation in a domestic abuse situation. According to records, Kristen

Palmer, a teacher, suffered years of abuse from her husband, Kevin Palmer, including a broken nose and black eyes. On February 24, 2014, Kristen filed for an order of protection. Palmer was served with the order. Under the protective order, Palmer was not allowed to have weapons, <u>but in</u> <u>Virginia there is no system in place to remove existing</u> <u>weapons</u>. On February 25, Palmer drove to the home of Kristen's parents, where Kristen and her son, Griffin, were staying. It was there that Kevin Palmer shot and killed his wife Kristen, his 17-year-old son, Griffin, and his mother-in-law Nancy, and injured his father-in-law, Terry, before turning the gun on himself. Subsequent reports revealed that Palmer owned nearly 50 firearms.<sup>13</sup> But according to a local ABC affiliate, "*The Sheriff said*  under the protective order, Palmer wasn't allowed to have weapons, but there's no system in place to search the home or make sure the person doesn't keep their weapons."<sup>14</sup>

It is difficult to overstate how critical a role firearms play in domestic abuse. Studies show that the risk of homicide skyrockets in cases of domestic violence when a firearm is present. One study found that the risk of homicide for women increases by 500 percent when a firearm is involved.<sup>15</sup> Also, in 2011, more than half (53 percent) of American women who were murdered with a firearm were killed by intimate partners or family members.<sup>16</sup> Another recent study found that mass shootings (four or more people are killed in the same incident) include the shooting of a current or former spouse, intimate partner, or family member 57 percent of the time.<sup>17</sup> Harvard researchers with the Harvard School of Public Health recently published data showing that mass shootings are becoming more frequent, finding that the rate has tripled since 2011.<sup>18</sup>

#### **Child Access to Firearms**

When it comes to gun violence, children are among the most vulnerable. Guns pose a significant risk of injury and death to children in the United States each year. And sadly, most of these deaths could be easily prevented. Researchers have found that millions of children live in homes with easily accessible guns. Approximately 1 in 3 handguns is kept loaded and unlocked. The presence of unlocked guns in the home vastly increases the risk of unintentional shootings.

Far too often, we read about a tragic "accident" that takes a child's life when the reality is that an adult was negligent in handling or storing firearms. The *New York Times* ran a piece called "Children and Guns: The Hidden Toll,"<sup>19</sup> which exposed that the firearm shootings of innocent child victims are underreported by the media because of how authorities classified the deaths. To better quantify the real toll unsecured guns take on our children, Everytown for Gun Safety conducted analysis of publicly reported gun deaths in the 12 months after the mass shooting in Newtown, Connecticut.<sup>20</sup> That analysis shows that federal data substantially undercount these deaths: The data showed:

- From December 2012 to December 2013, at least 100 children were killed in unintentional shootings – approximately two each week, or 61 percent higher than federal data reflects.
- About two-thirds of these unintended deaths 65 percent – took place in a home or vehicle that belonged to the victim's family, most often with guns that were legally owned but not secured. Another 19 percent took place in the home of a relative or

friend of the victim.

More than two-thirds of these tragedies could have been avoided if gun owners had stored their guns responsibly and prevented children from accessing them.



Virginia is likewise no stranger to the tragedy of unintentional shooting deaths at the hands of children who had access to a firearm due to the negligence of an adult. On April 21, 2014, in Rocky Mount, a small town in Virginia, known for its

historic charm, 7-year-old Shane Nichols and his 12-year-old brother went to a neighbor's house to play. The 12-year-old boy found an unsecured handgun and accidently fired the gun, hitting his brother. Shane Nichols died immediately.<sup>21</sup> Shane Nichols is just one of a number of children lost each year in Virginia from unintentional shootings.

However, unintended shootings caused by adult negligence are not the only risk presented by unsecured firearms. Children who gain access to unsecured guns also use them in suicides and school shootings. An analysis of school shootings in the 14 months following the Sandy Hook elementary school shooting showed that 20 were perpetrated by minors. Of those shootings where the source of the firearm was known, three-quarters obtained their guns from home.<sup>22</sup> This recent analysis validates similar findings that were published a decade ago in July 2004 by the U.S. Secret Service and U.S. Department of Education. In that study, 37 school shootings from 1974 -2000 were examined.<sup>23</sup> That study found that in 65 percent of the cases, the attacker obtained the gun from his or her own home or that of a relative. Child access prevention (CAP) laws work to limit a child's access to guns in and around their home and are viewed by many experts in the field as a way to decrease the number of children injured and killed by accidental as well as intentional shootings.

#### Current Federal and Virginia Law on Domestic Violence and Child Access Prevention

#### **Domestic Violence**

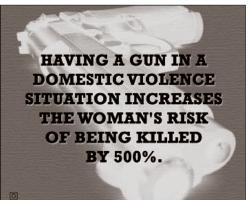
Federal law currently includes provisions to help keep guns

out of the hands of abusers who are convicted of domestic violence crimes and who are subject to domestic violence restraining orders. But critical gaps in federal law exist.

**Dating partners:** Intimate partner homicides are increasingly being committed by current and former dating partners. But only couples that are married, actively cohabitate with one another or have a child in common are covered by federal firearms prohibitions.

*Stalking:* Federal firearms prohibitions triggered by domestic abuse do not include individuals convicted of misdemeanor stalking crimes even when the conviction arises in an intimate partner context. Data show that there is a strong connection between stalking and future escalating violence against women. One study of female murder victims in 10 cities found that 76 percent of women murdered and 85 percent who survived a murder attempt by current or former intimate partner experienced stalking in the year preceding the murder.<sup>24</sup>

There is momentum at the state level to enact stronger laws to keep guns out of the hands of abusers and stalkers. In 2014, six states passed domestic v i o l e n c e prevention



laws. These states were Louisiana, Minnesota, New Hampshire, Washington, Wisconsin and Vermont. The measures passed by state houses with bipartisan support and were signed into law by governors of both parties, including Wisconsin Governor Scott Walker and Louisiana Governor Bobby Jindal. These laws banned the possession of firearms by those convicted of misdemeanor domestic abuse, those served protection orders, or those deemed by the court to pose a physical threat to their families.<sup>25</sup>

Virginia has a number of serious legal omissions that, if addressed, could offer considerable protection for its victims of domestic abuse. For example, when a person is convicted of the misdemeanor crime of stalking, sexual battery, or family abuse, punishable by up to a year in prison, there is no legal mechanism requiring the separation of such a person from their firearms. Federal law prohibits those convicted of domestic abuse from purchasing firearms from federally licensed dealers (commonly known as the "Lautenberg Amendment"), and the Supreme Court this year (2014) held in a 9-0 decision that this restriction on firearm possession applies to misdemeanor domestic abuse.<sup>26</sup>

However, Virginia law does not properly address firearms that are already in the possession of a convicted perpetrator of misdemeanor domestic abuse. Earlier this year, bills were introduced in both the Virginia House of Delegates and the Virginia Senate requiring that three-time convicts of stalking, sexual battery, or family abuse be prohibited from possessing guns for a few years. That bill passed the Senate but failed to reach a full committee in the House of Delegates. Ironically, the United States Supreme Court issued its 9-0 ruling clarifying that federal law indeed prohibits one-time misdemeanor convicts of domestic abuse from purchasing and possessing guns about a month later.

#### **Child Access Prevention Laws**

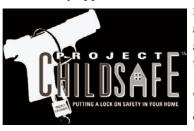
There are no child access prevention laws at the Federal level. However, protecting children from gun violence has risen to the fore in the wake of Sandy Hook. As with car seats, childproof safety caps, alcohol, and cigarettes, once awareness created a national consensus that protecting our children was in our nation's interest, safety measures were implemented. The issue of children's safety around guns is beginning to follow the same trajectory.



Twenty-eight states and the District of Columbia have CAP laws. The laws vary substantially between jurisdictions. The strongest laws impose criminal liability when a minor gains access to a negligently stored firearm. Of the states with any law governing child access to guns, the14 least-strict states, which

include Virginia, merely prohibit persons from directly giving a firearm to a minor; mere careless storage is not criminalized, even if a minor finds the gun and causes injury or death. There is a wide range of laws that fall somewhere between these. The jurisdictions with CAP laws fall into the three categories as shown in Table 1.<sup>27</sup>

There is renewed momentum to enact or improve CAP laws among the states with no or inadequate laws. According to the Law Center to Prevent Gun Violence, 13 states considered proposals in 2014 to adopt or strengthen child access prevention laws. Eleven states considered legislation that would require locking devices, the safe storage of firearms, or both.<sup>28</sup> Although Virginia has a child access prevention law, it is among the states with the weakest legal restrictions. Moreover, within this group of states, Virginia imposes yet a weaker standard by making a technical distinction that the law only applies to loaded firearms. Additionally, while



many states define *minor* as those under 18 years of age, Virginia law defines the age at "under 14".

The American Academy of Pediatrics supports safe storage and CAP laws.<sup>29</sup>

Research shows CAP laws are effective at reducing firearm deaths among children. One study found that in 12 states where such laws had been in effect for at least one year, unintentional firearm deaths fell by 23 percent from 1990 – 1994 among children under 15 years of age.<sup>30</sup> A 2004 study evaluating the association between CAP laws and suicides among youth found that such laws were associated with an 8.3 percent decrease in suicides among 14 -17 year olds.<sup>31</sup>

Critical elements of an effective CAP law include:

- Removing a weapon from a child's ready access. Safestorage laws place an affirmative obligation on gun owners to prevent tragedies, rather than just holding them liable after something has already occurred.
- The authorization of criminal penalties if a gun is stored negligently, a child gains access to the firearm, and some harm results.
- The law should define *minor* as a person under 18 for long guns, and a person under 21 for handguns.

#### Recommendations for Virginia: Stronger Domestic Violence and Child Access Prevention Laws

**Domestic Violence and Firearms** - While current federal law prohibits the purchase and possession of firearms and ammunition by persons who have been convicted in any court of a "misdemeanor crime of domestic violence" or who are subject to a protective order, these gaps remain in Virginia.

- > Dating partners are not within the federal prohibitions.
- Misdemeanor-level stalking and other violent misdemeanor crimes are not within the federal prohibitions.
- > There is no mechanism or authorization at the Virginia

tate	Charges Can Be Brought Even In Absence of Harm or Injury	Available Penalty
CA	√	Misdemeanor or Felony
C		Misdemeanor or Felony
МА		Felony
ИN		Misdemeanor
	Charges If A Child Accesses a Carelessly Store	ed Gun
tate	Charges Can Be Brought Even In Absence of Harm or Injury	Available Penalty
CT		Felony
ľL		Misdemeanor or Felony
Ĺ		Misdemeanor
A		Misdemeanor
II	$\checkmark$	Misdemeanor
ЛD	$\checkmark$	Misdemeanor
λΗ		Misdemeanor
1J	$\checkmark$	Misdemeanor
IC		Misdemeanor
RI		Misdemeanor
X	$\checkmark$	Misdemeanor
	Charges Only If Owner Intentionally, Knowingly, Or Recklessly	
tate	Charges Can Be Brought Even In Absence of Harm or Injury	Available Penalty
CO	$\checkmark$	Felony
ЭE		Misdemeanor
βA	$\checkmark$	Felony
N	$\checkmark$	Felony
KΥ	$\checkmark$	Felony
1S	$\checkmark$	Misdemeanor
/IO	$\checkmark$	Misdemeanor
)K	$\checkmark$	Misdemeanor
JV	$\checkmark$	Misdemeanor or Felony
ΡA	$\checkmark$	Felony
'N	$\checkmark$	Misdemeanor
JT		Misdemeanor or Felony
/A		Misdemeanor
VI		Misdemeanor
	No Child Access Prevention Statute	•

Table 1	- Status and	Penalties	of Child	Access Pro	evention 1	Laws By State
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state level to remove firearms that are already in possession of an abuser.

*Child Access Prevention* - Features of a comprehensive CAP law would include the following:

- Require that all firearms be stored with a locking device.
- Impose a criminal liability on people who negligently store firearms where a minor could gain access, even if the firearm is unloaded and the minor doesn't gain access or use the firearm.

Define a minor as being under 18 years for long guns and under 21 for handguns.

# What Can the League of Women Voters of Virginia Do?

The LWVUS has had a long-standing favorable position on GVP that dates back to 1990. Moreover the LWV in other states, such as Washington, have recently endorsed strong GVP positions at the state level.<sup>32</sup> For these reasons, it seems timely and appropriate for the League of Women Voters of Virginia to give strong consideration to providing its support and endorsement at the state level to the following specific measures:

- 1) laws that more effectively prevent domestic abusers and stalkers from accessing firearms;
- laws that require adults to bear the burden for the injury, death, and damage that results when a child accesses an unsecured or improperly secured firearm.

These are targeted narrowly to improve Virginia's laws concerning domestic violence and child access. They are reasonable and meaningful measures proven to receive bipartisan support and have been shown to save lives.

#### Endnotes

1 Violence Policy Center

2 http://mobile.nytimes.com/blogs/takingnote/2014/07/16/ gun-deaths-versus-car-deaths/

J. C. Campbell, D; Webster, J; Koziol McLain, C. R; et al. 2003. Risk Factors For Femicide in Abusive Relationships: Results From A Multi-Site Case Control Study. American Journal of Public Health. 93(7)

4 "A Study of Active shooter Incidents in the United States between 2003 and 2013" http://www.fbi.gov/news/stories/2014/september/fbi-releases-study-on-active-shooter-incidents/pdfs/a-study-of-activeshooter-incidents-in-the-u.s.-between-2000-and-2013

http://www.washingtonpost.com/blogs/wonkblog/wp/2014/09/25/fbiu-s-now-has-one-active-shooter-incident-every-three-weeks/

5 See "The Final Report And Findings of the Safe School Initiative"; United States Secret Service and United States Department of Education; Published July 2004 at <u>https://www2.ed.gov/admins/lead/safety/</u> preventingattacksreport.pdf

Law Center to Prevent Gun Violence "Child Access Prevention Policy Summary" http://smartgunlaws.org/child-access-prevention-policy-summary/ "Innocents Lost – A Year of Unintentional Child Gun Deaths" June 2014 http://www.minnpost.com/sites/default/files/attachments/Innocents\_ Lost.pdf

6 "The NRA Quietly Backs Down on Domestic Violence" http:// www.huffingtonpost.com/2014/04/22/nra-domestic-violence\_n\_5191555. html

7 Child-access prevention bills were proposed in 13 states (Arizona, Illinois, Michigan, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Washington, and Vermont). Eleven states considered legislation that would require locking devices, the safe storage of firearms, or both (California, Florida, Illinois, Iowa, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, and Rhode Island). See "Kids and Safety" and the American Bar Association at http://apps.americanbar.org/litigation/committees/childrights/content/ articles/spring2014-0414-kids-gun-safety.html For more on the legislation pending in the states, read the Law Center to Prevent Gun Violence's legislative tracking summary.

9 LWVWA endorsed Initiative 594. On November 4, 2014, voters passed I-594 requiring that currently used background checks by licensed dealers apply to all firearm sales and transfers, including gun show and online sales, with specific exceptions. <u>http://www.lwvwa.org/</u>

10 FBI Report; The study defined "active shooter incident" as one involving "an individual or individuals actively engaged in killing or attempting to kill people in a populated area."

11 A Study of Active shooter Incidents in the United States between 2003 and 2013" <u>http://www.fbi.gov/news/stories/2014/september/</u> fbi-releases-study-on-active-shooter-incidents/pdfs/a-study-of-activeshooter-incidents-in-the-u.s.-between-2000-and-2013

http://www.washingtonpost.com/blogs/wonkblog/wp/2014/09/25/fbiu-s-now-has-one-active-shooter-incident-every-three-weeks/

12

 $13 \qquad {\rm http://www.wjhl.com/story/24853718/reports-give-details-background-on-glade-spring-va-murders}$ 

15 J. C. Campbell, D; Webster, J; Koziol McLain, C. R; et al. 2003. Risk Factors For Femicide in Abusive Relationships: Results From A Multi-Site Case Control Study. American Journal of Public Health. 93(7)

16 "Guns and Violence Against Women – America's Uniquely Lethal Domestic Violence Problem" http://everytown.org/wp-content/uploads/2014/10/Guns-and-Violence-Against-Women-Everytown-for-Gun-Safety.pdf

17 Law Center to Prevent Gun Violence; "Domestic Violence & Firearms Policy Summary" http://smartgunlaws.org/domestic-violence-firearms-policy-summary/#footnote\_5\_5684

 $\frac{19}{\text{http://www.nytimes.com/2013/09/29/us/children-and-gunsthe-hidden-toll.html?pagewanted=all&_r=0}$ 

21 http://www.wdbj7.com/news/local/7-year-old-killed-by-gunfire-in-franklin-county/25592038

22 "Innocents Lost – A Year of Unintentional Child Gun Deaths" June 2014 http://www.minnpost.com/sites/default/files/attachments/Innocents\_Lost.pdf

23 See "The Final Report And Findings of the Safe School Initiative"; United States Secret Service and United States Department of Education; Published July 2004 at https://www2.ed.gov/admins/lead/safety/ preventingattacksreport.pdf

24 Judith M. McFarland and others, *"Stalking and Intimate Partner Femicide,"* Homicide Studies 3 (4) (1999): 300-316

25 http://momsdemandaction.org/in-the-news/new-reportexplores-weak-laws-allow-domestic-abusers-stalkers-buy-keep-guns-callspolitical-leaders-close-loopholes-save-womens-lives/

26 US Supreme Court Decision <u>http://www.justice.gov/ovw/blog/</u> supreme-court-decision-limits-batterers-access-guns

27 Innocents Lost – A Year of Unintentional Child Gun Deaths" June 2014 <u>http://www.minnpost.com/sites/default/files/attachments/Inno-cents\_Lost.pdf</u>

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29 http://www.aap.org/en-us/advocacy-and-policy/federaladvocacy/Documents/AAPGunViolencePreventionPolicyRecommendations\_Jan2013.pdf

30 http://smartgunlaws.org/child-access-prevention-policy-summary/

31

32

Id

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#### **Discussion Questions**

- 1. Did any of the statistics on guns and domestic violence/ school shootings surprise you?
- 2. How effective are gun restrictions already enacted or being considered in preventing gun violence before incidents?
- 3. What are the key areas in which Virginia laws could be improved to help reduce death by firearms?
- 4. Are the recommendations being considered for Virginia's domestic violence and child access prevention laws strong enough? What, if any, would you change or add?
- 5. How can the League promote proactive gun control policies and methods of enforcement without running afoul of other civil rights?

### Board Orders Scarves to Help Leaguers Identify Each Other at Public Meetings

Have you ever walked into a room and wondered where your fellow LWVFA members are? The Board has decided to order scarves for our members to wear at public events to give us a readily identifiable, cohesive look. They'll be included in the Voter Registration materials for each unit and we hope members will wear them at public events such as Meet and Greets and LWV Roundtables.

The scarves are red, white and blue with an American flag motif. They were for sale at our General Meeting and you will also be able to purchase them at our spring Annual Meeting

#### Virginia Leaguers Making Progress on Suffragist Memorial Goal



Virginia Leaguers have either donated or joined Turning Point Suffragist Memorial for a grand total of \$753 out of the \$1000 needed to reach Donor Wall status.

Leaguers can learn more about the project or how to either donate or become a member by going to <u>http://</u><u>www.suffragistmemorial.org</u>. LWV Fairfax Area was one of the founding organizations for the memorial and continues as one of its partners. The League of Women Voters of Arlington and of Falls Church join with the American Association of University Women of Falls Church to present a forum and discussion of human trafficking in Northern Virginia.

Human trafficking is modern slavery. Worldwide, there are more than 21 million incidents of human trafficking each year. Human trafficking produces more than \$30 billion in illegal revenues and is now the second largest criminal enterprise. Northern Virginia is a hub of human trafficking due to Dulles International Airport and Route I-95 as well as being a major metropolitan area. To learn more about this tragedy in our own area and what you can do to fight it, please join us for:

# HUMAN TRAFFICKING: HERE AND NOW! YES! IT'S IN OUR BACKYARD!

SUNDAY, JANUARY 25, 2015 3:00 - 4:30 P.M.

The Falls Church Community Center Art Room 223 Little Falls Street, Falls Church, VA 22046

Panel Includes: Detective Bill Woolf, Northern Virginia Human Trafficking Task Force Representative, Courtney's House Lee Hopkins, Tahirih Justice Center

> For more information, visit www.fallschurchlwv.org www.lwv-arlingtonva.org www.fallschurcharea-va.aauw.net

# Many Hands Make Less Work for the Meet and Greets

The Meet & Greet events for the candidates have become salient platforms for the passion, knowledge and organizational skills of our area League. Many of you have helped in the past and have attended. You are now invested in their success.

Election 2015 will be busy. Candidates will be running for positions in the state Senate, House of Delegates, Board of Supervisors, School Board, and the Constitutional positions of Clerk of the Court, Commonwealth Attorney, and Sheriff. Candidates for Director of Soil and Water Conservation will also run. We will need many volunteers to provide opportunities for all the candidates to meet the public.

We will have one meeting in each of the nine magisterial districts. We are looking for a volunteer from each district to be the pivot member her district, with plenty of help from other members and community partners to locate a venue, publicize the event and help at the actual event.

She would also have help from persons who volunteer only to be the liaisons with the groups of candidates

- one or two for the senators, one or two for the delegates,
- Kelly Tells Fairfax GA Delegation LWV Priorities

[Ed. Note: Testimony given January 10, 2015]

Good morning, Senator Saslaw and members of our Delegation to the General Assembly. I am Helen Kelly, Co-President of the League of Women Voters, speaking on behalf of our members in Fairfax County and City. Thank you for the opportunity to speak today.

The League of Women Voters appreciates the efforts the Board of Supervisors has made to provide basic services in this challenging economy. But you also play a key role in giving localities the tools they need to prosper. That's why we urge you to fund (without further cuts) these core services: 1. K-12 Education, 2. Transportation, 3. Courts and Public Safety and 4. Elections.

Those of you with investments know that you won't earn dividends unless you invest money. We are asking you to invest in us and in the tools we need to succeed and prosper.

- > one or two for the supervisors, and
- one or two for the school board one or two for the Constitutional candidates.

These are the people who would correspond and follow up with the candidates, to make sure that they are not overwhelmed by separate messages from all nine magisterial districts. We also need one person to oversee and coordinate the whole project, bearing in mind that she would not be doing all the work by herself.

We are striving to share out the many tasks to make the entire effort manageable. Peggy will not be organizing the events this year, but she and Julie have models and contacts from previous years. They have sample letters and much experience with sequencing the tasks. Re-inventing the wheel will not be necessary. This is a great opportunity for unaffiliated members to get involved with the League in a new way. Most of this work can be done from home by e-mail or phone.

If you want to know more or if you can offer to help in any way, particularly as a pivot member for a magisterial district or a liaison with candidates, please let us know by March 15. We need to get a running start in this race.

Contacts: Sidney Johnson, <u>sidneyjohnson3@verizon.net</u> 703-476-0581; Julie Jones <u>dave.julie.jones@verizon.</u> <u>net</u> 703-476-8347

We applaud last year's Transportation Bill and urge you to maintain or increase funding for our transportation network. We need a varied infrastructure that will streamline travel to major employment centers and to leisure attractions where people spend money and stimulate the economy.

But our long-term success depends on other things too. Residents and businesses alike need a high-quality educational system to prepare job seekers for our increasingly technical workplace. We need enough policemen and court personnel to keep the peace and to quickly and fairly resolve legal cases. We need adequate funding for the State Department of Elections, which supports local election offices in guaranteeing our right to vote. We also support two of the Governor's initiatives: 1) to pursue non-partisan redistricting that gives ordinary Virginians a voice in the process, and 2) to purchase up-to-date voting machines for the whole state. We urge you support and to fully fund both these initiatives. And we ask that all State employees living and working in Fairfax County be paid a salary that will support them in this high cost-of-living area. Give us the tools to succeed and our success will pay dividends to everyone.

# Local Justice System Update: Court Services

Therese Martin, Reston Evening Unit

Local LWV members in Fairfax are often encouraged to review its support positions included in Here We Stand, especially in the years when we do local program planning. Newer members may wonder how we came to have so many positions about elements of the local system of justice since we have not had an update in this issue area since 1999-2000. The simple answer is that members of the League of Women Voters of the Fairfax Area (LWVFA) in the late 1960s perceived that local units of the court system warranted a citizen review - and the League was the (first) citizen organization willing to take on the task. Imagine the surprise of judges, court personnel, police, sheriffs, etc. as LWVFA members visited the "old jail" in the even older County Courthouse, monitored court proceedings, toured the police academy, supported alternatives to incarceration, pressed for salary increases for staff, etc. Many of the information brochures now available at the courthouse are "descendants" of materials first prepared by or at the behest of the LWVFA.

One court unit not in existence in the 1970s, but later established with the support of the LWVFA is the Court Services Unit in the Fairfax County General District Court. The following information was recently provided to the Fairfax Criminal Justice Advisory Board (CJAB) by Colin McDonald, Director of the Unit. (The LWVFA has had representation on the CJAB since its formation; Mary Jane Cleary is the current representative, I serve as the alternate.)

Court Services is a (county-supported) division in the (statesupported) General District Court with approximately 40 Fairfax County employees and 25 volunteers/interns. Court Services is also responsible for managing the approximately 150 contract court-appointed attorneys and the General District Court's contract interpreters. Within Court Services, there are four main units: the Pretrial Evaluation unit, the Case Management Unit, the Administrative Unit, and the Volunteer Unit.

The Pretrial Evaluation Unit operates 24 hours a day, 365 days a year. It is comprised of the evaluation staff and the criminal record check staff. The evaluator staff screens, interviews, and investigates incarcerated defendants detained in the Fairfax County Adult Detention Center on General District and Circuit Court charges. It verifies information provided by the defendant, compiles a PTCC report and completes a risk assessment. This unit also completes

financial interviews of General District Court and Juvenile & Domestic Relations Court defendants who request court appointed counsel, and completes investigations of defendants who file bond reduction motions in the General District and Circuit Courts. The Pretrial Evaluation Unit completes between 5,000 and 6,000 investigations annually and makes recommendations to the judiciary regarding a defendant's placement into the Supervised Release Program. The evaluator staff has one position designated as the Arraignment Officer, who is in court daily to make bond and/or release recommendations as well as recommendations regarding a defendant's qualifications for Court Appointed Counsel to the Arraignment Judge.

The criminal record check staff runs record checks on all defendants screened by the Evaluation Unit and runs record checks for the Police, Magistrates, ASAP, OAR, Probation staff and some mental health staff. The Court Service's criminal record check staff operate the busiest VCIN/NCIC terminal in Virginia and run in excess of 25,000 record checks annually.

The Case Management Unit supervises defendants placed into the Supervised Release Program by the General District Court, Circuit Court or Juvenile & Domestic Relations Court, offenders sentenced to probation for a misdemeanor charge by the General District Court or a class 5 or 6 felony by Circuit Court, Driving on Suspended Program cases, and Alcohol Diversion Program cases.

The Administrative Unit is responsible for managing/staffing the front counter of Court Services for the general public and clients. It is also responsible for various administrative duties regarding the operation of the agency. Additionally, the Administrative Unit inputs and manages the Court Appointed Attorney and Interpreter systems, handles the scheduling of interpreters and assigns defendants' cases to individual Court appointed attorneys and the Office of the Public Defender.

The Volunteer Unit is a staff of volunteers and interns. The main responsibilities of the Volunteer Staff are to interview defendants for their eligibility for court-appointed attorneys, assist the general public to navigate the courthouse complex, assist defendants to find their courtrooms during high traffic hours, answer phones, and assist the general public with inquiries regarding the Court.

The LWVFA often supports the budget requests of units in the local justice system like the Court Services Unit, which has requested funding from Fairfax County for two case management positions. The Virginia Department of Criminal Justice Services determines a full caseload for a case manager to be 40 pretrial cases OR 60 probation cases. In Fairfax County, case managers supervise dual caseloads consisting of both pretrial and probation cases. This is done for the purposes of efficiency as well as a lack of personnel. In fiscal year 2010, the average case manager

# League Members Respond to Voter Service Survey

By: Sidney Johnson, Voter Service Coordinator

After the November election, LWVFA members were asked to answer survey questions by our Voter Service committee. Seventeen responded by paper or e-mail; six others responded through Survey Monkey. Many respondents checked more than one answer or skipped answers, so the totals are not the same as the number of respondents. This small sample is only an indication of members' preferences, but it provides useful guidance. Many thanks to those who took the time to participate.

- 1. All 23 respondents are unit members. No unaffiliated members responded.
- 2. Of the respondents,
  - 10 participated in an activity organized by a unit; 8 participated in an activity organized by another
    - organization (1 specified church);
  - 6 participated in Regional Voter Registration Week;
  - 5 contacted a retirement community;
  - 2 were at a community festival or fair;
  - 1 helped at a Meet and Greet;
  - 2 answered none.
- 3. Of the respondents,
  - 17 participated in activities organized by their units;
  - 10 participated in activities organized by the Voter Service Coordinator;
  - 3 undertook activities on their own.
- 4. Several respondents had more than one preference for getting information.
  - 15 liked e-mail;
  - 12 liked the Unit Chair letter;
  - 10 liked the voter;
  - 6 liked hearing directly from the Voter Service Chair;
  - 4 liked Constant Contact;
  - 2 preferred a phone call;

in Court Services supervised a caseload consisting of 22 pretrial cases AND 65 probation cases, for a total of 87 active cases. In fiscal year 2014, the average caseload per case manager was 32 pretrial cases AND 72 probation cases, for a total of 104 active cases. Based on present year data for fiscal year 2015, the pattern of increase in caseload size will continue, resulting in the Unit's request for additional positions to meet the demand.

1 uses the LWVFA website; none used Facebook, Twitter, or Sign Up Genius, which are new services.

- 5. Twelve respondents took the third-party voter registration this year; 10 did not. Of those who did not, 9 said that they had other priorities this year or other challenges.
- 6. Of those who did not, one would have liked help with training; 10 would not.
- 7. There were 23 comments and suggestions for locations and activities. Members are looking for effective ways to engage voters and are not sure that libraries and Metro stops really work, though they acknowledge that people like to see us there and that they like WOTB and information about absentee voting. Meet and Greets are very effective. The group that had a table at Walmart handed out a lot of literature but would have preferred an indoor location in case of bad weather. This group pointed out that locations such as Walmart have to be booked long in advance. Several members felt that reaching out to retirement communities was productive, and some are very active in their own communities. The Reston International Festival was mentioned as an excellent location. (We have also had a presence at Clifton Day, along with the AAUW, for several years,)
- Members would like to offer voter registration at citizenship ceremonies and in high schools. We are trying to work with the County on the ceremonies. We have to be invited by the schools to go in there; we cannot invite ourselves. We are initiating some contacts with high school government classes.
- One member suggested places that we have not tried: HR departments of companies that are hiring, employees of public service agencies, real estate companies, and the DMV, where people often think they have registered, but the process has not worked. Members did not see how we could facilitate online registration.
- A member suggested that we have some identifying garment. The Board is working on that (See page 5.).

# **This Month's Unit Meeting Locations Topic: Improving Firearm Safety in Virginia**

Members and visitors are encouraged to attend any meeting convenient for them, including the "At Large Meeting" and briefing on Saturdays when a briefing is listed. As of January 1, 2015, the locations were correct; please use phone numbers to verify sites and advise of your intent to attend. Some meetings at restaurants may need reservations.

#### Saturday, February 7

10 a.m. At-Large Unit and Briefing Packard Center 4026 Hummer Road Annandale 22003 Contact: Judy, 703-725-9401\_

#### Monday, February 9

#### 1:30 p.m. Greenspring (GSP)

Hunters Crossing Classroom Spring Village Drive Springfield 22150 Contact: Kay, 703-644-2670

#### <u>Tuesday, February 10</u>

#### 10 a.m. Centreville-Chantilly (CCD)

Sully District Gov. Center 4900 Stonecroft Blvd. Chantilly 20151 Contact: Leslie, 571-213-6384

#### Wednesday, February 11

#### 9:30 a.m. Mt. Vernon Day (MVD) Mt. Vernon Dist. Government Center

2511 Parkers Lane Alexandria 22306 Contact: Gail, 703-360-6561

**9:30 a.m. McLean Day (McL)** Star Nut Café 1445 Laughlin Ave. McLean 22101 Contact: Sharone 703-734-1048 or Adarsh 703-795-7281

**10 a.m. Fairfax Station (FXS)** 8739 Cuttermill Pl. Springfield 22153-1526 Contact: Kathleen 703-644-1555

#### 7:30 p.m. Reston Evening (RE) Reston Art Gallery at Heron

House Lake Anne Village Center Reston 20190 Contact: Lucy, 703-757-5893

#### <u>Thursday, February 12</u>

**9 a.m. Reston Day (RD)** 11624 Sourwood Lane Reston 20191 Contact: Margo, 703-620-9054

#### 9:30 a.m. Springfield (SPF) Packard Center.

(inside Annandale Community Park) 4026 Hummer Road Annandale 22003 Contact: Nancy 703-256-6570 or Peg 703-256-9420

#### 1 p.m. Fairfax/Vienna (FX-V)

Oakton Regional Library 10304 Lynhaven Pl. Oakton 22124 Contact: Bobby, 703-938-1486 or Liz, 703-281-3380

7:45 p.m. Mt. Vernon Evening (MVE) Paul Spring Retirement Community Mt. Vernon Room 7116 Fort Hunt Road Alexandria 22307 Contact: Jane, 703-960-6820

# March Meetings:

# Human Trafficking in the Fairfax Area



The League of Women Voters of the Fairfax Area (LWVFA) 4026-B Hummer Road, Annandale, VA 22003-2403 703-658-9150. Web address: www.lwv-fairfax.org

Non-Profit Org. U.S. Postage Paid Merrifield, VA Permit No. 1202

The LWVFA Fairfax VOTER © February, 2015 Julie Jones, Co-President Helen Kelly, Co-President Ron Page, Editor Liz Brooke, Coordinator

The League of Women Voters is a nonpartisan political organization that encourages the public to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

The League of Women Voters never supports or opposes candidates for office, or political parties, and any use of the League of Women Voters name in campaign advertising or literature has not been authorized by the League.

(Dues	LWVFA MEMBER year is July 1 through June 30	SHIP APPLICATION . Current dues year ends June	e 30, 2015.)
Membership Category: 1	Individual \$65; Household Student \$32.50; (Coll. Att		
<b>.</b>	_; Renewal; Reinstate subsidy fund is available, check		itever you can afford.
<u>Dues are not tax deductib</u> Fund.	<u>le</u> . Tax-deductible donations m Please P	ust be written on a separate cl rint Clearly!	neck payable to LWVFA Ed.
Name		· ·	J <b>nit</b>
Address			
City		StateZip + 4	
Phone (H)	(M)	_E-Mail	
Fiscal    Public Libraries    Transportation	Voting Procedures Environmental Quality Land Use Planning	Human Services     Judicial Systems     Juvenile Problems	<ul><li>Other (Specify)</li><li>Affordable Housing</li></ul>