July XX, 2023

Honorable Representative Cameron Sexton
425 Rep. John Lewis Way N. Suite 600 Cordell Hull Bldg.

Nashville, TN 37243

Dear Rep. Sexton,

I am a voter, constituent, and supporter of Gun Owners of America (GOA). I am writing to you to let you know of my and GOA’s opposition to any and all so-called “extreme risk protection order” or red flag law disguised as a “mental health” bill. As the attached Fact Sheet from GOA explains, these measures, in any form, fail to stop tragedies. This Fact Sheet can also be found online here: https://www.gunowners.org/red-flag-laws-will-not-save-lives/

I urge you to oppose all so-called “extreme risk protection order” and to instead act to restore Second Amendment freedoms. While GOA will keep me informed, I am eager to know where you stand on this matter.

 Sincerely,

**“Red Flag” Laws Will Not Save Lives**

“Red Flag” Gun Confiscation Orders (GCOs), also known as Extreme Risk Protection Orders, are an objectively ineffective proposal in the wake of mass public shootings. A study on the effectiveness of “Red Flag” GCOs, conducted in 2018 using data from 13 states for a combined total of 36 years, found that **“Red Flag” Gun Confiscation Orders don’t reduce crime, don't reduce suicides, don't reduce murders, and don't reduce mass murders**. [[1]](#endnote-1)

In fact, most mass shooters fall into one of two categories: (1) no “red flags” that something was wrong or (2) a governmental authority failed to act in any way, whether it be using ineffective “Red Flag” GCOs, the process of involuntary commitment for the mentally ill, or making a prosecutable arrest.

Some of the *failures* of “Red Flag” GCOs can be seen in recent high-profile shootings such as:

* **Buffalo, New York** (2022), New York has the strongest “red flag” laws in the nation, allowing doctors to violate patient confidentiality to have guns seized. Police referred the future mass murderer for psychiatric evaluation. The law failed, he was not disarmed, and he went on to murder 10 in a grocery store a year later.[[2]](#endnote-2)
* **Boulder, Colorado** (2021), the future murderer displayed violent impulses, including repeatedly punching a classmate in the head. An acquaintance described how the future shooter “would talk about him being Muslim and how if anybody tried anything, he would file a hate crime and say they were making it up.”[[3]](#endnote-3)
* **Indianapolis, Indiana** (2021), police confiscated the future murderer’s shotgun without a warrant and failed to fill out “red flag” gun confiscation paperwork, allowing him to legally purchase new firearms at a later date.[[4]](#endnote-4)
* **Jacksonville, Florida** (2019), when “Red Flag” GCOs in both Florida and Maryland failed to disarm a future murderer whose mother called the police on him “about 20 times,” who was involuntary committed six times, and was on “antipsychotic medications.”[[5]](#endnote-5)
* **Parkland, Florida** (2018), where a GCO would have been ineffective because the family defended the murderer’s emotional state to authorities during the dozens of times he was investigated prior to the attack. Each time he was reported as “low risk” despite police ability to arrest him on several counts.[[6]](#endnote-6)
* **Aurora, Illinois** (2019), where state-level Universal Background Checks, Firearm Owner ID cards, “Red Flag” GCOs, and the NICS system failed to stop a “depressed” man with an aggravated assault conviction from purchasing and possessing firearms and later murdering his coworkers.[[7]](#endnote-7)
* **San Bernardino, California** (2015), when, despite a 2014 GCO law, authorities ignored “red flags” like inclinations to jihad, martyrdom, and contact with terrorist recruiters.[[8]](#endnote-8)
* **Thousand Oaks, California** (2018), when, despite a mental health task force check-up and police considering a “Red Flag” GCO, authorities and gun control failed to stop the attack.[[9]](#endnote-9)

Some recent high-profile *shootings where there were* *no “red flags”* in the life of the shooter are:

* **Sebring, Florida** (2019), where several government-job related background checks and a $400 million gun control package from 2018, including GCOs, found no “red flags” to report to police.[[10]](#endnote-10)
* **El Paso, Texas** (2019), where Governor Abbot said “there were no red flags” about the shooter who waited until moments before the attack to publicly open up about his racism and hateful beliefs. [[11]](#endnote-11)
* **Santa Fe, Texas** (2018), where not only has Governor Abbott stated there were no “red flags” in the life of the school shooter, but the killer stole his weapons—meaning he would have evaded any gun control background check or “Red Flag” law designed to disarm him.[[12]](#endnote-12)
* **Gilroy, California** (2019), where despite a 2014 state-level “Red Flag” law, the murderer “showed no reasons for concern,” when purchasing a firearm. Listening to media reports, the shooter’s family initially worried that the shooter (their relative) had fallen victim—not that he was the perpetrator.[[13]](#endnote-13)
* **Poway, California** (2019), a man who raised no “red flags” or had any prior run-in with law enforcement spent four weeks planning to shoot up a Synagogue despite state-level GCOs.[[14]](#endnote-14)
1. Lott, John R. and Moody, Carlisle E., *Do Red Flag Laws Save Lives or Reduce Crime?.* College of William and Mary and Crime Prevention Research Center: 2018. [↑](#endnote-ref-1)
2. Specht, O’Brien. “Even in New York, 'red flags' don't always stop shooters.” *The Buffalo News*. 2022. [↑](#endnote-ref-2)
3. Pagones. “Boulder Shooting Suspect Ahmad Al Aliwi Alissa: What We Know.” *Fox News.* [↑](#endnote-ref-3)
4. Watkins, Robertson, and Martinez, “Indianapolis Police Chief Says Gunman Bought Weapons Legally Despite Earlier Warning.” *New York Times.* [↑](#endnote-ref-4)
5. Amara. “Court Documents Shed New Light on Accused Jacksonville Mass Shooter.” *WBAL-TV 11 News.* [↑](#endnote-ref-5)
6. Devine and Pagliery. “Sheriff Says He Got 23 Calls About Shooter’s Family, but Records Show More.” *CNN.* *Investigates*; Ovalle, Blaskey, Nehamas. “Shooter Could Have Faced Charges Before Massacre—Had Cops Done Their Job, Experts Say.” *Miami Herald.* [↑](#endnote-ref-6)
7. Bradley. “Aurora Shooter’s FOID Card Was Revoked; Gun Never Confiscated.” *WGN9 News.* [↑](#endnote-ref-7)
8. Melley, Blood, Meyers, Caldwell, Shahzad, Skoloff. “U.S. officials search for missed red flags ahead of San Bernardino shooting.” *Public Broadcasting Service News Hour.* [↑](#endnote-ref-8)
9. Hawkins, AWR. “Report: Mental Health Team Chose Not to Commit Ian Long Earlier this Year.” *Breitbart News*; Wing. “California Has A Law That Might’ve Prevented The Thousand Oaks Shooting. It Wasn’t Used.” *Huffington Post.* [↑](#endnote-ref-9)
10. Hawkins, AWR. “Gun Control Fail: Red Flag Law, Waiting Periods Fail to Stop Florida Bank Massacre.” *Breitbart News*; LaGrone. “Florida’s Prison Department Was Unaware of Zephen Xaver’s Questionable Army Stint Prior to Hire.” *ABC Action News WFTS.* [↑](#endnote-ref-10)
11. Gillman, Ngo, Barragan. Calls Grow for “Red Flag” Gun Laws After El Paso Massacre, but Shooter Didn’t Set Off Alarms.” *The Dallas Morning News.* [↑](#endnote-ref-11)
12. Brown, Ruth. “Texas School Shooting Suspect Backed Out of Suicide: Governor.” *New York Post* [↑](#endnote-ref-12)
13. Ormseth, Fry, Nelson, Shalby, Winton, Tchekmedyian. “Disturbing Portrait Emerges of Gilroy Garlic Festival Shooter.” *Los Angeles Times.* [↑](#endnote-ref-13)
14. Davis, Parvini, Jones, Chang. “Motivated by Hate, Gunman Kills One and Wounds Three in Synagogue Attack, Police Say.” *Los Angeles Times.* [↑](#endnote-ref-14)