

I urge you NOT to support the current Red Flag Bills being considered.

I have so many concerns with the way they are written. To start, the criteria of who can file a petition is too vague and opens the door to a WIDE range of abuse. ANYONE can use the petition in a punitive manner and there is NO consequence to them. Not even having to pay restitution to the courts or the respondent when the petition is found to be false. This ENCOURAGES punitive petitions for anyone who wants to cause difficulty to someone. I can see this occurring during a divorce, child custody issue, a firing, or a neighbor dispute. They simply lie claiming a relationship with the respondent.

We only need to turn to Colorado to see a clear example of someone using a Red Flag Law to harass someone and not hesitating to lie to get it heard.

The proposed Bill also demonstrates a CLEAR violation of due process. The respondent is being penalized for a crime NOT committed. For something they "might" do. A hearing is held without the respondent being notified or present. There is not even an Attorney representing them there. If effect, the respondent is found "guilty" of being a danger with ONLY the testimony of the petitioner. On simply that, a determination is made.

At that point, an order is issued and the respondent served. A respondent MUST give up their firearms, their name is placed in the NO BUY system and they MUST hire an attorney. Within 30 days an "official" hearing is held.

Another issue is the wording of who and WHEN the respondent becomes responsible for the court costs etc. Frankly, if an order is issued they have already been determined to BE GUILTY. So, are they responsible for the costs at that point?

I could go on with other issues. This is what happens when CURRENT Law already on the books is NOT enforced. There is an emotional "knee jerk" reaction with little thought of REAL consequences.

Again, I urge you NOT to support current OR future Red Flag Bills that come under consideration.