

Something that always continues to shock me no matter how many times I hear it is that firearms are the leading cause of death in the United States among children and teens 1-19 years old. Not cancer, not the flu, not car accidents. #1 on the list belongs to firearms.

So who were these kids and what did they have in common other than their cause of death?

One recent study using data from the CDC's National Violent Death Reporting System found that the majority (81%) of victims were male. About half (51%) of the kids were White, non-Hispanic, and 40% were Black, non-Hispanic. 41% were children 2-4 years old. Overall, about 64% of all of these incidents occurred at the victim's residence, although it's worth noting that 18% of fatalities among children 10-14 years old occurred at the residence of a friend of the victim.

More than half (57%) of unintentional firearm fatalities in this study were self-inflicted. Among self-inflicted unintentional firearm deaths, the average age of victims was 5.9 years. In the younger than 5 years age group, 80% of the injuries were self-inflicted, compared with 43% in the 5-9 years old age group and 36% in the 10-14 years old age group.

In about 50% cases where the gun was fired by another child, that child was most commonly the victim's brother. Imagine having to live with that.

Approximately one-third of shooters who unintentionally killed a child in the 10-14 years old age group were a friend of the victim. Among the cases in which the gun was fired by another child, the average age of the child who fired the weapon was 9.9 years. Most shooters were male (93%), 50% were White, and 28% were Black.

When information about how the firearm was stored was available (in roughly half of cases), 92% were stored loaded and 92% were stored unlocked. Playing with the firearm or mistaking it for a toy were the most common circumstances in these cases (53%). When information about the firearm owner was known, in 81% of cases the owner was a relative of the shooter, most often a parent.

The saddest thing about these deaths is that every single one of them could have been prevented.

In New Hampshire, we currently have no statute that requires firearms be safely stored in homes where children are present. What we do have is a weak child firearms negligence law that results in a \$1,000 maximum penalty—built only if the child uses the firearm to shoot someone or to commit a crime.

HB 1049 would change that.

First, it would prohibit gun owners from storing their weapons in an unsecured manner at any location in the home where they should reasonably know the gun could be accessed by a minor.

Second, the bill clearly defines what constitutes safe storage and what constitutes unlawful storage.

Third, the bill creates a violation-level penalty for unlawful storage of a firearm that that can be imposed independently or in conjunction with our current firearms storage negligence law.

Fourth, HB 1049 would put some beef into NH's firearms storage negligence law (RSA 650-C:1) by doing several things:

- It expands the scope of the law to cover unattended firearms that are unloaded but where unsecured ammunition is also available to the child. (The current law only addresses loaded weapons).
- It also broadens the circumstances constituting an offense. Currently, a gun owner who allows a

child to gain access to an unsecured weapon is only charged if the child uses the gun in a reckless manner, uses it in the commission of a crime, or negligently or recklessly discharges it. Under this bill, a child displaying the firearm to others would also constitute an offense.

Additionally, an offense would take place if the child brings the weapon onto the grounds of any facility, public or private, accessible to members of the public where other people are present.

- The bill also toughens the penalties for an offense. Instead of a violation and a maximum \$1,000 fine, a negligent gun owner could be charged with an unclassified misdemeanor. And if the child discharges the weapon resulting in the injury or death of the child or another person, the penalty is elevated to a class B misdemeanor. The penalty would increase to a class A misdemeanor if the child uses the weapon in a way that results in the injury or death of the child or of another person.
- Finally, HB 1049 requires firearms sold or transferred commercially or privately to be accompanied by a locking safety device specifically designed and manufactured for the purpose of allowing an owner to temporarily disable or safely store the firearm.

As for what the bill doesn't do, it doesn't restrict any adult's access to firearms. It doesn't penalize responsible, law-abiding gun owners. But what it would do is offer additional protection for NH children and save gun-owning parents, relatives, and neighbors from the horror and the liability that is a risk whenever an unsecured firearm falls into the hands of a child.

In a state where guns are part of our culture, responsibility and protecting our kids from the very real danger unsecured firearms can present must also be part of our culture—and a stronger part of our law.

There are few tragedies greater than the unintentional or negligent death or injury of a child as a result of a firearm being left unattended.

While HB 1049 won't end all of these tragedies, it will reduce the risk of them happening.

As the president of the NH Chapter of the American Academy of Pediatrics told us in the testimony she sent this morning: "Education alone is not enough. The most effective and evidence-based way to prevent accidental firearm injuries in children is secure storage." We need to make children aware of the danger. But it's up to adults to take responsibility for making sure that the unthinkable never happens.

And now I'm happy to answer your questions.