



National Task Force to End
Sexual & Domestic Violence

ACTION ALERT: Rep. Hudson's H.R. 38 Enables Abusers to Stalk and Murder ~ Stop H.R. 38!

Please forward widely!

5/15/2017

The U.S. House of Representatives may give domestic violence offenders the right to stalk their intimate partners across state lines with guns, which often leads to murder. In the next few weeks, the House plans to vote for a bill that would make it disturbingly easy for abusers to carry concealed firearms into other states when they stalk their intimate partners. H.R. 38, sponsored by Representative Richard Hudson (R-NC-8), is a House bill that would destabilize existing state and local protections for victims of domestic and dating violence – and would replace those protections with the weakest gun laws in the country.

This bill would essentially allow abusers to cross state lines to threaten and harass – and kill – their intimate partners with firearms.

Currently, each state has the individual authority to say who can and cannot carry concealed firearms within their borders, and travelers must follow the law. Some states' firearms laws are stronger for victims of domestic violence, dating violence and stalking, while some states provide almost no protections for survivors from abusers with guns. H.R. 38 would force every state to recognize other states' concealed carry permits, **even if the out-of-state concealed carry permit was issued to a domestic violence offender who would be prohibited from obtaining such a permit in the travel state** due to crimes such as stalking, dating violence and other crimes of violence convictions that do not trigger the federal domestic violence prohibitors. This dangerous bill would also put law enforcement at risk, as they would be unable to confirm validity of out-of-state permits, endangering their safety, and punish law enforcement for doing their jobs if they investigate the validity of such permits.

It clearly violates **states' rights** to force them to abide by the less protective laws of other states, and **the result is dangerous for victims of domestic violence** and communities everywhere. A more thorough explanation is available [here](#).

Contact your Members of Congress NOW. Click [here](#) to find your Senators and [here](#) to find your Representative. You can find their Twitter handles [here](#). Tell them:

Phone script: “My name is *[your name]*, I am from *[city and organization, if applicable]*. I am a constituent, and I oppose H.R. 38, which imposes federally-mandated concealed carry reciprocity on my state. It makes it harder for law enforcement to protect victims of domestic violence, puts victims of domestic violence and law enforcement officers at risk of gun violence, is a violation of the Constitution’s guarantee of states’ rights, and makes our communities less safe. I urge *[name of Member of Congress]* to oppose it as well.”

Sample Tweet: *[Legislator’s Twitter handle]* Federally mandated concealed carry reciprocity harms victims of domestic violence & endangers law enforcement. #EndDV #DisarmHate

Sample Facebook Post: As a constituent, I ask you to oppose federally-mandated concealed carry reciprocity. It makes it harder for law enforcement to protect victims of domestic violence, puts victims of domestic violence and law enforcement officers at risk of gun violence, is a violation of the Constitution’s guarantee of states’ rights, and makes our communities less safe.

Additional Background:

- Survivors often relocate to other states to escape their abusers, sometimes seeking refuge in states that have stricter firearms protections.
- Many states have stronger laws than the federal government, including prohibiting dating violence and stalking misdemeanants from possessing firearms.
- **Twelve states currently have no requirement that an individual must apply for and obtain a state permit to carry concealed firearms. None of these twelve states requires a background check for private gun sales. Anyone in these states, regardless of prior acts of violence, can just pick up a gun, conceal it in their clothing, and go almost anywhere they want in the state. This could be the standard for the whole country if Congress passes these bills.**
- **H.R. 38 would make it easy for domestic violence offenders to “shop” for a state with weak concealed carry permit laws** and to avoid being turned down for a concealed carry permit in a state that is more protective of survivors.
- H.R. 38 has a provision that threatens law enforcement with lawsuits if they try to enforce their own state’s firearms laws that protect victims and survivors. **This would punish law enforcement for doing their jobs--and would put law enforcement officers in danger, as well as survivors.**

- State and federal firearms databases are not well-maintained. They don't have the records needed to perform an effective background check in many cases. H.R. 38 depends on a fully functioning National Instant Criminal Background Check System. **Unless Congress also provides sufficient funding to bring these databases up to date, there is no way for law enforcement to make sure domestic violence offenders are not carrying concealed firearms in violation of federal law.**

If you have questions, please contact Rob Valente (rvalente@ndvh.org) at the National Domestic Violence Hotline or Rachel Graber (rgraber@ncadv.org) at the National Coalition Against Domestic Violence.