

To the distinguished members of the Senate Judiciary Committee:

As you consider S. 221, the ACLU would like to commend you on your careful consideration of this issue, especially in light of recent tragic events. The ACLU works to defend and promote constitutional and civil rights. We believe, however, that the Second Amendment does not prohibit lawmakers from taking action on gun violence. Firearms are subject to reasonable regulation in the interests of public safety, crime prevention, maintaining the peace, environmental protection, and public health. Such regulations, however, are only appropriate when consistent with principles such as due process. With that being said, we want to highlight some areas of concern with regard to civil liberties in the bill.

First, as you know, in family court, defendants are not eligible for public defenders. We are concerned that this would adversely affect those who cannot afford an attorney to represent themselves in these proceedings.

Next, the one year timeframe within the bill seems arbitrary and may not pass constitutional muster. We know and appreciate that the committee is open to reconsidering this time period.

Finally, we would support the proposal to shift the burden of renewal of an order on petitioners, ensuring that any changing circumstances are properly reviewed by those requesting the order.

Again, thank you so much for your careful attention to this important issue.

Sincerely,

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