

Statement of Senator Richard J. Durbin
Subcommittee on Crime and Terrorism
Hearing on “The Fix Gun Checks Act: Better State and Federal Compliance, Smarter Enforcement”

I want to thank Subcommittee Chairman Whitehouse and Senator Schumer for holding this important hearing on the need to ensure that the NICS gun background check database has all available records about those prohibited by law from possessing guns.

The tragic shooting at Virginia Tech in 2007 brought the nation’s attention to the failure of many state and federal agencies to populate the NICS database with complete records. The Virginia Tech shooter, Cho Seung-hui, was able to pass a NICS check and buy guns despite the fact that he had been adjudicated by a court to be mentally ill and thus qualified as a prohibited purchaser under federal law. Had this deranged individual been blocked from buying guns, 32 deaths and 25 injuries could have been prevented on that devastating day in Blacksburg, Virginia. Other shooting crimes, such as the fatal shooting of five Illinoisans at Northern Illinois University on February 14, 2008, could also potentially have been prevented had the NICS database contained complete records.

While Congress acted after Virginia Tech to pass the NICS Improvement Amendments Act of 2007, it is clear that there is still much work to do to ensure the full submission of documents to NICS. I have worked with state and local agencies in Illinois to help improve their sharing of criminal, mental health and drug abuse records with the NICS system. But in an era of tight agency budgets, coordination of records between agencies can often be crowded out by other priorities. Today’s hearing serves as an important reminder that lives are at risk when these records are neglected, and we must continue at all levels of government to make the accuracy of the NICS database a priority. Improved submission of prohibited purchaser information is a necessary step to make the gun laws on the books more effective in preventing crimes and saving lives.

I received a letter from an impressive young Chicagoan named Garrett Evans about this issue, and at Garrett’s request I would like to share this letter with the Subcommittee. Garrett is a native of the South Side of Chicago, and was a student at Virginia Tech on the day of the 2007 tragedy. He was shot three times that day. Not only did Garrett survive his wounds, but he has made it a mission in his life to speak to young men and women in the Chicago area to help guide them away from the path of violence. I commend Garrett for the work he has done to improve his community and our nation since his wounding at Virginia Tech. But I wish he had never been shot that day. Complete submission of records to the NICS database could have prevented Garrett’s shooting, and Garrett’s letter drives home the need to pursue that goal. It is a goal I will continue to pursue, for Garrett’s sake and for the sake of the millions of Americans whose lives have been or will be touched by preventable gun violence.

Letter from Garrett Evans of Chicago, Illinois
Survivor of the April 16, 2007 Shooting at Virginia Tech
To the Senate Subcommittee on Crime and Terrorism

We live in a society where people want quick fixes as solutions. This holds true to resolutions to conflicts when guns are involved. We are seeing more cases where people are killing over the smallest of things, such as how to run a household and CDs. One should be alarmed by the fact that there are guns on campus because there are people over 21, shootings are happening in all types of locations, and guns are too easy to obtain. You can go to places where the seller feels it is optional to check IDs as well as the buyer's background.

It is really critical that we have background checks for all gun transactions. I am living proof of this, having survived Virginia Tech and carrying a hollow point bullet even today. Looking at three gunshot wounds every morning lets me know not only how much God has blessed me but reminds me of how serious this issue really is. Lives would have been saved had the shooter had a background check, instead of having a gun to shoot. That day at Virginia Tech could have been prevented just with a simple background check. The same holds true for Northern Illinois University, which is not very far from me. In fact, the one online dealer sold guns to both shooters, who had a history of mental illness. We also have these problems in Chicago as well. Many children are dying, some as young as 1 year old. Babies. Many of them have to endure gun violence every day and either have scars from the bullet, are carrying a bullet(s), or have been a witness. It has been a challenge for me to have lived with the truth that I saw and smelled all of the dead bodies as I was being carried out, but just imagine children having to live with it. Also remember that they are losing their friends and family to this. I was able to see in many of their eyes as well as feel their spirits when I spoke to them at a lot of these schools that it is no walk in the park. Background checks would have prevented a lot of these guns from ending up in the wrong hands. I am thinking it is true for Arizona as well.

People of all races, religions, and locations are being shot. 32 killed every day is quite alarming, and it just so happens that that was the same number that the shooter killed at Virginia Tech. With the society we live in now, we need to do as much as we can to preserve as many lives as we can, preventing as much gun violence as we can. I truly believe that background checks are a positive way of going about this. The last thing anyone needs is someone with a history of mental illness, a criminal history, or a drug history being allowed to have access to a weapon. Also, remember that no one is immune to this and at the rate we are going, gun violence is coming to your neighborhood if it hasn't already. When/If it does happen to you or someone you love, do you feel you are prepared as well as ready to live with something like that? I doubt it. Who is? As God is my witness, I would never want that for you.

Garrett Evans

"You have the power to prevent tragedies."