

House Judiciary

04/08/2025 01:30 PM

HB25-1171 Possession of Weapon by Previous Offender Crimes

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Jessica Corey Against themselves	<p>I understand the inclination to want to pass meaningful gun control. This isn't it. Separate from the numerous issues with the bill and its effects, Colorado would be setting themselves up to have to fight with the Supreme Court on the issue, as if the law passed, it would be ripe for challenge. Recently, the Supreme Court has signaled that banning possession of guns based on non-violent offenses is unconstitutional. Passing this law would make gun ownership based on a nonviolent felony illegal, and therefore run afoul of recent Supreme Court logic. One wonders why Colorado law makers would want to set this fight up, something that would cost a lot of money and resources and would assuredly fail if it made its way to the Supreme Court. Aside from that very practical reason to be against the law, criminalizing gun ownership for people with non violent offenses does not make much practical sense as a gun control measure, it only serves to penalize people who are not using guns in any malicious form. So what is the purpose here then? I don't see one. I hope lawmakers see common sense and vote against this bill.</p>
Robert Edmiston For The Firearms Coalition of Colorado	<p>Testimony in Support of SB25-1171, Possession of Weapon by Previous Offender Crimes</p> <p>Thank you, Chair and Committee</p> <p>My name is Robert Edmiston. I am with the Firearms Coalition of Colorado, an NRA-affiliated, all-volunteer, grassroots organization dedicated to the protection of individual rights and public safety. I am a former U.S. Army officer and vocational rehabilitation counselor. I have a master's degree in psychology, counseling, and guidance.</p> <p>I am writing in support of the measure under consideration. We believe that the best predictor of future criminal behavior is past behavior. We believe that criminal behavior tends to escalate over time, leading to the conclusion that today's joy rider may become tomorrow's carjacker, in the absence of more forceful intervention from the criminal justice system. To the degree that law breakers are deterred by increased penalties, we are inclined to favor early intervention in the potential "cycle of violence."</p>

	<p>In addition, plea bargains are often struck to lessen penalties for much more serious crimes. A person who pleads to second-degree motor vehicle theft may have committed much worse offenses and has chosen to accept a deal.</p> <p>We believe that the significant penalties in the motor vehicle statute, CRS 18-4-409, really lie in the second-degree criteria. Joy riding is a third-degree offense. Damage to a vehicle of over \$1,000, use of the vehicle in another crime that is not auto related, altering the vehicle to escape detection, taking the vehicle out of state, or bodily injury to another person will place the offender into the second-degree level. These factors all require criminal intent beyond the "bad decision" to take someone else's car. We believe these aggravating factors are serious enough to warrant the additional penalty.</p> <p>Another factor in favor of increased penalties for auto theft, especially in the case of damage or other aggravating elements, is the often-overlooked catastrophic effect of losing a vehicle on individuals or families who depend on vehicles for work, medical appointments, school functions or other necessary activities. The more economically disadvantaged the victim(s), the more drastic the consequences of losing a vehicle.</p> <p>We urge an "Aye" vote by members of the committee.</p> <p>Thank you for your consideration.</p> <p>Robert Edmiston Volunteer Lobbyist The Firearms Coalition of Colorado PO Box 1454, Englewood, CO 80150-1454</p>
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