

# Governor Carney, Representative Bentz Announce Beau Biden Gun Violence Prevention Act

Legislation would limit access to  
firearms for those considered a danger to  
themselves or others

**DOVER, Del.** – Governor John Carney on Tuesday joined Representative David Bentz, the Coalition Against Gun Violence and other members of the General Assembly in announcing the introduction of the Beau Biden Gun Violence Prevention Act.

The [legislation](#) – similar to a bill advanced in 2013 by then-Attorney General Beau Biden – would help limit access to firearms for those who present a danger to themselves or others. Representative Bentz is the prime sponsor of the legislation, which also takes steps to protect due process and ensure that the state does not create barriers to care for those suffering from mental illness.

“Today we brought together a wide-ranging coalition of advocates to introduce legislation aimed at confronting an issue our entire country faces – gun violence,” said **Governor Carney**. “This legislation will protect our communities by restricting access to firearms for those who are considered a danger to themselves or others. It will also ensure our health professionals and law enforcement are working more closely together when it comes to the issue of firearms. We’re honored to introduce this legislation under the name the Beau Biden Gun Violence Prevention Act, carrying on Beau’s legacy and

recognizing his commitment to protecting Delawareans during his time as Attorney General.”

“We have an obligation to prevent senseless gun violence whenever possible. When a person presents a danger to themselves or others, mental health professionals can help prevent some of these tragedies and save lives,” said **Representative David Bentz**. “The Beau Biden bill achieves a balance between promoting public safety and sensible gun control policy while protecting the due process and Second Amendment rights of Delawareans. This balance is why there was so much consensus among mental health professionals, Second Amendment advocates, and legislators of both parties, when it was originally proposed.”

“Beau was passionate about keeping firearms out of the hands of people who pose a threat to themselves or others. He worked hard to get this bill passed in 2013, thinking it was a smart, common-sense bill that would have protected the people of our state,” said **Hallie O. Biden**. “He was disappointed when it failed to garner a majority in the Senate, and my family and I are grateful that the Governor and members of the General Assembly brought this bill back. We’re eager to see it pass.”

“Though issues around gun safety are multi-faceted and complex, we need to have these challenging discussions. I am proud that in Delaware, we have had a history of taking charge on the issue of gun safety, and we are taking another stand today,” said **House Majority Leader Valerie Longhurst**. “This legislation is about making sure that firearms are not in the hands of dangerous people and gives mental health professionals more tools if they believe a patient is a danger to themselves or others. It is a delicate and complex issue that requires a variety of different stakeholders to work together, and I am proud that we have been able to join forces on this issue.”

“Washington’s failure to act on America’s gun violence

epidemic means that Delaware and other states need to lead,” said **Senate Majority Leader Margaret Rose Henry**. “But we also have to make sure that taking action on gun safety doesn’t perpetuate the harmful myth that people with mental health issues are dangerous, or prevent people from seeking treatment. That’s why I’m so proud to join Rep. Bentz as a sponsor on gun safety legislation that relies on science, not talking points or stigma.”

#### **DETAILS OF THE LEGISLATION:**

The Beau Biden Gun Violence Prevention Act would add the following individuals to the list of persons prohibited from owning a firearm:

- Any person who has been committed to a hospital for treatment of a mental condition.
- Perpetrators of violent crimes who have been found:
  - Not guilty by reason of insanity;
  - Guilty but mentally ill;
  - Mentally incompetent to stand trial.

Those individuals are currently not prohibited from owning firearms under current law. The legislation announced Tuesday would require health professionals to report to law enforcement anyone they believe presents a danger to themselves or others. Appropriate law enforcement agencies must then investigate – and may seek an order from Superior Court to require individuals to relinquish firearms, if they are found to present a danger.

The Court may allow individuals to relinquish firearms to a personal designee. The legislation also allows affected individuals to appeal orders to the Supreme Court, and petition to have their firearms returned.

“I believed in this bill when Beau and I were advancing it in 2013, and if I could, I’d vote for it again,” said **Michael Barbieri**, chair of the **Delaware Coalition Against Gun Violence**

**Education Fund.** “This bill is another common-sense piece of legislation that will make our communities safer and help prevent gun violence in our state. Our small state has led the country on gun violence legislation for the past five years, with laws to keep guns out of the hands of domestic abusers and to close the Charleston loophole for background checks, and I’m proud to see that momentum continue with this bill.”

“While we know that the vast majority of people living with a serious and persistent mental illness are much more likely to be victims of violent crimes than the perpetrators, we also know there are warning signs that we must heed,” said **Department of Health and Social Services Secretary Dr. Kara Odom Walker, a board-certified family physician.** “When individuals with a mental illness are a danger to themselves or others, we must act to protect them and others.”