



COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF COUNCILMEMBER BROOKE PINTO
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W., SUITE 106
WASHINGTON, D.C. 20004

September 24, 2024

Nyasha Smith, Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Secretary Smith,

Today, I am introducing the Firearm Suicide Prevention (Donna's Law) Amendment Act of 2024. Please find enclosed a signed copy of the legislation.

The majority of gun deaths are suicides.¹ This bill is aimed at reducing such deaths. The bill would create a Voluntary Firearms Suspension Registry, to be maintained at the Metropolitan Police Department. It would allow vulnerable adults to voluntarily and confidentially add themselves to this suspension registry, either through MPD directly or through a health care provider, to restrict themselves from purchasing, receiving, or possessing a firearm. If the person later decides they want to be removed from the list and able to purchase again, they would be required to wait at least 21 after filing a removal request.

The bill would additionally require MPD, in consultation with the District Departments of Health and Human Services, to collect information, prepare, and distribute literature about firearm safety, suicide prevention, and conflict resolution, and to require any business engaging in the selling, purchasing, or repairing of firearms or ammunition to display and distribute that literature.²

The bill is based on similar legislation enacted in other states and known as "Donna's Law" in honor of Donna Nathan. On June 26th, 2018, Donna died from a self-inflicted gunshot wound after a series of voluntary inpatient mental health stays to manage her suicidality brought on by bipolar disorder. Donna purchased the gun legally just hours before her death.³

¹ Kellye Lynn, *New requirements for gun store owners in Montgomery County*, WJLA (September 16, 2024), [available here](#) (noting the Center for Disease Control data that "54% of all gun-related deaths in the U.S." result from suicide). See also John Gramlich, *What the data says about gun deaths in the U.S.*, Pew Research Center (April 26, 2023), [available here](#) ("In 2021, 54% of all gun-related deaths in the U.S. were suicides (26,328), while 43% were murders (20,958), according to the CDC.").

² This provision is modeled on recent legislation from Montgomery County, See Lynn, *supra* note 1.

³ Katrina Brees, *My Mom Died By Suicide. If This One Thing Had Been Different, I Believe She'd Still Be With Us*, Donna's Law for Suicide Prevention: Preventing Suicide Through Voluntary Firearms Purchase Delay Act, [available here](#).

Donna's Laws are common-sense means of preventing firearm suicide while respecting the Second Amendment rights to bear arms.⁴ In fact, when surveyed, gun owners predominantly endorsed Donna's Law.⁵ Virginia, Washington, Utah, and most recently Delaware, have all passed versions of Donna's Law.⁶ Importantly, states with these firearm purchase and possession delay laws have been found to have reduced numbers of suicide by firearms, with no increase in suicide by other means.⁷

This version of Donna's Law will be the first of its kind in the United States with its suicide literature provision, and the second of its kind, after Utah, to have an innovative means of self-registration through a health care provider. Donna's Law, as applied to the District, will continue the life-saving work of preventing suicide and self-harm.

Should you have any questions about this legislation, please contact Eloy LaBrada, Legislative Counsel for the Committee on the Judiciary and Public Safety, erodriguezlabrada@dccouncil.gov.

Thank you,



Brooke Pinto
Councilmember, Ward 2
Chairwoman, Committee on the Judiciary and Public Safety
Council of the District of Columbia

⁴ In survey reports, "46% of individuals receiving psychiatric treatment said they would voluntarily restrict their own ability to purchase firearms" See Fredrick E. Vars and Ira Drayton Pruitt, "Donna's Law": "The Voluntary Do-Not-Sell List" *Handbook* (March 3, 2024).

⁵ Vars and Pruitt, *supra* note 4 (citing Joseph Blocher, *The Right Not to Keep or Bear Arms*, 64 *Stanford Law Review* (2012), [available here](#) and Ian Ayres & Fredrick E. Vars, *Gun Owners Support the Right Not to Bear Arms*, 69 *Emory Law Journal* 1131 (2020), [available here](#)).

⁶ See [RCW 9.41.350](#); [Va. Code Ann. §52-50](#); [H.B. 267](#); [H.B. 342](#). Congress also introduced a version of Donna's Law in 2022, but it did not advance out of the House Judiciary Committee. See Tim Henderson, *States Consider Allowing Residents to Deny Themselves Guns*, *Governing* (March 20, 2023), [available here](#).

⁷ Vars and Pruitt, *supra* note 4 (citing Griffin Edwards et al. *The Effect of Mandatory Handgun Purchase Delays on Homicide and Suicide*, 128 *Econ. J.* 3117 (2017)).



Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend the Firearms Control Regulations Act of 1975 to create a Voluntary Firearms
2 Suspension Registry and to allow individuals to voluntarily suspend their ability to receive,
3 possess, or transfer a firearm, to require the Department of Health and the Department of
4 Human Services to develop literature about firearm safety, suicide prevention, and conflict
5 resolution, and to require any business engaging in the selling, purchasing, or repairing of
6 firearms or ammunition to display and distribute the literature to patrons and interested
7 purchasers.

8
9 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
10 act may be cited as the “Firearm Suicide Prevention (Donna’s Law) Amendment Act of 2024”.

11 Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976
12 (D.C. Official Code § 7-2501.01 *et seq.*), is amended by adding a new Title XI to read as
13 follows:

14 “TITLE XI. VOLUNTARY FIREARMS SUSPENSION REGISTRY.

15 “Sec. 1101. Definitions.

16 “(1) “Health care provider” means a person who provides health care or
17 professional services related to health care and is acting within the scope of the person’s license,
18 certification, practice, education, or training, including mental health professionals and substance
19 use disorder professionals.

20 “(2) “MPD” means the Metropolitan Police Department.

21 “(3) “Registrant” means a person who signs up on the Registry.

22 “(4) “Registry” means the Voluntary Firearms Suspension Registry established by
23 this title and maintained by the Metropolitan Police Department, which shall allow a person to
24 voluntarily suspend themselves from being able to purchase, receive, transfer, or possess a
25 firearm.

26 “Sec. 1102. Registry Established.

27 “There is established a Voluntary Firearms Suspension Registry, to be administered by
28 MPD, which shall allow a person to voluntarily suspend themselves from being able to purchase,
29 receive, transfer, or possess a firearm.

30 “Sec 1103. Means of registration.

31 “(a)(1) MPD shall develop forms that individuals can use, online or in person, to request
32 to be:

33 “(A) Added to the Registry,

34 “(B) Removed from the Registry, and

35 “(C) Removed from the Registry on an expedited basis.

36 “(2) The forms required by paragraph (1) of this subsection shall be made available to
37 the public on MPD’s website, and shall, at a minimum, include the following information
38 regarding the registrant:

39 “(A) Name;

40 “(B) Address;

41 “(C) Date of birth;

42 “(D) Contact information;

43 “(3) The forms required by paragraph (1) of this subsection shall:
44 “(A) Contain a signature line for the requesting person;
45 “(B) Contain a statement that the form shall be signed under penalty of
46 perjury;
47 “(C) Contain a clear and conspicuous statement indicating that, in filing the
48 form, the registrant is voluntarily suspending any rights to purchase, receive, control or possess
49 any firearm and that this voluntary suspension may be revoked at any time after at least 7 calendar
50 days have elapsed after the date the registrant signed the request to register;
51 “(D) Collect all information necessary for identification and entry of the
52 person into the National Instant Criminal Background Check system to identify prohibited
53 possessors or purchasers of firearms;
54 “(E) Require the submission of a physical or digital copy of the person’s
55 photo identification to verify the person’s identity;
56 “(F) Include an email notification option that allows the registrant, either at
57 the time of requesting to be added to the Registry or thereafter, to provide one or more email
58 addresses of persons to be notified by MPD within 24 hours after the registrant subsequently
59 requests removal from the Registry; provided, that an email address provided under this
60 subparagraph shall only constitute an express authorization for the use of the email address for the
61 purposes of this subparagraph; and
62 “(G) Include an option for the person filing the form to provide the name of
63 a family member, mental health professional, substance use disorder professional, or any other
64 person to be contacted if the registrant attempts to purchase a firearm while the voluntary
65 suspension is in effect or if the registrant applies to have the voluntary suspension revoked, in

66 which case MPD shall immediately give notice to the person filing the form and any listed family
67 member, mental health professional, substance use disorder professional, or alternate person if the
68 registrant's voluntary suspension has been accepted. The notice shall state that the registrant's
69 possession or control of a firearm is unlawful and that any firearm in the registrant's possession or
70 control should be surrendered immediately, by a process to be determined by MPD.

71 “(c) No later than one business day after receipt of a request to be put on the Registry, MPD
72 shall enter the voluntary suspension into any relevant firearms background check program and
73 transmit this information to the National Instant Criminal Background Check System and to any
74 other federal or state computer-based systems used by law enforcement agencies or others to
75 identify prohibited purchasers of firearms.

76 “(d) No forms or records collected under this section shall be disclosed except to law
77 enforcement agencies.

78 “(e) A person may submit a form requesting to be added to the Registry to any health care
79 provider. The health care provider shall verify the person's identity before accepting the form and
80 may not accept a form from someone other than the person named on the form. No later than one
81 business day after receipt of the form, the provider shall electronically deliver the person's
82 completed form to MPD.

83 “(1) MPD shall make the forms for registration and removal described in section 1103(a)(1)
84 available to download through its website for the health care provider who is delivering an
85 individual's registration request and shall require the information regarding the registrant listed in
86 section 1103(a)(2).

87 “(2) The health care provider who is delivering the form on behalf of the registrant
88 shall provide the following information:

89 “(A) The health care provider’s name;
90 “(B) The name of the health care provider’s organization;
91 “(C) The health care provider’s license or certification, including the license
92 or certification number;

93 “(D) The health care provider’s signature; and

94 “(E) The health care provider’s acknowledgement of the following
95 statement: “By presenting this completed form to the Metropolitan Police Department, I
96 understand that I am acknowledging that I have verified the identity of [name of individual seeking
97 registration on the list].”

98 “(d) The person filing the form may update the contact information for any family member,
99 mental health professional, substance use disorder professional, or alternate person by making an
100 electronic or written request to MPD. MPD shall request a physical or scanned copy of photo
101 identification to verify the registrant’s identity prior to updating the contact information on the
102 form. By the end of the business day, MPD shall update the contact information.

103 “(f) Health care providers shall be immune for any actions taken pursuant to this title.

104 “(g) Information about the forms shall be made available to the public on the websites of
105 the Department of Human Services and Department of Health.

106 “Sec. 1104. Revocation of suspension and removal from the registry.

107 “(a) At any time after requesting to be added to the Registry, the person may directly submit
108 to MPD a signed form requesting to revoke their voluntary suspension and to be removed from the
109 Registry. Within seven days of receiving a revocation of a voluntary suspension, MPD shall
110 remove the registrant from the National Instant Criminal Background Check system, and any other
111 federal or computer-based systems used by law enforcement agencies or others to identify

112 prohibited purchasers of firearms in which the registrant was entered, unless the registrant is
113 otherwise ineligible to possess a firearm, and destroy all records of the voluntary suspension.

114 “Sec. 1105. Suicide prevention literature.

115 “(a) MPD, in consultation with the District Department of Health and the District
116 Department of Human Services, shall collect information, shall prepare, and shall distribute to
117 any business engaging in the selling, purchasing or repairing of firearms or ammunition in the
118 District, literature regarding:

119 “(1) Gun and firearm safety;

120 “(2) Gun and firearm training;

121 “(3) Suicide prevention;

122 “(4) Mental health; and

123 “(5) Conflict resolution.

124 “(b) Any business engaging in the selling, purchasing, or repairing of firearms or
125 ammunition shall make conspicuous and available, and shall provide to each person who enters
126 the shop, the literature prepared under subsection (a) of this section.

127 “Sec. 1106. Penalties.

128 “(a) Any person who sells or transfers a firearm to a registrant knowing that the registrant
129 is on the Registry shall be fined not more than the amount set forth in section 101 of the Criminal
130 Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C.
131 Official Code § 22-3571.01), or incarcerated for no more than one year, or both. A person
132 convicted of this offense who has one or more prior convictions for this offense shall be fined not
133 more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment

134 Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or
135 incarcerated for no more than 2 years, or both.

136 “(b) A person on the Registry who knowingly receives or possesses a firearm shall be
137 subject to a civil penalty up to \$100 or 4 hours of community service.

138 “(c) Any person who coerces another person to add or remove themselves from the
139 Registry shall be fined shall be fined not more than the amount set forth in section 101 of the
140 Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-
141 317; D.C. Official Code § 22-3571.01), or incarcerated for no more than 90 days, or both.

142 “(d) Any person who violates section 6 by failing to display or distribute literature shall be
143 subject to a civil penalty of up to \$500; provided:

144 “(1) For a violation that occurs within one year of a previous violation, a civil
145 penalty of up to \$750; and

146 “(2) For a violation that occurs within one year of a second or subsequent
147 violation, a civil penalty of up to \$1,000.

148 “(e) A person who makes a false statement regarding another person's addition to or
149 removal from the Registry commits the offense of perjury under section 401 of the “District of
150 Columbia Theft and White Collar Crimes Act of 1982,” effective December 1, 1981, (D.C. Law
151 4-164; D.C. Official Code § 22-402).

152 “Sec. 1107. Rules.

153 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,
154 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to
155 implement the provisions of this act.”.

156 Sec. 3. Fiscal impact statement.

157 The Council adopts the fiscal impact statement in the committee report as the fiscal
158 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
159 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

160 Sec. 4. Effective date.

161 This act shall take effect following approval by the Mayor (or in the event of veto by the
162 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
163 provided in sections 602(c)(1) of the District of Columbia Home Rule Act, approved December
164 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
165 Columbia Register.