

# Setting the Record Straight

## **I voted to improve background check system**

An op-ed by Sen. Kelly Ayotte

Out of state special interests are running false ads attacking me and even lying about my efforts to prevent gun-related violence. I want to set the record straight: I support effective background checks and in fact voted recently to improve the National Instant Criminal Background Check System (NICS).

As a former prosecutor who served for five years as New Hampshire's attorney general, I have a demonstrated record of punishing criminals and strengthening public safety. Having worked as a murder prosecutor, I've witnessed horrific crime scenes. I've spent time with victims - and I've worked day and night to put violent offenders behind bars.

From my experience working with police chiefs, detectives and prosecutors, I know how important it is to have laws that work - and I know how important it is to enforce the laws we have on the books.

Despite what the false attack ads say, I helped introduce and voted for the Protecting Communities and Preserving the Second Amendment Act, which improves the existing background check system, addresses mental health gaps in the criminal justice system, boosts resources to improve school safety, and criminalizes gun trafficking and straw purchases. The legislation also puts teeth into the law by creating a high level federal task force to increase the prosecution of gun-related violence.

Also, given the clear connection between mental illness and mass violence tragedies at Newtown, Aurora, and Virginia Tech, I cosponsored and voted for the Mental Health Awareness and Improvement Act. This bipartisan measure includes provisions of legislation I helped introduce that seeks to improve mental health first aid training and increase the effectiveness of mental health care across the nation. This amendment passed the Senate overwhelmingly by a vote of 95 to 2.

It's clear that criminals who attempt to illegally purchase firearms aren't being prosecuted as they should be - and have not been for years. For example, in 2010, the Bureau of Alcohol, Tobacco and Firearms screened 76,142 NICS denials. Of those, charges were brought in only 44 cases - and resulted in just 13 successful prosecutions. This sends the message to criminals that there won't be any consequences when they try to get their hands on guns.

Some of my colleagues want to expand the broken background check system we have now. In my view, we shouldn't be expanding a flawed system. The focus should be on fixing the existing system, which criminals are flouting. We need to make sure we are enforcing current law and prosecuting those who attempt to illegally obtain firearms. And we must ensure that NICS includes records currently not being entered in the system, including mental health adjudications where an individual is found to be a danger to themselves and

others.

There are no easy answers. Even if the proposed expansion of background checks had been in place, it wouldn't have prevented the Sandy Hook tragedy - where the perpetrator obtained the firearms he used by killing his own mother, who owned them lawfully.

Like citizens across New Hampshire, I want to find solutions that will stop criminals and those who are mentally ill from obtaining firearms. I want to make sure we punish those who try to access guns illegally. And I want to improve the nation's mental health system so that those who are on the front lines can identify the warning signs of mental illness and help those in need get proper help.

In the Senate, I know that there are members of both parties who want to find common ground on this important issue. And my commitment to the people of New Hampshire is that I will continue to try to work across the aisle to prevent violence, enforce and improve our broken background check system, strengthen mental health services, and increase school safety - all while protecting the constitutional rights of law-abiding Americans.

Misleading television and radio ads are counterproductive and only help to poison this important discussion.



Warm Regards,

A handwritten signature in cursive script that reads "Kelly".

Kelly Ayotte  
United States Senator



[Email Kelly](#)