

Colorado moves forward with gun-control laws

Written by Kyle Arnoldy

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Governor John Hickenlooper, on March 20, signed a series of monumental gun-control bills for Colorado that expands background checks, requires gun purchasers to pay for the fees of background checks and limits ammunition magazines to no more than 15 rounds.

Generally, the restrictive gun laws are more aligned with laws of states from the Northeast as opposed to Western states.

The laws, which will go into effect July 1, essentially divide Colorado into two groups; those who see the restrictions as clear violations of their second-amendment rights and those who see the laws as necessary progressive steps to ensure safety for generations to come.

Law enforcement is also divided on the topic.

Several Colorado sheriffs have argued that the new laws are impossible to enforce and some have flatly stated that they will not enforce them.

Recently The Denver Post reported that 37 of Colorado's 62 elected sheriffs plan to pursue legal action to overturn the laws regarding background checks. They are also against the magazine limits but have chosen not to include that particular law in the lawsuit.

Holyoke Police Chief Doug Bergstrom explained that he personally believes the difficulty with pursuing these new laws can be attributed to the reactive nature of the laws.

In most circumstances, the gun would have to be involved in an incident, prompting authorities to track down the owner and determine if a background check was performed.

Failure to perform the background check could lead to a class 1 misdemeanor charge with a presumptive range of 6-18 months behind bars and a fine of \$500-\$5,000.

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Meanwhile the Colorado Association of Police Chiefs have come out in support of magazine restrictions.

Bergstrom noted that the difficulty in enforcing the magazine limit law stems from determining the purchase date of the magazine.

While it will become illegal in July to purchase magazines that hold more than 15 rounds, those that are already in possession of these high capacity magazines are still within their legal rights so long as they do not try to sell or transfer the magazine to anyone else.

“I don’t make the laws, I just enforce them,” Bergstrom said. “On a personal note, I don’t necessarily agree with them, but I will enforce them.”

First offenders found guilty of purchasing magazines that hold more than 15 rounds after July 1 can face a class 2 misdemeanor charge that includes a presumptive range of 3-12 months in jail and a \$250-\$1,000 fine.

Class 1 misdemeanor will be assessed to those who violate the law a second time.

If the violation occurs during a felony act or crime of violence, a class 6 felony will be assessed. Class 6 felonies include a presumptive range of 6-18 months in jail and a fine between \$1,000 and \$100,000.

Law enforcement entities are exempt from the magazine limits.

Those who have openly supported the limit claim that, in cases such as the Aurora shooting, if the suspect would have had to stop and reload multiple times, it would have made it possible for more people to escape or given time for someone to stop the shooter. The law may not stop

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murderers, but it may limit the damage they cause.

President Obama has applauded Colorado as he continues to push for even more gun restrictions at the national level that could lead to an assault weapons ban.

Those opposing the bills have argued that the restrictions punish law-abiding gun owners and will be ineffective in preventing crimes while those in favor of the laws argue that setting more restrictions will make it more difficult for criminals to obtain the tools of their trade.

Steve Deaver, a local licensed gun dealer, does not agree with the new laws and believes they will not deter any criminal activity. He finds it hard to believe that criminals who obviously show no regard for human life would be affected by misdemeanor laws.

He noted that those who are selling guns to family members or to friends may choose to skip the \$10 fee for a background check.

“If you have two decent, law-abiding citizens that are willing to ignore the law, what makes anybody think that criminals are going to abide by it?” Deaver asked.

With the newly established laws in Colorado and the lingering possibility of nation-wide bans, Deaver has seen the impact within his business.

“There has definitely been an increase in people buying firearms since Hickenlooper signed those laws,” Deaver explained. “I think it stems from the fear that they may not be able to in the near future.”

Deaver also expressed his concern with the rush to buy guns. He has seen an increase of buyers who are inexperienced with guns. He has recently refused to sell to these types of people because he sees it as a safety concern.

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Many have also argued that while gun laws may be a step in the right direction, pinpointing them as the end-all solution to stop future tragedies ignores the mental condition of those committing the heinous crimes.

While there may be no definitive solution to prevent gun violence, it is impossible to deny the fact that Colorado is changing.

[Click here for the Enterprise poll on gun laws!](#)

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