

TESTIMONY OF FRANCINE LOBIS WHEELER

House Judiciary Committee  
Pennsylvania General Assembly  
July 17, 2013

Chairman Marsico and members of the Committee, thank you for giving me this opportunity to be here today.

My name is Francine Lobis Wheeler.

I lived almost half my life in Pennsylvania and my family has deep roots here. I was born in Darby, and started school in Delaware County at the Marple Newtown Elementary School in Newtown Square. We moved to Washington Crossing in Bucks County when I was 6 years old and I attended elementary, intermediate and high school in Newtown, Bucks County, PA.

When I was 17, I attended Bucknell University in Lewisburg on a performance scholarship and I went on to get my undergraduate degree at DeSales University in Center Valley.

My parents live in Westchester, my three brothers and their families live in Delaware and Bucks County.

Our son Ben, a devoted Phillies fan, wanted to live in Pennsylvania to be close to our relatives and by age 6, had already picked out the University of Pennsylvania as his college of choice.

In April 2007, my husband David and I moved with our sons Ben and Nate from New York City to Newtown, Connecticut. Ben was six months old. With two young boys, we wanted what so many parents want for their kids: a yard to play in, a safe community and good schools. If we had chosen Pennsylvania instead, I would not be here today.

This past December 14th, Ben was killed along with 19 other first graders and six educators at Sandy Hook Elementary School. Nate's fourth grade class was in the school gym during the shooting. He survived.

I'm not an expert on law enforcement or gun policy. I am a mother. But I have a credential that no parent wants: I have lost a child to gun violence. When this happens to you -- when my child was murdered, I no longer have the fear to stand up and say what is right and what I believe. I have nothing to hide. Ben gives me the courage to be here, to speak to legislators and to commit to change. All this stems from the love I have for him and the want for safety for all our children. This is how I honor Ben and how we can honor all victims of violence -- by having the courage to find love, listen to one another and make change happen

Going through this experience over the past 7 months has given me some insight.

Not until this happens to you, frankly, do you realize how many people in America share this distinction. With roughly 30,000 gun deaths each year in the U.S., there are so many mothers and fathers who will wake up every morning for the rest of their lives missing their kids.

One thing that has surprised me most is how much disagreement and rancor there is in the discussion of gun crime. I am determined, and I hope that others will join me in this, to try to move forward with love and respect. So today, I'd like to focus on our areas of agreement, because there is so much on which we agree.

First, I think we all agree that expanding background checks will not eliminate gun crime. The assault weapon that was used to kill my Ben, for example, was purchased legally by the shooter's mother after a background check.

But if we are looking only to take steps that will stop all gun crimes, we've set the bar for action too high. We know that background checks actually do prevent many convicted felons and dangerously mentally ill people from buying guns. In 2010 alone, more than 150,000 gun sales were stopped when the purchaser failed a federal or state background check. We also know that some individuals prohibited from buying guns are buying guns online and through other avenues that don't currently require a background check.

Another thing we can all agree on is that the overwhelming majority of gun owners are responsible people. They're parents and grandparents and brothers and sisters, sportsmen and concerned property owners who are no danger at all. So many of them just want what I want, to keep their families safe. We should not interfere with the ability of those individuals to buy and own guns.

And I think everyone also agrees that there are some people who should not have guns under any circumstances. In fact, federal and state laws already prohibit many convicted criminals and others who are dangerously mentally ill from purchasing or possessing firearms. That's already the law.

So how do we make sure that the law is enforced in a way that makes sense? Right now in Pennsylvania, a convicted felon – say someone who has been to prison for rape or abusing a child or even homicide – couldn't go into a licensed firearm dealer and buy an assault rifle like the one that killed my son. The background check would stop the sale. That same convicted felon, however, could go online and, with a few clicks, buy an assault weapon over the Internet and have it shipped to his door. No questions asked.

That doesn't make much sense. If we all agree dangerous individuals shouldn't have guns, then shouldn't we take at least the most basic steps to ensure that they can't get around the system simply by going online or buying from someone who's not a licensed gun dealer?

Will this stop every criminal? Obviously not. Will it save lives? I think it will. And if we can keep a mother in Pennsylvania from having to go through what I am going through – and we can do it in a way that makes sense and doesn't impose any undue burden – we ought to do it.

Now, background checks and other gun laws shouldn't be the beginning and end of our conversation about how to prevent gun crime. We need to do more to ensure that people with mental health problems get the help they need. We need tighter communities and stronger families. We ought to figure out if there are ways to make our schools safer. But we should also make sure that we're taking common sense steps to keep guns out of the hands of those who would harm our families.

Working together as Americans of good will, I know we can make our communities safer.