

Thank you, Chairman. Ladies and Gentlemen:

My name is Erin O'Brien and I am a Senior Deputy District Attorney with the Chester County District Attorney's Office, supervising the unit handling crimes against children. I've served as a prosecutor in the Commonwealth, first in the Philadelphia District Attorney's Office and now in Chester County, handling crimes against children for nearly seventeen years. I'm also a mother, accompanied today by my nearly-eleven year old son. My job requires that I be available to handle calls and provide assistance to law enforcement on investigations related to children, whenever those calls occur. Very often, those calls come in at night or on the weekend. And while many of the cases I handle aren't matters that I can or would discuss at home with my family, the tragedies I'll be speaking about this morning are ones that I've discussed, in broad strokes, with my son at home.

Since 2020, firearm-related injuries became the leading cause of death among children and adolescents in the United States. Nearly 2/3 of the 4,368 US children who were killed by guns in 2020 were homicide victims. Of the remainder, 30% were suicides, and 5% were accidental or of undetermined origin. Male youths are significantly more likely to be killed by firearms than females and the firearm death rate for black children is more than four times higher than for white children, for whom auto accidents are still the leading cause of death. A 2015 study comparing the United States and 28 other highly-populated countries found that the US accounted for the overwhelming majority of firearm-related deaths in children, including 97% of deaths of children 4 and under and 92% of deaths of children aged 4-17. Among youth in the US who die, more than 25% die by suicide, according to the American Academy of Pediatrics (AAP). Nearly half of all youth suicide attempts involve a firearm, according to a recent report by Everytown for Gun Safety.

In Pennsylvania, our children are dying as the result of firearm-related injuries, both intentional and accidental.

Last month, I handled the sentencing hearing for an eighteen-year old man charged with Endangering the Welfare of Children and Involuntary Manslaughter in the death of his four-year old brother. On February 28, 2022, only two weeks after his eighteenth birthday, that defendant left home to go to the gym, leaving his bedroom door open because he didn't want his dog to have an accident inside his bedroom. He left the firearm he illegally acquired through a straw purchase the day before his birthday out on a table by his bed. The firearm was unsecured, without a box, a lock, or holster. It was fully loaded and had a round chambered. Tragically, as little brothers do, the victim, who was home in the care of another teenage brother, went

into the bedroom to explore. He picked up the gun and shot himself in the face, dying instantly from his injuries. Reacting to the noise, the teenage brother found the victim on the floor and valiantly attempted life-saving measures, while calling his mother and 911 for help. When first responders arrived at the home, officers had to convince the victim's mother to let them remove the victim's body from her arms and take him outside to an ambulance. Those officers also had to recover the firearm from the pooled blood on the floor and "make it safe," by removing any other rounds.

The officers responding to the home that afternoon wore body-worn cameras, capturing their actions and interactions upon entering the home and the victim's body was autopsied by the Coroner's Office. I watched the video footage and listened to the 911 call. I saw the anguish on the mother's face as officers coaxed her into releasing his body. I learned that a toddler can be shot in the head at such an angle that the injury actually isn't immediately visible on his face, deceiving his big brother into believing that he might be saved. Crime scene investigators explained that the nature of the shot, on an upward trajectory into the child's nose, is consistent with how children often injure themselves with firearms, pointing the weapon in their own direction to get the traction to pull the trigger.

I'm currently handling another matter, this one involving a three-year old boy, from July 2022. His father took the child shopping and put him in the backseat of the car for the drive home. He took his loaded handgun, unsecured and unholstered with a round in the chamber, from his pocket and placed it into the car with the child while he stopped to speak with an acquaintance. During that time, the child picked up the firearm and discharged a shot into his upper leg. He was urgently transported to a local hospital and then to Children's Hospital of Philadelphia in critical condition. He underwent emergency surgery and survived his injuries.

The facts and circumstances of the firearm owners differed drastically between these two instances. One of the defendants paid an adult acquaintance from his neighborhood to illegally buy him the firearm only days before it would cause his brother's death. He acted recklessly with the gun on multiple occasions before that February afternoon and legally could not purchase or own the gun. The other legally owned his firearm and had previously had a permit to carry in another jurisdiction. Neither of these men intended harm to these children; it is undisputed and apparent that they loved these boys. Sadly, it is likely in part due to the love and adoration the victims had for these caregivers that they attempted to emulate them by holding and firing their guns.

Tragically, these incidents could so easily have been avoided. Minimal measures to make these firearms safe and keep them secure would have changed the course of

the lives of not only these victim children, but all who were impacted by these horrific events: parents, family members, first responders, bystanders and community members. Action to prevent such devastating incidents in the future is necessary and will certainly save the lives of the most innocent and vulnerable among us, our children.

Thank you.