

From GOVERNOR KAINE'S STATE OF THE COMMONWEALTH ADDRESS TO THE JOINT ASSEMBLY on January 9, 2008

There were many reasons to celebrate in Virginia this past year. But there have also been darker days. Even in moments of tragedy, Virginians showed that our commitment to each other is strong.

Some of those who dedicated themselves to public service gave their lives as part of their commitment. Over the last year, 28 members of the Armed Forces from Virginia gave their lives in service to our country. Two law enforcement officers and one firefighter also gave their lives in the line of duty. We are awed by their commitment to serving others, and together, we mourn their loss.

Last April, we faced one of the darkest days in our history when 32 students and teachers were killed and many others wounded on the campus of Virginia Tech.

In the days following the shootings, we mourned together, faced troubling questions, and were inspired by the indomitable community spirit on the Virginia Tech campus. Their commitment to healing reminded us that we owe it to the victims and their families to bring light out of the darkness of this tragedy by addressing the problems it revealed.

I invite you to join me in a moment of silence now to honor those victims and their families, and for all those who gave their lives in service this year.

While the grief of that terrible day in April is still with us, we have not forgotten the example of the Virginia Tech students, nor have we been idle. In the best tradition of setting aside our differences to do what is best for our commonwealth, a remarkable coalition has come together to work to prevent such a day from ever happening again.

Together, all three branches of government have studied the challenge of delivering mental health services more effectively.

Six percent of Virginians have a serious mental illness, and one of every four citizens of the Commonwealth has a diagnosable mental illness of some type. Most of us have been directly impacted by mental illness among friends, families, or co-workers, and we know firsthand the magnitude of this problem.

But due to chronic under-funding and an insufficient focus on the quality of

care, our mental health system has not been measuring up to the needs of Virginia's mentally ill.

The limited capacity of our local Community Services Boards and the strain on our overloaded case managers mean that thousands of Virginians with mental health needs are not getting treatment when they need it. Many are not being treated at all.

To expand and improve outpatient services, we must increase funding for additional clinicians and case managers. We must increase support for emergency services. We also need to do a better job of keeping people with mental illness from entering the criminal justice system and to provide better treatment to individuals when they are in jail.

We must not only correct the historic under-funding of community mental health, but also demand greater accountability in the provision of care.

Better outcomes for our mentally ill citizens demand a more uniform system of emergency response times, admission criteria, and staff requirements.

We can help provide people with the treatment they need by adjusting commitment standards, ensuring that emergency orders are long enough to allow expert examinations, and clarifying the responsibilities of all parties in diagnosis, treatment, and follow up.

If we identify people with mental illnesses and provide them with proper treatment and support, we serve them and our communities better.

And, we can provide better services to our children. The way we provide services to young people through the Comprehensive Services Act is in need of significant reform. If we make necessary changes so that more of our young receive services in community-based or foster care settings, rather than relying on expensive congregate care facilities, we will help these children have a greater chance at life success.

Beyond better community mental health services, the shootings at Virginia Tech point out some other areas where change is needed.

Both state and federal law prohibit a person who has been found by a court to be a danger to himself or others from buying a firearm. Until last April, there was no clear policy stating that a person ordered to involuntary outpatient treatment should be reported to the Central Criminal Records Exchange and kept from purchasing a weapon.

With the help of Attorney General Bob McDonnell, I issued an Executive Order to clarify that all who are determined mentally ill and dangerous should be included in the state database. This helped spur Congress to pass meaningful, bipartisan legislation to encourage the same result on a national level. This session, we must codify that Executive Order to ensure that persons who are a danger to themselves or others are not allowed to buy a gun.

As you are closing that important loophole, I also ask you to close an even larger one.

Since 1991, Virginia has required that anyone purchasing any type of firearm from a licensed dealer undergo a background check. This instant, computerized check is designed to prevent a felon or other dangerous individual from buying a gun. This law was a huge advance in public safety in this Commonwealth, protecting average citizens and our law enforcement professionals from harm.

However, a loophole still exists in this important measure. Anyone can walk into a gun show and purchase a firearm without the background check.

I support 2nd Amendment rights, and I believe that Virginia's laws generally strike the right balance of protecting that right consistent with public safety. But, if we are to enforce current law keeping guns out of the hands of dangerous individuals, we must require instant background checks for purchase of weapons at gun shows.

There is no reason for law-abiding gun owners or gun sellers to oppose the instant check. In fact, most purchasers go through such a check every time they buy a gun. It's instantaneous, it creates no permanent record of the transaction, and it will keep weapons away from people whom the law has determined should not have them.

Why should we allow felons, or people with serious mental illnesses, or domestic abusers who have been constrained by protective orders to buy weapons at gun shows in violation of clear state and federal law? If we fail to take this important step, we are leaving the door open for these dangerous individuals to gain easy access to guns so that they can harm other people.

While we have worked here in Richmond to respond to the April tragedy, Virginia's colleges and universities have also taken actions. They have strengthened relationships with local mental health agencies and law enforcement. They have implemented new ways of communicating with students

and faculty in an emergency. And all schools are working together, to share ideas and best practices to make their campuses safer.

We will continue to work together with our colleges and universities, keeping our focus on what they need to protect and serve students and staff.