

Please Strengthen Waiting Periods and Child Access Protection (CAP) Laws to Save the Lives of Vermonters

You, our legislators will be crafting legislation that we all hope will help make Vermont a better place to live in. One of these bills in particular, S.169, which would require a waiting period for some gun purchases. I applaud the House for taking action on this important legislation. We know that waiting periods save lives. I hope the House will now strengthen the bill to more effectively reduce access to lethal means for an individual who is a risk either to themselves or others, especially our children.

Between 2011 and 2017, 366 Vermonters took their lives with firearms. Research studies tell us that more than half of suicidal attempts (55%) are impulsive. Many people who attempt to take their life and fail immediately regret their actions. Unfortunately, with firearms people don't often get to regret their attempts. Firearms are just too lethal, and it is the inherent lethality of firearms, which is crucial. A 72-hour waiting period would give those who are a risk to themselves critical time to reassess.

Furthermore, out of the 366 Vermonters that took their lives with guns, 234 used handguns while 132 used long guns. If our legislators are serious about helping prevent suicides they will expand the waiting period provision to include all firearms and not just handguns.

Death as an endpoint is only part of the story. In 2014 there were 114 deaths by suicide in Vermont. More than 50% of those deaths were firearm related, but there were approximately 1500 injuries for attempted suicides. Although firearms were responsible for only one percent of these reported injuries, they were the principle cause of death by suicide.

A second provision to S. 169, which was removed from the bill by the Senate, would help protect our children from gun violence. Guns in homes pose a clear risk to the safety of our children. When those guns are not stored safely or securely, the risk drastically increases and all too often results in unintentional discharges. Today, it is not uncommon to read or hear about a child unintentionally discharging a gun in the news, in fact it is almost every day now. It is easy to become numb to this constant grim news but we owe our children better than that. CAP laws hold gun owners accountable for the safe storage of firearms, imposing liability for failing to take simple yet important measures to prevent children from accidentally using a gun. CAP laws do not allow police to randomly search a gun owner's home to assure safe storage. CAP laws would only be enforced if an unsecured firearm resulted in the death or injury of an individual. If an individual is fearful at night or other times throughout the day, there is no law against having a loaded firearm in their possession. But the owner would be required to secure the firearm when s/he isn't in possession of the weapon (i.e., leaving it loaded and unlocked under a pillow is not acceptable). I urge the House to put this important provision back into the bill.

Waiting periods and CAP laws do not infringe on the rights of law-abiding citizens to possess firearms. They will, however, make Vermonters safer. They will save lives. These laws have nothing to do with a person's Second Amendment right. The Supreme Court has clearly stated that none of the amendments to the Constitution are absolute, and that firearms can be regulated. We must not forget that the Constitution clearly states that we all as citizens have the right to "Life, Liberty and the pursuit of Happiness". We have the right to go to school, a house of worship, or a bar and not fear being shot.

Our legislators have a responsibility to make our communities safe. I know they are facing many complex issues, but to claim they are tired of addressing gun violence is not acceptable. That's their job. They need to put themselves in the shoes of the parent whose child is killed or injured at a friend's house, or whose loved one takes his or her life. Our legislators need to make S 169 stronger with a 72-hour waiting period applicable to all firearms and a CAP provision with criminal liability for the owner of an unsecured firearm, which results in the intended or unintended death, or injury, of an individual.

Sincerely yours,

Paul Manganiello

Paul Manganiello MD, MPH
Emeritus Professor Obstetrics and Gynecology
Geisel School of Medicine at Dartmouth