

To the House Committee on Judiciary :

This bill, S196 is a red herring. Despite the sad cases of suicide, the access to guns has little to do with it.

Japan's suicide rate is significantly higher than the US's, yet firearms are virtually non-existent in their society. China is stricter yet, the mere possession of a cartridge in some parts of the country can be subject to execution and it is estimated that between one fifth to one fourth of the world suicides are committed in that country. How do the authors of the bill explain that?

This is an insult to the good citizens of Vermont and I feel it being perpetrated by some local Vermont lawmakers for their own political benefits and on behalf of the anti-gun Bloomberg organization.

There is a swelling anger and resentment over the gun control issue and the disregard for the effect on the majority law-abiding Vermonters.

Michel Allen
161 Lost Nation Road
Essex Junction, VT 05452

Good evening. My name is Emma Bauer. I am a 19 year old resident of Strafford, Vermont, a first-year student at UVM, and the director of Vermont Youth for GunSense, a student gun violence prevention organization here in Vermont. I am here as a representative of these students to express my support for a strong bill that mandates a waiting period of at least 72 hours for all gun purchases. Thank you for providing me and other students with an opportunity to speak. There are multiple ways in which gun violence harms children in Vermont, and more must be done to make sure that children are protected from this public health epidemic.

First, *Vermont has the highest rate of youth suicide in New England. We must address the presence of firearms in relation to youth suicide.* An adequate waiting period requirement is beneficial, for it provides a young Vermonter qualified to purchase a gun with a cooling off period to reconsider what is often an impulse decision. We strongly support a lengthening of the waiting period to 72 hours to strengthen its effects. Additionally, we strongly support expanding the waiting period to all gun purchases, as a report from VPR demonstrated that approximately $\frac{1}{3}$ of deaths by suicide using a firearm between 2011 and 2017 involved long guns--both shotguns and rifles. Lastly, it must be said that the risk of suicide for Vermont's youth is increased by the presence of firearms in the household that have not been properly stored and are still accessible to the children in the household.

Second, domestic violence is present in many of Vermont households, which impacts both the partners of perpetrators of domestic violence as well as any children that may be present in the household. We support waiting periods as an effective method of preventing fatalities as adult and child victims of domestic violence leave an abusive situation, for it is in those critical days that the majority of domestic violence homicides take place.

For these reasons, we strongly support an adequate waiting period for all firearm purchases, and we hope that the House will pursue these and other measures that will put the safety of Vermont's youth first. Thank you.

Testimony to the Vermont House Judiciary Committee - April 2, 2019

S. 169 - An act relating to firearms procedures

The Right Reverend Thomas C. Ely, Bishop of the Episcopal Church in Vermont

tely@diovermont.org

Chairperson Grad and distinguished members of the Vermont House Committee on Judiciary:

My name is Thomas Ely. I reside in Burlington and currently serve as the Bishop of the Episcopal Church in Vermont. I am also a member of Bishops United Against Gun Violence, a network of over 80 Episcopal Bishops working, as people of faith, to curtail the epidemic of gun violence in the United States. Our group offers four contributions: 1.) **public liturgy** 2.) **spiritual support** 3.) **sound teaching** 4.) **advocacy for common sense gun safety measures**

It is in reference to that 4th contribution that I testify today, in measured support of S.169.

The work around gun safety and anti-violence that the General Assembly did last year and the work in which you are engaged this year is vital public health and safety work and I thank you for that. Today, I ask you to continue and deepen your commitment, specifically by amending S.169 to establish a 72-hour waiting time provision for the purchase of any and all guns, not only handguns.

I know that not everyone who purchases a gun intends to do violence to themselves, or others, but sadly some do. Strengthening the provisions of S.169 to include a 72-hour waiting period on all gun purchases might slightly inconvenience some and yet could well save the life of someone you or I know and love.

Once a gun, any kind of gun, has been used to end one's life, inflict injury or take the life of another, there is no waiting time left to offer – only regret and mourning time. The waiting time needs to come while there is still a chance to prevent the violence. Time to reconsider. Time for someone to get help. Time for cooler heads to prevail. Time for a thorough background check. Time that could make all the difference. It is about time, in more ways than one. Thank you.

Vermont House Judiciary Committee

Rep. Maxine Grad, Chair
Rep. Thomas Burditt, Vice Chair
Rep. Martin LaLonde, Ranking Member
Rep. Kevin "Coach" Christie
Rep. Selene Colburn
Rep. Kenneth Goslant
Rep. Nader Hashim
Rep. Kimberly Jessup, Clerk
Rep. William Notte
Rep. Barbara Rachelson
Rep. Patrick Seymou

Testimonial before the Vermont House Judiciary Committee on S.169

Tuesday, April 2, 2019

My name is Dr. Daniel J. Monger and I live with my wife, Cathleen, in New Haven, VT

I have come to speak to you today on S.169; what used to be S.22.

Approximately 14 months ago the Stoneman Douglas High School shooting provided the impetus for the anti-gun debate to start the 2018 legislative session off in crisis mode. Rahm Emanuel said it best with his Alinsky-ite quote: "You never let a serious crisis go to waste". The battle was over the ban on magazine size, mandatory background checks for private firearms sales, and increasing the age requirement to purchase a long gun. The argument last year was that these measures would keep us all safe from the likes of Jack Sawyer. This was Governor Phil Scott's cathartic justification to reverse his long time promise to protect Vermont gun rights. This legislation was all ineffective. Why? Because today, Jack Sawyer can still come and go as he pleases. It accomplished nothing positive.

Last year's circus revolved around Michael Bloomberg and his financed groups such as the New Hampshire based Gun Sense Vermont, Senator Sears' bill S.221 and Representative Maxine Grad's bill H.422. These were domestic violence bills with serious due process violations and firearms forfeitures. Personally, while at the State House to testify, it literally seemed that everyone I ran into who wasn't wearing an orange T-shirt, had an ex-husband or lover that was threatening to kill them with a firearm. What are the odds of that? The obvious resolution to protect such threatened individuals was to provide them professional self-defense firearm training. Remember, when seconds matter, the Police are minutes away. But instead, the cry was to confiscate firearms without due process. Ineffective!

So, today's circus revolves around the imposition of a 24 hour waiting period to purchase a handgun. The premise is that this restriction will save more lives from suicide than would be lost if an ex-husband or lover were able to follow through on his threat to kill his estranged wife. All while she waits 24 hours to obtain a firearm for protection. Every life is sacred and the life of one threatened with violence is equal to the life of one contemplating suicide. Period. But our legislature has already concluded that one life is more equal than the other. And yes, this is all done under the frame work of common-sense gun control.

Finally, in terms of overall improvements in our legislative body, we can argue over the value in: (1) legislative term limits, (2) salary caps for our legislature, and (3) a required balanced budget by some means other than raising taxes. But I will bet you this: everyone in this room sees the value in a pre-requisite requirement that before any law maker take their seat in Congress, each must receive a mandatory college course in Logic.

Thank you.

Daniel J. Monger
04-02-19

Good Evening

I am sorry to have to share with you a painful story. I have never talked about this publicly and have only shared it with my closest friends.

When I do, I never talk about the details. It would be too much for people to handle. But this night and this bill are so important. A decision to vote this bill into law can literally save lives and protect countless people from suffering life long trauma.

So, these stories must be told to you who have the power to change future stories.

Many years ago, on the last summer evening in August, the day before school started, my friend, Bobby, who was 17 and his Mom had an argument.

His older brother, my High School sweetheart and I were in the backyard and could hear them. His 12 y/o sister, Wendy, was in her bedroom, next to his.

Bobby hated school and had just gotten a part time job doing something he loved. His Mom came home late from work, exhausted and frustrated with him for taking the job when, she felt he would need to focus on school. His Dad had moved out the year before. It had been a rough year for the family.

But Bobby was not chronically depressed, in fact he generally had a sunny disposition. But that night he was angry, frustrated and discouraged. He went into his sister's room and told her he was leaving. He was taking off, getting away from Mom, school and home. Not long afterward he returned to her room and told her he couldn't run away because he had nowhere to go.

We listened from the backyard and thought things were settling down. We decided we didn't need to go inside to provide mediation. I was 19 y/o. My boyfriend, Bobby's brother was just 20.

There were a few minutes of quiet summer breezes, then the sound of a gun cocking, followed by the explosion. *of a gun*

As we entered the house, Mom and sister Wendy were already at his bedroom door howling with shock and grief. My boyfriend wrapped his arms around his Mom as she cried, "let me go to my baby, ~~my baby~~." Then she passed out.

When I entered the room after Bobby's body had been taken out by the police, I picked up what looked like a beautiful, pink seashell on the rug. It was a piece of Bobby's skull. He had put a shotgun in his mouth and blown his head off.

In those few moments, on that summer night, Bobby had impulsively ended his own life at the age of 17. At the same moment he had profoundly and permanently wounded the four people present at his violent, impulsive

death as well as countless other young friends and family members.

for more than 10 yrs.

20 years later, I was a Child and Family therapist at Rutgers Medical School in NJ. I facilitated support groups for adult and child survivors of family members who had committed suicide and I was part of a multidisciplinary Adolescent Suicide Task Force. We provided prevention, education, training and postvention services to schools throughout NJ.

In compiling data and listening to stories from Parents, teachers and sibs of teens who had completed suicides, we began to understand how impulsive teen suicide could be.

We generally picture people who suicide as having long standing depression and possibly a number of interventions, hospitalizations, as well as possible previous attempts.

There are certainly some young people who fit this profile. But a large percentage of teens and college age students don't.

During my years doing this work, I heard numerous, heartbreaking stories of, what we came to call impulsive suicides, where, if a young person had access to a firearm 90% of them completed their suicide attempt. But, if there were an interruption, a delay or a less lethal means chosen, the young person often recovered, got help and did not attempt again.

young people in a fit of anger, despair & hopelessness decides to end it all.

Next

Developmental psychologists would explain that young people often lack the length and depth of experience with hard times that older adults have. They often have "tunnel vision" thinking that the awful way they feel will be everlasting and that there is

They often don't know
no way out. That given time, effort and perspective – painful chapters can turn around and life can get better.

When you ~~can~~
Combine that with ^{adolescent} moods and emotions that can be overwhelming ^{at} not easily modulated ^{and} and you have a formula for deep misery. ^{And} When you add easily accessible firearms that can end a young life in a moment of passion, anger and despair you have the makings of a senseless, preventable tragedy.

~~Thank you for listening to this testimony.~~

A waiting period for the purchase of firearms as well as the provision to provide safe / secure storage might provide the pause that ~~can~~ will save many lives.

This legislation is being proposed supposedly, in response to the unfortunate suicide of a young man several months ago. The presumption being that if he had only had a couple of days to think about it, it wouldn't have happened. I find this to be an ill thought out conclusion. My observation has been that once a person chooses to end their life the tool makes very little difference.

Several years ago when the beloved comedian Robin Williams ended his life there was no outcry to ban belts and ties. The discussion was how sad it is that a person's mental state can deteriorate that they lose the will to live. This is true in nearly every instance of suicide.

In Japan access to firearms is extremely limited yet there is twice the incidence of suicide in that country. Hanging is the most common method in Japan but it's not unheard of for people to drink enough soy sauce to kill themselves. A person intent upon hurting themselves will find a way whether it be a gun, a rope, drugs or a tall building.

Mental health is the place the legislature should be focusing their efforts on. It is small consolation to anyone to say "Well at least your loved one didn't shoot themselves, they only hanged themselves."

A short while back in 2016 Vermont experienced the mass murder of 5 innocent teenagers at the hands of Steven Bourgojn, a suicidal man, who decided to crash his car into another in hopes of ending his life. It is my understanding that the perpetrator tried three times to get some help for his ongoing breakdown. He was unsuccessful in getting help.

In 2013 Robert Dellinger killed 2 in a similar automotive suicide attempt. In 2015 Karri Benoir killed a young father of three, again, in an attempted vehicular murder/suicide.

Perhaps the legislature could work with those in mental health and try and find some ways to improve treatment options.

There is an old saying that if your only tool is a hammer you see every problem as a nail. It seems as if there are those in the legislature who's only tool is to bash their agenda of restrictions on a population that are not a part of the problem.

Paul DeCausemacker

Colchester

S.169
Casey Jennings, Rutland,
VT

Research Review Methodology

Our review of evidence concerning the effects of 13 policies on eight outcomes used Royal Society of Medicine (Khan et al., 2003) guidelines for conducting systematic reviews of a scientific literature.

Read the full methodology in Chapter Two of The Science of Gun Policy »

Those guidelines consist of a five-step protocol: framing questions for review, identifying relevant literature, assessing the quality of the literature, summarizing the evidence, and interpreting the findings. Our objective was to identify and assess the quality of evidence provided in research that estimated the causal effect of one of the selected gun policies (or the prevalence of firearm ownership) on any of our eight key outcomes.

Selecting Policies

RAND assembled a list of close to 100 distinct gun policies advocated by diverse organizations, including the White House and other U.S. government organizations, advocacy organizations focused on gun policy (such as the National Rifle Association and the Brady Campaign to Prevent Gun Violence), academic organizations focused on gun policy or gun policy research, and professional organizations that had made public recommendations related to gun policy (e.g., the International Association of Chiefs of Police and the American Bar Association). Our objective was to evaluate state firearm laws because there is considerable variation that could be examined to understand the causal effects of such laws. Moreover, because the laws are applied statewide, observed effects may generalize to new jurisdictions better than the effects of local gun policies or programs that may be more tailored to the unique circumstances giving rise to them. We therefore eliminated policies that chiefly concerned local programs or interventions that are not mandated by state laws (e.g., gun buy-back programs or policing strategies that have been recommended on the basis of favorable research findings). For the same reason, we eliminated policies that either have never been passed into state laws or that have not yet had their intended effects (e.g., laws requiring new handguns to incorporate smart-gun technologies). We excluded policies that we concluded were likely to have only an indirect effect on any of the eight outcomes we were examining (e.g., policies concerning mental health coverage in group health insurance plans; the public availability of Bureau of Alcohol, Tobacco, Firearms and Explosives data on gun traces). We clustered some policy proposals that we regarded as sufficiently similar in concept to be included in the same general class of policies (e.g., policies of repealing the Safe Schools Act and the conceptually similar policy to prohibit gun-free zones).

This process resulted in 13 classes of firearm policies that we subsequently reviewed with multiple representatives of two advocacy organizations (one strongly aligned with enhanced gun regulation, and one strongly aligned with reduced gun regulation). The purpose of these consultations was to establish whether we had identified policies that are important, coherent, and relevant to current gun policy debates. This consultation resulted in substituting two of our original 13 classes of laws. The final set of policies is as follows:

1. background checks
2. bans on the sale of assault weapons and high-capacity magazines
3. stand-your-ground laws
4. prohibitions associated with mental illness
5. lost or stolen firearm reporting requirements
6. licensing and permitting requirements
7. firearm sales reporting and recording requirements
8. child-access prevention laws
9. surrender of firearms by prohibited possessors
10. minimum age requirements
11. concealed-carry laws
12. waiting periods
13. gun-free zones.

These classes of gun policies do not comprehensively account for all—or necessarily the most effective—laws or programs that have been implemented in the United States with the aim of reducing gun violence. For example, our set of policies does not include mandatory minimum sentencing guidelines for crimes with firearms. Further, by restricting our evaluation to state policies, we exclude local interventions (e.g., problem-oriented policing, focused deterrence strategies) that have been found to reduce overall crime in prior meta-analyses (Braga, Papachristos, and Hureau, 2014; Braga and Weisburd, 2012). However, we recognize the potential importance of these other interventions and believe a similar systematic review of their effects on outcomes relevant to the firearm policy debate merits future research.^[1]

Selecting and Reviewing Studies

Our selection and review of the identified literature involved the following steps:

1. **Article retrieval:** Across all outcomes, we identified a common set of search terms to capture articles relevant to firearm prevalence or firearm policies. We then identified search terms unique for each outcome.
2. **Title and abstract review:** We conducted separate title and abstract reviews for each outcome using DistillerSR to code criteria used to determine whether the article appeared to meet minimum inclusion criteria.
3. **Full-text review:** All studies retained after abstract review received full-text review and coding using DistillerSR. The purpose of this review was to identify studies that examined the effects of one or more of our policies on any of our outcomes and that employed methods designed to clarify the causal effects of the policy.
4. **Synthesis of evidence:** Once we identified the subset of quasi-experimental studies for each outcome and policy,^[2] members of the multidisciplinary methodology team met to discuss each study's strengths and limitations. Then, the group discussed each set of studies available for a policy-outcome pair to make a determination about the level of evidence supporting the effect of the policy on each outcome.

Article Retrieval

In spring 2016, we queried 13 databases (e.g., PubMed, PsycINFO, WorldCat, and Business Source Complete) for English-language studies. Because the National Research Council (NRC) (2004) and the Community Preventive Services Task Force (Hahn et al., 2005) published comprehensive and high-quality research reviews in 2004 and 2005, we limited our search primarily to research published during or after 2003. We supplemented this search with a review of all studies reviewed by NRC (2004) and Hahn et al. (2005). Finally, to ensure inclusion of the most-seminal studies, including those that may have been missed by NRC or Hahn et al., we conducted additional searches in the Web of Science and Scopus databases for any study that had been cited in the literature 70 or more times, regardless of its publication date. Finally, after completing our search, several relevant studies were published in summer and fall 2016. When we became aware of these, we included them in our review.

Title and Abstract Review

We screened studies to determine whether they met our inclusion criteria. In all cases, a study was included if it met the following criteria: *any empirical study that demonstrated a relationship between a firearm-related public policy and the relevant outcome OR any empirical study that demonstrated a relationship between firearm ownership and access and a relevant outcome (including proxy measures for gun ownership).*

Studies were excluded if they were case studies, systematic reviews, dissertations, commentaries or conceptual discussions, descriptive studies, studies in which key variables were assumed rather than measured (e.g., a region was assumed to have higher rates of gun ownership), studies that did not concern one of the eight outcomes we selected, studies that did not concern one of the 13 policies we selected (or gun ownership), or studies that duplicated the analyses and results of other included studies.

Full-Text Review

Next, we used full-text review to ensure that the studies included thus far did not meet any of the exclusion criteria and to exclude studies with no credible claim to having identified a causal effect of policies. In addition to coding all studies on the policy and outcome they examined and on their research design, we coded the country or countries in which the policy effects were evaluated. Because of the United States' unique legal, policy, and gun ownership context, we excluded studies examining the effects of policies on foreign populations. However, in the essays on additional topics, we include analysis of some studies in foreign countries (such as an analysis of the Australian experience with gun regulation) and various foreign studies of the effects of gun prevalence on suicide.

Our research syntheses focus exclusively on studies that used research methods designed to identify causal effects among observed associations between policies and outcomes. Specifically, we required, at a minimum, that studies include time-series data and use such data to establish that policies preceded their apparent effects (a requirement for a causal effect) and that studies include a control group or comparison group (to demonstrate that the purported causal effect was not found among those who were not exposed to the policy). Experimental designs provide the gold standard for establishing causal effects, but we identified none in our literature reviews. On a case-by-case basis, we examined studies that made a credible claim to causal inference on the

basis of data that did not include a time series. In practice, these discussions determined that some studies using instrumental-variable approaches to isolating causal effects satisfied our minimum standards for inclusion.

We refer to the studies that met our inclusion criteria as *quasi-experimental*. We distinguish these from simple *cross-sectional* studies that may show an association between states with a given policy and some outcome but that have no strategy for ensuring that it is the policy that caused the observed differences across states. For instance, there could be some other factor associated with both state policy differences and outcome differences or there could be reverse causality (that is, differences in the outcome across states could have caused states to adopt different policies). In excluding cross-sectional studies from this review, we have adopted a more stringent standard of evidence for causal effects than has often been used in systematic reviews of gun policy.

Using these inclusion and exclusion criteria, we identified the studies providing the highest-quality evidence of a causal relationship between a policy and an outcome. In judging the quality of studies, we always explicitly considered common methodological shortcomings found in the existing gun policy scientific literature.

Synthesis of Evidence

Members of the research team summarized all available evidence from prioritized studies for each of the 13 policies on each of the eight outcomes. When at least one study met inclusion criteria, a multidisciplinary group of methodologists on the research team discussed each study to identify its strengths and weaknesses. The consensus judgments from these group discussions are summarized in the research syntheses. Then, the group discussed the set of available studies as a whole to make a determination about the level of evidence supporting the effect of the policy on each outcome.

When considering the evidence provided by each analysis in a study, we counted effects with p -values greater than 0.20 as providing *uncertain* evidence for the effect of a policy. We use this designation to avoid any suggestion that the failure to find a statistically significant effect means that the policy has no effect. We assume that every policy will have some effect, however small or unintended, so any failure to detect it is a shortcoming of the science, not the policy. When the identified effect has a p -value less than 0.05, we refer to it as a *significant effect*. Finally, when the p -value is between 0.05 and 0.20, we refer to the effect as *suggestive*.

We include the suggestive category for several reasons. First, the literature we are reviewing is often underpowered. This means that the probability of rejecting the null hypothesis of no effect even when the policy has a true effect is often very low. Conducting analyses with low statistical power results in an uncomfortably high probability that effects found to be statistically significant at $p < 0.05$ are in the wrong direction and all effects have exaggerated effect sizes (Gelman and Carlin, 2014). If we had restricted our assessment of evidence to just statistically significant effects, we might base our judgments on an unreliable and biased set of estimates while ignoring the cumulative evidence available in studies reporting nonsignificant results. While the selection of $p < 0.20$ as the criterion for rating evidence as suggestive is arbitrary, this threshold corresponds to effects that are meaningfully more likely to be in the observed direction than in the opposite direction. For instance, if we assume that the policy has about as much chance of having a nonzero effect as having no effect, and the power of the test is 0.8, then $p < 0.20$ suggests that there is only a 20-percent probability of

incorrectly rejecting the null hypothesis of no effect. For tests that are more weakly powered, as is common in models we review, a p -value less than 0.20 will result in false rejection less than half the time so long as the power of the test is above 0.2 (see, for example, Colquhoun, 2014).

In the final step, we rated the overall strength of the evidence in support of each possible effect of the policy. We approached these evidence ratings with the knowledge that research in this area is modest. Compared with the study of the effects of smoking on cancer, for instance, the study of gun policy effects is in its infancy, so it cannot hope to have anything like the strength of evidence that has accrued in many other areas of social science. Nevertheless, we believed that it would be useful to distinguish the gun policy effects that have relatively stronger or weaker evidence, given the limited evidence base currently available. We did this by establishing the following relativistic scale describing the strength of available evidence:

1. *No studies*. This designation was made when no studies meeting our inclusion criteria evaluated the policy's effect on the outcome.
2. *Inconclusive evidence*. This designation was made when studies with comparable methodological strengths identified inconsistent evidence for the policy's effect on an outcome, or a single study found only uncertain or suggestive effects.
3. *Limited evidence*. This designation was made when at least one study meeting our inclusion criteria and not otherwise compromised by noted methodological weaknesses reported a significant effect of the policy on the outcome, and no studies with equivalent or stronger methods provided contradictory evidence.
4. *Moderate evidence*. This designation was made when two or more studies found significant effects in the same direction, and contradictory evidence was not found in other studies with equivalent or stronger methods.
5. *Supportive evidence*. This designation was made when three studies found significant effects in the same direction using at least two independent data sets and contradictory evidence was not found in other studies with equivalent or stronger methods. Our requirement that the effect be found in distinct data sets reflects the fact that many gun policy studies use identical or overlapping data sets (e.g., state homicide rates over several years). Chance associations in these data sets are likely to be identified by all who analyze them. Therefore, our supportive evidence category requires that the effect be confirmed in a separate data set.

These rating criteria provided a framework for our assessments of where the weight of evidence currently lies for each of the policies, but they did not eliminate subjectivity from the review process. In particular, the studies we reviewed spanned a wide range of methodological rigor. When we judged a study to be particularly weak, we discounted its evidence in comparison with stronger studies, which sometimes led us to apply lower evidence rating labels than had the study been stronger.

Notes

1. For a recent review of the evidence on criminal justice interventions to reduce criminal access to firearms, see Braga, 2017. →

2. We identified no experimental studies. →

References

- Braga, Anthony A., "Guns and Crime," in F. Parisi, ed., *The Oxford Handbook of Law and Economics*, Vol. 3: *Public Law and Legal Institutions*, New York: Oxford University Press, 2017, pp. 344–369.
- Braga, Anthony A., Andrew V. Papachristos, and David M. Hureau, "The Effects of Hot Spots Policing on Crime: An Updated Systematic Review and Meta-Analysis," *Justice Quarterly*, Vol. 31, No. 4, 2014, pp. 633–663.
- Braga, Anthony A., and David L. Weisburd, "The Effects of Focused Deterrence Strategies on Crime: A Systematic Review and Meta-Analysis of the Empirical Evidence," *Journal of Research in Crime and Delinquency*, Vol. 49, No. 3, 2012, pp. 323–358.
- Colquhoun, D., "An Investigation of the False Discovery Rate and the Misinterpretation of p -Values," *Royal Society Open Science*, Vol. 1, No. 3, 2014.
- Gelman, Andrew, and John Carlin, "Power Calculations: Assessing Type S (Sign) and Type M (Magnitude) Errors," *Perspectives on Psychological Science*, Vol. 9, No. 6, 2014, pp. 641–651.
- Hahn, Robert A., Oleg Bilukha, Alex Crosby, Mindy T. Fullilove, Akiva Liberman, Eve Moscicki, Susan Snyder, Farris Tuma, and Peter A. Briss, "Firearms Laws and the Reduction of Violence: A Systematic Review," *American Journal of Preventive Medicine*, Vol. 28, No. 2, 2005, pp. 40–71.
- Khan, Khalid S., Regina Kunz, Jos Kleijnen, and Gerd Antes, "Five Steps to Conducting a Systematic Review," *Journal of the Royal Society of Medicine*, Vol. 96, No. 3, 2003, pp. 118–121.
- National Research Council, *Firearms and Violence: A Critical Review*, Washington, D.C.: National Academies Press, 2004.
- NRC—See National Research Council.

S. 169, Casey
Jennings
Rutland
✓

Judge blocks California's ban on high-capacity magazines over 2nd Amendment concerns

The judge cited home invasions, including one where a pajama-clad woman took on three intruders: "She had no place to carry an extra magazine and no way to reload."



A 30 round magazine, from left, and a 10 round magazine, from right, rest below an AR-15 rifle at the Ammunition Storage Component company in New Britain, Conn., on April 10, 2013. Charles Krupa / AP file

March 29, 2019, 10:15 PM EDT

By Associated Press

SACRAMENTO, Calif. — High-capacity gun magazines will remain legal in California under a ruling Friday by a federal judge who cited home invasions where a woman used the extra bullets in her weapon to kill an attacker while in two other cases women without additional ammunition ran out of bullets.

"Individual liberty and freedom are not outmoded concepts," San Diego-based U.S. District Judge Roger Benitez wrote as he declared unconstitutional the law that would have banned possessing any magazines holding more than 10 bullets.

California law has prohibited buying or selling such magazines since 2000, but those who had them before then were allowed to keep them.

In 2016, the Legislature and voters approved a law removing that provision. The California arm of the National Rifle Association sued and Benitez sided with the group's argument that banning the magazines infringes on the Second Amendment right to bear arms.

Benitez had temporarily blocked the law from taking effect with a 2017 ruling.

Chuck Michel, an attorney for the NRA and the California Rifle & Pistol Association, said the judge's latest ruling may go much farther by striking down the entire ban, allowing individuals to legally acquire high-capacity magazines for the first time in nearly two decades.

"We're still digesting the opinion but it appears to us that he struck down both the latest ban on possessing by those who are grandfathered in, but also said that everyone has a right to acquire one," Michel said.

Attorney General Xavier Becerra said in a statement that his office is "committed to defending California's common sense gun laws" and is reviewing the decision and evaluating its next steps.

Becerra previously said similar Second Amendment challenges have been repeatedly rejected by other courts, with at least seven other states and 11 local governments already restricting the possession or sale of large-capacity ammunition magazines. The conflicting decisions on extended magazines may ultimately be sorted out by the U.S. Supreme Court.

Michel said the decision "recognizes that the Second Amendment is not a second-class right and that the state has to meet a high burden before it can pass a law that infringes on the right to keep or bear arms," Michel said.

Benitez described three home invasions, two of which ended with the female victims running out of bullets.

In the third case, the pajama-clad woman with a high-capacity magazine took on three armed intruders, firing at them while simultaneously calling for help on her phone.

"She had no place to carry an extra magazine and no way to reload because her left hand held the phone with which she was still trying to call 911," the judge wrote, saying she killed one attacker while two escaped.

He ruled that magazines holding more than 10 rounds are "arms" under the U.S. Constitution, and that the California law "burdens the core of the Second Amendment by criminalizing the acquisition and possession of these magazines that are commonly held by law-abiding citizens for defense of self, home, and state."

The goal of the California law is to deter mass-shootings, with Becerra previously listing as an example the terrorist assault that killed 14 and injured 22 in San Bernardino.

Benitez, an appointee of Republican President George W. Bush, called such shootings "exceedingly rare" while emphasizing the everyday robberies, rapes and murders he said might be countered with firearms.

Both the magazine ban and new assault weapon restrictions were included in legislation, but voters strengthened penalties for the magazine ban with their approval in 2016 Proposition 63, which also included other gun control measures and was championed by then-Lt. Gov. Gavin Newsom.

Gov. Newsom did not comment Friday.

Thank you for the opp to speak.

21 Mar 2019

While it is unfortunate the individual
committed suicide ~~this bill is not~~ the answer
S169

~~Dear Senator Pollina,~~

~~I am writing to respectfully ask you vote NO on S169.~~ Plain and simple, Vermont does not need any waiting period for the purchase of a handgun. I know emotions are running high on this issue because an individual bought a handgun and committed suicide. However, there is already a mechanism in place which could have solved this problem before it happened. It is called the National Instant Criminal Background Check System (NICS). The only problem is, the mental health industry does not want to follow the rules and put someone in the system. The individual who committed suicide had known depression issues and if not under care of a mental healthcare professional, should have been. His name should have been put in the NICS which would have prevented him from being able to buy any kind of firearm. Not only should he have been put on the list but anyone who is prescribed medications with a known side-effect of thoughts of suicide should be placed on the NICS list. *And can be removed later.*

It is not reasonable to require all law-abiding citizens to have their constitutional rights chipped away because someone decides to use a firearm to commit suicide. If the issue was really about protecting people from themselves, which I don't believe the State has a responsibility to be doing, then where was the outcry when UVM Medical Center Emergency Department turned away the person who went to the ER three times and was sent home when he was having mental health issues. Where was the outcry to have one way gates put on all off ramps to keep people from driving up them to go the wrong way when this same individual drove up the exit 11 off ramp and killed five kids when he was trying to kill himself. Or where was the outcry to put fencing in the median of the interstates so people cannot drive across the median into on-coming traffic trying to commit suicide and killing a first responder instead of killing herself.

This issue does not need a new law. The existing systems and laws need to be followed. And Vermont needs to stop taking away rights of law-abiding citizens in the name of protecting people from themselves. And for the life of me I cannot understand why you are so willing to support legalizing marijuana which causes mental health issues while voting to take away citizens' rights.

It is for these reasons I request you vote NO on S169.

Sincerely,

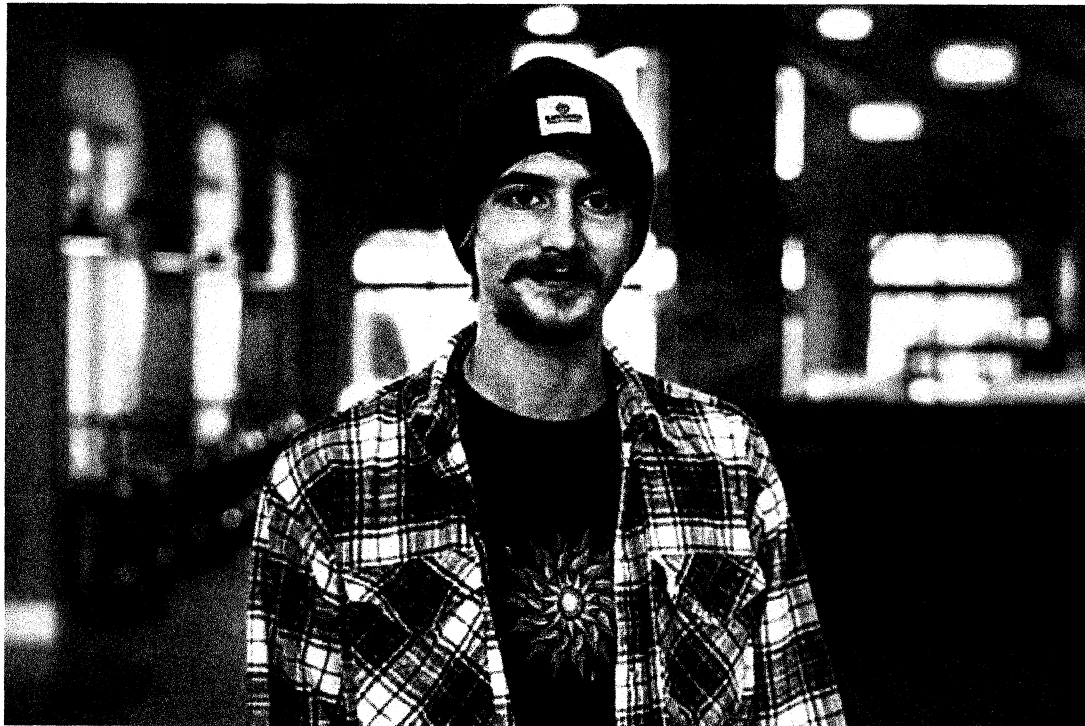
Jeffrey A. Koonz
Middlesex

**Testimony of Stephen A. Reynes on S.169
before the House Judiciary Committee on 2 April 2019**

Chairperson Grad and distinguished members of the Vermont House Committee on Judiciary:

I am Stephen Reynes of Calais, Vermont. I am an attorney and an ordained Deacon in the Episcopal Church. In the 1980's I served three terms in the House. Then, as a member of the other body, I was the lead sponsor of S.98, which proposed a ten-day waiting period for the purchase of a handgun. Although S.98 had eight bipartisan co-sponsors and was endorsed by the Vermont Chiefs of Police Association, the Committee to which it was referred did not hold any hearing. I commend your Committee for taking up this issue.

I've read the news reports and listened to a video excerpt of the testimony of Alyssa and Rob Black, the parents of 23-year-old Andrew Black, before the Senate Judiciary Committee. I've seen the published photo of Andrew at work on December 3, 2018, looking relaxed and content.¹ Three days later he bought a gun at 11:30 and was dead by 4:00 o'clock. Andrew's photo is compelling evidence that we should have a waiting period in Vermont.



¹ <https://www.burlingtonfreepress.com/story/news/politics/government/2019/02/28/after-andrew-blacks-suicide-parents-ask-gun-sale-waiting-period/2991356002/>

Human experience teaches that the world can look very different a few days later. Andrew's parents had good grounds for their belief Andrew would be alive if a waiting period had been in effect. Having to wait a few days to get a gun pales in significance to the loss of Andrew and so many others. I see this as a moral issue.

S.169 would create a huge exemption from the background check and waiting period requirements with the most expansive definition of immediate family I've ever heard of. Just because a person is somehow related is no guarantee that a waiting period is of no value.

A constitutional right does not mean it is immune from reasonable regulation for protection of society. Enactment of a 72-hour waiting period is good public policy that would save lives. Give the gift and grace of time.

Thank you.

**

Vermont House Judiciary Committee

Rep. Maxine Grad, Chair
Rep. Thomas Burditt, Vice Chair
Rep. Martin LaLonde, Ranking Member
Rep. Kevin "Coach" Christie
Rep. Selene Colburn
Rep. Kenneth Goslant
Rep. Nader Hashim
Rep. Kimberly Jessup, Clerk
Rep. William Notte
Rep. Barbara Rachelson
Rep. Patrick Seymou

Testimony to Senate on 4/2/2019

Thank you for allowing me to address this infringement on our rights.

In a conversation with Mr Baruth a year ago in Montpelier regarding **VIOLATING** gun rights of Vermonters I asked why he refused to respond to the many emails I had sent.

He responded "**I DON'T CARE HOW MANY EMAILS YOU SEND...YOU WILL NEVER CHANGE MY MIND.**"

I do not care what side of the aisle you represent....it is important that you don't infringe on the rights of lawful people to support a **BOUGHT AND PAID FOR AGENDA** . That is why you take an oath.

MONEY RECEIVED to promote an agenda and **EMOTIONS** should never be the driving factors for passing laws.

I really want to thank those of you that take your **OATH** seriously, brushing partisanship aside and continually fighting to preserve our rights. You are truly appreciated.

I don't know of anyone more concerned with violence than the gun owners in the State of Vermont.

What are the true causes of violence that have come to bear after a record of safety for over 200 years.

We have a crisis with drugs being served up in our schools and our streets. We know for fact that these drugs cause mental issues.

We all are concernedmany of us took a course about suicide prevention and learned that unless you are in the right place at the

right time there is absolutely nothing that can be done to prevent it.

Will you really try to convince me that if one method of suicide is taken away another wont be used?

No one here is capable of playing GOD!

Who knows the number of deaths from drug overdoses that are suicides? Can you answer that honestly?

Mr Baruth "THINKS" this law will prevent suicides.

FACTS PROVE HIM WRONG..

It is **COMMON SENSE** to honor your oath and vote NO to this law and any laws that infringe on our rights.

Thank you,

Richard Ley

2859 Walker Mtn RD

West Rutland, VT 05777

1948roadking@gmail.com

802-353-7214

Richard Ley
4/2/2019

**Speaker Notes 3/12/2019 Presentation To Senate Judiciary
Committee Hearing Regarding S.22 – Waiting Period For
Firearm Transfer and Firearm Storage Requirements**

**Bruce Lindner
90 Hillcrest Lane
Colchester, VT 05446
802-863-6947**

Bruce Lindner 3/12/2019

I ask this committee not to pursue further consideration for the proposed requirements of S.22

- A burgeoning liberal/Progressive ideology is attempting to reduce our constitutional 2nd amendment rights to the level of a “privilege” versus a “right”. This should set off alarm bells in every citizens mind.
- Every time there is a “single” incident involving a firearm it seems to incentivize legislators to punish all gun owners by enacting that “one more gun law”!
- Firearm ownership is treated as a pariah and not with the respect afforded by our 2nd amendment.
- Anti-gun groups in Vermont say that the 2nd amendment needs to be repealed, or brought into the 21st century, as it is no longer relevant.
- A single incident in 2018 is the impetus for the bill’s sponsors to implement a waiting period on all firearm purchases.
 - ❖ A single incident does not achieve the formidable benchmark for controlling all other citizens for one person’s misdeeds or indiscretions.
- There were 41,550 completed firearm transfers in 2018. 99.9976% of all transactions would not have benefited from the proposed “waiting period”
- CDC, Johns Hopkins, and others have declared that there is no “conclusive” evidence that waiting periods reduce suicides or crime.
- Legislators need to step up and deal with the undisputed systemic causes of suicides; illicit drugs, opioids, mental illness, social media, domestic violence, bullying, etc.
- Guns don’t precipitate people to commit suicide
- The storage provisions of this bill are in direct conflict with the SCOTUS ruling in *Heller*. The Court struck down as unconstitutional a requirement that all firearms, including rifles and shotguns be kept “unloaded and disassembled or bound by a trigger lock”.
 - The court ruled that to lock up firearms inherently inhibits immediate access for self-defense.
- **The storage requirement of (S.22) would be unenforceable**

March 27, 2019

House Judiciary, et al:

I ask that you vote NO on S.169, a bill requiring a waiting period for the transfer of a handgun in Vermont.

NOTICE: In the last week, additional pertinent facts have publically surfaced regarding the suicide of Andrew Black that call into question whether this event, which was the impetus for S.22/S.169, was really a spur of the moment impulsive act or a more long standing issue.

This is key as the sponsors of the bill are selling this one incident (Black) as the problem they are attempting to fix by instituting a waiting period. **Ultimately, the question is, does it rise to an emergency level that justifies impacting the constitutional rights of 100K Vermont citizens and law abiding gun owners** by having to endure a waiting period to transfer a firearm? If the sad event did happen, as the bill's sponsors would have you believe, it seems it would be the first recognized event in **decades** in Vermont where a waiting period might have helped. **It would further indicate that S.169 is not a pressing or valid reason to be further considered with many open questions still unresolved.** Are the sponsors taking "literary license" to use certain aspects of an event to embellish their position, leaving out other qualifying facts?

We now know that Mr. Black already owned a firearm and it was within the household *(Senate Judiciary hearing, 3/13/19)* prior to purchasing a second gun. **There was discussion that this original firearm was "locked up" by his parents and he did not have access to it** *(Senate Judiciary hearing, 3/13/19)*. **Why, at 23 years of age, was an adult man prevented, by his parents, from accessing his own firearm? Would it be unreasonable to interpret that there was concern for his/their well-being?** If this is true, then there appears to be a protracted history here versus an "impulsive act" and it had been recognized by the family for some time. Additional comments have been made that he may have seen "something" on social media that triggered his actions. There are additional concerns/indicators noted that I won't elaborate on here.

All of these things change the narrative that this was a spur of the moment action and if there had been a waiting period the event "might" have been averted. Persons bent on taking their own life often keep trying. I am aware of an individual who attempted suicide 4 times using different methods to end their life over a number of years before succeeding with a gun on the fifth try. All forms of intervention and treatment had failed.

Once again, this is a political gambit that really has nothing to do with Andrew Black. Tragically, he has become a means to an end, used by the bill's sponsors. This is part of a national playbook by Progressive/Socialists to restrict and impede the legal ownership of a firearm by law-abiding citizens at every possible juncture. In any other venue it would be called harassment! These same initiatives are mirrored across the country and professed by groups

such as Moms Demand Action, Brady, Giffords, and Gun Sense Vermont. They refuse to give credit that *Vermont has perennially been the safest state in the nation*. **They ignore that fact as it inconveniently demonstrates a major flaw in their ongoing rhetoric that Vermont has/had "lax" gun laws.** How could it be possible to have the lowest national crime rate, no accidental gun deaths, etc. with such lax laws? **The answer; just ignore the facts! Keep pressing your agenda.**

These organizations don't care about constitutional rights as they have an agenda that they feel trumps the 2nd Amendment and the Vermont constitution. They originate in urban centers and have no understanding, or desire to understand, what rural America is. **Vermont is classified as one of the most rural states in the nation.** Anti-gun groups have said repeatedly that the 2nd Amendment needs to be repealed as it is not representative of the 21st century. **Lest they forget that the 2nd Amendment was put in place to protect the 1st Amendment that they love to exercise daily.** **In the last two weeks, New Zealand announced banning most all firearms. Yesterday, they announced they would now be restricting free speech** (*USA Today*). **New Zealander's will be soon known as "Subjects", not citizens. Be careful legislators!**

This bill, in another way, flies in the face of the zealous legislative focus on reducing the carbon foot print. In 2018 there were 41,550 round trips to gun dealers to purchase a firearm. Passage of this bill in 2018, as an example, would have forced 83,100 round trips across the state to **purchase the same number firearms.** If you pass this bill, that would be hypocrisy at its worst. Does a waiting period trump the hue and cry over climate change now? **What a conundrum!**

I have attached the speaker notes that I presented to the Senate Judiciary earlier this month as they are apropos for this ongoing discussion.

Vote NO S.169

Bruce Lindner
90 Hillcrest Lane
Colchester, VT 05446
802-863-6947

Jennifer Knipp - Braintree

(1)

This is ~~my~~ hard for me to ^{come} stand up here and share my very personal story. I am ^{a reminder,} a mom of 2 girls, a daughter, a wife, an Iraqi War Veteran, I have a full-time job a part time job and an MBA that helped me get there. I used to be a regional airline pilot and was previously married. This man beat me to within an inch of my life and pushed me in to a bathtub ^{one night}. I lost consciousness and suffered a concussion. Because of this, I live with debilitating headaches and vertigo. This ^{incident ultimately} caused me to lose my flying career. What was

(2)

worse than that was the stalking, sleepless nights & fear stemming from the split. One day I decided to dust off my handgun and go to the range. I had a gentleman at the range step in and give me some pointers, so that I left that day with new found confidence. For the first time in a long time I slept well that night. I knew that I could defend myself against my 6'2" ex husband if I needed to. I'm here bc I'm doing this for my two girls. If any of you are for women's rights & equality, you should vehemently oppose any ^{new} gun

legislation. A firearm is the only thing that levels the (3)
playing field for a woman. I don't want somebody to
have to wait 24 hrs to purchase a firearm to defend
herself. I know that abusers will stop at nothing
and 24 hrs might just be too long...

~~state police response time~~

Judge ruling on std. capacity magazines in California

This decision is a freedom calculus decided long ago
by colonists who cherished individual freedom more than
the subservient security of a British ruler. The freedom
they fought for was not free of cost then, and is not
free now. These knee jerk reactions **HAVE TO STOP!**