

I have attached two documents that further provide information/facts that show that a firearm waiting period **can not be justified**. This is legislation currently being pushed as S.169 and previously H.159 and S.22.

Since the hearings on S.22, more facts regarding the Andrew Black suicide have evolved showing that this tragic event was the result of a longer term ordeal than first understood. This concern was recognized by the parents. One key fact is that the parents became concerned and locked up **Andrew's gun** and their own firearms so that he could not access them. Also, he started a 36 hour count down on his cell phone which confirms that this wasn't a spur of the moment decision.

I show in the first document that the current firearms transfer process is 99.9976% effective, world class quality standard. This would equate to the same quality objectives used for surgeries, aerospace, precision manufacturing, drug manufacturing, etc.

One incident, Andrew's suicide, does not justify encumbering 100K Vermont gun owners to double their expenses for traveling to a gun dealer to buy a gun and then have to go back later to pick up the firearm after a waiting period. Just the impact for adding 41,550 second trips (based on 2018 transfers) to a dealer in this "green environment" can't be taken lightly, particularly when there is no justification to do so.

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Date: May 1, 2019

To: Senate/House Judiciary, et al

I send this note in opposition to S.169 or any of its derivatives regarding a waiting period for purchasing a firearm in Vermont.

We now know that one suicide (Andrew Black) initialized a contrived narrative laced with emotion, not facts, and with one objective. That objective is to continue the onslaught of enacting more gun laws in Vermont, a state that has been perennially the safest state in the nation. This modus operandi is to use every possible obscure reason to justify incorporating new gun laws. In this case, the Black suicide in its raw emotional form, not from investigative facts.

Vermont has been labeled by liberals for years as having the most lax gun laws in the nation, yet we have for decades been the safest state (FBI statistics) in America. We share that eloquent distinction with New Hampshire and Maine, who by the way, have almost identical gun laws as Vermont. Maybe the left should suggest to NY, NJ, CA, IL, etc., that they emulate Vermont's gun laws so that they could reduce their horrific crime rates. Why do you want to do the reverse and make us like New York, etc.?

Each Vermont legislator should be standing up and speaking out with pride about our admirable record, not tearing it down with manufactured rhetoric and passing copy-cat gun laws that have failed to reduce crime in the aforementioned states. **I believe in empirical data and facts, not someone's ideas for social experiments that have not proven beneficial where they have been put in place in the past. This is particularly a mandate when it comes to our constitutional rights.** In fact, more gun laws have more often than not resulted in higher crime rates as witnessed nationally. This is the result, when law abiding citizens have their rights to access firearms diminished, ultimately impacting their ability for self-defense.

In the case of Mr. Black, the sponsors of both the House and Senate versions of legislation to institute a waiting period seem to have purposely left out extremely important facts that call into question whether a waiting period could have possibly prevented this suicide. **They also have not come back and corrected their less than accurate description of Mr. Black's suicide.**

Here are some opinions:

1. Mr. Black's "health issue" was not a new phenomenon and apparently had been going on for a protracted timeframe. His tragic suicide was not a spur of the moment incident that might have been averted had a waiting period been in place. It seems it had been percolating for some time and was more than likely bound to happen eventually.
2. Mr. Black wasn't a child, but a 23 year old adult man.
3. His relationship with his "girlfriend" most likely ended from what appears to be his change in personality and demeanor.

4. Things that he “saw” on social media also may have been a catalyst to influencing his behavior and ultimate decision to take his own life.
5. His parents seem to have been concerned over time about his mental health and even locked up his gun as well as theirs to prevent his access to them. This is a very telling detail.
6. One has to question his parental guidance when his mother bought him a beer making kit at age 16. One comment was, “he loved his beer”. In some venues this could be considered child abuse or even illegal.
7. At the time of his death he purportedly had started a 36 hour countdown on his cell phone. He called his ex-girlfriend and apparently told her he was going to shoot himself, even sending her a text/picture of his “new gun”. Again, this appears to have been a planned event, one that sadly was inevitable. She obviously wasn’t able to dissuade him from his intent.

When we look at the current process for purchasing a firearm in Vermont we should look at what would be considered a recognized world class process.

For processes such as for surgery, aerospace, utility outages, manufacturing, etc., a recognized methodology based on statistical analysis called *six-sigma*, it is the gold standard for quality. That equates to a 99.9997% yield/good rate. When you look at 2018 gun transfers (41,550) in Vermont and the possibility that one event (Mr. Black) was the one “defect” (assuming it was really a spontaneous action), that would show that the current process for gun transfers in Vermont is at a level of 99.9976% or could be considered world class quality. The previous decade of gun transfers was 100% with no known process failures (suicides within a proposed waiting period) so how could an intrusive waiting period improve the process? It obviously couldn’t be, based on historical data! It would only be used to infringe (harass) legitimate Vermont gun buyers in exercising their constitutional rights.

There can only be one conclusion. A waiting period, as determined by the CDC, Johns Hopkins, Duke Univ, etc. and the documented effectiveness of Vermont’s current process evaluation, would confirm that such legislation would have no measurable effect on reducing crime or suicides.

It would be malfeasance, legislatively, to enact such unneeded, unjustified requirements for procuring of a firearm in Vermont. This legislation needs to be abandoned without further consideration.

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Notes To House/Senate Judiciary Committee Regarding S.169

Waiting Period For Firearm Transfers

Updated from 3/12/19 Judiciary Hearing Presentation

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I ask this committee not to pursue further consideration for the proposed requirements of S.169 (S.22, H.159) based on the following:

- A burgeoning liberal/Progressive ideology is attempting to reduce our constitutional 2nd amendment/Article 16 rights to the level of **a “privilege” versus a “right”**. **This should set off alarm bells in every citizen’s 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”**! S.55 in 2018 is a good example.
- **I recollect no other precedent where a single event has been the driving force** to make monumental changes to established law or constitutional rights.
- Firearm ownership is treated as a pariah and not **with the respect** afforded by our 2nd amendment/Article 16.
- 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. Their narrative seems to be accepted by many lawmakers. Alarming!
- **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.**
 - ❖ At the least, the previous decade does not exhibit a historical trend that supports enacting such legislation, in fact just the opposite.
- 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.** They are a methodology, as is rope, carbon monoxide, jumping off tall buildings, ingesting chemicals, etc. Those methods need to be addressed at the same level as firearms as they obviously can be as lethal as guns. Concentrating on firearms alone is extremely short sighted and biased to achieve a partisan political objective.