

Good morning Senators, my name is Eric Davis, and I am the President of Gun Owners of Vermont. We are an all-volunteer, nonprofit, advocacy group dedicated to the preservation of the right to keep and bear arms. I'd like to thank the committee for the opportunity to speak today regarding bill S.30.

Whenever we're looking at gun legislation, obviously we are going to look at it through the lens of how it relates to our right to keep and bear arms as guaranteed by Article 16 and the Second Amendment. In addition to the issue of constitutionality, we also try to analyze any proposed legislation from a position of pragmatism and my testimony today will focus mostly on that.

When we take a look at anything like this, we generally like to apply a cost-to-benefit-ratio style of analysis in which we weigh the cost of restrictions placed on our right to keep and bear arms against the potential benefit to ourselves and our communities. This forces us to ask several questions.

Our first question is "what are the potential benefits," or more directly, "will this proposed law keep people safe?" We believe that Senator Baruth has already answered this question directly when he indicated that the intent of the bill was not to prevent a gun from being brought into these locations but to provide a mechanism which allows the property owners to have the firearm legally removed from the premises and assess a criminal punishment to the individual who brought the gun. This information leads us to consider a few more things.

We get a better understanding of this bill when we stop to consider exactly what sort of folks might bring a gun to these places in question. The way we see it, there are 2 types of people. The first type of person (referred to hereafter as "Type A" for the purposes of this analysis) is the person who carries a firearm (most often concealed) for their own personal protection. This person takes the security of themselves and their family seriously and would never threaten anyone but is ready to defend themselves if necessary. The second type of person, the "Type B" person, is the one who carries a weapon for nefarious purposes and with malicious intent. This person is the aggressor, the one who is intent on doing harm.

If we have already determined that this law will be ineffective in deterring the Type B person, those who carry a weapon aggressively and with ill intent, we must assume that any direct benefit to come from this bill must be achieved by how it affects the first type of person in our equation, those who carry defensively for protection. If we look a little closer at our Type A person who carries in self-defense, we see all different sub-types of people. The people who discreetly carry a gun every day are your neighbors and your friends. They are store clerks, volunteer first responders, lawyers, tradespeople, transportation workers, and businesspeople among many other things. They are young parents and single mothers; they are retirees and disabled veterans. And they are many.

To put this in context, we need to look at a few different numbers which might help us quantify just how many folks there are out there who carry a gun. Reports vary, however average estimates put the total number of firearms in the United States currently between 350 and 400 million. [The FBI conducted a total of 39,695,315 background checks through the NICS in 2020 alone.](#) There are no official numbers to track how many of those were first time gun buyers, however several surveys and publications estimate the number of new gun owners in 2020 to be somewhere between 10 and 20 million. Most sources also agree on the unofficial statistic that approximately 40 percent of those first-time buyers were women. This is a strong indicator that there are many people out there who value their right to obtain a firearm for personal protection.

Type A people take safety seriously; they are their own first line of defense against the Type B aggressor. Many Type A people have military, law-enforcement and first responder backgrounds. These skills make them an asset to their communities especially in a scenario where police or private security cannot immediately respond to a threat. Most Type A people are honest and do not want to become criminals so there is a good chance they will disarm to comply with this law, the Type B person most certainly will not.

We have heard much lately about threats, civil unrest, violence, and the general bad behavior and mistreatment of people toward one another. This should not be understated. We have certainly seen more than enough aggression and conflict in this country over the last few years and especially in 2020. We understand and respect everyone's desire to be protected in their daily lives, we believe people SHOULD be protected. However, we also believe that lawmakers and public servants are not the only ones who should enjoy that protection, but the average citizen should as well. It is because of that same uncertainty, because the world is a dangerous place, that many people make the decision to secure their own personal safety by carrying a weapon. Whether it is a gun or a can of pepper spray, or some other device, an exceptionally large number of Americans have realized that the police will not always be there to keep them safe; in fact, the courts have ruled numerous times that the police are under no legal obligation to protect them. These people have accepted the responsibility for their own safety and have taken steps to enhance their personal security. This is the Type A person in our equation who will be most directly affected by this law.

These considerations lead us to the second obvious question when looking at it from this perspective which is: "what are the potential costs of implementing such a law?" or, "who stands to lose from all this?" I think we have already begun to cover this in our analysis, yet apart from our two types of people who carry guns, we must also analyze how this law will affect the people who choose not to carry a weapon for protection but rather rely on policy to keep them safe. Considering again that the folks who will be directly affected by this bill are the ones you don't have to worry about, we argue that there is little to be gained for those who rely on the system for protection outside of a false sense of security which comes from knowing "guns are not allowed here."

Additionally, we believe there is a potential to increase risk and compromise the safety of everyone involved by applying this sort of policy. By removing the ability of good people to defend themselves, we remove the deterrence for bad people to do harm. This is why we see mass shooters overwhelmingly target gun free zones when looking to do as much harm to as many as possible. The absence of a physical means to mitigate a hostile threat, will always put those threatened at greater risk. Possibly the single greatest benefit to the right to keep and bear arms is often the most overlooked and that is the deterrence factor. Killers, terrorists, extremist groups, and bullies of all shapes and sizes will always prey on those first whom they know to be defenseless. Therefore, we believe it is not unreasonable to assume that this kind of law has the potential to encourage that sort of behavior.

Simply put, we see this bill sacrificing not only individual rights, but public safety itself, to a false sense of security. We like to mention all the time that Vermont has never required permission to carry a firearm openly or concealed. We even let visitors carry. We also tout our safety record as being consistently in the top three safest states in the nation when it comes to violent crime. If we have established that S.30 will likely have little or no influence on the person who carries a gun to do harm, but criminalizes good, law-abiding people for the sake of making a statement, we must conclude that this policy would be a net negative for everyone involved except for maybe the actual criminal.

We cannot support a bill that makes it a crime for good people to peacefully possess a tool of self-defense. Furthermore, the fact that it has been openly acknowledged that it will likely not deter those who seek to engage in aggression and violence, but deters those who proactively take measures to secure the safety of themselves and their families, we are left wondering “what is the point?” If the goal is to harden security at certain locations against an existential threat, then we believe there are separate measures which may be taken to do so. If the goal is to give property owners a mechanism to enforce their own rules, then could we possibly find a solution under an existing law or statute? Safety should be of primary importance to everyone, and we commend those who take it seriously. We hope that the committee will consider all options when working towards that goal and that it might be accomplished without abridging the rights of good people to defend themselves.

In closing, I would like to thank the committee for their time and consideration. Gun Owners of Vermont would be grateful for the opportunity to be included in any further discussions on the specifics of this bill which might occur in the future as well.

In Liberty,

Eric Davis

President

Gun Owners of Vermont

