



April 6, 2023

Chair Sears and honorable members of the Senate Judiciary Committee:

My name is Alison Shih and I serve as Counsel at Everytown for Gun Safety where I'm responsible for supporting state legislative efforts in Vermont. Everytown is the largest gun violence prevention organization in the country, with more than 10 million supporters including moms, mayors, veterans, survivors, gun owners, and everyday Americans fighting for public safety measures that can help save lives. I want to thank you all for allowing me to testify in support of H.230.

We commend the legislature for considering concrete solutions to address Vermont's firearm suicide crisis. Nationally, nearly 60% of all firearm deaths are the result of firearm suicide.<sup>1</sup> But the crisis is even more acute in Vermont, where approximately 90% of gun deaths are the result of firearm suicide.<sup>2</sup> We know that one of the most effective ways to save the life of a person in crisis is to put time and space between that person and access to a firearm – preventing them from acting on a suicidal impulse and making a decision they can never take back. The provisions of H.230 would do just that.

We know that these laws will save lives because studies show analogous policies in other states are saving lives. Twenty-four states and DC have some form of firearm storage law, including every other state in New England.<sup>3</sup> And indeed that count has changed in the last few weeks from 23 states to 24 after New Mexico's legislature passed, and the governor signed, HB 9, a firearm storage bill into law.<sup>4</sup> The number of states with secure storage laws may further increase this year, as Michigan has two bills moving through its legislature that would require secure storage of firearms. Several states with existing secure storage laws have bills moving through their legislatures that would strengthen their laws, including nearby states of Connecticut and Maryland. We know that these laws will save lives as research shows that secure storage practices reduce the risk of suicide and unintentional firearm deaths and injuries in youth.<sup>5</sup> A recently released RAND review found laws like what's proposed in H.230 reduce self-inflicted intentional and unintentional firearm injuries and deaths among children.<sup>6</sup>

I'd like to provide some background information on how H.230 would compare to the other secure storage laws throughout the country. While twenty-four states and DC have laws requiring secure storage

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<sup>1</sup> Centers for Disease Control and Prevention, National Center for Health Statistics. WONDER Online Database, Underlying Cause of Death. A yearly average was developed using four years of the most recent available data: 2018 to 2021.

<sup>2</sup> Vermont Department of Health, "Annual Vital Statistics Reports," accessed April 4, 2023, <https://www.healthvermont.gov/stats/vital-records-population-data/annual-vital-statistics-reports>, see reports from 2017-2020; Vermont Department of Health, "Firearm Injury and Death," January 2022, <https://www.healthvermont.gov/sites/default/files/documents/pdf/HSRV-Injury-Firearm-2022.pdf>; Centers for Disease Control and Prevention, National Center for Health Statistics. WONDER Online Database, Underlying Cause of Death. A yearly average was developed using four years of the most recent available data: 2018 to 2021.

<sup>3</sup> CA, CO, CT, DE, FL, HI, IL, IA, ME, MD, MN, NC, NH, NJ, NM, NV, NY, RI, TX, VA, WA, and WI.

<sup>4</sup> Everytown for Gun Safety, "New Mexico Adjourned Legislative Session with Big Week in the Fight Against Gun Violence," March 11, 2023, <https://www.everytown.org/press/new-mexico-adjourned-legislative-session-with-big-week-in-the-fight-against-gun-violence/>

<sup>5</sup> Michael C. Monuteaux, Deborah Azrael, and Matthew Miller, "Association of Increased Safe Household Firearm Storage with Firearm Suicide and Unintentional Death Among US Youths," *Journal of American Medical Association Pediatrics* 173, no. 7 (2019): 657-662; David C. Grossman et al., "Gun Storage Practices and Risk of Youth Suicide and Unintentional Firearm Injuries," *Journal of the American Medical Association* 293, no. 6 (2005): 707-14.

<sup>6</sup> RAND Corporation, "Evidence About Effects of Gun Policies Grows and Supports Laws Intended to Restrict Child Access to Guns," Press Release, January 10, 2023, <https://www.rand.org/news/press/2023/01/10.html>



of firearms in certain circumstances, nine of those states and DC have laws that provide penalties for failing to store a firearm securely regardless of whether a child or prohibited person gains access to the firearm.<sup>7</sup> Fourteen states<sup>8</sup> have laws that only assess penalties if a child or prohibited person actually gains access to, or causes harm with, a firearm that was not stored securely.

H.230 is carefully and narrowly drafted, as it will establish a proactive responsibility for gun owners to lock up their firearms around children and people who are legally prohibited from owning guns, but is careful, in doing so not to over-penalize gun owners for minor violations. H.230 only provides for penalties if unauthorized access and harm actually occurs. This will help to reinforce that responsible gun ownership is a core value for Vermont without overly imposing penalties on gun owners who fail to secure their firearms—unless and until those unsecured weapons are actually accessed by children or a person prohibited from possessing a firearm and used to do harm.

Secondly, waiting period laws effectively create a buffer between temporary suicidal ideation and firearm access, which can be the difference between life and death. Nine states and DC have waiting period laws, including the nearby states of Rhode Island and New Jersey.<sup>9</sup> These laws range in length from three to 14 days. With the 72 hour waiting period prescribed in this bill, Vermont would have one of the three shortest waiting period laws in the country. Several states require buyers to obtain a permit before purchasing a firearm or handgun, and in these states, the processing time for the permit approval process creates a cooling off period similar to a waiting period for buyers. These states include Connecticut, New York, Massachusetts, and Maryland. Waiting period laws are associated with reduced suicide rates. In a study that analyzed the time period between 2013 and 2014, these laws were correlated with a decrease in suicide rates in the states with mandatory waiting period laws, while states without these laws saw an increase in suicide rates over the same time period.<sup>10</sup>

Thirdly, 19 States and DC have a law akin to Vermont's Extreme Risk Protection Order law. Fifteen of these laws allow family or household members to directly petition a court to temporarily separate a person in crisis from firearms.<sup>11</sup> Vermont is currently only one of five states that does not allow family or household members to directly petition courts.<sup>12</sup> And indeed these laws have saved lives. After Connecticut increased enforcement of its law, there was an associated 13.7% decrease in the state's firearm suicide rate.<sup>13</sup> Another study estimated that one suicide was averted for every 10 to 11 gun removals carried out under the law.<sup>14</sup> Indiana's law was associated with a 7.5% decrease in the state's firearm suicide rate.<sup>15</sup> Several states, like Vermont, that have existing ERPO laws have expanded eligible petitioners to family, dating partners, or former spouses with children in common, including Connecticut,

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<sup>7</sup> MA, OR, CO, MN, VA, NV, and NY.

<sup>8</sup> DE, FL, HI, IL, IA, ME, MD, NH, NJ, NC, RI, TX, WA, and WI.

<sup>9</sup> CA, FL, HI, IL, MD, MN, NJ, RI, WA

<sup>10</sup> Michael D. Anestis, Joye C. Anestis, and Sarah E. Butterworth, "Handgun Legislation and Changes in Statewide Overall Suicide Rates," *American Journal of Public Health* 107, no. 4 (April 2017): 579–81, <https://doi.org/10.2105/AJPH.2016.303650>.

<sup>11</sup> CA, CO, CT, DE, DC, HI, IL, MD, MA, NV, NJ, NM, NY, OR, WA

<sup>12</sup> The other states that allow only law enforcement petitioners are RI, IN, FL, and VA.

<sup>13</sup> Aaron J. Kivisto and Peter Lee Phalen, "Effects of Risk-Based Firearm Seizure Laws in Connecticut and Indiana on Suicide Rates, 1981–2015," *Psychiatric Services* 69, no. 8 (August 2018): 855–62, <https://doi.org/10.1176/appi.ps.201700250>.

<sup>14</sup> Jeffrey W. Swanson et al., "Implementation and Effectiveness of Connecticut's Risk-Based Gun Removal Law: Does It Prevent Suicides?" *Law and Contemporary Problems* 80 (2017): 179–208.

<sup>15</sup> Jeffrey W. Swanson et al., "Criminal Justice and Suicide Outcomes with Indiana's Risk-Based Gun Seizure Law," *Journal of the American Academy of Psychiatry and the Law* 47, no. 2 (June 2019): 188–97.



California, and Illinois. It's a common sense way to ensure that loved ones, who are the most likely to identify early warning signs, have a tool they can use to help save the life of a person in crisis.

Thank you very much for the opportunity to testify in support of this important legislation. I am grateful for your efforts to address the epidemic of firearm suicide in Vermont in these targeted and highly effective ways.

Sincerely,

Alison Shih  
Counsel  
Everytown for Gun Safety