

The 2013 Vermont Domestic Violence Fatality Review Commission Report gives a very bleak outlook on violent domestic crime in Vermont.

- 50% of all Vermont homicides are domestic violence related.
- 56% of all Vermont domestic violence related homicides were committed with firearms.
- 65% of violent crime occurs in Vermont homes. It is the most frequent location of violent crime.

The statement that 56% of Vermont’s domestic violence homicides were committed with a firearm is a troubling statistic to be sure, until you look past the **percentages** and at the actual number of domestic violence homicides by firearm;

Year	VT Total DV Homicides	Vermont DV Homicides by Firearm	VT % Firearm Related DV	% Change by Year
2009	2	0	0%	0
2010	3	1	33%	100%
2011	4	3	75%	200%
2012	4	1	25%	-67%

In 2009, Vermont had ZERO firearm homicides of any kind, show us another state that can equal that!

But, 2010 saw an increase in firearm homicides by 100%, 2011 increased 200%!

People must be dying in the streets left and right!

This is alarming news until the actual numbers are seen.

The change from 0 to 3 is a 300% increase, yet it is still only 3 out of 600,000 inhabitants!

The message that is publicized by the media, anti-gun groups and politicians is that Vermont has a “gun violence” epidemic and “something” has to be done!

In 2010 and 2012, Vermont's TOTAL firearm homicide was 2/100th of 1 PERCENT (0.0002) of the US total!

But, in both years, the Vermont Domestic Violence Fatality Review Commission Reports, state domestic firearm homicide percentages were 51% and 50% respectively.

As a matter of fact, Vermont's Domestic Violence Homicide Rate for the last 4 years is 0.16 per 100,000!

While ANY death is saddening, the Center for Disease Control (CDC) states that Vermont averages over **5000** deaths per year by ALL CAUSES, but the emphasis in Montpelier each year has been on gun control.

OVER FORTY Representatives proposed 11 anti-firearm bills, and almost a dozen Senators proposed 6 anti-firearm bills, all in violation of the Vermont Constitution and their Oaths of Office during the 2013-2014 session.

Data Table 1 shows a snapshot comparison between Vermont and neighboring states in total homicides and firearm homicides from 2009 to 2012.

Data Table 1:

Yrs	State	Avg. homicides	Avg. by firearms
2009-12	New York	774	463
2009-12	New Jersey	362	252
2009-12	Massachusetts	171	101
2009-12	Connecticut	128	93
2009-12	Rhode Island	27	15
2009-12	Maine	25	12
2009-12	New Hampshire	13	6
2009-12	Vermont	8	2

Since 2009, Vermont has averaged TWO firearm homicides per year.

Vermont's Homicide rate has been amongst the lowest, if not THE lowest, in the nation for many years (we switch back and forth with North Dakota 49th / 50th).

Firearm homicides have taken only EIGHT out of TWENTY THOUSAND total deaths in Vermont from 2009-2012.

Of those 8 total over 4 years, 5 were considered “domestic violence”, even though at 4 of the events did NOT occur in the home.

2009: The two domestic violence related adult homicides both occurred in public parking lots adjacent to shopping malls.

2011: Of the 4 domestic violence related homicides of adults, 2 occurred in residences.

The definition of “domestic” has been broadened ever wider in order to encompass more “incidents”. It may be that a “drive-by-shooting” or home invasion or burglary will be considered “domestic” because the victim was simply at home. It is also documented that deaths caused by Law Enforcement Officers in the line of duty ARE classified as a “domestic violence death” for statistical purposes.

This tactic fuels the controversy over the “ever increasing” domestic violence “problem”. Logic dictates that if you keep increasing the number of event types that are considered domestic, your overall occurrences will naturally go up... and up... and up.

The Secretary of Civil and Military Affairs, Louis Porter, made a statement why H.735 was so important: By “protecting those Vermonters, primarily women, who might otherwise be at risk from their spouses or partners.”

According to the 2013 state of Vermont Domestic Violence Fatality Review Commission report 46% of the victims of domestic violence in the last 19 years are MEN.

The Commission report shows a total of 63 firearm deaths due to domestic violence over the last 19 years.

That equates to 3.5 firearm deaths related to domestic violence per year.

The American Heritage Dictionary defines a “victim” as “One who is harmed or killed by another, especially by someone committing a criminal or unlawful act”.

The report INCLUDES 3 deaths caused by Law Enforcement Officers in the line of duty in the total, if we remove those 3 perpetrators as they are not TRULY “victims” in justifiable homicides, we end up with an average of 3.3 firearm deaths related to domestic violence per year.

When compared to the fact that we have averaged only TWO firearms deaths per year over the last 4 reported years, and that domestic violence is supposedly 50% of the total homicides per year, something doesn't quite add up.

Case in point, the CDC and FBI statistics peg Vermont's total homicide rate at an average of 10 per year for ALL causes from 1998 to 2010. How can domestic homicides be 50% of 10, if the average is 3.3 by their own report? The actual percentage should be closer to 33%.

Using percentages in reports instead of actual figures allows distortion of the facts to display Vermont as having a much larger problem.

We were curious as to why the 2013 Commission, as well as every preceding one, always chose to go back to 1994 to generate these reports. Even the CDC and FBI do not publish this data because it is outdated.

Could it be that in order to achieve that 50% domestic violence total, they HAD to go back to the 1990's when the crime rates across the nation were twice what they are now?

The answer is YES.

See Data Table 3 for a detailed breakdown by year of homicides in Vermont and those that are firearm related.

Pay careful attention to the trend lines in graph 1 for these statistics. Firearm homicides are not increasing, in fact, they have decreased by 27%. Overall homicides are not increasing, in fact, they have decreased by 40%.

See Data Table 4 for a detailed breakdown by year of homicides in Vermont of the numbers and annual percentages of those that are domestic violence related.

Note the grouping into 5 year blocks that indicates how the downward trend in graph 2 of firearm related domestic violence homicides were manipulated by grouping them in with previous (*always higher*) rates. That is how statisticians skew a decreasing trend into an increasing or stationary trend. Each 5 year block shows an overall decrease in percentage of firearm usage in domestic violence cases.

Domestic violence deaths are not increasing, in fact, they have decreased by 38% since 1994.

See Data Table 5 for a detailed breakdown by year of domestic violence homicides in Vermont of the numbers and annual percentages of those that are firearm related.

Pay careful attention to the trend lines in graph 3 for these statistics.

Domestic violence homicides are not increasing, in fact, they have decreased by 40%.

Domestic violence homicides by firearms are not increasing, in fact, they have decreased by 50%.

As shown by compiling the Vermont Domestic Violence Fatality Review Commission's 2013, and all previous reports, ALL homicide rates in Vermont are showing a DECREASING trend over time, not increasing as we are lead to believe year after year.

Domestic violence is indeed a serious subject, but testimony given at the H.735 hearing included data with questionable accuracy and sources such as the two rabid anti-gun groups; Mayors Against Illegal Guns and the Law Center to Prevent Gun Violence, and reports ranging in date from as far back as 1992 with no direct relevance to Vermont data.

But, the part of most concern is in the document titled Gun Storage Fact Sheet used by Sarah Kenney to push for H.735.

It states clearly:

“In 2009, the Commission recommended that the Vermont legislature consider adoption of a law to govern the relinquishment, inventory, storage and return of guns for defendants subject to final relief from abuse orders.”

H.735 was created as a “fee” bill with the intent of slipping it under the golden dome without fanfare. It was already known that this was, in fact, the creation of a **new law** that would be in violation of the Vermont Constitution and would NOT pass Constitutional muster if submitted as a stand-alone bill.

Gun Control advocates feel they have to do “something” to further their political agenda and this “fee” bill fit their game plan perfectly.

None of these people were novices at law and they knew there was no corresponding Statute that this bill would simply augment with fees.

Just like the Burlington town council knew that their town ordinances violated the Vermont Constitution, the Sportsman's Bill of Rights, the Burlington Town Charter and their very own Oaths of Office, the

Representatives pushed it through to the Senate hoping it would slip right through.

H.735 has MANY Constitutional issues, eloquently described by Cindy Ellen Hill, Esq. (see letter dated 2/20/14) that I will try to paraphrase just a few of them here:

- H.735 sets new criminal law on the books under guise of setting fees.
- H.735 violates the accused's Fourth Amendment Right of protection from warrantless search and seizure.
- H.735 would become a statute of forfeiture without due process in violation of both the Vermont and Federal Constitutions.
- Currently, 15 VSA Chapter 21, Vermont's domestic abuse statute, does NOT require the surrender of firearms, ammunition or other weapons.

In short, this new law allows the State to confiscate personal property of the accused without evidence nor trial, nor appeals process, nor ability to rectify the situation if found that the protection order was gained under false allegations, fees for said storage would not be waived.

Even if found the protection order was gained under false allegations, the accused would never be able to own firearms again in the United States per Federal law.

This is the definition of being found "guilty until proven innocent" and STILL losing your Rights as a citizen even if found **not guilty**.

Even though Vermont's population has increased by over 33,000 since the late 90's, our economy has been in decline, our taxes continue to rise at an alarming rate, our drug problems are now national news, over a thousand new bills get proposed at the Statehouse each year, and almost 350,000 background checks since 1999 have been run by Vermont FFLs, *our homicide rates still continue to drop*, much to the chagrin of those who do not understand, nor tolerate firearms or their owners.

It is estimated that between 50-75% of Vermont homes have at least one firearm in them, and the criminal element is well aware of this fact. If for some reason gun control, in whatever form it takes was implemented restricting the rights of law-abiding Vermonters, the overall violent crime rate would rapidly outpace that of domestic violence that we discuss here.

Regardless of the relentless media pressure and the voices of outside money bankrolling “grassroots” anti-gun groups in Vermont, **“gun violence” is not a crisis.**

It is not an emergency.

It is not an epidemic.

Vermont, as a whole, is still the **safest state in the Union** BECAUSE of our firearms and the good people that own them.

Data Table 1

Years	State	Avg. # homicides	Avg. by firearms
2009-12	New York	774	463
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2009-12	Rhode Island	27	15
2009-12	Maine	25	12
2009-12	New Hampshire	13	6
2009-12	Vermont	8	2

Vermont has consistently had lower homicide numbers than any other state.

Data Table 2

Year	VT Total DV Homicides	Vermont DV		% Change by Year
		Homicides by Firearm	VT % Firearm Related DV	
2009	2	0	0%	0
2010	3	1	33%	100%
2011	4	3	75%	200%
2012	4	1	25%	-67%

Using percentages when the actual numbers involved are exceptionally low, will create a **drastic** and **sensational** increase or decrease from one time period to the next.

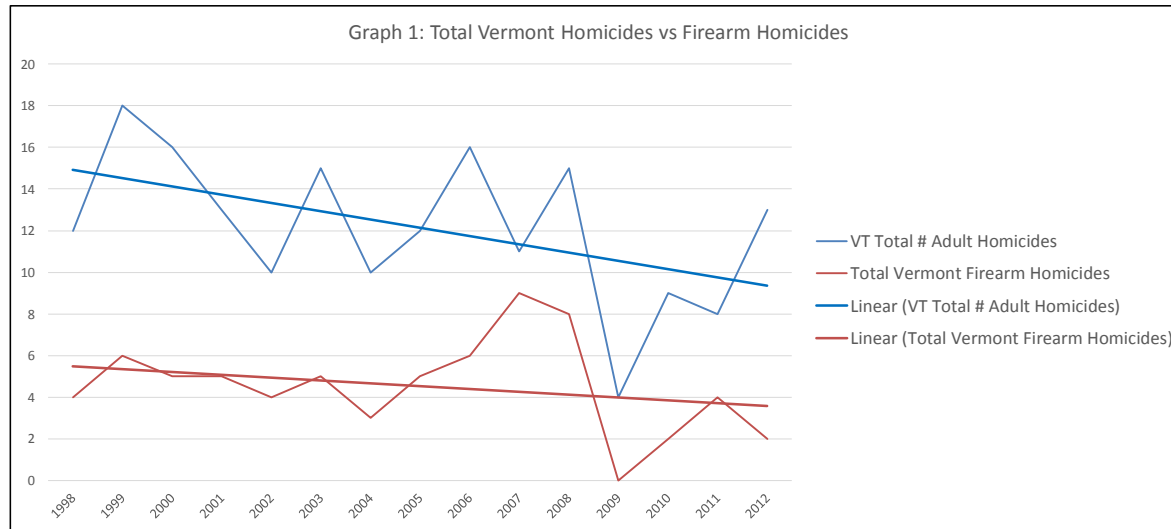
Data Table 3

Year	VT Total # Adult Homicides	Total Vermont Firearm Homicides	Percentage of Firearm Homicides
1994	7	not on VCIC	n/a
1995	13	not on VCIC	n/a
1996	12	not on VCIC	n/a
1997	11	not on VCIC	n/a
1998	12	4	33%
1999	18	6	33%
2000	16	5	31%
2001	13	5	38%
2002	10	4	40%
2003	15	5	33%
2004	10	3	30%
2005	12	5	42%
2006	16	6	38%
2007	11	9	82%
2008	15	8	53%
2009	4	0	0%
2010	9	2	22%
2011	8	4	50%
2012	13	2	15%

Overall Homicide Trend
 from: 15
 to: 9
40% decrease

Firearm Homicide Trend
 from: 5.5
 to: 4
27% decrease

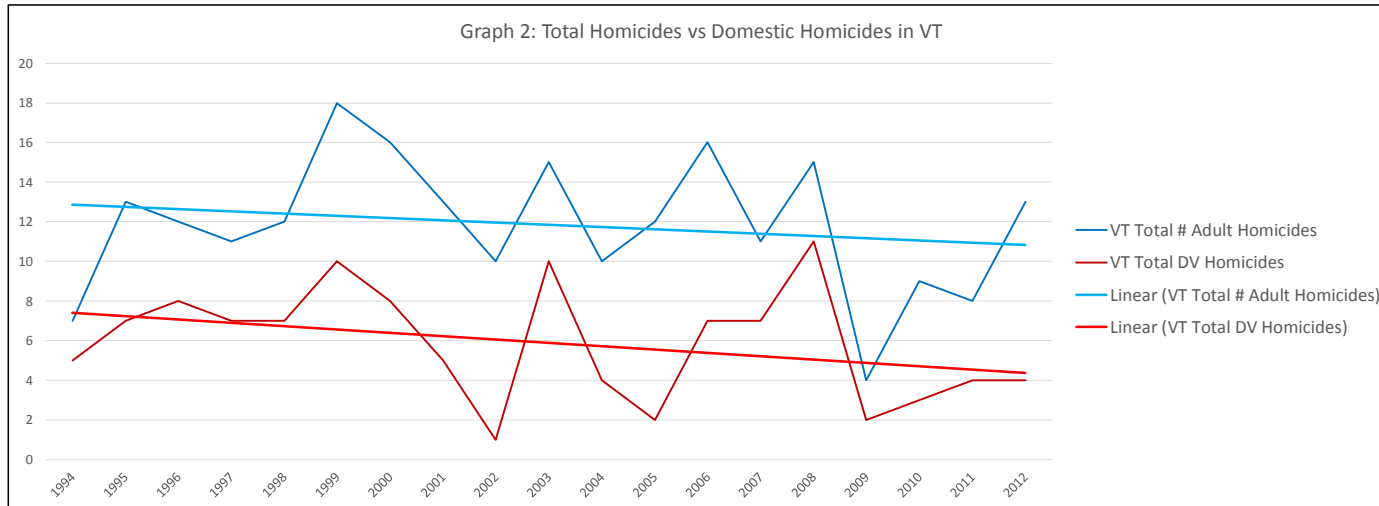
1994-7 - The FBI, CDC and VCIC do not publish data this old because it is obsolete.



Data Table 4

Year	VT Total # Adult Homicides	VT Total DV Homicides	VT % Total DV	Annual Report Overall DV	Avg % DV All Causes 5 yr groups
1994	7	5	71%	71%	62%
1995	13	7	54%	60%	
1996	12	8	67%	63%	
1997	11	7	64%	63%	
1998	12	7	58%	62%	
1999	18	10	56%	60%	47%
2000	16	8	50%	58%	
2001	13	5	38%	56%	
2002	10	1	10%	52%	
2003	15	10	67%	54%	
2004	10	4	40%	53%	48%
2005	12	2	17%	50%	
2006	16	7	44%	49%	
2007	11	7	64%	50%	
2008	15	11	73%	52%	
2009	4	2	50%	52%	38%
2010	9	3	33%	51%	
2011	8	4	50%	51%	
2012	13	4	31%	50%	

By continually using the data from 1994-1999, the Commission artificially inflates the 2012 numerical average by 38%!



Data Table 5

Year	VT Total DV Homicides	Vermont DV Homicides by Firearm	VT % Firearm Related DV	Avg % DV Firearm 5 yr groups	DV Homicide Trend
1994	5	2	40%	62%	7.5
1995	7	3	43%		4.5
1996	8	5	63%		40% decrease
1997	7	7	100%		
1998	7	4	57%		
1999	10	4	40%		
2000	8	4	50%	56%	Firearm Homicide Trend
2001	5	3	60%		
2002	1	1	100%	55%	4
2003	10	7	70%		2
2004	4	0	0%		38%
2005	2	1	50%		
2006	7	4	57%		
2007	7	5	71%		
2008	11	7	64%	38%	50% decrease
2009	2	0	0%		
2010	3	1	33%		
2011	4	3	75%		
2012	4	1	25%		

Total from 2013 report 1994-2012 = 63, but values on reports equal 62.

The homicide violence trend for ALL types has been showing an overall decrease over the last 19 years. Domestic firearm homicides show the greatest reduction at 50% NOT an increase!

