

64 Pharmaceuticals, Guns and I

By Dr. Paul Gallant and Dr. Joanne D. Eisen

In Nassau County, New York, a revised handgun application went into effect in January 2007. A new question asks: "Have you used or still use narcotics, tranquilizers or anti depressant [sic] medication? If YES, record doctor's name, address and phone number, (attach)." If the applicant answers in the affirmative, a list of those medications is also required.

The new question may have been added as a means of increasing public safety, but Nassau County licensees have maintained a nearly spotless record in this area. A more likely explanation is that this could be the next practical step in denying exercise of the Second Amendment.

The recent *Heller*

Supreme Court decision gave gun-owners a tripartite victory: firearm possession is an individual right, a complete ban on firearms is unconstitutional, and the right to self-defense with firearms is affirmed.

The Supreme Court nevertheless left plenty of wiggle room for the firearm-prohibitionists, by allowing for "reasonable regulation."

"Reasonable" is a very big word, and it opens the way to the eradication of our rights. If firearms can no longer be banned, then expanding the list of prohibited persons is the next tactic for firearm-hostile politicians to explore. That subjective factor of "reasonable" regulation could cast an extremely wide net.

Alan Chwick, a Nassau County Second Amendment activist and Managing Coach at the Freeport Junior Club, first advised us of the handgun application change. He also told us that "Richard Aborn, formerly of Handgun Control, Inc., was recently appointed Assistant District Attorney for the county, and has been providing advice to Nassau County officials," who are, themselves, notoriously firearm-hostile.

Firearm-prohibitionists like Aborn are experts in the use of fear-mongering to further their agenda. And that fear is being exploited in Nassau County today, by using classes of drugs as markers

for determining potentially violent people, and by inappropriately substituting prescription data for violent personal histories.

There is no scientific evidence to suggest that a history of legal drug use is a valid disqualifier of firearm ownership. According to the best criminological evidence, the most accurate predictor of violent behavior is a past history of violence.

The Nassau County Police Department (NCPD) acts as the county's handgun licensing authority; licenses issued in Nassau County are valid for five years, after which time they must be renewed. If licensing authorities are allowed to determine that

some drugs should be firearm "disqualifiers," and others not, we will soon discover that there is no line between which drugs are dangerous, and which are not.

The new question has the potential to destroy the right of mil-

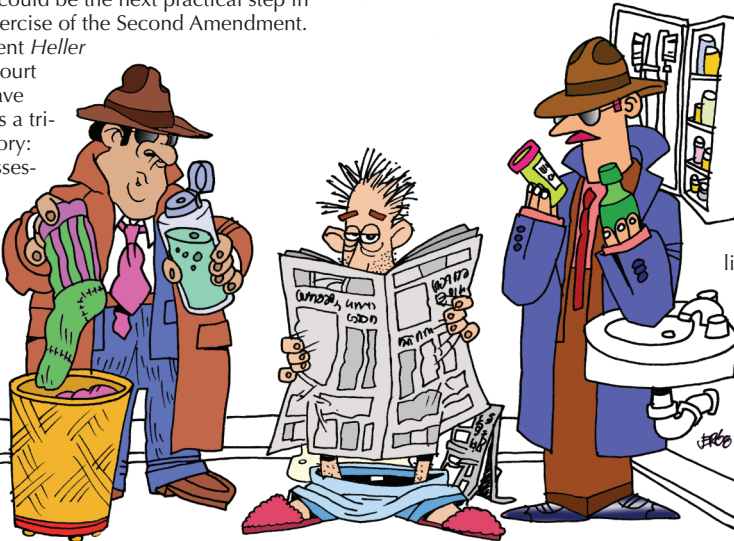
lions of Americans to use and possess firearms for self-defense. And it can damage the long-standing ethical code of doctor-patient confidentiality.

Tranquilizers and Narcotics as Handgun Disqualifiers

Tranquilizers are generally intended to calm people. Narcotics are used for pain management. Although both classes of drugs can impair the user, there is no evidence to which the NCPD can point that gun-owners using such legally prescribed drugs represent a threat to society.

But the NCPD can use your physician to add you to the prohibited persons list, by calling him or her and asking for his or her opinion about your qualifications to possess a handgun. Because it is never possible to predict with certainty how any one person will react, most prescribers will be intimidated by the potential legal ramifications of the information they give to the NCPD.

And if more than one doctor prescribed any of those medications, it might only take one of them to deny you your rights.



J. Aborn