

Written Testimony of Suzanna Gratia Hupp, D. C.
Senate Judiciary Committee – Subcommittee on the Constitution, Civil Rights and Human Rights
“Proposals to Reduce Gun Violence: Protecting Our Communities While Respecting the Second
Amendment”
February 12, 2013

I want to thank you ladies and gentlemen for asking me to testify today. I am speaking for myself and not in any official capacity. Many of you have heard my story before and, of course, it really hasn't changed. I didn't grow up in a house with guns. But I did grow up in a house where my father was an expert on the founding of the country and the meaning of the Second Amendment. So it amazes me that we are back here having the same discussions that we have had several years ago.

When I was 21 and moved out on my own, I was given a gun and taught how to use it. After I became a chiropractor, one of my patients (who was an assistant district attorney in Houston) convinced me to carry it with me at all times. Please understand that at that time in the state of Texas it was illegal to carry a gun, except in your car. We did not have a permitting system.

In 1991, on a beautiful October day, my parents and I went to a local cafeteria to have lunch with a friend of mine who was managing the cafeteria. It was Boss' Day and the day after payday, so the place was packed. We were unable to sit in our usual position by the front window. As we finished lunch and my friend got up to check on things in the kitchen, this pickup truck came crashing through the floor-to-ceiling window where we normally sat. It came to rest about 15 feet from us after knocking over a number of tables and injuring several people. Of course, we all thought it was an accident, and I began to rise to go help the people that he had knocked over. But as I began to stand up, we heard gunshots. Immediately, my Dad and I got down on the floor and turned the table up in front of us. Mom got down behind us. I continued to hear shooting on the opposite side of the truck. Remember, this was 1991 and the type of mass shootings we have seen since were not yet occurring on a regular basis. I kept waiting for him to say something like, "Everyone put your wallets up on the tables!" But the gunshots continued. It took a good 45 seconds...which is an eternity, to realize that he was just there to execute people. As he made his way around the front of the truck, I watched as he leveled his gun on the head of a person crouched beneath him. He pulled the trigger. Then he calmly walked to the next person, pointed the gun and pulled the trigger. It was then that I thought, "I've got him!" I reached for my purse on the floor next to me. I had a perfect place to prop my shooting hand, and I have hit much smaller targets at much greater distances. Could I have missed? It's possible. But it sure would have changed the odds. Then I realized that a few months earlier I had made the stupidest decision of my life. I had begun to leave my gun in my car because at that time, in the state of Texas, concealed carry laws did not exist. I was concerned about getting caught with it. I did what most normal people would do: I wanted to obey the law and certainly didn't want to lose my license to practice my livelihood. I never thought I'd need it in the middle of a crowded restaurant. I remember looking around for something to use as a weapon, and thinking, "Great...what do I do now? Throw a salt shaker at him?" I can't begin to get across to you how incredibly frustrating it is to sit there, like a fish in a barrel, and wait for it to be your turn, with no hope of defending yourself.

It was then that my father took my attention. He began to rise up and said, "I've got to do something! I've got to do something or he's going to kill everyone in here!" I turned to him and tried to hold him down by the shirt collar. But when he saw what he thought was a chance, he stood up and ran at the guy, who at that point was about a dozen feet from us. But the gunman had complete control of the room. He simply turned, and shot my father in the chest. My father fell in the aisle maybe 7 or 8 feet from me. And although he was still alive and conscious, I saw the wound and as awful as this may sound, wrote him off at that moment.

The good news is that it made the gunman change directions slightly, and he went off to my left. That was the first time I had gotten a good look at him. He was a tall 30 something year old man. And I remember wondering what could be so terribly wrong in this man's life that he would be committing this horrible act. At that point, I heard another window crash toward the back of the restaurant. I thought, "Oh my God, here comes another one!" But when I looked, I realized that someone had broken out a window at the back of the restaurant and people were pouring out through it. I peeked over the top of the upturned table, and when the gunman's back was to me, I stood up, grabbed my mother by the shirt collar and said, "Come on, come on! Let's go! We've got to get out of here!" And then my feet grew wings. I was one of the only ones from that front area to make it out that back window. As I stumbled through the broken window I ran into my manager friend who had come out a side, kitchen door. He said, "Thank God you're all right!" I told him, "Yes, but Dad's been hit and it's bad." Then I turned to say something to my Mom, and realized she had not followed me out. Because it was glass three quarters of the way around the restaurant, I could not see the interior due to the backlighting. And I had no idea where my mother was.

In the interest of time, I will spare you details of the next several minutes. However, I will tell you that several of the first responders were patients of mine. A week or so after the event they took me and my siblings to lunch and filled in some gaps. They told us that they had been in a conference at a hotel one building away when the shooting occurred. In an odd twist of gun control fate, the manager of the hotel asked them to leave their weapons in their vehicles so as not to make her customers uncomfortable. So precious minutes were lost as they retrieved their weapons from their locked trunks and made their way to the restaurant. They told us that as they worked their way through the broken window, they weren't sure who the gunman was. They saw a lot of bodies, and a woman, on her knees in the aisle, cradling a mortally wounded man. They said that a man walked up to her, she looked up at him, he put a gun to her head, she looked down at her husband, and he pulled the trigger. That's how they knew who the gunman was. All they had to do was fire a shot into the ceiling, and this guy immediately rabbitted to a back bathroom alcove area. He exchanged some gun fire with them, and then put a bullet in his own head. 23 people were killed that day, including my parents. Mom and Dad had just had their 47th wedding anniversary 2 weeks prior to this. And although it didn't occur to me at the time, Mom wasn't going anywhere without Dad.

Now it may sound odd to you, but I wasn't angry at the guy that did it. That's like being mad at a rabid dog: you don't be mad at it. You might take it behind the barn and kill it, but don't be mad at it. I told the newspapers the next day that I was mad as hell at my legislators because they had legislated me

out of the right to protect myself and my family. The *only* thing the gun laws did that day was prevent good people from protecting themselves.

Since that time, we have seen dozens of these mass shootings. Isn't it interesting that nearly all have occurred *in places where guns were not allowed*. If guns are the problem, then someone explain to me why we haven't seen these mass shooting at skeet and trap shoots, or NRA conventions, or the dreaded gun show. We will never know if lives could have been saved at Sandy Hook if a teacher or two been armed.

Look, guns are just a tool. They are tools that can be used to kill a family, or tools that can be used to protect a family. It merely depends on whose hands that tool is in. You may wonder why I take issue with an assault weapons ban. That is simple. It is because there's no logic involved with the proposed ban. I believe that the public and much of the media have been misled to believe that assault weapons are rapidfire, automatic, machinegun-like weapons. I know this from the many interviews I have done on television, radio and newspaper. Automatic weapons have been illegal for regular use in this country since the 1930s. And yet, that is what much of the media and public believe you are trying to ban. In fact, the proposed ban is being based almost entirely on cosmetics. So you are talking about guns that shoot in the exact same manner as the guns I have at home. So it becomes perfectly clear to me that this is merely a gun grab that is based on nothing but the desire to strip citizens of their rights.

Universal background checks? That is no more than a means to register all gun owners. And registration is *always* the first step to confiscation.

Prohibiting people with a diagnosis of PTSD? I believe you would be starting down a very slippery slope if you begin to single out those with emotional problems and strip them of their constitutional rights. Would ADHD or depression be next? We already have a system in place by which those deemed mentally unstable may be stripped of their rights.

I have heard many pundits and legislators say, "Why would anyone *need* this type of gun or a magazine that carries this many bullets?" Well, in this Land where Freedom hangs by a thread, I hate to think we are going to begin having government committees determining what each citizen *needs*. They may decide you don't *need* to drive a particular car, or *need* send your child to private school.

And in this Land of Liberty, it is not only our right to keep and bear arms, I would go so far as to say it is our duty.

With that, I would like to leave you with something to ponder. Can you imagine leaving these chambers and going to a local café with your family, perhaps your children or grandchildren? And as you're quietly finishing your meal you notice a man come in and who pulls a weapon from his overcoat, and calmly begins executing people...people who have no means of defending themselves. As the gunman works his way around the room and gets closer to you, imagine the frustration that you have not having any chance of defending yourself against him. As he levels his weapon on your child or grandchild's forehead, even if you have chosen not to have a gun with you, don't you hope the guy

behind you has one and knows how to use it at that point? It makes me physically ill to think of being in that position with my children, and having no way of protecting them.

If you really want to make a difference, and eradicate mass shootings, there are a couple of things that you can do:

1. Rid the country of gun free zones. Don't get me wrong, you won't be able to stop someone from going into a workplace and shooting his estranged wife and the person sitting next to her. But you will prevent the high body bag counts we are seeing now.

2. Encourage, not legislate, but encourage the media to quit using the murderers' names in all of their follow-up reporting. I would love to see them never show the creep's picture after the first day. If the killer is still alive and going to trial, wouldn't it be great if they fuzzed out their names and faces as if it were obscene? We all know they have to report the news. But they could be part of the solution and help take the glory out of their horrendous acts.

I am proud of my Texas Capitol. While visitors wait to go through a metal detector, we have a fast-track queue that allows concealed carry permit holders to zip right through. Many legislators carry on the House and Senate floors and committee hearings, while permitted citizens with guns sit in the gallery. There would be no high body bag count there. Our State government trusts its' people. With that, I would like to say that if I had it to do over again, I would much rather be in prison with a felony offense on my head, and have my parents alive to know their grandchildren.

Thank you for your time.