

February 26, 2023

Re: Proposed Senate Bill S.3, An Act Relating to Prohibiting Paramilitary Training Camps (“S.3”)

Dear Senators Baruth, Sears and Campion, and Representatives Chestnut-Tangerman and LaLonde:

My name is William Healey.¹ My wife and I have owned a peaceful home in West Rupert, Vermont since 1994. I am writing to you on behalf of myself, my family, and several of our neighbors regarding the very troubling legal battles involving the unpermitted “gun fighting” training camp/paramilitary training camp known as Slate Ridge located in West Pawlet, Vermont. As the Vermont legislature is aware, the Town of Pawlet and its elected officials have been trying to shut down the activities conducted at Slate Ridge for the past several years and it has been a frustrating, expensive, and time-consuming nightmare for the community. The lack of currently effective state laws and regulations prohibiting the establishment and operation of such paramilitary training camps has made their efforts extremely difficult and poses a potentially similar dangerous threat to other Vermont communities as well.

We understand that proposed state legislation (*i.e.*, Senate Bill S.3, an act to prohibit paramilitary training camps) has been introduced in and passed by the Vermont Senate, and that the bill is now being considered by the Vermont House of Representatives. We strongly support the legislature’s efforts to amend Vermont’s criminal statutes by prohibiting unpermitted paramilitary training camps, as defined in S.3. We further support placing primary responsibility for enforcing the proposed prohibitions upon state criminal law enforcement authorities who, from a practical perspective, we believe are the only authorities capable of effectively monitoring, investigating, and enforcing those prohibitions.²

As marked up by the Senate Committee on Judiciary and passed by the Senate on February 17, 2023, it appears that S.3 was strengthened in some areas (for example, the fines and penalties for violations were appropriately enhanced) but made potentially more difficult to enforce without some important additional protective measures, as discussed below.³ In particular, we think that the addition of language in proposed Section 4071(a)(1) limiting the application of the prohibitions in S.3 to instances where “the person knows or reasonably should know that the teaching, training, or instruction will be unlawfully employed for use in or in furtherance of a civil disorder” and the addition of similar language in proposed Section 4071(c)(3) stating that the statute expressly does not apply to “any activity undertaken without knowledge of or intent to

¹ A graduate of Vermont Law School (Class of 1978) and past Editor-in-Chief of the Vermont Law Review, I practiced law as a member of the New York State Bar for over 40 years before retiring in 2019. I am also a past member and Chairman of the Village of Ossining Zoning Board of Appeals in Westchester County, New York.

² We recognize that local communities may wish to adopt additional land use planning, zoning or environmental codes and regulations relating to the establishment and operation of paramilitary training camps, but we acknowledge that civil enforcement of those additional regulations by local land use, zoning and environmental administrators would present significant practical challenges.

³ We assume that the additional language recommended by the Senate Judiciary Committee and adopted by the Senate was designed to ensure that certain necessary and appropriate elements of criminal conduct were incorporated in the new law.

cause or further a civil disorder that is intended to teach or practice self-defense or self-defense techniques...” should be enhanced by the adoption of appropriate rules and regulations designed to impose certain duties and requirements upon the owner/operator of a permitted paramilitary training camp.

For instance, we recommend that a registration and approval requirement be imposed upon the owner/operator of a permitted paramilitary training camp prior to the commencement of operations and the adoption of rules and regulations that would permit designated law enforcement authorities to oversee, inspect and regulate the continued operations of such a facility. We further recommend imposing a requirement upon the owner/operator to maintain accurate books and records regarding all individuals who participate in training activities and/or otherwise utilize facilities at such camps. In addition, it may be appropriate to consider taking other additional steps to protect the public, including but not limited to: (i) prohibiting a convicted violent felon from participation in training exercises and otherwise utilizing the facilities of a paramilitary camp, and (ii) imposing a duty upon the owner/operator of a paramilitary camp to confidentially report certain suspicious activities that may arise during its operations.⁴

We understand that Governor Scott has been cautious in his public statements about whether he should sign S.3 when it reaches his desk. We sincerely hope that S.3 is enacted as soon as possible, and that additional rules and regulations will be adopted to ensure that all Vermont residents and property owners are protected from unpermitted paramilitary camps in the future.

In the meantime, we’d like to thank you all for your efforts to pass this proposed legislation. Please feel free to contact me at wvth@optonline.net if you have any questions or would like to discuss these matters in further detail.

Respectfully,
William Healey

cc: John LaVecchia, Zoning Administrator, Rupert, VT
Jed Rubin, Planning Commission Chair, Rupert, VT
Bill Colvin, Executive Director, Bennington County Regional Commission
Janet Hurley, Assistant Director/Planning Manager, Bennington, VT
Andrea Lenhardt, Town Clerk, Rupert, VT
Philip Kirstein, West Rupert, VT
Mindy Raso Kirstein, West Rupert, VT

⁴ We note that confidential reporting of suspicious activities is an existing and long-standing requirement under federal anti-money laundering statutes and adopting similar reporting requirements could help protect the public against those who seek to disguise their intentions to cause or further a civil disorder.