

Vermont Federation of Sportsmen's Clubs, Inc.

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TO: House Committee On Judiciary
DATE: April 13, 2015
RE: **Veterans / Hunters / Shooters Protection Amendment**
A.K.A. - Removal of Any Waiting Period for Relief From
Disabilities

Dear House Judiciary -

On April 10th the House Committee on Judiciary received a document submitted by Erik Fitzpatrick entitled "**ATF Approved State Relief From Abuse Programs**", with this document listing 31 states which have adopted a Relief From Disabilities process for their citizens when firearms rights have been removed in Mental Health cases. A link to this document can be found [here](#).

The Federation has now researched each of the listed 31 states in regards to what "waiting period" they may require once a person is no longer under the care of the respective Department of Mental Health; the full results are shown further below.

To summarize: We find that almost 97% of the listed states (30 out of 31) have **NO WAITING PERIOD** for the restoration of a citizen's rights in Mental Health cases, with only 1 state requiring a 3-year period.

Apparently: The vast majority of states that have considered the restoration of rights to their citizens have favored upholding "Due Process" of law.

As reflected in my testimony, while the Federation has several issues with the genesis of S.31 and now S.141, we have reached a point where the single major objection we are raising is the continued insistence that some arbitrary time limit should be imposed on an individual before they can begin the process to regain their constitutional right to possess a firearm, hopefully with support from Vermont Legal Aid.

The Federation is fully aware that an amendment has been quietly floated in the background - with this amendment addressing our concern - but we believe that this amendment may be stonewalled for reasons which completely escape us, with these reasons not being based upon the creation of sound public policy which certainly should be the most fundamental basis for the enactment of legislation.

To put a very fine point in this, the Federation has opted to call this amendment the "**Veterans / Hunters / and Shooters Protection Amendment**", with the majority of those giving testimony speaking out against the creation of any such waiting period, and we specifically point to the testimony of Superior Court Judge Brian Grearson, Ed Paquin, Ann Donahue and others to underscore this.

When presented with this same decision, 30 states chose a path that supports the Due Process rights of their citizens when their rights had to be removed for Mental Health reasons, while only one choose a different path (with Nevada appearing to have been the very first state to have considered adopting a Relief From Disabilities process).

Following, please find our analysis of these 31 states: We respectfully ask that you consider this information, and please favorably consider the Veterans / Hunters / Shooters Protection Amendment.

Regards,

A handwritten signature in black ink, appearing to read "Chris Bradley". The signature is fluid and cursive, with a large loop at the end.

Chris Bradley
President - Vermont Federation of Sportsmen's Clubs
Secretary, Treasurer and Immediate Past President - Vermont State Rifle & Pistol Association

CC: All House Judiciary Members
Kate Wilson - House Judiciary Committee Assistant

States With Relief From Disabilities Programs

State	Statute Hyperlink	Waiting Period	Adopted
Nevada	Link	3 years	2009
New York	Link	0	2009
Oregon	Link	0	2009
Florida	Link	0	2010
Idaho	Link	0	2010
Illinois	Link	0	2010
New Jersey	Link	0	2010
Texas	Link	0	2010
Wisconsin	Link	0	2010
Arizona	Link	0	2011
Connecticut*	Link	0	2011
Iowa	Link	0	2011
Kansas	Link	0	2011
Kentucky	Link	0	2011
North Dakota	Link	0	2011
Virginia	Link	0	2011
Indiana	Link	0	2012
Nebraska	Link	0	2012
Missouri	Link	0	2012
West Virginia	Link	0	2012
Alabama	Link	0	2013
Delaware	Link	0	2013
Louisiana	Link	0	2013
Maryland	Link	0	2013
Alaska	Link	0	2014
Hawaii	Link	0	2014
South Carolina	Link	0	2014
Utah	Link	0	2014
Oklahoma	Link	0	2015
Colorado	Link	0	Other**
North Carolina	Link	0	Other**

* CT's 2011 re-certification is pending following changes to their laws in 2013

** = Other Qualified Relief Programs (but not State Certified)