

## Vermont Council on Domestic Violence

**To:** Rep. Donna Sweaney, Chair  
Rep. Debbie Evans, Vice-Chair  
Members of the House Committee on Government Operations

**From:** Heather Holter, Coordinator, Vermont Council on Domestic Violence  
**Re:** H. 567  
**Date:** January 27, 2016

I am writing to make you aware of the support of The Vermont Council on Domestic Violence (Council) for the amendment to the charter of the City Burlington which would allow police to confiscate a deadly or dangerous weapon from a person whom the officer has probable cause to believe has committed domestic assault.

The correlation between the presence of firearms and the risk of domestic violence homicide is well documented. According to a study found in the *American Journal of Lifestyle Medicine*, “Most children, older adults, and women are murdered at home. A gun in the home is a particularly strong risk factor for female homicide victimization.” The study found “...compelling evidence that a gun in the home is a risk factor for intimidation and for killing women in their homes, and it appears that a gun in the home may more likely be used to threaten intimates than to protect against intruders...”<sup>1</sup>

Although the number of domestic violence homicides in our state may seem small, (123 between the years of 1994 and 2014) the state of Vermont has earned a place among the ten states with the **highest rate of female homicide victims per 100,000 females** on four different occasions since 1999.<sup>2</sup> And, in 2014, Vermont ranked among 21 states for whom firearm deaths outnumbered motor vehicle deaths.<sup>3</sup>

As a member of the Vermont Domestic Violence Fatality Review Commission, I have met family members, friends, and co-workers who mourn loved ones killed by firearms in the hands of abusers. Any measure aimed at reducing that loss of life in Vermont is a valuable step in the right direction.

I understand that approving this amendment would require a change in statute. However, the measure would allow law enforcement to take a temporary safety measure in a very limited set of circumstances, when an officer has probable cause to believe a domestic assault has been committed—in the event that a court finds differently, there would be no prohibition on the gun

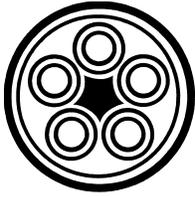
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<sup>1</sup> D. Hemenway. **Risks and Benefits of a Gun in the Home**. *American Journal of Lifestyle Medicine*, 2011;

DOI: [10.1177/1559827610396294](https://doi.org/10.1177/1559827610396294)

<sup>2</sup>Violence Policy Research Center. *When Men Murder Women*. 2015. <http://www.vpc.org/studyndx.htm>.

<sup>3</sup>Violence Policy Research Center. “Gun Deaths Surpass Motor Vehicle Deaths in 21 States and the District of Columbia”. 2016. <http://www.vpc.org/press/gun-deaths-surpass-motor-vehicle-deaths-in-21-states-and-the-district-of-columbia/>



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owner. In some cases this could prove to be an inconvenience. In most cases, it will be a potentially life-saving measure—which is why it has earned the support of the Council.

### **Council History**

In 2008, VT statute 15 VSA chapter 21, subchapter 4, 1171-1173 created the Vermont Council on Domestic Violence (Council) with broad representation from state and community stakeholders in order to coordinate statewide responses to domestic violence. The Council makes recommendations for changes in state programs, laws, administrative regulations, policies, and budgets related to domestic violence. I have attached basic information about the Council.

### **Council Decision**

The Council on Domestic Violence is a large group, and the diversity and breadth of members' experience is what makes the Council unique. It may also be notable that the Council makes our decisions using a consensus model—placing an integral emphasis on gathering and sharing information, rich discussion, and debate. There were 32 Council members present on March 4, 2015 and 22 members agreed to support the Burlington Charter. Ten members “stood aside” from the vote, due to the limitations imposed for members representing State agencies or the Judiciary.<sup>4</sup> There were no members in disagreement.

### **Council Position**

The Council supports H. 567.

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<sup>4</sup> *Stand Asides*: Hon. Barb Zander (Family Court), Carolyn Hanson, Esq. (VT Attorney General's Office), Ellie Breitmaier (VT Dept. for Children and Families), Donna McAllister (VT Agency of Education), Rick Bates (VT Dept. Of Corrections), Cary Brown (VT Commission on Women), Laura Dolgin (VT Court Administrator's Office), Kathleen Pearl (Court Clerk), Sheriff Sam Hill (VT Sheriffs' Representative), Chief Tony Facos (VT Chiefs' Representative).