

Dear Members of the House Committee on Judiciary,

I wanted to speak to the following portions of the bill as described in the section-by-section summary by Erik FitzPatrick, April 6, 2015:

Sec. 1. Establishes a Vermont criminal offense for possession of a firearm by a person convicted of a violent crime - punishable as a two-year misdemeanor.

Proponents argue this law is needed because the Federal government is not enforcing the Federal law against prohibited persons possessing firearms. If the Federal government is not enforcing Federal law in Vermont, then state officials should be calling on them to do so - not enacting new, weaker laws.

Proponents also argue this law is needed because state and local law enforcement officers cannot enforce Federal law. While state and local law enforcement may not be compelled to enforce Federal law, they can choose to enforce it. The issue, therefore, is not one of enforcement, but of prosecution. I would suggest that a two-year misdemeanor offense will serve as a disincentive for prosecutors at the state/county level due to lack of resources.

Sections 4, 5, and 6 deal with reporting the names of some persons prohibited by federal law from possessing firearms for mental health reasons to NICS. The question of mental health reporting is very troubling. We have an ongoing mental health crisis in the state of Vermont. People who need help either don't seek it out or are unable to receive adequate access to treatment due to lack of resources.

S.141 will not help to keep guns out of the wrong hands as proponents claim. Instead, it will serve to deter people from seeking help. It will also further stigmatize individuals who suffer from mental illness. The implications are chilling. As a society, we have made great strides in preventing discrimination against the mentally ill. This bill is a step backward.

With these considerations in mind, I respectfully ask that you **oppose S.141** in its entirety.

Thank you for your time.

In Freedom & Unity,  
Joshua J. Burlette  
Poultney, VT