

From: Chris Bradley <vtfsc.president@gmail.com>

Sent: Tuesday, February 27, 2018 12:37 PM

To: Maxine Grad

Subject: VTFSC - Problems with S.6

Dear Representative Grad

From what I understand, the Senate is considering pulling S.6 and H.422 out of the Senate Judiciary where a majority of that Committee - which included two highly-respected Democrats and one highly-respected Republican - opted to not move these bills because of problems they saw with it. Given the outstanding reputations of Senator Sears, Nitka and Benning I respectfully ask you: Why is their considered opinions being so blithely ignored?

Last week, and as you well know, House and Senate leadership indicated that they would move on S.6, H.876, H.422 and S.221 - apparently without allowing the Senate to take ANY testimony beyond what we provided on S.222 - and I am aghast that such a decision could be made. While I understand that emotions are running high, and there is a sense of urgency to do something about firearms, breaking the committee process to move bills is not how the traditional Legislative process works and it will be a unconscionable travesty if this was allowed to occur now.

On January 30th, more than 1,200 sportspeople took time out of their busy lives to come to the statehouse to express their views versus approximately 200 that turned out with opposing views. Those 1,200 people were universally opposed to S.6, within the two hour testimony period the anti-gun folks ran out of speakers while a number of pro-gun folks were not able to speak due to hitting the 2-hour limit. Why is the Legislature poised to completely ignore these sportspeople?

In my view, H.876 will be solved at the Federal level as the ATF has already initiated the rule change process, and our President has directed the DOJ to make it happen. I am pleased to say that S.221 has been changed to something that the Federation can support, as virtually all of our concerns were addressed in the Committee process. H.422 has issues of Due Process, but apparently the will is there to disregard that highly-regarded Constitutional guarantee in favor of hopefully protecting victims of Domestic Abuse - and so has some small amount of merit despite the much larger constitutional issues.

S.6 however will not accomplish anything but to burden law-abiding citizens, it will have zero effect crime, it will not keep firearms out of the hands of those that should not have them, and it will - in my belief - actually spur new guns sales because the price of used firearms would become artificially inflated.

I respectfully ask that you take a couple of minutes to review the outline of arguments against UBC which follows, and please ask yourself which of the horrific crimes that spawned all this

activity would have been prevented if S.6 was law: I believe you must see that the answer is ZERO.

This week, the Senate will, by rules change, be able to move everything they want, outside of the normal deliberative process that has historically served this state so well.

I also want to keep guns out of the hands of those people who should not have them, but as a person well versed in firearms, S.6 will not make any difference whatsoever other than to inconvenience and cause the needless loss of time and money of those honest law-abiding citizens who may choose to follow it, and I point out that these people are precisely the same people for whom you should not have any concerns about BECAUSE they are law-abiding. The other real effect will be that some number of otherwise law-abiding Vermont citizens will likely become criminals under this law when they decide to disregard a law that they know is ineffective and unenforceable by selling a gun to a life-long friend who they know to be no threat to anyone.

Thank You,
Chris Bradley

President - Vermont Federation of Sportsmen's Clubs - www.vtfsc.org

Secretary - Vermont State Rifle and Pistol Association - www.vsrpa.org

Arguments Against UBC in Vermont

- 1) Un-needed**
 - a. Safest State In The Nation
 - b. Only law-abiding citizens will obey / be affected – exactly the same people we should have no issue with
 - c. If a good guy suspects a buyer may be a bad guy, nothing prevents voluntarily pursuing a background check today under existing law(s)
 - d. If there is any question about the integrity of the buyer, existing Federal Law handles this
- 2) Assumes the judgment of a law-abiding gun-owner is suspect**
 - a. Self-preservation prevents a good guy selling to a suspect bad guy
 - b. Law-abiding citizens can own firearms, but they become stupid when they sell them?
- 3) Will not affect criminals/terrorists/people-with-evil-intent from getting firearms**
 - a. Straw purchase
 - b. Black market
 - c. Stealing them
 - d. Borrowing from criminal buddies
 - e. Making them
- 4) Inconvenience for law-abiding buyer & seller**

- a. NSSF poll states that up to 85% of FFLs will not handle these transactions (therefore only 15% of FFLs will). GSVT states that 25% of VT FFLs would do this, indicating that 75% won't.
- b. A FFL is exposed to higher risk by acting as an intermediary when he/she may not know the firearms being sold is stolen or was involved in crime. Higher Risk = Higher Liability.
- c. No data to show how far buyer/seller may have to travel to find a supportive FFL

5) Will have the effect of slowing private sales

- a. Extra needless cost on the transaction
- b. Some Vermonters view firearms as assets and may sell them in times of financial need; this will very effectively inhibit their ability to do that unless they sell at a loss

6) Will increase sales of new firearms

- a. For the purchase of a new firearm through an FFL, UBC fee likely to be waived.

7) Expensive

- a. In NJ & CT, the cost of transfer is up to and exceeding \$100. Who would want to pay a \$100 transfer fee for a \$75 bolt-action, single-shot .22 rifle?

8) Virtually Unenforceable

- a. How are transfers that are illegal transfers ever even discovered?
- b. Only time it can be absolutely proven is for a firearm manufactured AFTER the legislation effective date – every other firearm is essentially untraceable

9) Will make criminals out of otherwise law-abiding citizens

- a. Why would two old friends submit to paying an extra \$100 when the state has no way of knowing the transfer occurred?

10) Amounts to a needless tax on a citizen, when it is their duty to own firearms

- a. See Article 9 of the VT Constitution

11) Absurd

- a. Is a gift from an uncle to a nephew, or a cousin to cousin, or the spouse of an uncle to a nephew, or the spouse of a cousin to the spouse of a cousin, legal?
- b. Definition of a "Transfer" does not include "loan" or "borrow" - making this even more ridiculous.
- c. If the state ever thinks it has found an illegal transfer, how will it prove it was a sale, trade or gift, especially over time? It will NEVER be prosecuted.

12) Polls are misleading

Asking people if they support background checks is like asking people if they support lower taxes. A high percentage will say they support both - until they have to understand that the devil is in the details.

13) Misdirected

The primary impetus for such onerous legislation is, according to the leading anti-firearm group in this state, to prevent events like Sandy Hook/Newtown. The obvious fallacy of that is, as horrific and unconscionable as that and similar events have been, this legislation would have had zero effect (son stealing a legally-owned firearm from his mother and then shooting her in the face).

14) Sales Tax?

"Vermont Sales Tax is charged on the retail sales of tangible personal property unless exempted by law." Because the firearm transactions must be made through a retail location (FFL Store), why wouldn't this be subject to Sales Tax? If it is subject to this tax, then we will have a tax just focused on law-abiding gun owners.

15) Stats about Background Checks are Misleading

The stats provided by Everytown/GSVT about background checks are small scale studies in urban environments, not comparable at all to most of Vermont's rural nature