



**NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030-7400**

Tuesday, March 14, 2017

Dear Members of the Vermont House Judiciary Committee:

On behalf of the National Rifle Association and our Vermont members, I would respectfully ask you to oppose H.422. First, let's be very clear that domestic violence is deplorable, and convicted violent offenders should be punished to the full extent of the law. This legislation, however, does not do that.

To the contrary, H.422 is completely silent on the cases of domestic violence that involve knives, fists or other weapons. Even more troubling are the bill's provisions for violating a person's constitutional rights based on an "arrest," an accusation. Being arrested for something and being convicted of something are two very different things. While it may be rare, false accusations do happen and this bill would unfortunately sanction seizure of private property and suspension of a constitutional right without due process of law, both violations of the U.S. Constitution.

What has been ignored is that the bill is completely unnecessary because existing law already prevents convicted domestic abusers from possessing firearms. They are "prohibited persons" under federal law. In fact, the law is so strong with respect to domestic violence, certain misdemeanor convictions and restraining orders are included in the NICS database.

H.422 contains some flagrant constitutional transgressions, and will likely result in strong legal challenges if enacted. The bill also has several other problems and leaves important questions unanswered. Who stores the firearms? Who pays for the storage? What if the property is damaged, lost or stolen? In our experience from across the country, securing proper return of property has been time consuming and costly.

Ultimately, it is our position that this legislation is clearly both unnecessary and unconstitutional on more than one issue. Therefore, I would respectfully ask that you oppose this legislation. Thank you for your time and consideration. If you have any questions or comments, please do not hesitate to call me at (703) 943-7153 or email at dgoens@nrahq.org.

Sincerely,

Darin Goens
NRA-ILA, Vermont State Liaison