



# CROSSFIRE ARMS LLC™

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March 26, 2018

Senator Dick Sears  
Chair, Senate Committee on Judiciary  
115 State Street Room 30  
Montpelier, VT 05633

Re: Opposition to S.55: Representative Martin LaLonde Amendment

Dear Senator Sears and Members of the Judiciary Committee:

Last weeks actions by the House Judiciary Committee were nothing short of an abomination of the democratic process and an affront to Vermont's rich cultural traditions. More specifically, Speaker Johnson and Chairwoman Grad's blatant and flagrant dismissal of innumerable requests to be heard by opponents of S.55 were in a word we have become all too familiar with, deplorable.

On its face S.55, is an illogical and unenforceable bill that will accomplish nothing in regard to protecting Vermont's schools or its children. To the contrary, news of the so-called "Lalonde Amendment" has seen firearm and magazine sales skyrocket in a matter of days. Representative Lalonde's "shotgun" approach to Legislating was both reckless and ill conceived. The passage of this bill will have the opposite of the desired effect and those unforeseen consequences will only continue to gain momentum moving forward as the effective date approaches. It is both disturbing and unfortunate that the House Judiciary Committee has sought and relied upon heavily skewed and biased reporting, coupled with emotional arguments in reaching their conclusions. This "feel good" Legislation merely serves to pander to the anti-gun lobby, while failing to address issues surrounding mental health and the systematic failures of Government to enforce the laws that are already in existence.

On numerous occasions upon interrogation by his colleagues on Friday March 23, 2018, Representative Lalonde demonstrated unequivocally, that he lacks even the most rudimentary understanding of firearms, what he refers to as "high capacity feeding devices", the statistics surrounding firearm crimes or even the unintended consequences brought forth by his own recommendations as laid out in S.55. It has been widely reported

that the House Judiciary Committee has acted in bad faith and chosen to ignore countless members of their Constituency in opposition, to how this bill will criminalize decent, law abiding citizens should it be signed into law. In his testimony on Friday, Mr. Lalonde repeatedly claimed that the bill “was not meant to capture these people” In fact, this imprudent legislation will do just that. Turn a Father who wishes to pass his Henry Rifle down to his Son, into a criminal because it holds more than ten rounds of ammunition. What was Representative Lalonde’s proposed solution to just such a scenario? Transfer ownership before the bill passes, so long as the transferee is not a prohibited person. When questioned about the formation of a Trust to facilitate a legal transfer of ownership, three Attorneys could not come up with an answer.

In addition to private citizens, law enforcement across the country is keenly aware and it should come as no surprise to this body, that criminals do not obey the law. While some of your colleagues in the House may have grown leery of hearing that, their skepticism does not inoculate them from this reality. As a Federal Firearms Licensee in the State of Vermont, We utilize the NICS system to perform background checks in accordance with the law daily. Our position also affords us an opportunity to have our finger on the pulse of Vermont’s sporting and firearms enthusiast community. Simply put, universal background checks are unenforceable and will not work. It is already against federal law for Felons and otherwise prohibited persons to possess firearms. Felons and otherwise prohibited persons do not submit to background checks. Criminalizing and vilifying law-abiding citizens is not the answer. Setting arbitrary limits on magazine capacity does nothing to curb gun violence and instead punishes competition shooters. I would point out that the Parkland shooter utilized ten round magazines during his rampage.

I would like to reference part of a letter written to then Vice President, Joseph Biden by Linn County, Oregon Sheriff Tim Mueller which reads in part:

<sup>1</sup>In the wake of recent criminal events, politicians are attempting to exploit the deaths of innocent victims by advocating for laws that would prevent honest, law abiding Americans from possessing certain firearms and ammunition magazines. We are Americans. We must not allow, nor shall we tolerate, the actions of criminals, no matter how heinous the crimes, to prompt politicians to enact laws that will infringe upon the liberties of responsible citizens who have broken no laws. (Mueller, 2013)

Sheriff Mueller’s sentiments were echoed in a similar letter more recently and closer to home by the President of the Chittenden County Fraternal Order of Police, Padric Harnett, who writes in part:

<sup>2</sup>We believe the bills will infringe upon Vermonters constitutional rights as citizens of this state, and this country. This could place us in a position of contention with law-abiding citizens for no good reason. We respectfully ask these laws not be pushed forward, and to have a more realistic, and all encompassing look into the larger issues, rather than [sic] use firearm laws as a quick fix. (Harnett, 2018)

Yet somehow in rush to push this bill through, the House Judiciary has decided almost unilaterally, that it knows better than the very individuals charged with enforcing the law.

During Friday's marathon session we heard much in the way of anecdotal stories and emotionally charged testimony from Representatives including "imagining their child and his classmates huddled in a classroom" and inflammatory rhetoric like "Why do we limit capacity when hunting animals, but not Human Beings?" Yet we heard precious little empirical evidence to support such legislation. Have we as a society reached a point where we legislate solely based upon emotion? As if all this wasn't enough, we even learned of a "conspiracy" in which the CDC itself is in the pocket of the NRA as insinuated by Representative Lalonde.

In fact, had Representative Lalonde and his colleagues on the House Judiciary Committee chosen to present their research with even a modicum of intellectual honesty, he would have told you that the number one take away from the RAND study he relied so heavily upon, is that there is a serious lack of research on gun policies and any correlation to those policies actually saving lives. According to an article published on usatoday.com:

<sup>3</sup>RAND found a lack of studies that documented laws reducing violence rather than just coinciding with the results. A review of thousands of studies yielded 62 with causal results about gun policies, only two-thirds of them in the last 15 years. (Jansen, 2018)

The Authors of the RAND report themselves fully admitted to finding a lack of persuasive evidence for the effects of most policies. In a "National Review" article Robert Verbruggen writes:

<sup>4</sup>Here's how the authors themselves characterize the findings: We reviewed thousands of studies to identify all available evidence for the effects of 13 gun policies on eight outcomes. After excluding studies that did not meet our criteria for establishing a law's effects, we found little persuasive evidence for the effects of most policies on most outcomes. (Verbruggen, 2018)

Insofar as Representative Lalonde's assertion that the CDC was somehow forbidden by the NRA from doing any meaningful firearms reporting, one barely needs to scratch the surface in researching the available information to conclude that this is also a dishonest claim. In a 2015 article by Brandon Morse in "The Federalist", the "NRA argument" is thoroughly debunked.

<sup>5</sup>In effect, the CDC was using taxpayer money to inject a biased and false narrative into the American discussion on firearms. It wasn't doing research, it was creating propaganda. CDC was being used as a political tool to become the Center for Gun Control, and while there are firearm-related elements the CDC's expertise would be well-suited for (take the Wilmington report, for instance), the subject of gun crime should not be turned into an epidemiological issue. (Morse, 2015)

Members, Vermont's sportsmen and sportswomen have spoken out against this bill. Vermont's Law enforcement has begun to speak out against this bill. Students and your colleagues have spoken in opposition to this bill. It is nothing more than an expansive, heavy handed slap in the face to Vermont's heritage. Furthermore passage of this unconstitutional legislation will only open Vermont up to legal challenges and costly litigation. It is a partisan, agenda-driven and incremental step by the bought and paid for anti-gun contingent towards confiscation, masquerading as a "common sense" answer in search of a problem Vermont does not have. Please, say no to S.55.

Respectfully,



Bobby Richards  
Owner  
Crossfire Arms, LLC™

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<sup>1</sup> Mueller, T., Sheriff. (2013, January 16). Letter from Linn County Sheriff Tim Mueller to Vice President Joe Biden [Letter written January 14, 2013 to Vice President Joseph Biden]. Retrieved March 23, 2018, from [http://www.gazettetimes.com/news/local/letter-from-linn-county-sheriff-tim-mueller-to-vice-president/article\\_b95b8505-330d-5e9f-999b-1327d9c09fe9.html](http://www.gazettetimes.com/news/local/letter-from-linn-county-sheriff-tim-mueller-to-vice-president/article_b95b8505-330d-5e9f-999b-1327d9c09fe9.html)

<sup>2</sup> Hartnett, P., President, Chittenden County, Fraternal Order Of Police. (2018, March 12). Letter From Chittenden County Fraternal Order Of Police to Vermont Legislators [Letter written March 12, 2018 to Members of the Vermont Legislature]. Retrieved March 23, 2018, from <http://truenorthreports.com/chittenden-county-fop-we-strongly-oppose-gun-control-legislation>

<sup>3</sup> Jansen, B. (2018, March 02). Do gun policies save lives? Lack of research means we just don't know. Retrieved March 23, 2018, from <https://www.usatoday.com/story/news/2018/03/02/rand-corp-urges-more-scientific-studies-gun-policies-violent-crime/383083002/>

<sup>4</sup> Verbruggen, R. (2018, March 08). RAND Corporation's Gun-Study Review: A Few Observations. Retrieved March 23, 2018, from <https://www.nationalreview.com/corner/rand-corporations-gun-study-review-a-few-observations/>

<sup>5</sup> Morse, B. (2015, December 15). Why Congress cut the CDC's Research Budget. *The Federalist.com*. Retrieved March 23, 2018, from <http://thefederalist.com/2015/12/15/why-congress-cut-the-cdcs-gun-research-budget/>