

2/18/2020

Hello, my name is Roger Stoddard and I'm from Morgan. Morgan's selectboard just voted to adopt a Second Amendment Sanctuary statement. Please stop and ask yourselves why towns would make such an unusual decision. I was at the meeting and the discussion was all about how our Vermont gun rights are being threatened by multiple firearm related bills. For some strange reason these bills seem to line up almost exactly with "out of State" gun control groups main objectives.

So, I drove down here today to express my opposition to H.610 and any other bill restricting our current freedoms. As a man who has been through a contentious child custody battle I have seen first hand the gender descrimination at work in our Vermont Court system. Every day we are deeper into the new system of being guilty until, if it's even possible, being proven innocent. H.610 goes farther down this dangerous road. Does anyone who has ever been though a hard divorce or child custody battle really think this won't be used against a spouse or significant other? We are already sadly lacking in due process! If for some sad reason this bill were to survive, I'd like to offer the following suggestion, include a real punishment for false accusers. Jail time, victim compensation, legal fees for the accused, etc. But there are things that can't be restored, like a person's impression on a Judge ruling on a child custody case. Many lawyers would love to put the opposition in a weaker position. With a low threshold for proof and no due process, think how tempting that would be.

Regarding the NICS delay portion of the bill, the NICS system was designed as an instant system that allowed a way to stop criminals from buying guns without denying regular people's gun rights. Many gunowners supported this approach after the addition of verbage to prevent the system from turning into a waiting period. My suggestion is how about enforcing some of the multitude of laws we already have on the books instead of passing new ones?

I'll close by asking that you consider what I've said and drop this bill.

Thank you,

Roger Stoddard

8242 VT RT 111

MORGAN, VT 05853

Kelsey Rice  
Brattleboro Vermont

My name is Kelsey Rice. I am a survivor of Intimate Partner Violence. I have an active Relief From Abuse Order. Last month my abuser received a felony conviction for violating my RFA. Despite these legal measures, my abuser continues to attempt to regain a connection with me.

It is vital that I help you understand what we go through when taking the terrifying step of seeking a Relief From Abuse Order. Please take a moment to imagine how you would feel if in order to stay alive and to protect those around you, you had to stand here publically, strip all of your clothes off, and spread your legs for everyone in this room to analyze and pass judgement upon the most intimate parts of your being. Stand here naked while every past transgression, every humiliation, every fear, every insecurity is exposed for your neighbors, friends, colleagues and employers to assess.

Filing for a Relief From Abuse Order is not a step women take lightly. It is a step we take because there is no other alternative to seek protection from violent predators that will not listen to rational reasoning. The reality is, a piece of paper does not stop our abusers from terrorizing us. In fact, when we take the courageous step to break the silence Domestic Violence requires, our abusers recognize they are losing their psychological hold on us. When an abuser loses control of their partner they lose all self-control for they lack any sort of inner stability and depend upon their partner in order to feel safe and secure.

When my abuser was served the temporary Relief From Abuse Order, it did not elicit the rational response which would be to end all attempts to contact me. It had the adverse effect. He became increasingly unpredictable, and dangerously impulsive. In this state abusers are a violent risk to not only the women they prey upon, but also our communities at large. Abusers view receiving a temporary RFA as a critical time to regain control over us before the Order is finalized. And when they sense they may not successfully pull us back into psychological captivity, there is no predicting what they will do to us. Leaving our abusers is without question the most life threatening period of time for women enduring intimate partner violence.

Our lives ~~are~~ <sup>are</sup> ~~not~~ <sup>are</sup> worth a minor inconvenience to our owners.

I took some time to read the most recent draft (unless it has changed overnight). By way of context - I practice criminal and family law in the Northeast Kingdom. My clients are often (rightfully) concerned about the loss of their firearms in connection with criminal convictions. I represent people in situations surrounding domestic violence, both the filing and the defense of relief from abuse orders.

A few things I want to point out regarding this bill, some of which is probably repetitive.

(1) It takes away the Court's discretion over whether or not to remove a firearm. All the complainant has to say is that the person owns a gun and the court shall (meaning must) order that the firearm is removed, even if the firearm has no connection with the complaint.

(2) The court also must order that the defendant reside in a location where firearms are present. Those who have nowhere else to go turn to their family members. It's usually the family members who will hold onto the firearms until the expiration of the order.

(3) The order essentially requires the defendant to consent to a search of their home. I can see down the road where law enforcement comes into the home to remove firearms and may find evidence of other illegal activity. This law directly contradicts people's 4th amendment rights.

More often than not, an order requiring removal of firearms (which is currently at the court's discretion), results in a defendant's compliance with the order. Requiring that all firearms be removed no matter what all because a complainant indicates he/she may have access to those firearms, only increases the risk to law enforcement and the general public.

This bill is another example of the lawmakers thinking they know better than the courts when it comes to protecting those in domestic violence situations, and not leaving the decisions to those who have the most current, accurate information.

The penalty recently added to this measure is most assuredly going to do nothing but escalate the problem and put lives at risk, whether they be civilian or law enforcement. This is a bad bill, shelve it and walk away.

Amy Davis Esq. St. Johnsbury, Vt.

1  
The U.S. Constitution is The Supreme Law of The Land.

UNCONSTITUTIONAL This Type of legislation is INFRINGING on The People on the Right Side of The Law Period.

IF ANYONE OF YOU IN THIS BUILDING, OUR STATE OR OUR GREAT COUNTRY,

THINK FOR ONE SECOND THAT THE FOUNDING FATHER AND MORE WROTE.

THE CONSTITUTION OF THE UNITED STATES  
WE THE PEOPLE

SUPPORTED THIS TYPE OF LEGISLATION  
I DECLARE YOU UNCONSTITUTIONAL PERIOD

IF ANYONE OF YOU THINK THAT THIS TYPE OF LEGISLATION WILL MAKE YOU ANY SAFER FROM HARM'S WAY FAMILYS, FRIEND AND EVEN PETS.

I DECLARE YOU IGNORANT PERIOD

IF YOU DO NOT UPHOLD THE CONSTITUTION YOU NEED TO LEAVE MY COUNTRY  
THE USA

PO BOX 956 The Vermonter  
Barre, VT 05641 Bent Saldi  
802-249-5956 Bent Saldi

4  
MOST OF ALL Mr. Donald J Trump 2020

[www.vtfsc.org](http://www.vtfsc.org)

**STOP**  
**New Yorking**  
**My Vermont**  
**Gun Rights!**

Vermont Federation of Sportman's Clubs

2

We The True American Patriot Can  
See what is Real and what is NOT Real  
This is NOT Real AT ALL by trying to pass  
phony-baloney FIREARM-legislation will  
do NOTHING.

legislators From The LEFT Creating A  
Problem That Does NOT EXIST in the  
law-Abiding-Gun Owners Community  
of This STATE and Country Period.

The Truth is The LEFTIST ideology Agenda  
would like to CONFISCATE ALL your GUNS Period

PO Box 956                      The Vermonter  
Barre, VT 05641              Bert Sald  
802-249-5856                      Bert Sald

3

I have seen this with my own Eyes  
Pages Running notes out To Reps and  
Senators and not even Reading them  
Throwing them in the Trash and probably  
Phones ignored and letters too.

You legislators of this house and  
Senate are Public Servants to we the  
People you need to Respect The  
ONES THAT put you here WE make your  
paycheck Period.

This type of behavior needs To STOP  
in this Building Period

PO Box 956  
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The Vermonter  
Ben Seldi  
Ben Seldi

James Sexton  
Essex Jct. VT

802-528-9494

The legislators writing and endorsing these illegal bills and laws are expert at using fear instead of logic.

Black guns are scary assault weapons.

Except they aren't.

Gun free zones and taking guns away from law abiding Vermonters will make everyone safe.

Except that 92% of mass shootings occur in gun free zones.

No weapon, tool or implement of any type is capable of creating an assault.

An assault is an action like on December 17th 2019 when my wife was struck by a drunk driver while using the snowblower in our front yard. A Tuesday afternoon at 4 o' clock. He blew a .26.

It wasn't an assault car, it wasn't assault alcohol. It was the driver that created the assault, his 3rd DUI with injury resulting.

My wife will require a great deal of time to heal physically and mentally.

Devastating to our family.



So here's what I think should happen now. The following list of people have violated their oath of office. They have written and support a bill that denies citizens their Constitutional right to the presumption of innocence, in violation of the United States Constitution.

They have written and support a bill that violates both the United States and Vermont Constitution by denying citizens the right to self protection from a tyrannical government. At this time I ask the Sergeant at Arms to remove Senators Baruth, Ashe, Balint, Bray, Clarkson, Hardy, Hooker, Ingram, Lyons, McCormick, Pearson, Perchlick and Sirotkin.

I also suggest we implement Blue Flag Laws. These would hold any legislator responsible for writing or supporting laws as an accessory to any crime which injures or causes the death of an individual because of being denied the right to self defense.

When the people fear the Government that's  
Tyranny

When the Government fears the people -  
that's Liberty!

Testimony at public hearing on H.610 - An act relating to firearms and domestic violence  
February 18, 2020 – State Capitol, Montpelier, Vermont

The Right Reverend Thomas C. Ely, Newfane, Vermont - Retired Episcopal Bishop of Vermont  
Chairperson Grad and distinguished members of the Vermont House Committee on Judiciary:

My name is Thomas Ely. I reside in Newfane, Vermont and served for 18 years as the Bishop of the Episcopal Church in Vermont, prior to my retirement in 2019. I am also a member of Bishops United Against Gun Violence, a network of over 100 Episcopal Bishops working to curtail the epidemic of gun violence in the United States.<sup>1</sup> Our work includes advocacy for common sense gun safety measures, which brings me to this hearing in support of H.610.

H.610 is not about gun control. It is about safety. As reminder of that, I have printed my copy of H.610 on orange paper, as well as my testimony. Orange, as you know, is the color hunters wear for safety, and safety is a concern I share. H.610 deals with safety in at least two important ways.

First, it closes a loophole in the Federal firearms background check process. A fully completed background check is a safety measure offering a higher degree of assurance that criminals, domestic abusers and the dangerously mentally ill are not able to purchase firearms. For the sake of safety, it makes common sense to close this loophole.

Second, H.610 provides an added dimension of safety for survivors of domestic violence. For the Vermont women and children affected by domestic violence, guns in the hands of domestic abusers pose a serious and lethal threat. Between 1994 and 2017, 50% of all Vermont homicides were domestic violence related and 55% of those homicides were committed with firearms.<sup>2</sup> Safety matters.

So, as you deliberate H.610, think orange; but let orange represent the safety of all Vermonters whose lives this law would help safeguard. Then pass this legislation for the safety of all the people of Vermont. Perhaps safety is where we can find common ground!

**Vermont House Judiciary Committee**

Rep. Maxine Grad, Chair  
Rep. Thomas Burditt, Vice Chair  
Rep. Martin LaLonde, Ranking Member  
Rep. Kevin "Coach" Christie  
Rep. Selene Colburn  
Rep. Kenneth Goslant

Rep. Nader Hashim  
Rep. Kimberly Jessup, Clerk  
Rep. William Notte  
Rep. Barbara Rachelson  
Rep. Patrick Seymour  
Rep. Matthew Trieber

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<sup>1</sup> <http://bishopsagainstgunviolence.org/>

<sup>2</sup> <https://ago.vermont.gov/wp-content/uploads/2018/10/2018-Final-DV-Report.pdf>

Good evening. My name is Avaloy Lanning and I am the Director of NewStory Center in Rutland. We serve victims of domestic and sexual violence in Rutland County. In 2019, we served 820 people in our community.

We see first hand the way that firearms are used to coerce and control victims of domestic violence, and the grave risk that firearms in the hands of an abuser pose to victims and to our entire community. Even when a weapon is not discharged, abusers often use the mere presence of a gun to coerce, threaten and terrorize their victims, inflicting enormous psychological damage. Annie tried leaving her abusive partner for years. She lived with the knowledge that the next time she attempted to leave might just be the time he would use one of his many firearms to follow through on his threat to kill her. He rarely had to brandish a weapon. The threat was enough to keep Annie from leaving. Finally, the beatings, name calling, and threats were not enough. Annie's abuser held a gun to her head and explained in great detail what her children would see after he pulled the trigger. He made sure Annie understood that if she attempted to leave, he could put a bullet in her before she ever knew he was anywhere near. It took Annie another five months of living in terror before she left and sought an order of protection. Annie represents countless women, in similar positions, who are living in constant fear of an abuser with a firearm.

Every week, our advocates support survivors as they apply for orders of protection from the court. We are literally in the court room and we see the bravery and courage it takes for survivors to take this step, often at significant risk. When survivors take this step, it is crucial that firearms are addressed as part

of this process. It's our responsibility to make sure that the system we have designed to create safety for survivors does just that.

Rutland has been working for years to address the high rates of domestic violence homicides. Communities across Vermont are doing this work, and we need the help of the legislature to support our efforts. You can do that by supporting H. 610.

Testimony in Favor of  
H.610  
February 18, 2020

Anna Niemiec  
Burlington, VT

Thank you for holding this hearing.

I volunteer at Court to support people who are requesting a final relief from abuse order.

When you left your house today, did you look around fearful that someone would try to harm you – someone you have cared about. They do.

Survivors of abuse come to court fearful, anxious, and yet bravely to face their abuser.

It is only too common that they mention that they have been threatened with a gun and they fear for their lives. The days immediately following separation are the most dangerous time for victims. Sometimes the plaintiffs talk of walking out of court because of fear that the abuser will only be angrier and kill them.

If this bill becomes law, it makes it more difficult for an abuser to get their hands on a gun while subject to a relief from abuse order. That difficulty can make a difference. And to defy the law would have severe lasting consequences for the abuser.

Remember the abuser chose to take an action that caused them to temporarily lose their right to possess a gun. Their choice.

Please vote Yes on bill H.610 and protect the rights/ the lives of the survivors of domestic violence.

February 13, 2020

As far as "experts" the Judiciary Committee called when drafting H.610 I did not see a single Father that has gone through the incline Family Court system testify as an "expert" which I am. After coming to Montpelier for over 20 years, spending hundred of hours here, handing out hundreds of letters trying to get someone here to help reduce domestic violence by not treating fathers as a door mat, a money bag to steal from and as an equal instead of a second class parent. I have come to the conclusion that in that time I can count on my only hand the ones who care and the rest do not give a rats ass. I can fully understand why some Fathers are reactive instead of proactive as I have been for a very long time. You poke any animal long enough it will bite you and so to keep hearing about domestic violence coming from under this golden dome over the years I have been coming here in my eyes is total BS. It is about time for Montpelier to get some "common sense" and address the issue I have brought forth. Not only by addressing domestic violence it will address the suicide issue seeing there was a young man who could not deal with his children being taken away by the incline Family Court system here in VT and ended his life.

Anyone can accuse another in anger or for revenge and the life of the accused is ruined. Hunting is a big part of many Fathers lives here and that will be taken away when a mother of a child makes false accusations. Robbing the child of hours with a Father and memories will not be made breaking that bond between a father and his child. I have had that happen to me and they were shown to be false and under this bill the memories made enjoying the shooting sports with my sons would have never happened. Is this what you want? To ruin young Vermonters lives bypassing H.610? H.610 will only affect law abiding citizens and anyone with a thimble full of common sense knows that. Speaking of criminals, a man beat his wife half to death with a baseball bat, a man killed his wife with a meat cleaver herein VT. Are you going to write a bill to address meat cleavers and baseball bats or just attack guns?

After reading H.610 and seeing there were emails sent between House Judiciary Committee members and so called "experts" to see if it was OK, there is no way I can support this bill when there are shady dealing pertaining to this bill. This law is a feel good measure that will accomplish nothing and sponsors of H.610 have sold their souls by sending it to a witness to modify it to their liking. Being able to rewrite H.610 to their desire to get more tax money from a state all ready taxed to death is beyond belief and a round about way attack on Article 16 of the VT Constitution.

To these pouring out of state money here to pass unconstitutional gun laws stop trying to buy our constitutional right under Article 16 of the VT constitution. Let us not forget about our forefathers who wrote these words, along with the ones who died to protect them, would roll over in their graves to see the sad state of affairs we have here. Last but not least, having no Fathers who have gone through the incline VT Family Court system were there to testify was total BS.

A father and voter

A handwritten signature in blue ink, appearing to read "Rodney Chayer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rodney Chayer

William Waizenegger,  
(802) 558-6486  
226 Dorr Drive  
Rutland, Vermont 05701

So, once again, the citizens of Vermont find themselves in this chamber, trying to defend their Constitutional rights. Once again, the same legislators...the same cast of characters...are obsessively trying to diminish each Vermonter's rights of gun ownership...one incrementalist warm and fuzzy law at a time. H.610 is just their current attempt.

We need to ask ourselves why the obsession with trying to disarm Vermont? The thing is, Vermont has been an inconvenient truth to the gun control crowd. It's accepted that about 70% of the homes in the state has at least one firearm in it, yet Vermont is consistently one of the top two safest states in the country. This inconvenient truth needs to be stopped. These people demonize firearms but the fact is that everything...yes, literally everything within arms' reach, right down to the air we breathe, can be weaponized by a warped enough mind. Literally everything, with no exceptions.

H.610 is a potentially dangerous law. A law that may one day get someone killed.



I wonder if there are people in this room who personally know an abusive person.

A significant partner or family member with a violent personality. I would like to ask those people, what would happen to you if your abusive partner finds out you are the reason his or her firearms were confiscated. What happens when that person is released and comes home? Do you think that confiscation will have a positive effect? Or, will that confiscation prove to be an escalating event?

Or, knowing how an abusive family member might respond to a confiscation, how many of you would rather avoid reaching out for the help you need? How many of you would choose to stay in the shadows for fear of retribution?

Thank you for your attention.

I want everyone here - victims + vulnerable especially - to know that there is not a person in orange here who would not stand with you in hearty support of any domestic violence prevention bill in keeping with the constitution. ~~I believe that everyone here would condemn domestic violence, and do all in their power to eliminate it.~~ <sup>abandoning due process + the rule of law is not the way</sup> But we do not believe that this bill is about domestic violence any more than last years' bill was about suicide, and members of this committee have admitted as much. The actions of this committee over the past weeks stand as proof that this is nothing more than gun control for its own sake.

The Vermont Constitution states, "That the people have a right to bear arms for the defense of themselves and the State." And, "That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and **defending** life and liberty, acquiring, possessing and **protecting** property, and pursuing and obtaining happiness and **safety**." Defending with what? Protecting with what? Obtaining safety with what?

On the portico of this building is a cannon captured at Bennington from the mercenaries of a tyrannical government by the local armed populace. It was precisely that purpose for which Article 16 exists. My 6<sup>th</sup> Great Grandfather was at the Convention where those words were crafted. His son was one of that armed populace at Bennington, fighting in defense of the principles his father had put to paper only the month before.

Evidence, our heritage and the rule of law point toward the contrary course, yet there are some in this body who seem intent on playing the part of the tyrant. I earnestly hope that the truth and right principles can dissuade you from your course lest renovations to the portico out front be in order, as that one may prove not near large enough. The gods of the valleys are not the gods of the hills, and you shall understand it.

2/18/2020

To fairly compare states with different numbers of people

In 2018 according to data from the Federal Center for Disease Control Vermont lost about 13 out of each of her 100,000 residents to gun violence; New York lost about 4 people per 100,000 residents to gun violence.

statistics based on 100,000 people

if VT had NY's stats it would have over 40 more people alive this year.

Between 2009 and 2018, New York was one of the few states whose numbers of deaths per 100,000 people due to gun violence declined. Vermont's numbers increased by almost 40%.

New York has more sensible gun safety laws than Vermont; it isn't rocket science to understand the cause and effect relationship that there are many more gun deaths per capita in Vermont than in New York. It is common sense.

We often hear the claim that if guns are outlawed only outlaws will have guns. The reality is that when H.610 becomes law fewer people with criminal records or who exhibit outlaw behavior will be able to have guns. Ordinary citizens will not experience any significant impact. This is the point of sensible gun safety legislation.

H.610 will create a safer environment for victims of domestic violence. This matters because 50% of Vermont's homicides are related to domestic violence situations.

Closing the Charlestown loophole will directly keep guns out of the hands of criminals.

in the US

Thousands and thousands of guns are sold to people each year who require further background checking before they have actually passed the background check, yet the 3-day mandate prevents this from happening.

time for complete

I urge you to support H610.

Christopher Ashley  
Norwich, Vermont

~~Christopher Ashley~~

My name is Richard Smiles. I reside in Essex Junction. I am a retired Vermont public school educator. My children and grandchildren live in Vermont. I want to thank you for this opportunity to provide testimony.

Tonight I speak in support of H 610.

This proposed legislation

- will give survivors of domestic violence a mechanism to protect themselves from further harm and potential death.
- will help keep guns out of the hands of abusers and will save lives.
- will allow a victim to seek a court order to prevent further acts of abuse. Research has shown these laws to be effective, and courts have upheld them against various constitutional challenges.

Closing the Charleston Loophole would prohibit firearms dealers from selling a gun prior to completing a background check.

- This loophole is a glaring and dangerous gap in our gun laws..
- H610 will provide law enforcement officers with the time they need to do their jobs and finish background checks before allowing people who may be at risk of harming themselves or others from obtaining guns.
- Every family in Vermont has the right to worship, work, play and live without the fear of gun violence
- The safety of our communities is at stake.

This is common sense legislation which will make us safer.

I urge you to move this bill forward and do everything in your power to see it become law in our state.

Thank you.

Testimony re: Bobby:

Good evening, my name is Julia Westervelt Gresser. I am a psychotherapist in Montpelier.

When I was 19 y/o, one summer night, I was at the home of my H.S. boyfriend and his family: Bobby, a beautiful young man, just 17; his 12 y/o. sister, his 19 y/o Brother, <sup>and</sup> his Mother ~~and myself~~.

After a peaceful day at the beach, we all gathered at home in the evening. Bobby's Mom came home from work tired and she and Bobby began arguing. After awhile, Bobby retreated to his room and in a fit of anger and frustration, he put a shotgun in his mouth and blew his head off.

Turns out, he had talked to a friend about the possibility of using a gun to hurt himself. He had been having problems at school, his Father had moved out, he was upset and sad.

Had he not had a gun so easily at his disposal that night, I believe Bobby might have lived. His Father had locked up a necessary part of the gun, but like many teens, Bobby had figured out where the key was located.

Years later in my work at Rutgers Medical School in NJ, I was part of the Adolescent Suicide Project. We worked in schools throughout the state to educate and prevent teen suicides.

I learned that teenagers are particularly at risk of making suicide attempts. They have no long term hx of managing their strong emotions of heartbreak, rejection, frustration and failure. They can often have tunnel vision, not seeing possible ways out of their dilemmas'. They can also be extremely impulsive.

As adults, through the years, we learn that you can feel awful, even devastated, one week, but that, if you hang in there, things usually change and often get better. Teens generally do not have this perspective. Their NOW is all that matters and is all consuming. Their emotions are dramatically felt and easily overwhelm them.

If, in that moment of his despair, Bobby had not had a gun and ammunition at his disposal in the house, he might have found a way to hurt himself, but he probably would not have died.

In having easy access to a lethal weapon, he not only killed himself that night, he also blew away a piece of the heart and soul of his sister, his brother, his Mother and myself.

Please consider Bill <sup>H</sup>610 which would help mental health providers or families to request help to temporarily remove guns from those at risk of hurting themselves or others.

I have no doubt that such a bill will save lives!

I am also a survivor of domestic assault but I'm here today because my name is Dawnmarie T and I am nobody. I represent many females who refuse to depend on a piece of paper.

you are not here to protect me you are here to protect my RIGHTS!  
see ingly  
Some call me a VT Hippie  
Chicken and bee keeper.

By nobody I mean... I am not Friends of Friends... or capable to donate large sums of monies or promises

Or really of any consequence in the realm of the larger reality

in which Some seem to dwell.

I am nothing but a Vermont property-owning taxpaying citizen. A 5'2 6<sup>th</sup> generation female

native-Vermonters who works every day.. and enjoys the traditions and outdoor lifestyle Vt offers US.

I am not a threat to you or others. I am not a danger because I choose to self defend with the effective tools available. I wonder... do you See Me when you legislate in favor of More Gun-owners Controlling Restrictions? Because I am the One (a minority if you will) you are Attempting to Infringe upon.

No matter how many times or ways you allow the written word to be manipulated – the criminal –by definition –does not follow Law. Do you not believe we can See the Pre-desired AGENDA BEING FED TO YOU on a sliver platter ..as it were?? Do you feel its right to coddle and comply to the special interest groups that hand you these, slightly altered, multiple drafts of the Same gun control legislation? We see these same attempts at disarming citizens in other leftist controlled states and despite all of us here understanding that the courts are ruling these infringement attempts as unconstitutional across the country... here we are still.

Here we are refusing to be compliant to the subversive implementation of the infringing agenda.

We know NYC has recinded its restrictions on carrying in Public Spaces just as it was submitted to the Supreme Court... then simply to reintroduce the same restrictive agenda with slight altered terminology.

The lower court in California have also deemed the restriction on magize capacity is also unconstitutional. So is the massive onslot of gun control legislation implemented to overwhelm the legislators? To demoralize and wear down the people simply wanting to preserve their Self defense Right? It seems so with a record # of over 900legistations introduced last year and

more than 300 more than that introduced this year already!

We understand there are those individuals here under the Golden Dome capable of selfishly manipulating their political and/or legal powers instead of using these powers bestowed to protect the average citizen most precious Rights- giving to Us by the blood, sweat and tear of our forefathers and ...mothers. How dare you.

I find it utterly hipacricacal that the same representatives who swear to defend a woman Choice as her body has the adasitivity to seek restricting her Right to self-defend that same body??

Why do you not care about me now?

I am a survivor of domestic assault

You are NOT here to protect US BUT TO PROTECT OUR RIGHTS

I am also a survivor of domestic abuse, I'm here today because of my firearm and not the protection order that was in place. I represent many females who refuse to depend on a piece of paper.

## Testimonial on H.610 Bill in Vermont House on 02-18-2020

We who understand Liberty find this principle to be threatened yet again. <sup>we are all familiar with that expression about insanity.</sup> Both the 5<sup>th</sup> and 14<sup>th</sup> Amendments of our Nation's Constitution have due process clauses in them. These are safeguards from the denial of life, liberty, or property by our government. State representatives <sup>here</sup> who operate under anti-gun ideologies have tried to take due process away from us last year and are now doing it once again. You would think that if these reps are ~~openly~~ trying to take our due process rights away from us, they would at least do it openly, transparently, and above board. But this is clearly not the case. And this deception has been going on for six weeks now. Chris Bradley, President of the Vermont Federation of Sportsmen's Clubs, <sup>has been</sup> is not receiving draft updates of Bill H.610 in a timely fashion whereas those parties in favor of this new bill are. Most times only 20 hours are given to President Bradley and the Federation to respond appropriately. As the saying goes, "All is fair in Love and War; well, this is certainly a war and a war against Liberty.

I am one of many here this evening fighting against this Tyranny. One may incorrectly argue that I have no skin in the game as my wife and I have made the tough decision to move out of this beautiful state due to ever increasing taxes. And so, I'll be taking this fight to Harrisburg, PA which is only a hop, skip, and jump from Richmond, VA and we all know what is going on today in Virginia. Today it is our due process; next year you will openly be trying to confiscate our guns. Be ever vigilant for Tyranny never ends. John Adams said ~~to~~: "Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself".

Dan Monger

New Haven, VT



FEB. 18TH TESTIMONY FOR H.610

I'M BOB WILLIAMSON OF SOUTH WOODSTOCK. THANK YOU FOR HOLDING THIS HEARING AND FOR YOUR SERVICE TO OUR STATE. I SPEAK FOR HOUSE BILL 610.

YOU'LL HEAR FROM MANY TODAY, BUT THE VOICES YOU WON'T HEAR ARE THE 163 VERMONTERS SHOT TO DEATH IN A DOMESTIC DISPUTE SINCE 1994 (SOURCE: VERMONT DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION 2018 REPORT).

NOR WILL YOU HEAR FROM THE 645 FOLKS WHO IN A MOMENT OF DESPAIR TOOK THEIR OWN LIVES WITH A FIREARM JUST SINCE 2011 (SOURCE: VPR GUNSHOT DATABASE). THEIR SILENCE LOOMS OVER THE STATEHOUSE AND CLOAKS THIS HEARING.

THIS YEAR WE COULD CLOSE THE CHARLESTON LOOPHOLE AND REQUIRE ALL GUN BUYERS TO COMPLETE A BACKGROUND CHECK, AND WE COULD STRENGTHEN OUR EXTREME RISK PROTECTION ORDERS, OR WE CAN KICK THE CAN DOWN THE ROAD.

MY TWO DAUGHTERS SURVIVED A SHOOTING RAMPAGE IN THEIR SCHOOL 32 YEARS AGO IN ILLINOIS, BUT ONLY DUMB LUCK SPARED THEM. ONE 8-YEAR-OLD BOY, NICKY CORWIN, WAS KILLED AND FIVE CHILDREN WERE WOUNDED BEFORE THE SHOOTER TOOK HER OWN LIFE. PRIOR TO THIS NIGHTMARE, LAURIE DANN HAD BEEN RECEIVING THE BEST PSYCHIATRIC CARE MONEY COULD BUY, YET SHE STILL WAS ABLE TO PURCHASE FIREARMS. HAD HER BACKGROUND BEEN CHECKED WHEN SHE BOUGHT HER GUNS AND HAD AN E.R.P.O. LAW EXISTED, THAT TRAGEDY NEVER WOULD HAVE HAPPENED.

WE'VE ALL GOT 20/20 HINDSIGHT. WE NEED A LITTLE FORESIGHT NOW. DO THE RIGHT THING: SUPPORT HOUSE BILL 610. THANK YOU.

Tyler Ballard

## H.610 Testimony

Good evening everybody,

For those here who know me, you know exactly where I stand on the matter, but I will extrapolate on my discontent for this bill.

establish  
credibility

There are components of H.610 which I find reasonable, but much of it is not. I will go back and deconstruct the more rational pieces of this bill later.

First, the institution of red-flag laws in any form, is an infringement of the fourth and fifth amendments of the US Constitution, which protects citizens from “unreasonable searches and seizures,” as well as, “deprivation of life, liberty, and property without due process.” Even if one were to find weapons of individuals who should not possess them, as determined in *Weeks v. United States*, such evidence is inadmissible so long as it is found through acts which violates the fourth amendment, and the unjust seizure of the property in such a manner would also violate the fifth amendment.

Following and adhering to such a statute <sup>makes</sup> ~~would make~~ hearsay a sufficient warrant for this unconstitutional act to take place, and further delegitimize an already incompetent justice system. These portions of the bill also violate Article 16 of the Vermont Constitution, and per Chapter 2, Article 6 of the VT Constitution, any: addition to, detracting from, revision of, or infringement upon the Vermont constitution is barred for the legislative powers. This is the same VT constitution that these officials are sworn to protect and uphold.

This leads me to the other portion of my argument in reference to the components of the bill that aren't as egregious (i.e. barring particular offenders from purchasing arms). This also

comes with its own sort of issues, even without considering how "red-flag" statutes criminalize individuals solely for possessing a firearm.

The issue is the ineffective and apathetic court system of Vermont, which much like the legislature, refuses to hold individuals accountable for their actions. Many of the types of offenders mentioned in the bill may only face parole, if they receive any form of punishment, including offenders in child negligence and child abuse cases in which I was invested, in recent years. These individuals far too often are free to reoffend, or even when faced with time, do reoffend within the next decade, per a Bureau of Justice Statistics study from 2015. According to this study, in the US, a cumulative 84% of released felons reoffend, with about 58% of offenders being arrested for the same crime and about 40% being arrested for violent crimes regardless of their initial crime over this same period. The point is, statistically speaking, once an individual has chosen a path of crime, the propensity for them to reoffend is quite high, regardless of their means of offending.

This bill ~~does~~<sup>will</sup> not combat the near 90% of Vermont gun deaths attributed to suicide, which will not be deterred with gun legislation of any kind (gunlaws.org, University of Sydney, Sydney School of Public Health).

Instead, the State and lobbyists continue to unjustly place the onus on law-abiding gun owners and an inanimate object, when there is sufficient evidence that such legislation is not only ineffective, but also unconstitutional. The State needs to begin holding individuals accountable for their actions, including their own and that of their cohort, especially when it is abundantly clear that they will work to dismantle the Vermont and US Constitutions. These individuals incessantly and fallaciously use guns as a red-herring to disguise the true crisis of this state, which is accountability.

Marbury v. Madison set the precedent for judicial review of statutory constitutionality by the Supreme Court, but the truth is, there is no vehicle through which we can ensure that the Constitution is upheld by the legislature. The Court determines constitutionality, but it cannot penalize members of the legislature who choose to infringe upon it, and the legislature is very aware of that. So long as the Democrat/Progressive regime maintains a stranglehold on the legislature, none of its members will face repercussion for violating the "Supreme Law of the Land" (Article 6, Clause 2, US Constitution). It is up to the legislators to regulate the behavior of their cohort, but it will not do so. In case you weren't aware, violating the constitution is very much an impeachable offense, as is violating your oaths to uphold it. This is why the sanctuary movement is necessary, and why I assisted in orchestrating the resolution which passed in Poultney. If the legislature will not do what is right, then we the people, and our municipal governments must. The Declaration of Independence gives the governed the power to usurp tyrannical governing bodies that stand in opposition to the classical liberal principles of "life, liberty, and property" posited by John Locke, upon which this country is founded. In November, I propose that we the people, do just that.

Innocent children — most vulnerable  
"prevents a death"

Testimony in support of H.610  
House Committee on Judiciary  
February 18, 2020- Public Hearing

Hello, my name is Becky Gonyea and I work as the Executive Director at the Clarina Howard Nichols Center. Clarina provides advocacy services and shelter for survivors of domestic and/or sexual violence in Lamoille County.

On behalf of Clarina's Board of Directors and Staff, I am here in support of H.610. Specifically, we support the sections that require courts to order firearms be removed from people subject to relief from abuse orders.

Relief from abuse orders are a critical resource for survivors when seeking safety for themselves and their families. Very often survivors chose not to file for a relief from abuse order out of fear that the abuser will make good on threats to kill them if they leave. H.610 is an effective way of reducing this barrier, by strengthening the system designed to provide safety at the most dangerous time, when a survivor leaves their abuser.

At Clarina, I have witnessed the impact that the presence of firearms has on survivors of domestic violence. I have seen survivors in our shelter literally not leave the building for weeks, sometimes months, due to fear of being found and killed by their abuser. I have seen survivors flee to shelters across Vermont, and outside of Vermont, just to stay alive. And, I have lived in this fear myself.

I am a survivor. I grew up, the youngest of five children, in a home with an abusive father. After enduring 30 years of physical, sexual, and emotional abuse, my mother fled our home when I was 14.

She did file for a relief from abuse order the day she left and it was granted. I can't begin to describe the feeling of being taken out a side exit of my school and being brought to a shelter because the school was afraid my father would come there. Long before we were all talking about school shootings as a regular occurrence, I was living in the fear that it could happen to me.

After several days in a shelter and many promises from my father, my mother and I returned home. We were only there for a short few days when the abuse started again. My father said "If you do not leave right now, I will kill you." We rushed to my older brother's car. We got in the car and started to leave the driveway when my father was at his truck getting his gun. My brother stopped, unsure of whether to drive past my father. I said "drive" and he did.

We did not go back again. We started a new life free from violence, but for a long time, especially those first weeks and months, I lived in fear that my father's rage would return and he would kill us.

Thank you for taking testimony tonight on this important bill. Please support the passage of H.610 as an important step in ensuring the safety of survivors in Vermont.

My name is Alex Smart & I'm a jr @ Montpelier high. I have interned with the VT Network & am currently interning with the ~~VT Network~~ <sup>womens</sup> ~~commission~~ <sup>commission.</sup>

~~Thank you for taking my testimony tonight on H. 610. As a youth growing up in Vermont, this bill is especially important to me. My name is Alex Smart and I am a Junior at Montpelier High school.~~ As a youth growing up in VT, this bill is especially important to me.

~~2 years and 4 days ago 17 innocent children were killed for going to school.~~ Since my first day of elementary school, I have been trained to evade a gunman. To go to a corner or closet. It is scary, sitting there hoping it's just a drill. Mass shootings are an ever-pre fear for myself, and all of my peers.

It is for this reason that I strongly support H. 610. Research indicates that “the majority of mass shootings are in some way related to domestic or family violence. In fact, a 2018 report indicates that in at least 54% of mass shootings, the shooter also shot a current or former intimate partner or family member.”<sup>1</sup>

~~Guns are made for killing. Although this seems obvious, it is not a pleasant thought. The fact that if you are shot in the head there is a 5% chance of survival, and only a 3% chance of a good quality of life afterward, cements how deadly guns are. The act of leaving is the most dangerous time in situations of domestic violence. We need to ensure that dangerous individuals do not have access to deadly weapons during the time when they are subject to a relief from abuse order.~~

In 2018 the youth of this nation rose up against the fear of school shootings, we fought for our safety, and that is something we should not have had to do. This bill is of that nature. This is not something that should have to be fought for. There are lives on the line. There are families that will never be the same. ~~There are people whose lives deserve more.~~

Perhaps it is because I am young but I strongly believe that every person's life is worth fighting for with every ounce of strength in our bodies. Yet in the case of domestic violence, we have failed so many people in our state. We need to do what is right and stand up to protect survivors and their families.

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<https://www.businessinsider.com/deadliest-mass-shootings-almost-all-have-domestic-violence-connection-2017-11>

This bill will not just change today, but tomorrow and every day after. ~~I will grow up and someday have a family and I will have to choose where I want to live. Make Vermont a place that I will want to raise a family in, without fear for my life. I want to know that if I were ever in a dangerous situation, the law would be there to protect me and keep me safe.~~

If this bill is enacted, and it saves even one life. If keeps one family together. If it saves a life it is worth every second, every signature, and every story. But if it is not enacted, every death that could have been prevented should weigh on those who didn't fight or sign, like every heart that breaks.

Now is your time. Because I am a youth I can do nothing more than beg you to think of the people, who could easily have been any one of us, who died. Imagine the pain of losing your child because of an avoidable situation. Take that hollow feeling, the gaping hole that would be left in your heart, and let that build into a protective strength, so that no one in the state of Vermont will have to feel that because this bill was not enacted.

I strongly support H. 610 because keeping firearms away from perpetrators of domestic violence helps keep all of us safe. Please vote yes on H.610. Thank you for your time.

I am here to speak against H.610

Two min isn't enough time to break down the numbers—but between 1994 and 2017 there were 148 homicides involving domestic violence of those cases 82 involved a firearm. Removing the 34 deaths that were abuser suicides or an officer shooting the abuser and that leaves only 48 deaths in a 23 year period.

During that same time period 48 dv deaths were caused by stabbing, strangulation, and blunt force trauma. So we are to believe that expanded Red Flag Laws will stop an abuser from murdering the victim? How, when just as many use their hands?

Another part of this bill imposes a 3 day waiting period on gun purchases. This was already struck down once.

Research and data do NOT back up this claim. Not here in Vermont. The vast majority of suicides in this state are men over 45. And most of those men already own guns.

② In fact from 2009 until 2017 out of 864 suicides 58% were by firearm.

② But a closer look shows that 76.8% of these suicides were by people over 35 – most likely gun owners already. That leaves those between age 20-34 or 92 deaths. If you account for the conservative estimation of 60% of all adults own firearms in Vermont- then only 37 suicides or 4-5 a year may be affected by any waiting period.

When you compare that to the 60 people in the same demographic that hung themselves in the same time period or 6.5 a year we see that it isn't about the tool.

We keep hearing from this committee that you're not coming after our traditions, not coming after our constitutional right to bear arms. But by saying police can choose who may be dangerous and shouldn't have a firearm without trial, that is exactly what you are doing. By saying a vengeful ex-partner can falsely charge a person and that person loses their guns - and this has already happened you are doing exactly that.

H.610 does not save lives – it is **not** a common sense gun law. It's government overreach and feel good legislation. And in doing so sets a dangerous precedent for a committee to ignore the majority of voters, while engaging in shady if not outright violations of open meeting and procedural laws.

### Data Came From

① Domestic Violence Fatality Review Commission Report 2016 & 2017 by the Domestic Violence Fatality Review Commission

Chart pg 15-16 shows data 1994-2015 data from 2016+2017 pulled from individual reports and added in

Suicide of abuser/responsible parties pulled from summary in reports

② Pulled from individual Vital Statistics Annual Reports for 2009-2017 from health.vermont.gov

Numbers added together for a total

③ loose stat used by local media, GOVT and in tradition worldpopulationreview.com shows 28.8% guns



national review .com shows 70% to 75% households own guns

Bernie Sanders regularly says 50% of households in VT have firearms