

Thank you for your services to the state.

I'm a Vermont voter and a student; I urge you to vote NO on H.610. This gun control bill is unconstitutional according to the Vermont Constitution and our Second Amendment rights. There are thousands of other Vermonters that will be heard at the ballot box, who feel the same way I do. We have the lowest gun violence in the country, apple evidence that we Vermonters know not to gun each other down in the street!

It also does nothing to stop domestic violence because an abuser can use a club, or poison, or even a stolen gun. A more effective solution is to pass laws that make it less difficult for people to get guns. This applies even more to victims of abuse who might not have the confidence to stand up to their abusers otherwise. Another solution is to increase penalties for people who are convicted of domestic violence.

Matthew Coddling

From: laura covey <lalacovey@yahoo.com>

Sent: Tuesday, March 10, 2020 11:04 AM

To: Maxine Grad

Subject: H-610

Hello, I am writing in hopes that you will reconsider the h610 proposed legislation. We don't believe that there has been due process in this case. I am a wife, mom, farmer, college student, assistant town clerk and grandma. I am also a former victim of physical and sexual abuse. This hits home for me because I use guns to protect myself, to hunt and to do farming stuff, and for recreation. A few years ago, my brother was involved in litigation with his x. He worked lots of hours at the state mental hospital where he's been for 15+ years. It turned out, his "wife" was severely abusing the children, like spiral fractures, locking them in the basement, force feeding them rotten food, making them kneel on broomsticks for hours. Dcf got involved and gave him the kids. His computer savvy X fabricated emails saying he was going to kill her and their son, and even fabricated bills and account info saying it was from their internet service provider proving he sent the emails. He was arrested at work and held for a weekend in jail, almost lost his job. The court and cops believed it until he hired a lawyer who dug into her evidence and was able to prove it was falsified. She was charged for submitting false evidence but if this law was in place his guns would have been taken immediately without consideration and it would have been months or longer before he was able to regain them. It's been very clear that he needs protection when dealing with someone as crazy as she and her family, and he wouldn't have had any recourse because the authorities immediately believed her. Please take my words to heart. I appreciate your time.

Re: Please Oppose "Red Flag" Confiscation Legislation, H.610

Dear Representative Grad,

As a fellow Vermont resident, I ask that you please oppose H.610.

H.610 unnecessarily expands "red flag" confiscation. Under the current law, petitioning the court has to be done by prosecutors before a judge. The judge then renders a decision as to whether firearms are subject to confiscation. This is something that was adopted to avoid abuse of the law. H.610 takes away discretionary power of the judge, forcing judges to issue confiscation orders even if there is no evidence such confiscation is necessary or appropriate." The bill also contains a provision that blocks "default proceed" for NICS checks that are delayed. Under federal law, transfers can proceed after three days. H.610 prohibits proceeding with the transfer for 30 days (although that designated time has been changed multiple times in the bill), creating an infinite loop as NICS checks are only valid for 30 days.

Sincerely,

Craig Keown

WAITSFIELD, VT 05673

Constituent

Dear Committee,

Without a trial, there is no process to identify false testimony. False testimony violates the "accused's" Fourteenth Amendment right to due process. At the beginning of this country, an Oath (as mentioned in the Fourth Amendment) had real meaning and standing. The fear of God worked to prevent a falsehood used as probable cause. Today, by contrast, accusations must be evaluated in the context of today's more self-serving personal or political expediencies. The sheer number of false accusations in the news serves as a stark reminder of this.

The proposed law H610 has no due process protections for the "accused". As mentioned above, there is no process to ascertain all critical evidence. When critical evidence in a court case is denied, it denies the defendant a fair trial in accordance with due process requirements (Chambers v. Mississippi, 410 U.S. 284 (1973)). If this denial of justice cannot be take place in the court room, then it most certainly cannot take place in a living room!

Thank you for your consideration of my opinion.

Diana Tierney
Montpelier, VT 05602

Subject: NO to H.610 - DUE PROCESS IS A RIGHT

Hi I'm Shawn LaBelle an law abiding citizen of Fairfield, VT and I strongly oppose the ACT H.610.

I firmly believe that ACT H.610 is an attack on the due process. Under current law, firearm relinquishment can happen with an RFA order but only at the discretion of a judge after his/her examination of the evidence. I support and respect this approach as it allows for due process.

If an extreme situation exists, we now have an Extreme Risk Protection Order (ERPO/"Red Flag") law for that purpose that was passed in April of 2018.

Shawn LaBelle P.E

Subject: My Thoughts.

I'm writing to express my concern with H610. I doubt you'll read much farther if at all, but I'll be brief.

A law like H610 is ripe for misuse and outright abuse. My worries are what prevents me from being falsely accused? How will I protect myself from someone being retaliatory? A cornerstone of our criminal justice system is due process, and the concept of innocence until proven guilty in a court of law. Doesn't legislation of that nature upend those concepts? A person can file a claim against me, and I can have personal property of mine taken without the opportunity to protect myself.

I live in Tunbridge, and had an occasion where the Orange County Sheriffs office botched a case so badly I had to refile paperwork because they lost it. How can I trust them with anything else? The thought that this process can be initiated without the chance to defend myself is quite chilling. Especially when I can't trust the police to not loose paperwork, how can I trust them with the possession of anything else?

I think legislation like this is a very dangerous slippery slope to travel down.

Thank You,
Christen Szeg
Tunbridge, VT

Rep. Grad

Please vote no on bill H610.

I know this is a bill you have been pushing through even unethically at times. Rewriting after commit it hours with the help of the anti gun people.

This bill is very dangerous to the due process that as Americans we are entitled.

And it dose nothing to protect somebody in an abusive situation. The abuser is who needs to be removed.

And I'm sure you are well aware how many people in these situations get out only to return to there abuser in a short amount of time.

This bill is only a means to help you destroy a Vermont culture.

Vote no on this bill

David Laskey
Moretown Vt

Subject: H.610

I urge you to please vote no on H.610.

This bill is illegal and a violation of our civil rights.

"Due Process" is a right!!! Not something to be subjected to violations to suit a political agenda.

Wil Morin

Good morning

I'm writing today to express my feelings about the gun bill that you are writing. I think it's very important that you listen to citizen concerns and I'm sure you'll agree.

I'm displeased that we have representatives in Montpelier who would write and/or support a bill with so many constitutional concerns. I've read the bill, and all its many versions that this committee has created with the help of anti gun lobbyist.(and introduced at the last minute. Yes We're watching) It's clear from reading the bill and following the progression that the committee seeks to circumvent due process in an attempt to get what they want. It amazes me that the limitations put in place by our state and national constitutions are being ignored by the people who are supposed to be protecting those rights and limitations. Due process is one of the main components of our "free" Society.

I must ask that you vote against this unconstitutional bill

Jason Knapp
Randolph VT

From: Raymond Ingram Jr. <rkicanoe@msn.com>

Sent: Tuesday, March 10, 2020 8:46 PM

To: Maxine Grad <Mgrad@leg.state.vt.us>; Tom Burditt <TBurditt@leg.state.vt.us>; Martin LaLonde <MLaLonde@leg.state.vt.us>; Kevin Christie <KChristie@leg.state.vt.us>; Selene Colburn <SColburn@leg.state.vt.us>; Kenneth Goslant <KGoslant@leg.state.vt.us>; Nader Hashim <NHashim@leg.state.vt.us>; William Notte <WNotte@leg.state.vt.us>; Barbara Rachelson <BRachelson@leg.state.vt.us>; Patrick Seymour <PSeymour@leg.state.vt.us>; Mitzi Johnson <MJohnson@leg.state.vt.us>

Subject: No to H.610

Do process is a right to all citizens

My name is Mark J. Rocheleau and I live in South Hero, Vermont.

This is to register my STRONG OPPOSITION to House Bill J-610.

Mark J. Rocheleau
So. Hero, VT 05486

Subject: I say NO to H. 610!!! Enough is enough!!!

House Judiciary Committee:

When will you stop assaulting the rights of Vermonters? When will you start DEFENDING them? VT has a gun problem like breathers have an oxygen problem. Your motivation(s) seem to be not safety, but fulfillment of an ideological agenda -- one which has ZERO regard for basic due process or the rights of the INNOCENT.

November is coming.

I say NO to H. 610 -- and to any and all of those who favor this hideous monstrosity of a bill.

Most Sincerely,

Alex Knight
Marlboro

Subject: NO to H.610 - DUE PROCESS IS A RIGHT".

Please vote no to H610 - Due Process is a right

Thank you
Malina Lee
Sutton, VT 05867

From: Anthony Miller <mrwoodmin@yahoo.com>

Sent: Tuesday, March 10, 2020 3:22 PM

To: Maxine Grad; Tom Burditt; Martin LaLonde; Kevin Christie; Selene Colburn; Kenneth Goslant;
Nader Hashim; William Notte; Barbara Rachelson; Patrick Seymour; Mitzi Johnson

Subject: H610

NO to H610. It takes away our constitutional RIGHT to DUE PROCESS.

To: Maxine Grad; Tom Burditt; Martin LaLonde; Kevin Christie; Colburn@leg.state.vt.us; Kenneth
Goslant; Nader Hashim; William Notte; Barbara Rachelson; Patrick Seymour

Subject: H610

I strongly oppose H610. Every since S55 was passed you have continued to work feverishly to restrict our gun rights. We have gone from a gun violence agenda to a suicide agenda as a way to restrict our rights. It also saddens me that in the hearing you held many Vermonters spoke out against this bill, while the majority that spoke in favor of the bill were paid people from different advocacy groups etc etc. They have directed you on the wording. I believe they are writing the bill, and you are pushing this nonsense. Again I strongly OPPOSE H610!!

Thank you for your time.

Anthony Miller
West Berlin, Vermont

Subject: Opposition to H 610

By this communication I respectfully state my opposition to H. 610.

H. 610 mandates confiscation of firearms in all cases without any review of evidence filed with the court or without any kind of due process. This appears to be a violation of both the U.S. Constitution and the Vermont Constitution. It certainly does not give the consideration for due process that statutes such as the procedures for civil suspension of a driver's privilege to operate a motor vehicle as per T.23 V.S.A. 1205. And who presents a greater threat to public safety than a driver under the influence?

ERPO laws already exist to deal with extreme risk situations.

Doug Wright
Stamford, VT

I oppose H.610 and feel that there are better avenues to combat domestic violence and have offered my assistance but you ignored it. This will cause more harm than good and this is no way to reach a goal that many want to achieve when the first two to testify at the public hearing opposing H.610 were fathers and the way they were treated in the VT Family Court system. With this being ignored by you Maxine shows like I put in my letter I read when I testified that YOU really do not care about stopping domestic here in VT.

Again I oppose bill H.610 seeing there are better ways to do this.

Rodney Chayer

Father and registered voter.

Subject: Please vote NO on bill H.610, and here is why...

Respectfully, please vote no on this bill. As a program coordinator in the mental health field, I have dedicated the last 12 years of my life so far to helping those in need, including helping victims and their children find relief from domestic abuse, assault, and violence. Instead, and unfortunately, this bill not only advocates the violation of due process, it directly calls for it. H.610, as written, will not only strip the rights of potentially innocent people, it can also be weaponized by those seeking to cause further harm to their already victimized partner. Being at ground zero in regards to domestic issues, I can tell you from a professional perspective, and emphatically so, that this is not the way to go. Current law, including the "red flag" bill that was passed in 2018, gives our system a way to review the evidence case by case, and make a determination based on facts and evidence. If your aim as a committee is to help victims of domestic violence, then that is a noble cause, and one I also support. However, this bill does not accomplish that aim. Instead, it stands to escalate already volatile situations, and creates a strong likelihood that many victims can be further victimized. Finally, this puts our important law enforcement partners, needlessly, into dangerous situations; this is especially important to note considering the fact that domestic calls are some of the most dangerous situations for our law enforcement personnel.

Respectfully, please scrap this bill, and look at other ways to help those seeking relief from domestic violence and abuse.

Thank you,
George Gumbrell
Montpelier, VT

Subject: H.610

This is extremely dangerous stuff. H.610 attacks gun-ownership in a very real and very direct way through intimidation. It makes gun-owners into second class citizens who can have their privacy invaded, their homes searched, their property confiscated, not only without due process of law, but without there being any charges. It sets aside a specific set of the population as being subject to a framework wherein almost every right they have can (and according to some drafts, MUST)

be violated not upon conviction, not upon being charged, but upon the initiation of an investigation. This bill is not at its essence a gun control bill. It is instead an assault on practically every right enumerated in the Bill of Rights, with those who own guns or are accused of even having access to guns as the victims of that assault. There is nothing in the bill that meaningfully addresses the problem of domestic violence. Vote NO on H.610. This is not the way to move Vermont forward.

William Santamore

Representative Grad,

I would like to take this opportunity to express to you some of the most salient reasons why H.610 ought not be passed out of the House Judiciary Committee.

I was at the public hearings on this bill. Over and over domestic abuse survivors stated support for H.610 because restraining orders are not enforced in this state, because there often is no safe place for victims of domestic violence to go, because Vermont is currently experiencing a mental healthcare shortage of crisis proportions, and because victims of domestic violence can have no confidence that the judicial system won't set their abusers free in short order and with no punishment to vent their anger on their victims. I believe they were sincere and meant well, but none of those facts are addressed in H.610, and there is nothing in the bill that meaningfully addresses the problem of domestic violence.

H.610 sets an extremely dangerous precedent. Not only does this bill exist under a dark cloud of corruption at the appearance given by publicized private emails of having been written by lobbyists rather than by legislators, it attacks gun-ownership in a very real and very direct way through legal intimidation. It makes gun-owners into second-class citizens who can have their privacy invaded, their homes searched, their property confiscated, not only without due process of law, but without there being any charges. It sets aside a specific set of the population as being subject to a framework wherein almost every right they have can (and according to some drafts, MUST) be violated not upon conviction, not upon being charged, but upon the very initiation of an investigation. This bill is not at its essence a gun control bill. It is instead an assault on practically every right enumerated in the Bill of Rights, with those who own guns or are alleged to so much as have access to guns as the victims of the resulting intimidation.

H.610 constitutes a blatant violation of the rights enumerated in the 2nd, 4th, 5th, and 6th Amendments to the US Constitution, and to Articles 1, 4, 6, 9, 10, 11, 16 and 18 of the Vermont Constitution. The precedent set by this assault on the rights of a specific subset of the population should be starkly apparent in light of the political and social division, and the attacks on the liberties of vulnerable groups in recent decades. If the majority of the rights enumerated in our highest forms of law can be abolished without notice or clear recourse to the law, without so much as a charge of any criminal activity, it matters not at whom that gross overreach of state authority is directed – it means nothing less than the end of our system of governance.

H.610 has disgraced the House Judiciary Committee with a strong appearance of political corruption, it presents a clear and present danger to the existence of any individual right that the state is obliged to respect, and it is an ill-judged measure and ought not be sent to the floor in anything resembling its current state.

Thank you for your time,
Skyler Bailey, Burlington

No to H.610

You have forsaken-ed the oath that you took -

"You do solemnly swear (or affirm) that as a member of this Assembly, you will not propose, or assent to, any bill, vote or resolution, which shall appear to you injurious to the people, nor do nor consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will, in all things, conduct yourself as a faithful, honest Representative and guardian of the people, according to the best of your judgment and ability. Under the pains and penalties of perjury."

Vermonters are keenly aware of how you have interwoven the lobbyists interests in creating H.610. The Bloomberg Virus has infested the House Judiciary Committee especially Committee Chair Grad and Committee Ranking Member.LaLonde. Other members certainly have been exposed to the virus but to what extend?

After seven and maybe more different twist & turn versions of H.610, and despite repeated testimony that Section One of the bill on firearm dealer background checks is a needless state intrusion into the federal NICS background process and how the rest of the bill violates the "Due Process" rights of gun owners, the pursuit of enactment of H.610 still goes forward.

Sincerely your,
Gerald H. Stagg
Vergennes, VT 05491

Please vote no on H610. It violates numerous constitutional issues and will do nothing to prevent crime our the misuse of firearms.

Regards,

Michael W. Kolsun
Vt. F&W Chief Instructor and Essex County F&W Board member
Island Pond, Vermont

***Good Morning All,
Please, I urge you all to vote "No" to H.610 that is currently scheduled to be voted on tomorrow 3/13/20. This unfairly targets Vermont gun owners and violates due process. Again, Please vote No.***

***Jeremiah Caron
Tunbridge, Vermont***

I have sent a similar email to my Representatives in my district but since you are the chair of Judiciary I will send my thoughts to you as well.
I oppose any new gun bills including H.610.

Although this bill seems to have "good" intentions, it will only hurt defenseless victims, in many cases this is the only defense they have against an overpowering attacker.

The philosophy that criminals or those with malicious intent care about gun laws is ludicrous.

Laws such as these only have a negative effect on LAW ABIDING gun owners, is there another agenda?

I ask that you reread the very document you took an oath to defend.

Thank you for killing this bill in Committee,

Randy Gray

Springfield

H610 is an assault on our rights of due process. This legislation turns the premise that one is innocent until proven guilty on its head. If the perpetrator is a threat they should be arrested and have a trial, that way that person can actually be considered not guilty and have a jury trial with an appointed lawyer.

This legislation also allows for the seizure of property without due process, if this is allowed what will be next.

It gives unprecedented power to allow certain individuals to make accusations with no consequence.

Please consider these things and do away with this anti-constitutional legislation.

Ken Alger

Subject: H610

This is an answer in search of a question. No thank you.

Paul LeGrand

Troy, VT

Subject: H.610

House Judiciary or my House member,

H.610 is an abomination to due process rights.

This bill has been crafted mainly by lobbyists is an egregious violation of due process and puts victims of domestic violence as well as the defendants and law enforcement at risk by tossing out the legal process and mandating a blanket policy of force where the court currently has discretion.

Further, the process used to routinely put new versions of this bill forward in coordination and concert with rabid anti-gun extreme activists, while giving pro-gun/self-defense advocates little time to prepare and respond, is extremely poor governance at best. Further, members of the committee leaving hearings when it's the pro-gun/self-defense's side to speak shows those members are not open to understanding the other side's viewpoint to see if there is a means to

the end without violating rights with no due process. Those acting in the above regards should be ashamed of their behavior. We expect far better from those elected to represent us.

Any vote for this bill is an extreme failure to abide by your oath of office.

Please vote NO on H.610.

Sincerely,

Joseph P. Duquette
Milton, Vermont

Subject: RE:H610

Please realize to all your voters due process always matters and for this reason we oppose
Fred Colburn

NO to H610.

H.610 attacks gun-ownership in a very real and very direct way through intimidation. It makes gun-owners into second class citizens who can have their privacy invaded, their homes searched, their property confiscated, not only without due process of law, but without there being any charges. It sets aside a specific set of the population as being subject to a framework wherein almost every right they have can be violated not upon conviction, not upon being charged, but upon the initiation of an investigation. This bill is not at it's essence a gun control bill. It is instead an assault on practically every right enumerated in the Bill of Rights

PLEASE READ:

United States constitution amendment XIV ratified July 9 1868 section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, **WITHOUT DUE PROCESS OF LAW**; nor deny to any person within its jurisdiction the equal protection of the laws.

Sincerely

Anthony Miller

Berlin, Vt