

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

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Kelsey Rice
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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~~ ^{are} ~~not~~ ^{are} 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.

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