

1. Define Instruction in Definition section of Title 15 (1001):
 - a. "Instructions of a law enforcement officer" under this chapter may include, but are not limited to:
 1. the location of firearms, production or location of keys, combinations to locks for firearms, safes and doors; or
 2. time, place, manner and conditions of relinquishment; or
 3. any other information that will assist the officer in the expedited access, retrieval or delivery of firearms subject to relinquishment.

3. Define Relinquishment in Definition section of Title 15 (1001):

Relinquishment of a firearm under this chapter shall mean to give up possession and control of a firearm ~~pursuant to the instructions of a law enforcement officer~~ to a:

 - a. cooperating law enforcement agency; or
 - b. approved federally licensed firearms dealer; or
 - c. an approved third party pursuant to 20 V.S.A. 21 § 2307(b)(2).

I read your language to make LEOs responsible for determining what the defendant should choose among the relinquishment options (i.e. approved federally licensed firearms dealer).

3. Orders (under 1103 and 1104) with relinquishment should include two additional requirements. These need to be in the order so the defendant can read them. If the authority exists just in the definitions section of Title 15 the defendant may not fully appreciate the requirement. VPA wants to avoid an argument by showing defendant the order.

A. A requirement that Defendant relinquish pursuant to LEO instruction. See VPA 1st draft (N.DPS.AG.VPA.Revisions H610 5.1. 1610hrs) page 6, lines 13-16 for language.

B. A requirement that defendant **provide** the LEO (a statutory production requirement without need for instruction) with:

- i. location of firearms, production of or location of keys, combinations to locks for firearms, safes and doors; and
- iii. any other information that will assist the officer in the expedited access, retrieval or delivery of firearms subject to relinquishment.

4. Amend Impeding Statute. Control of all present during relinquishment.

Impeding a Police Officer to 13 V.S.A. § 3001

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(b) A person who is present at a location during the lawful search or seizure of a firearm or removal of a relinquished firearm under 15 V.S.A. § 1103 and 15 V.S.A. § 1104 shall

abide by the instructions given by a law enforcement officer to ensure the safe removal of firearms or to protect the officer's safety and safety of those present. Under this subsection (b), the term "ensure the safe removal of firearms or to protect the officer's safety and safety of those present" shall include but is not limited to instructions requiring a person to temporarily vacate a location until a law enforcement officer determines the firearms have been removed from the premises.

~~(b)~~ (c) As used in this section, "weapon" means any device, instrument, material, or substance, whether animate or inanimate, excluding a firearm as defined in section 3019 of this title, which, in the manner it is used or is intended to be used, is known to be capable of producing death, serious bodily injury, or temporary disability. (Amended 1971, No. 199 (Adj. Sess.), § 15; 1979, No. 111 (Adj. Sess.); 1999, No. 149 (Adj. Sess.), § 2.)