

Gun Owners of Vermont
H.606 Testimony
Senate Judiciary Committee 04/03/26

Good morning and thank you for having us today, my name is Eric Davis, and I am the president of the Gun Owners of Vermont, an all-volunteer, nonprofit advocacy group dedicated to the preservation of the right to keep and bear arms.

We believe first and foremost that the proper function of government is to protect individual rights and that this principle should not be compromised. The nature of the second amendment is that it specifically protects the right of self-defense by guaranteeing that government may not interfere with the ability to acquire the necessary tools with which to defend yourself.

Self-defense as a human right is an axiom. It's a given. The premise on which the second amendment is built is that a right to defend oneself against aggression and malice is no right at all unless one has protected access to the means with which to do so. In modern times, that means a firearm.

That also means that any attempt to restrict access to firearms, for anyone, is by nature, a violation of that person's rights and subsequently a violation of Article 16 and the Second Amendment. We oppose the entire proposal on this principle alone regardless of any discussion of the specific details or merits of the bill.

That said, our testimony today will focus mostly on Sections 1 and 3. I would like to share a few thoughts today about the philosophy behind these kinds of proposals and the fundamental flaws in the approach that is being taken on these issues.

Section 1)

Regarding making it a felony to steal a firearm, we would start by asking the committee and anyone following along to consider a few things:

What is it about the crime of larceny that gets so exceptionally worse to be subject to stiffer punishments because the object stolen was a firearm? What is it about ANY crime for that matter,

that makes it more nefarious because it occurred with a firearm? Why are guns being given special consideration?

>Insert bad crime here<

Everyone: "That's terrible, the person who did that should be held accountable."

>Insert bad crime here< *but this time, with a gun*

Everyone: "That's terrible, we need to do something about guns."

By framing the discussion to focus on the device (the gun) rather than the behavior (the crime of theft), this approach sidesteps several larger issues.

For instance, what is it about the theft of an item with a value of \$899.00 vs an item valued at \$900.00 that puts an individual into this special group of criminals who can no longer be trusted with a gun? No reasonable person would argue that a dollar should be the difference between normal punitive measures and having your constitutional rights revoked. Instead of taking measures to address the inconsistencies in the law, this bill proposes to take more rights away from more people based on the same flawed premises.

And once again, the Second Amendment ends up the proverbial black sheep of the Bill of Rights in the sense that it's the only constitutional right that you lose effectively forever if you cross this line. You don't lose your right to go to speak and worship freely, you don't lose your right to due process no matter how bad you mess up (even a convicted serial murderer has a right to a fair trial), and in Vermont, we make sure that you don't even lose your right to vote.

But when it comes to the right to keep and bear arms, a mistake made as a young person can haunt an individual for decades after they have atoned for their sins paid their debt to society.

I personally know several people who made mistakes in their youth which, at the time, were considered bad enough to lump them into the legal basket of felony.

-A longtime friend who stole a lawnmower in his early 20s which was valued at over \$900 earned him a felony which to this day prohibits him from hunting with anything other than a black-powder rifle.

-A family member who ran afoul of the regulatory system 30ish years ago for growing and selling cannabis – which isn't much of a big deal these days if you go get some paperwork from the state – still can't own a gun for his personal protection.

-Someone who embezzled money from a business as a young person and paid for it with jail time and reparations. They admitted their mistake years ago, paid their debt to society and the victim, asked for forgiveness and still cannot buy a gun to this day.

-And even a young man I knew as a childhood friend who at 18 years old, being a stupid kid, actually stole a gun. Long story short, he got in a whole bunch of trouble but turned his life around afterwards. Took care of his legal problems, stopped drinking, got a good job (that wouldn't have been available if he'd caught a felony for the gun) and in the 25 years since that incident has been a good man, a good father and a good member of the community.

If the proper role of government is to protect rights, then lawmakers should first focus on restorative justice and a path to redemption for these folks and others who have made mistakes and paid for them, rather than seeking out more reasons to take rights away.

All that said, we understand that there are some individuals in our society who are very unwell either psychologically or behaviorally to the extent where it is the duty of government to intervene. The issue at the heart of any judicial debate is at what point is intervention justified.

Section 3 attempts to address this issue, but like Section 1, we think it comes up short under wider scrutiny.

If we believe that the proper role of government is to protect rights, we must also accept that part of that duty is to maintain a system of courts and laws with the protection of rights as its core principle. That also means that government is justified in using force to restrain those who violate the individual rights of others, i.e. maintaining a system of punitive justice and/or treatment for those who offend.

For those who do threaten the rights of others, and do so to the extent that they cannot be trusted with guns, or presumably knives, arrows, or sharp sticks, we must first ask one very important and fundamental question: If this person is so dangerous, why are they out walking around unsupervised?

Removing a person's right to self defense because a court determined that they are suffering from mental illness, and therefore not responsible enough to have a weapon, and then subsequently kicking them out on to the street to fend for themselves while they are still suffering, is a cruel approach to justice and will drive more people away from seeking treatment.

One of the largest demographics of gun owners across the country are veterans.

People who fought under the American flag and the constitution for which it stands. People who believe fiercely in the right to keep and bear arms. People who have been mistreated by their government. People who have learned to be deeply distrustful of the systems set up to protect them.

These people bear the scars of war and suffer daily from them. And these people will be less likely to seek the help they need and deserve because their rights are not being protected.

And it won't just be the veterans who shy away from the help they need. People suffering from depression and anxiety, or even anyone just going through a hard time dealing with the emotional and psychological stresses of trying to keep up with life.

We've said for years, focus on the individual behavior and how to treat it, focus on mental health and how to treat it. Focus on getting people the resources they need so they can work through their difficulties. Focus on protecting everyone's rights. But for goodness' sake, stop with the fanatical obsession of focusing on guns and how to take them away from more people.

In closing I would like to point out that the divide between constituents and the lawmakers seems to grow wider every year and not just on guns. However, the flames of distrust are stoked by the refusal of the legislature to let even a single year pass without another attempt at restricting rights.

We ask that our lawmakers attempt to rebuild lost trust by discontinuing their approach of focusing on guns and to show their support for all Vermonters by helping them get the support that they need to make it through these very hard times.

Please vote no on H.606.

In Liberty,
Eric Davis
President, Gun Owners of Vermont