



Vermont Federation of Sportsmen's Clubs, Inc.

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TO: House Judiciary Chairwoman Maxine Grad
House Judiciary Vice-Chairman Tom Burditt
House Judiciary Ranking Member Martin LaLonde

DATE: January 23, 2020

RE: Notice of Action

It would be my hope that while the Federation may have ardent views on a number of issues, we have demonstrated ourselves to be respectful and courteous to you, your Committee and the Legislative Process.

All we have ever expected was that there be an open, fair, transparent and deliberative legislative process, a process which would result in sound public policy that is in compliance with the Vermont and Federal Constitutions.

As we do have ardent views, over the years I have served as President of the Federation, I fully understand that the views of the Federation are often at odds with the agenda of the current party in power, and because of that, we will be, and are, treated differently than those whose views align with yours.

To date, we have accepted a litany of slights both petty and punitive, and we have quietly taken that in stride. The handling of H.610 is however such an affront to the type of open, fair, transparent and deliberative process that a citizen of Vermont should expect of our Legislature that we can stay quiet no longer. From our perspective: The handling of H.610 is not in keeping with Speaker Johnson's opening comments where her first critical "ask" of the House was a call for "*civility and respect*" that conformed to "*our beloved human-scaled, community-based democracy.*"

At approximately 1PM on Wednesday 1/8, which was the 2nd day of the session, we were verbally asked to give testimony on H.610 which would begin at 9AM the following morning; less than 20 hours notice; this was the first "formal" notice of this bill which is obviously one of your top priorities. Regarding H.610: I remind you that this behemoth bill is 16 pages long, it covers 9 stated purposes, it will amend 11 existing statutes and will add 1 new statute.

When we sat down in the Committee room and started hearing testimony, a schedule which put every pro-bill person first and every potential anti-bill person last, it became painfully obvious that

every one of the chosen first speakers were all given advanced knowledge of this bill such that they were prepared to give testimony.

In point of fact, the record will show that Sarah Robinson, who gave testimony Domestic Violence testimony on Wednesday, and was then back to give what amounted to redundant testimony on Thursday, apparently had enough time to not only write her initial testimony - she had time to re-write it and then submit the re-written testimony.

Further, a scheduled speaker from out-of-state representing a group with outspoken and negative views on Firearms was also slated to give testimony at precisely 11AM - meaning that she likely had as much if not more time to make her travel arrangements than you afforded us to even review the bill, let alone create meaningful testimony.

Beyond the string of actions that clearly reflect that we are not being treated equally, we can, almost, understand why you would not want to be courteous to us such that we might have been given some modicum of advanced warning of what you would be proposing, when it would be dropped in the hopper, or when you expected to have us be available.

We keep hearing however that we need a discussion on Gun Violence; that we need a conversation.

We believe that the organization, and myself as President of the VTFSC, have gone out of our way to make sure you, Ranking Member LaLonde and Vice-Chair Burditt all have our contact information. We have repeatedly offered to make ourselves available to you and your Committee if we can be of assistance in any way, and this is not like the VTFSC is some Podunk group that has not been around for very long. We have existed as an organization here in Vermont since 1875, our contact numbers are published, and we have never refused an invitation for an honest and open discussion of issues.

As opposed to engaging us in any capacity to seek our input prior to you and Ranking Member LaLonde submitting this bill on 1/6, you deliberately choose to ignore us as you brought H.610 forward. As the simplest courtesy, as a barest nod towards civility, you owed it to Vermonters as a whole and to us in particular to let us know what was coming. That was needed if for no other reason than to check the box that said you tried, but that did not occur.

While you may not be interested in hearing our arguments even though they are all firmly and solidly based on such essential things as published facts, Constitutional Rights and legitimate concerns for Due Process; based on the testimony we heard on Thursday 1/16, it is now painfully obvious to all concerned that you and Ranking Member LaLonde apparently did not seek the opinion of the Superior Court in crafting H.610, the very court that has jurisdiction over the issuing, enforcing and implementation of Relief From Abuse cases.

The Judiciary committee has the responsibility of overseeing the Superior Court system on behalf of the Vermont legislature. The committee is responsible to make sure the court system functions smoothly for the Vermont citizens who need to use it and assure the public that it applies the rights instilled in the Federal and State constitutions fairly. Most importantly: They must accomplish these duties without unnecessarily hindering the ability of the court to act responsibly for the citizens of Vermont.

What the committee has proposed in H. 610 is the complete removal of the court's discretion with regard to the confiscation / removal of an individual's firearms when considering the terms of a Release From Abuse order. Every RFA case that comes to the court for judgment is different, no one is exactly alike. The court, based on the evidence presented, must make a decision that attempts to protect the constitutional rights of both parties in a dispute.

We believe that with the introduction of H. 610, particularly the above provision, House Judiciary Committee is following an established pattern of introducing legislation in a manner more of special interest advocacy and not good public policy, in compliance with specific rights established within the Federal and State constitutions. H. 610 is so structurally, legally and constitutionally defective that the Chief Superior Court Judge, in clear and concise details, testified to the serious flaws in this proposed legislation. Does this bill imply that our judicial system is broken? How can the House Judiciary Committee, with a Chairwoman and Ranking Member who are both attorneys, sponsor and introduce a bill with such gleaming defects?

The introduction of H. 610 and the process in which its content was developed by the leadership of the committee and advocacy groups is contrary to the open and transparent process we all anticipate. In addition, the obvious exclusion of impacted parties in the developmental process that could have been helpful in constructing a meaningful bill addressing an important public policy issue has forced us to initiate a drastic action. In the interest of good public policy, transparency to all participants impacted by legislation, and a desire for a fair policy development process, the VTFSC has been left with no choice but to issue a Public Records Request (PRR) for the entire House Judiciary Committee to gather the history, timing, participants, advisors, research, and constitutional analysis that went into the writing of this legislation.

Respectfully,



Chris S Bradley
President - Vermont Federation of Sportsman's Clubs

CC: Speaker of the House, Mitsy Johnson
House Judiciary Legislative Counsel