

PHILIP B. SCOTT
Governor



State of Vermont
OFFICE OF THE GOVERNOR

September 9, 2019

The Honorable Mitch McConnell
Senate Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Lindsey Graham
Chairman, Senate Judiciary Committee
290 Russell Senate Office Building
Washington, DC 20510

Dear Leader McConnell and Chairman Graham:

On February 16, 2018, I was in my office preparing for the day ahead, when everything changed.

That morning, I was handed a document containing charges against an 18-year-old, outlining his detailed plan to carry out a school shooting here in Vermont.

Just two days earlier, the nation had witnessed the atrocities in Parkland Florida which left 17 innocent people – fourteen children and 3 teachers – dead.

As I read the 13-page affidavit, I was stunned to learn just how close we came to the same tragic fate the people of Parkland faced. The details were shocking, as the young man had been planning a shooting undetected for months. He had a kill list, had researched the High School's calendar to know the best time to carry out his plan, and conducted surveillance of the school and research on the dark web – all of which he detailed in a diary entitled, "The Journal of an Active Shooter." It wasn't a question of if he was going to strike, it was a question of which day. But for the courage of one young woman, the grace of God, and swift law enforcement work the outcome would have been horrific.

For the entirety of my time in public service, indeed my adult life, I had steadfastly believed that Vermont's tightly knit communities were insulated from the types of tragedies that have become far too common in our country. I had believed that Vermont – a state with among the most permissive gun laws in the country and strongest social safety nets – didn't need any new safety measures.

I was wrong.

After many conversations, soul searching, and concluding that we can balance preserving the right to bear arms with policies that help keep guns out of the hands of those who should not have them, I called for a series of gun safety measures.

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Other Republican leaders have come to similar conclusions and have signed gun safety legislation into law or are advocating for similar measures. That includes Rick Scott in Florida, Larry Hogan in Maryland, Charlie Baker in Massachusetts, Doug Ducey in Arizona, Bruce Rauner in Illinois, Mike DeWine in Ohio, and me, in Vermont.

Based on what I've seen and heard in the news, it appears two measures – extreme risk protection orders (also called red flag laws) and strengthening background checks – could be adopted by Congress, in a bipartisan manner. This progress would help to make our country and its communities safer and provide an opportunity to discuss working together in other equally important and effective ways to address mental illness, domestic violence, and other root causes of violence.

I'm pleased to see that you, Senator Graham, are contemplating legislation with Senator Blumenthal to encourage more states to do what Vermont and others have done. In Vermont, our red flag laws authorize government to petition a court for an extreme risk protection order to remove a person's access to weapons, including guns, if he or she poses an imminent danger to themselves or others. This is a commonsense lifesaving tool that is preventing tragedies, such as suicides and murders. It's important to note, this effort respects due process and the Second Amendment.

The second is better background checks. In Vermont, we now require all guns to be purchased from someone with a Federal Firearms License (FFL). The legislation does allow exemptions for guns given, borrowed, or sold between family members. I'm encouraged to see Senators Toomey and Manchin propose a similar effort.

The reality is, however, that states rely on the federal national instant criminal background check system known as NICS. As recent incidents continue to show, this database needs to be strengthened to help reduce the risk that someone with a mental illness or a history of threatening and violent behavior can purchase a gun.

It is my understanding that both extreme risk protection orders and better background checks are supported by a vast majority of Americans, including Republicans who support the Second Amendment, and gun owners – of which I am both. I also know, that as Republicans, there are some who feel any new regulation of firearms infringes on our constitutional rights and will never be persuaded otherwise. Here in Vermont, the changes we made were not without controversy and it was, without question, unpopular with many who supported me throughout my public career.

But it was the right thing to do.

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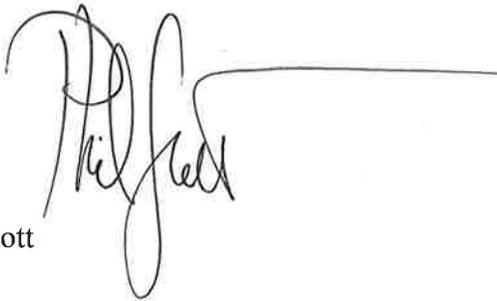
I understand, and regret, the polarized, hyper-partisan environment in which you will have this conversation. However, the tragedies that have preceded this point in our history compel us as leaders to rise above the political and ideological rhetoric to find real and meaningful solutions to the epidemic of violence. Too many lives are being lost.

Please work toward a consensus, knowing that there is no perfect solution but there are reasonable steps we can take to reduce violence.

If you are able to make progress – while some of our fellow Americans argue it does not go far enough, and others say it goes too far – I have no doubt a very large majority of Americans will be grateful for your work. And you will take another step toward restoring faith in the ability of the U.S. Congress to rise above politics to address the challenges of our nation.

Thank you for your consideration, and please let me know if there is anything I can do help advance these proposals.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Scott", with a long horizontal line extending to the right.

Philip B. Scott
Governor

PBS/kp

cc: The Honorable Pat Toomey, Senator for Pennsylvania
The Honorable Richard Blumenthal, Senator for Connecticut
The Honorable Joe Manchin, Senator for West Virginia