

Groton, Vermont Select Board Resolution declaring the  
Town of Groton, Vermont a  
"SECOND AMENDMENT SANCTUARY TOWN"

Whereas, the Town of Groton, Vermont Select Board pursuant to Vermont statute and the Town of Groton, Vermont charter, is vested with the authority of administering the affairs of the town of Groton, Vermont and

Whereas, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms, and

Whereas, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008,) affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and

Whereas, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010,) affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states, and

Whereas, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939,) opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and

Whereas, Chapter 1 Article 16 of the Vermont Constitution provides that "The right of the people to keep and bear arms for the defense of themselves and the State, and

Whereas, Chapter 1 Article 11 of the Vermont Constitution states: "That the people have a right to hold themselves, their houses, papers and possessions, free from search or seizure; and therefore warrants, without oath of affirmation first made, affording sufficient foundation for them, and whereby by any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his, her or their property, not particularly described, are contrary to that right and ought to be granted" and

Whereas, Vermont gun sales already require background checks for handgun and rifle purchases; and prohibits all gun purchases

-on the behalf of another person,

- or for anyone under indictment or convicted of a felony or any crime for which the judge could imprison said person for more than one year,
- or for anyone adjudicated as a mental defective,
- or for anyone who has been discharged from the Armed Forces under dishonorable conditions,
- or for anyone who is subject to a court order restraining said person from harassing, stalking or threatening their child or an intimate partner or child of such partner,
- or for anyone who has been convicted in any court of a misdemeanor crime of domestic violence,
- or for anyone who has renounced their United States citizenship,
- or for anyone who is an alien illegally or unlawfully in the United States, and

Whereas, it is the desire of the Groton, Vermont Select Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Vermont Constitution which protects Groton Citizens' inalienable and individual right to keep and bear arms, and

Whereas, the Groton, Vermont Select Board Members each took an oath to support and defend the United States Constitution, and the laws of the State of Vermont which are not deemed unconstitutional by a court of competent jurisdiction, and the Charter for the Town of Groton, Vermont.

NOW, THEREFORE, BE IT RESOLVED by the Town of Groton, Vermont Select Board that the Town of Groton, Vermont be, and hereby is, declared to be a "Second Amendment Sanctuary Town."

BE IT FURTHER RESOLVED that the Town of Groton, Vermont Select Board affirms its support for the Groton, Vermont Police Department to exercise sound discretion when enforcing laws impacting the rights of citizens under the Second Amendment.

BE IT FURTHER RESOLVED that the Town of Groton, Vermont Select Board will not appropriate funds for capital construction of building space or purchase of storage systems to store weapons seized pursuant to the requirements set forth in any legislation if such bill is enacted by the Vermont General Assembly and/or for the purpose of enforcing any other law that unconstitutionally infringes upon the right of the people of Groton, Vermont to keep and bear arms.

Adopted as a Resolution this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

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Select Board Member/ Town of Groton, Vermont

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Select Board Member/ Town of Groton, Vermont

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Select Board Member/ Town of Groton, Vermont

#### Adoption History

1. Warned at regular Select board meeting held on \_\_July 1, 2021\_\_\_\_\_.
2. Posted in public places on July 6, 2021\_\_\_\_\_.
3. Published Warning in the \_\_\_\_\_ newspaper on\_\_\_\_\_.
4. Other actions\_\_\_\_\_.