

# The case that revolutionized VT gun laws is falling apart, but still drives lawmakers

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(Photo: GLENN RUSSELL/FREE PRESS)

April 11 was a historic day in Vermont: Gov. Phil Scott signed a package of new gun bills, and the state Supreme Court made a ruling that led to the unraveling of the criminal case that sparked those new laws.

Monday, Rutland County State's Attorney Rose Kennedy filed to dismiss the four felony charges against 18-year-old Jack Sawyer who is accused of planning a school shooting at Fair Haven Union High School.

Kennedy wrote that the state has "no choice" but to dismiss the charges following the April 11 ruling, which said that there was not enough evidence ([http://www.vermontjudiciary.org/sites/default/files/documents/eo18-](http://www.vermontjudiciary.org/sites/default/files/documents/eo18-105.bail_.pdf)

[105.bail\\_.pdf](http://www.vermontjudiciary.org/sites/default/files/documents/eo18-105.bail_.pdf)) to show that Sawyer attempted to commit a crime under Vermont's legal definition of an "attempt," only that he had prepared to commit a crime.

**More:** [Prosecutors drop most serious charges in Jack Sawyer case](http://www.burlingtonfreepress.com/story/news/crime/2018/04/23/prosecutors-drop-most-serious-charges-jack-sawyer-case/541939002/) ([/story/news/crime/2018/04/23/prosecutors-drop-most-serious-charges-jack-sawyer-case/541939002/](http://www.burlingtonfreepress.com/story/news/crime/2018/04/23/prosecutors-drop-most-serious-charges-jack-sawyer-case/541939002/))s

Sawyer, of Poultney, was arrested in February, just days after the Parkland school shooting in Florida. Gov. Phil Scott said he had been "jolted" reading the affidavit, the document filed by investigators describing the probable cause for the arrest.

It was a powerful jolt. ([/story/news/politics/government/2018/02/22/republican-gov-scott-says-hes-changed-completely-gun-issues/361081002/](http://www.burlingtonfreepress.com/story/news/politics/government/2018/02/22/republican-gov-scott-says-hes-changed-completely-gun-issues/361081002/))

Overnight, Scott went from telling weekly (<https://www.sevendaysvt.com/vermont/in-range-the-week-that-changed-vermonts-gun-politics/Content?oid=13165766>) Seven Days (<https://www.sevendaysvt.com/vermont/in-range-the-week-that-changed-vermonts-gun-politics/Content?oid=13165766>) that he did not believe the state needed new gun laws to supporting new gun legislation.

The Sawyer case is still driving Vermont lawmaking.



Jack Sawyer, 18, of Poultney appears in Vermont Superior Court in Rutland on Friday, Feb. 16, 2018, pleading not guilty to charges including attempted murder in connection with the threat of a mass shooting at Fair Haven Union High School. (Photo: RYAN MERCER/FREE PRESS)

In a statement after the Supreme Court ruling, Scott called the possibility of Sawyer's release "appalling."

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He also urged the Legislature to quickly pass a domestic terrorism statute, like many other states, so that someone with clear intent to commit a crime like a school shooting could be kept off the streets, even if their plans did not rise to the legal standard of "attempt" under Vermont law.



Gov. Phil Scott is greeted after signing three gun reform bills on the steps of the Statehouse in Montpelier on Wednesday , April 11, 2018. (Photo: GLENN RUSSELL/FREE PRESS)

"As I said last week, the mere possibility that Mr. Sawyer could be released after expressing such a clear intent to do harm to others, illustrates the need to update our existing criminal laws," Scott said Monday in an email.

The Legislature is scheduled to take up the domestic terrorism issue this week.

Scott has already drawn fire from those who are angry about the new gun laws.



Pro-gun activists rally outside the Statehouse on April 14, vowing to unseat elected officials who approved a package of gun control measures earlier this year. (Photo: JESS ALOE/FREE PRESS)

Against a backdrop of signs proclaiming Phil Scott a traitor and urging gun supporters to vote in November, Kaplan said it was lucky the case got to the Supreme Court as quickly as it did.

"We found out before November the farce that was the reason to bring gun control to our state," he said.

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