



**STATE OF VERMONT**  
**HOUSE OF REPRESENTATIVES**  
HOUSE ETHICS PANEL

**MEMORANDUM**

To: Ms. Brenda Gagne, et al. (Complainants)  
From: House Ethics Panel  
CC: Representative Troy Headrick  
Date: February 12, 2026  
Subject: Notice of complaint closure

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The House Ethics Panel reviewed Complainants' allegation that Representative Troy Headrick violated ethical standards by making public statements defaming State-recognized Vermont Abenaki leaders and misrepresenting genealogical evidence in ways that undermine Indigenous self-determination and dignity. For the following reasons, the Panel voted to close this complaint because, pursuant to § 3 of the [Panel Procedure for Handling Ethics Complaints](#), there are no reasonable grounds to believe that an ethical violation occurred.

*A. Summary of Complaint*

Complainants include chiefs and other members of Vermont's State-recognized Native American Indian tribes. In support of their complaint, Complainants provided the Panel with a copy of an October 17, 2025 email Representative Headrick sent to colleagues that included a link to a report—the "[Genealogy Research Project](#)," directed by a professor at the University of Ottawa—containing genealogical claims purporting to unambiguously confirm that individually-identified State-recognized Vermont Abenaki chiefs do not have Abenaki ancestry. Complainants alleged that Representative Headrick's statements in his email that the report demonstrated that there are "no historically or genealogically defensible connections" between the Vermont chiefs and Abenaki were factually incorrect and defamatory; accused those Vermont tribal leaders and citizens of fraud, despite the State's recognition process; unfairly caused the leaders reputational and financial harm; and demonstrated malice and a disregard for lived experience and Indigenous right of self-determination.

Complainants also provided links to online news stories about and public commentary by Representative Headrick regarding his advocacy to revisit the process the State had used, pursuant to legislative enactment, to recognize Native American Indian tribes in the State. These included a February 20, 2025 article about a State House event

Representative Headrick arranged regarding that State recognition, as well as a New Hampshire Public Radio article that reported Representative Headrick had contacted New Hampshire legislators about reconsidering their state-recognition legislation. The complaint generally alleged that Representative Headrick misused his legislative role in conducting these activities.

In addition, Complainants provided in support of their complaint the following two bills introduced by Representative Headrick this biennium: [H.362](#) (State recognition of Native American tribes and the Truth and Reconciliation Commission) and [H.614](#) (consultation and endorsement by the Abenaki First Nations of Odanak and Wôlinak in the development of Indigenous history and culture curricula). Finally, Complainants provided text of Representatives' constitutional oath of office under a heading implying that Representative Headrick had broken that oath.

### *B. Summary of Response*

In his response, Representative Headrick denied that his conduct was unethical and asserted that it was instead related to the core functions of his legislative policy-making role, with the policy specifically being the process that led to State recognition of Native American Indian tribes in Vermont. Moreover, he responded that his legislative speech is protected by the First Amendment, and that he had conducted himself in accordance with his oath of office.

Specifically in regard to his sharing the third-party report with legislative colleagues, Representative Headrick advised his belief is that the report was the product of extensive research, that he had encouraged his legislative colleagues to review the report as a matter of evidence-based policymaking, and that nothing in his email was intended to harass, intimidate, or disparage individuals. Representative Headrick also specifically denied that any statement in his email accused anyone of fraud.

In regard to his public statements and media coverage thereof, Representative Headrick advised it reflected his policy viewpoints, which he has a right to provide. Similarly, he advised that sponsoring and advocating for legislation is a core legislative function that, even if controversial or unpopular, should not subject him to discipline. Furthermore, he stated that his outreach to New Hampshire legislators and coordination of a planned trip to visit the Odanak community were also related to his legislative role.

And Representative Headrick categorically rejected that his conduct constituted racist, inflammatory, or targeted attacks against individuals or communities, or that he had demonstrated malice toward anyone. He reiterated that the focus of his advocacy was his objections to the governmental processes that led to State tribe recognition.

### C. Panel Determination

The Panel first acknowledges that Complainants are members of Vermont State-recognized Native American Indian tribes, and that they therefore have a significant interest in Representative Headrick's statements and related actions regarding that State recognition. However, in reviewing all of the complaint materials submitted, the Panel found no instances demonstrating that Representative Headrick was targeting or harassing individuals, and determined that he was instead engaging in policy advocacy, which is a core legislative function.

Even in sharing the third-party report that named individual members of those tribes, the Panel understood Representative Headrick's actions to be for the purpose of advocacy regarding the State recognition process. That State recognition was the result of legislative action, and Representative Headrick's advocacy is also for the purpose of legislative action. Legislators are elected to represent their constituencies, and caselaw confirms that legislative speech is protected, even if it is controversial or unpopular.

The First Amendment of the U.S. Constitution guarantees all persons freedom to express their views.<sup>1</sup> The scope of permitted expression is broad. “[I]nsults that contain neither threats of coercion that intimidate nor fighting words that create the possibility of imminent violence . . . must be tolerated.”<sup>2</sup> Further, advocacy on political issues without threats, intimidation, or coercion is entitled to full protection under the First Amendment.<sup>3</sup>

Elected officials do not relinquish their First Amendment rights, and States can violate the First Amendment by applying stricter standards to their legislators than to private citizens.<sup>4</sup> In fact, the First Amendment requires that legislators be given the widest latitude to express their views on issues of policy.<sup>5</sup> And while the Vermont Constitution requires Representatives to take an oath of office, “surely the oath gives [the State] no interest in limiting its legislators’ capacity to discuss their views of local or national policy.”<sup>6</sup> Legislators have an obligation to take positions on controversial political questions so that their constituents can be fully informed by them, and be better able to assess their qualifications for office.<sup>7</sup>

Although the Complainants may have found Representative Headrick's statements and actions offensive or troubling, the Panel concluded that his statements and actions are protected by his speech rights under the First Amendment and are within the scope of his legislative duties. For the foregoing reasons, the Panel has closed this complaint. A copy of this notice of complaint closure is being provided to Representative Headrick.

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<sup>1</sup> *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942).

<sup>2</sup> *X-Men Sec., Inc. v. Pataki*, 196 F.3d 56, 68-69 (2d Cir. 1999).

<sup>3</sup> *Id.* at 71, citing *Healy v. James*, 408 U.S. 169, 192 (1972).

<sup>4</sup> See *Bond v. Floyd*, 385 U.S. 116 (1985).

<sup>5</sup> *Id.* at 135-136.

<sup>6</sup> *Id.* at 135.

<sup>7</sup> *Id.* at 136.