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<b>Bill Number:</b>	358	
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April 30, 2009. Calendar page 12, order of the day, Calendar Number 480, File Number 701, Substitute for Senate Bill 358, AN ACT PROHIBITING THE TRANSFER OF MACHINE GUNS TO MINORS, favorable report of the Committee on Judiciary. The Clerk is in position of an amendment.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you Mr. President. Mr. President I move acceptance in the joint committee's favorable report and passage of the bill.

THE CHAIR:

Acting on approval and passage of the bill, sir, would you like to remark further?

SENATOR McDONALD:

I would, Mr. President.

Mr. President, this legislation arrives at this chamber as the result of a tragic accident that didn't happen in this state, but which took the life of one of our residents. Mr. President we came to learn that through that tragedy there is a missing piece of our laws, with respect to gun control and specifically with respect to the

possession of machine guns by minors.

And in the instance, that I'm sure all of the members of the circle are aware of, a child was on a shooting range in Massachusetts and was given possession of a machine gun which when fired --

THE CHAIR:

Senator McDonald, excuse me. Ladies and Gentlemen, there's a lot of chatter. I'm trying to hear Senator McDonald. If you have to talk please take your conversation outside the room. Thank you, sir.

SENATOR McDONALD:

Thank you Mr. President. And when this machine gun was in this -- possession of this child and was fired, it recoiled and unfortunately, he suffered a mortal wound as a result of that machine gun incident.

Mr. President, there's nothing but tragedy associated with that death, but perhaps this legislation might prevent such tragedies from occurring in the future. In particular, Mr. President, under this legislation, no individual would be able to temporarily transfer a machine gun to any individual under the age of 16,

including using a machine gun for target shooting or on a shooting range.

At least from my prospective, Mr. President it seems extraordinary that we would have to legislate something that, in my opinion, would be a matter of ordinary prudence, that providing a machine gun, used for, essentially, military purposes to a child is nothing but a indication for disaster and heart ache. And Mr. President, I believe that this legislation is rather narrowly tailored to deal with instances where children would be prohibited from having possession of a machine gun. And under existing law, anybody -- well, this modification of existing law would make it clear that anybody who violated it provisions would be fined not less than a thousand dollars or in prison not less than five years, nor more than ten years, or both. Thank you Mr. President.

THE CHAIR:

Thank you, sir.

Senator Kissel.

SENATOR KISSEL:

Thank you very, very much Mr. President.

Over the last seventeen years that I've been

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lucky enough to be elected by my constituents to represent them here in the circle of our State Senate, I don't believe there has been any proposed gun Legislation that I have voted in favor of. Quite often those bills are proposed with the best of intentions, but I am one of those individuals that firmly believe that we have enough gun laws on our books, as a general rule, and that it's enforcement that needs to be done of our statues that would lead us to a safer society.

I also believe that there are an awful lot of folks that believe in their heart of hearts that guns actually made out -- make our society less safe. And while we do have enshrined in our National Constitution the Second Amendment, which protects individuals rights to in bare arms, it has only been recently that the parameters of those constitutional, that constitutional right has been delineated, even somewhat, by our United States Supreme Court. And so I do believe that the Second Amendment is worth standing up and fighting for. But ladies and gentlemen of the circle, my colleagues here in the Senate, this may be the only gun bill that I will stand up and vote

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for. I don't know what the future holds, but I have examined this proposal, worked with my colleagues on the other side of the aisle and I would like to thank Senator McDonald and Representative Lawlor who sat down with myself and others to fashion a Bill, extraordinary narrowly tailored, and yes, in response to a horrific tragedy that occurred in Massachusetts.

The little boy that this happened to, of tender years, under 12 years old, and I won't go into the name of the family, but to add a horrific divine irony to this great tragedy, it's my understanding that his dad, who was present when this took place, is an emergency room physician at a hospital up near my neck of the woods. And so, imagine seeing your son shot and not being able to do anything about it when you've been trained your whole life to rescue other individuals.

The original proposal was widely drawn and I believe it created many problems regarding legal transfers of property, specifically guns. This does not address that. This proposal merely states that it shall be unlawful for a child fifteen years or younger to have these weapons in their

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possession and for others to transfer these weapons, even to them temporarily. They are lethal. They are deadly, and while there are collectors and sportsman abounding, their primary purpose is to be utilized in times of war. These are not assault weapons, these are not semi automatic weapons, these are machine guns that can fire multiple, multiple, multiple rounds per second, let alone per minute.

I understand there may be constituents of mine in North Central Connecticut that might state, John, you've had a perfect record when it comes to our Second Amendment and we need you to continue to stand up for us. And what I'm telling those men and women is that I do continue to stand up for you, but occasionally a proposal comes down the road regarding any number of areas that we deal with that is so narrowly drafted, so sensible -- in fact, if you ask most people in your neighborhood they would be surprised that such a law does not already exist. In fact, the law is so narrowly drafted, it even acknowledges that with the proper supervision a sixteen or seventeen year old could fire a machine gun. And

that was acknowledging that there might be some young people who wish to enter our military forces, who wish to familiarize themselves with weapons under the strictest of control circumstances with properly authorized instructors.

So, while I do not feel that it is always appropriate to respond to tragic events in our society by putting forward legislation, but sometimes it's better to be thoughtful and prudent and try to respond to greater circumstances within our society. Occasionally there are those horrific tragedies that occur cause us all to stop were we are, to hug our children, to appreciate all the blessings we have in our lives and to move forward and say anything that we can do to minimize or prevent that from ever happening again is a good thing. And for those reasons, Mr. President, I support this Bill. Thank you, sir.

THE CHAIR:

Thank you, Senator Kissel.

Will you remark? Remark further on Senate Bill 358? Will you remark further, if not Mr. Clerk please -- oh, excuse me. I'm sorry.

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Senator Frantz.

SENATOR FRANTZ:

Thank you Mr. President. Sorry for the late stand up there. A comment on the bill, through you, Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

This represents a very common sense goal of trying to keep something very dangerous out of the hands of a minor. It is something that I think is indisputably a step in the right direction. Weather it needs to be legislative or no it's another issue, however, I think at the end of the day, if there is a law on the books it's something that is talked about frequently, especially amongst hunters and other sportsman who enjoy shooting these types of guns, and any kind of gun for that matter. And I think that for that reason alone, I think this will get a lot of coverage and I think that we will, not only in the area firearm safety, but in other areas, we will be paying much closer attention to what is acceptable with younger children and what is not.

While I believe, also that it is somewhat indisputable that the Second Amendment does guarantee our privilege as proposed to a right, but a right also arguably, to own fire arms and use them in a responsible manner. I think that it is very, very important for all of us to take that as a responsibility that we need to pay very close attention to, especially when shooting with younger children. It's the equivalent of not allowing a younger person under sixteen years old, in this case, to get behind the wheel of a eighteen wheeler or an aircraft or something like that where there is a fair amount of skill that needs to exist in order to for that person to keep it under control.

I stand in favor of it. I think it's good legislation and it does not impinge upon the rights of anybody to use guns in a normal and responsible manner. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark further? Senator McKinney.

SENATOR MCKINNEY:

Thank you Mr. President. Mr. President I

stand in strong support of the Bill and would like to thank all of those, including Senator McDonald and Senator Kissel, for their hard work on it, as well as the distinguished Majority Leader and Senate President. I do, Mr. President, through you, just one question to the proponent of the bill, if I may.

THE CHAIR:

Senator McDonald.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, there has been at least, I think anecdotally, some concern expressed that some people may be antique dealers or collectors, may have antique or collector machine guns that have been rendered permanently inoperable, impossible to shoot again. And through you Mr. President, if I may ask Senator McDonald, if such an antique or a weapon were rendered permanently inoperable, would that be -- would that come under this new statute? Through, you Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Through you to Senator McKinney, and standing next to Senator McKinney, the answer is, no, I do not believe that this legislation would apply to a machine gun that had been rendered permanently disabled under the definition of what a machine gun is under 53-202, in my opinion, it would not qualify as a machine gun once it was rendered permanently disabled because it would no longer be -- its original design would have been so modified to render it a new design as something other than an operable machine gun.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. I thank Senator McDonald for that clarification.

And again, Mr. President, in support of the Bill this is, in my opinion, not controversial. It is simply a matter of common sense and making sure that we can protect the children in the State of Connecticut, those under 16, from ever having the tragedy that we have seen occur recently. Thank you again, Mr. President.

THE CHAIR:

Thank you, Senator McKinney.

Will you remark further? Senator Looney.

SENATOR LOONEY:

Yes. Thank your Mr. President. Speaking in support of the bill, I would like to commend Senator McDonald and Representative Lawlor for bringing this bill forward this session.

It is a bill, after being aware of tragedy that occurred in Massachusetts, that seemed self evidently necessary. It is, of course, simple common sense that children should not be handling machine guns. And it points out, Mr. President, that obviously, all constitutional rights, including even First Amendment rights, in many cases, which are the most fundamental, in our society, and certainly, including Second Amendment rights, are subject to reasonable time place and manner and reasonable police power regulation in terms of public health and public safety. And this is, certainly, a reasonable regulation that children under the age of sixteen should not be handling machine guns. As we know they have -- they were -- with the recoil power, they are

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difficult to handle and require significant physical strength. This was evident from the terrible tragedy of the child, the Connecticut child in Massachusetts.

So this is a very straightforward, common sense regulation that was highlighted by that tragedy. And Mr. President, I believe that this will become part of the -- a pattern of reasonable regulation in our statues. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Will you remark further? Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. I rise to support this Legislation, also to thank the Chairman of the Judiciary Committee, Senator McDonald, also Marty Looney, our majority leader who's champion this issue, and folks from both sides of the aisle, who have supported this and will support this.

This is, basically, common sense, it has been said, and when you're talking about an automatic weapon, a machine gun weapon being handled by a

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minor; to say at any point that that is okay or it could be safe or it could be supervised is like saying it would be fine for a minor to pick up a rattle snake, and that would be fine with the right kind of oversight and supervision.

It's basic human common sense to protect young people, that's what this Bill does. And I think that some folks would say, hey, isn't that illegal all ready? And people would be shocked to find out that it is not in the State of Connecticut. And to those who would say there ought to be a law, today we're taking action. There will be a law and our young people will be protected from this danger. Thank you, Mr. President.

THE CHAIR:

Thank you Senator Williams. Will you remark further on Senate Bill 358? Will you remark further? If not, Mr. Clerk please call for a role call vote. The machine will be open.

THE CLERK:

Immediate Roll Call has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call has been ordered in the Senate. Will all Senators return to the

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chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check the tally and the Clerk will close the machine and call the vote.

THE CLERK:

Motion is on passage of Senate Bill 358.

Total Number Voting 33

Those voting Yea 31

Those voting Nay 2

Those absent and not voting 3

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. For purposes of some changes in calendar markings.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Calendar page 2, Calendar 150, Senate Bill 895, to be marked PR.

THE CHAIR:

Without objection, so ordered.

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Those absent and not voting 10

DEPUTY SPEAKER ALTOBELLO:

The bill as amended in concurrence with the  
Senate is passed.

Would the Clerk please call Calendar Number 589.

THE CLERK:

On Page 23, Calendar Number 589, Substitute for  
Senate Bill Number 358 AN ACT PROHIBITING THE TRANSFER  
OF MACHINE GUNS TO MINORS. Favorable Report of the  
Committee on Judiciary.

DEPUTY SPEAKER ALTOBELLO:

Representative Lawlor of the 99th, you have the  
floor, sir.

REP. LAWLOR (99th):

Thank you, Mr. Speaker. I move acceptance of the  
Joint Committee's Favorable Report and passage of the  
bill in concurrence with the Senate.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is  
acceptance of the Joint Committee's Favorable Report  
and passage of the bill in concurrence with the  
Senate. Please proceed, Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker. This bill is, I think

most Members of the Chamber are well aware, this is the outfall of a terrible tragedy that happened in the State of Massachusetts but affected a young boy and a family who are from Connecticut.

The bill makes clear what is arguably unclear but more likely than not, not actually prohibited under state law, and that is the transfer of machine guns, operating machine guns to children.

The current law, state and federal, makes it very difficult to lawfully possess a machine gun for a private citizen. There is both a federal process and a state process that one must go through to acquire a machine gun, and certainly to possess it, and there are very severe penalties for people who are prohibited or not properly licensed to own a machine gun, to possess that, especially in any type of situation, which indicates illegal activity or the intent to use it against another person in a threatening way.

Connecticut has such a statute, and it is that statute, which is being amended by this bill, and we're inserting into the language relating to the possession of machine guns, a specific prohibition on the transferring to a child, a person under the age of

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16 years old, of a machine gun.

It is specifically targeted at the temporary, because it's not lawful for a child to possess a machine gun under any circumstances in terms of owning the machine gun or buying the machine gun, or transporting the machine gun.

The gray area in the law is the temporary transfer for the purpose of firing it, or at let's say a rifle range, which was the case in Massachusetts, and it's that situation, which is being targeted by this bill. In other words, giving a machine gun to a child in order to allow that child to fire it.

I've been asked a few questions about whether this would apply if, let's say, someone was moving from one location to another and a child was helping them move, and at one point the child was lifting a machine gun, which was unloaded and locked and contained in a case from one spot to another. No, that would not be something that would give rise to the criminal penalties in this bill.

We're talking about handing a child a fully operational, loaded machine gun under any circumstances. That's what we're talking about.

It's important to know that there is a definition

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of machine gun under existing state law. It's a very simple definition, and that is a firearm, which is capable of repeated fire with a single pull of the trigger.

There's a single fire weapon, which you have to reload each time you fire it. There's a semi-automatic, which with each pull of the trigger it discharges one round, and then there's the fully automatic machine gun where when you pull the trigger it just continues to fire until you release the trigger. That's a machine gun.

So it covers a broad range of weapons, which are capable of fully automatic fire. Those are all machine guns.

Now I think it's very important to emphasize that this bill, as has been the case with other similar bills, which have worked their way through the Legislature, is very much a compromise between various groups of people here who advocate on behalf of sportsmen and gun owners on the one hand, and other Legislators and advocates who are more sort of the gun control manner of thinking. Let's put it that way.

Initially, this bill was, would have prohibited the transfer, temporary or not, to persons under the

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age of 21. It was suggested that what we're really talking about is children. The young boy involved in this tragic death, I believe he was 12 years old when he was handed a fully operational Uzi submachine gun, which is a very small firearm and he pulled the trigger and ended up killing himself by shooting himself in the head with the gun.

Anyone who's fired a machine gun, and I certainly have fired a machine gun, knows that when you pull the trigger the gun goes up as it continues to fire, because this particular weapon is very small. When the young boy pulled the trigger it went straight up and fired a round into his head and caused his death.

There's a criminal case pending, given that situation. People were arrested in Massachusetts on a variety of charges, including reckless endangerment, things like that, plus, it was determined under Massachusetts law that simply giving the child a fully automatic machine gun was prohibited under Massachusetts law, notwithstanding the fact that some of the local law enforcement authorities had indicated that no, it was legal, and in fact they were participating in the operation of this particular gun show, this exhibition of machine gun fire. There were

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some police officers participating and organizing that and one would think they would have known better, but they gave advice to the contrary and Massachusetts authorities are sorting that out.

To make it clear under Connecticut law what the law is, it will be clear should this become law that handing a child under the age of 16 a fully automatic loaded unlocked machine gun will be a serious felony under our crimes, so I just want to, under our state statutes.

I just want to thank all of the advocates for putting their heads together and coming up with a balanced piece of legislation that respects the legitimate rights of gun owners and sportsmen, gun collectors, and at the same time honors our obligation to protect all citizens, and in particular children, from activity, which is obviously dangerous in any context.

So with all of that, Mr. Speaker, I urge passage of this bill.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Lawlor. Representative O'Neill, you have the floor, sir.

REP. O'NEILL (69th):

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Thank you, Mr. Speaker, and I join the Co-Chair of the Judiciary Committee in supporting this piece of legislation. It does, indeed, represent a compromise between the original proposal, which covered a variety of firearms beyond machine guns and covered people at a much higher age than the bill before us does.

I would point out that the Chairman in his description of the situation in Massachusetts indicated he thought the child was of the age of 12. According to the testimony that was presented to the Judiciary Committee, the child from Massachusetts was actually only eight years old, and I think we would all agree that handing a machine gun to an eight-year-old is a pretty irresponsible thing to do.

And even handing a 14 or 15-year-old a machine gun is something that many of my constituents who are gun owners and strong advocates of the right to bear arms, they are hunters, and they use firearms at shooting ranges for target practice and that sort of thing, there is widespread agreement that this is a reasonable piece of legislation.

Sixteen-year-olds probably are capable under adult supervision of beginning to handle a powerful firearm such as a machine gun, but that those below

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that age, we should not allow to possess them or use them, even if they are under the supervision of an adult at a firing range.

And so, I would urge support of this bill this evening, and I think that we would hopefully prevent any similar kinds of catastrophes as what happened, as what took place in the State of Massachusetts by passing this legislation and making the public aware of the fact that these are very dangerous weapons and that children should not be put in possession of them any more than they should be put in possession of the keys to a car, which is equally dangerous in many ways.

We certainly don't allow 15 and 14-year-olds to operate vehicles, and we certainly should not allow them to possess and operate machine guns.

So I would urge support. Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative O'Neill.

Representative Hurlburt of the 53rd District in Tolland, you have the floor, sir.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker. I would like to thank the leadership of the Judiciary Committee and

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the Majority Leader of the Senate for their leadership on this issue.

That little boy that was killed or died, rather, this fall, was one of my constituents and it was a tragedy that we feel in the community really could have been avoided.

I think this is, as Representative Lawlor and Representative O'Neill have clearly stated and done a thorough and well job explaining the background and the reasoning for this bill, and what it would do moving forward, I think this is really a common sense measure where we have reached consensus between the gun advocates and the opponents of earlier measures.

This is something that I hope that all my colleagues can join me in supporting today and moving forward and allowing us to protect the most at risk use in the state.

Thank you very much, Mr. Speaker. I appreciate your indulgence.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Hurlburt.

Representative Miner of the 66th District, you have the floor, sir.

REP. MINER (66th):

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Thank you, Mr. Speaker, good evening. If I might, just a few questions for the proponent of the bill, please.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, it's my understanding, and I did have a conversation yesterday with the Chairman about certain circumstances under which someone might be prosecuted under this statute with the change to the age 16.

And my question, through you, on Line 9, the gentleman describes a circumstance under which a weapon that could not be fired as being a circumstance under which this would not apply, and that for instance if it was in a house, in a case, locked, unloaded, that someone would not be prosecuted.

Through you, on Line 9 where it says, or for any other purpose, if the gentleman could help me get to where he believes this would provide that kind of protection.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Lawlor.

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REP. LAWLOR (99th):

Thank you, Mr. Speaker. Well, it's important to understand that this language is being inserted into the middle of an existing statute, and it should be read and interpreted in the context of that.

The existing law basically prohibits transferring machine guns to people who are not, who are prohibited from having them, or possessing them without the proper licenses.

So the law relating to this has been very clear. It's been interpreted over the years that simply just sort of carrying something into a house if you're very briefly transporting it and not using it, is not really possessing it for the purpose of these various criminal statutes, especially this one. So that's very well established.

The language that's being added specifically refers to transferring to children, and it repeats the language that you see elsewhere, which relates to the type of transfer, which results in sort of ownership, you know, like selling a gun to a child so that they could keep it, or keep it for a substantial amount of time other than just briefly to carry it into a house, for example.

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And then it talks specifically about situations where the gun, the machine gun is being transferred for the purpose of target shooting or firing, or use on a shooting range.

So in my opinion, that's very clearly indicating if you're temporarily giving it to a child so that they could use the gun, that's what's being prohibited.

I don't think any reasonable interpretation of this, in light of the fact that it's a criminal statute where it receives the strictest scrutiny, and if it's vague in any way, you know, it's sort of like baseball. A tie goes to the runner.

If a criminal statute is vague in any way, it's unenforceable. So the specific reach of the statute, I think is clear, and that is, if you're transferring a fully operational gun to a child for any purpose consistent with actually using that gun, that's what's prohibited.

If it's locked and unloaded in a case and somebody is, for example, carrying it from the car into the house, helping to move a variety of things including that, I don't think, in fact I can state emphatically that would not result in exposure to the

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criminal penalties here.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Well thank you, Mr. Speaker, and I thank the gentleman for his explanation with regard to locked and in a case.

Under a circumstance where I described yesterday to the Chairman where an individual may be a gun enthusiast, he may have all the right licenses I assume to own such a gun, was in the process of let's say, of cleaning the gun, again, unlocked, I mean locked and unloaded or for some reason wanting to show that gun to his son, let him hold it.

Under that circumstance where it is incapable of firing, not at a firing range, not for purposes of going to a shooting range, but actually, just actually handling a weapon, a gun, with someone at the age of 15 or 15 and a half in anticipation of getting to that age of 16 where he can go target shooting with his dad, under that circumstance, would the gentleman tell me whether or not he believes that circumstance would rise to the threshold of meaning for any other purpose

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in the statute? Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker, no, I don't think that would qualify either. I think the language here is very clear. If they're giving it temporarily to a child so that they can use it, that is what we're talking about.

Showing a gun to a child where it has been unloaded and rendered inoperable, that would not be covered by this statute.

Now, just to be clear, there are other statutes that cover situations where people mistakenly hand guns that they believe are unloaded to people and then those are fired and as it would be the case with any gun, there could be a criminal prosecution with that, with or without this statute. That would sort of be a reckless endangerment or potentially a manslaughter type prosecution if a gun is fired and it's determined to be reckless.

So there are other statutes that cover the kinds of situations where people give dangerous things to others believing they're not operable, you know, but

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that's, with or without this change in the statute,  
that's always available.

But in the circumstance that the gentleman  
described in the context of this statute, allowing a  
child to hold a gun that has been rendered inoperable  
and is in fact unloaded and where nothing happens with  
that gun, that clearly would not be covered under this  
statute, in my opinion. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and I thank the gentleman  
for that explanation as well.

Mr. Speaker, like many other gun owners in the  
State of Connecticut, probably in the country, I get  
very concerned when we start picking at the edges with  
legislation, and I understand the incident that  
precipitated the Connecticut Legislature taking a look  
at this issue this year and understand that there was  
a long, hard conversation about at what age would it  
be appropriate, and at what age would it not be  
appropriate.

I don't have a better age than 16, Mr. Speaker.  
You know, I think that's as good an age as any. I

think most gun enthusiasts understand that the incident was terribly unfortunate. They wish it never happened, but it has.

And for that reason it's my intention to support this bill as it's drafted with the explanation that's been given with regard to what freedoms there still are within this legislation in terms of handling as long as they're not operable.

And I thank the gentleman and I thank the Chamber.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Miner. Further on the bill? Further on the bill?

If not, staff and guests retire to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

Members to the Chamber. The House is voting by Roll Call.

DEPUTY SPEAKER ORANGE:

Have all the Members voted? Have all the Members voted? Please check the board to be sure that your

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vote has been properly cast. The machine will be locked and the Clerk will take a tally, please.

And will the Clerk please announce the tally.

THE CLERK:

Senate Bill Number	358
Total Number Voting	139
Necessary for Passage	70
Those voting Yea	139
Those voting Nay	0
Those absent and not voting	12

In concurrence with the Senate.

DEPUTY SPEAKER ORANGE:

The bill passes.

Will the Clerk please call Calendar Number 579.

THE CLERK:

On Page 22, Calendar Number 579, Substitute for Senate Bill Number 893 AN ACT CONCERNING NOTIFICATION TO THE OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES OF DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES CLIENT DEATHS. Favorable Report of the Committee on Public Health.

DEPUTY SPEAKER ALTOBELLO:

Representative Thompson, you have the floor, sir.

REP. THOMPSON (13th):

**JOINT  
STANDING  
COMMITTEE  
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have it all hashed out here. But if necessary, I guess that's what we're here to do. So thank you for your testimony.

Are there any questions? If not, thanks for your time, Coleen.

COLEEN MURPHY: Thank you.

SENATOR McDONALD: Craig Miner, who is followed by Peter O'Meara and Jim Welsh.

Good morning, Representative Miner.

REP. MINER: Good morning, Senator. Good to see you.

SENATOR McDONALD: Good to see you as well.

REP. MINER: Chairman McDonald, Ranking Member O'Neill and Senator Kissel, good morning. My name is Craig Miner, and I'm the state representative from the 66th district located in northwest Connecticut.

SB.358

I'm an avid outdoorsman, having spent many, many hours hunting and target-shooting with guns of all kind since the age of 14.

I was taught at a very early age of importance of gun safety and the value of life, including the reverence to which it is to be held. That, ladies and gentlemen, the only lesson that stops gun violence?

Senate Bill 353 will do nothing to violence. What the legislation will do will make more likely that more employees in the State of Connecticut will be become unemployed.

More businesses, small and large, alike, will become less likely to survive. And

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law-abiding gun owners, like myself, will have their weapons quietly taken by the very government we live under.

Section E will render my semiautomatic handguns untransferrable. Does anyone here really believe criminals that shoot at people indiscriminately will take the time to get a permit, as I have done, buy a gun with the new technologies, assuming it's ever demonstrated, and then leave stamped, traceable ammunition at the scene? I doubt it.

Hardworking men and women have obviously taken time off to be here today in an effort to protect their property, the right to buy semiautomatic handguns for hunting and sports shooting.

I urge you not to support committee Bill 353. And with regard to committee Bill 358, I think the recent incident involving the death of a youngster with a fully automatic is very troubling:

Having said that, setting the age at 18 for possession or use is too high. Many young women in this state shoot competitively with .223 semiautomatic caliber long guns that are legal by definition but only because they do not fit the characteristics of an assault weapon, those which we have designed in law.

The next step, I fear, to stopping them from their highly competitive sport would be merely changing a few words. We will convert a semiautomatic weapon that is currently an assault weapon, by definition, to any semiautomatic weapon.

I thank you for the opportunity to speak with you today and would be glad to answer any

questions that you might have.

SENATOR McDONALD: Thank you, Representative Miner.

Let me just ask you in reverse order of your testimony, in 358, which deals with the transfer of machine guns to individuals under the age of 18, I think you said that that age was too high.

Do you think we should have any age for the transfer of machine guns, or do you have any discussions of a correct age?

REP. MINER: Thank you, Senator.

As I read the bill, transferring includes holding; is that correct?

SENATOR McDONALD: I don't know the answer to that.

REP. MINER: Well, I -- okay. I am operating under the assumption when we talk about on line 25 temporary transfer, and I think that may be the only place, although in line 13 it talks about firing and shooting, that we're not actually selling or proposing that a 14-year-old could buy one of these.

What we're saying is that if in the case of a shooting club someone wanted to have their weapon -- have an opportunity to fire a weapon like that at the age of 15, 16, 17, they would not be allowed that opportunity under this law.

And I do believe that many people begin the process of learning about guns at a much earlier age than 18 and have successfully handled many of them.

I personally am a little bit concerned about

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Section 2 with regard to establishing an age that low with a machine gun, but I'm not so sure there is an exact age for everyone.

I think the people that have grown up understanding and appreciating the importance and the significance of these tools -- and I consider them tools -- might be inclined to handle them safely at an age, you know, far below 18. But I don't know what the right age would be.

SENATOR McDONALD: Okay.

I was trying to look it up on the Internet quickly as I -- on our website for the definition of "transfer." I think that was at least the intention of the proponents of this legislation, that it would include anybody temporarily holding or possessing a machine gun because of the tragic circumstances that we saw.

So I think that was the intention, but I'll take a look at it. Thank you very much.

Are there other questions for Representative Miner?

Representative Walker.

REP. WALKER: Good morning, sir.

REP. MINER: Good morning.

REP. WALKER: I -- not knowing that much about guns, what's the difference between an automatic and a semiautomatic?

REP. MINER: A semiautomatic requires you to pull the trigger each time a shot is to be fired. An automatic, I believe, is when you depress

the trigger and it will just repetitively fire and eject a shell.

So in the case of a semiautomatic, you have to keep pulling the trigger.

REP. WALKER: And semiautomatics are what you use for hunting? Automatics you don't use for hunting?

REP. MINER: I would say that's correct.

REP. WALKER: And machine guns we use for -- you were saying that the age of 18 would be too old for a child to learn how to use a machine gun, so I'm just trying to figure out, what would you use a machine gun for?

REP. MINER: I think I differentiated my statements between --

REP. WALKER: Okay.

REP. MINER: -- semiautomatic --

REP. WALKER: Oh, and automatic.

REP. MINER: -- rifle, which we, by definition, categorize with only a very few words as an assault weapon, and my comments with regard to a machine gun.

REP. WALKER: Oh, okay.

REP. MINER: I think there are collectors -- I think there are people who are avid shooters that could probably tell you why it would be important for people to learn at an age under the age of 18.

REP. WALKER: Okay.

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REP. MINER: I think what's happened is tragic, I said initially. But I think we're trying to develop an age around some notion that may not fit in all cases.

REP. WALKER: Okay. Thank you.

SENATOR McDONALD: Senator Kissel.

Representative, it's great to see you.

REP. MINER: It's great to see you, sir.

SENATOR KISSEL: As I read this language, this is a direct assault on second amendment rights, and that if we are to move forward with this, not only would it imperil people's constitutional rights to possess firearms -- I think if you -- I mean, first of all, anybody who has a gun right now that didn't comport with these environments, if you can't transfer after 2011, I don't know how that gets passed down from generation to generation or any other way.

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But of more importance to me, and certainly the Second Amendment -- and it took until a year ago for the United States Supreme Court to really rule definitively on that, and then as soon as they did, gun opponents started marching out with new law proposals, because they just don't respect that right.

But here in Connecticut, we have a storied past, and we still have, thank God, manufacturers that are involved in making guns.

If Connecticut was to move forward with this kind of -- in my view, my humble opinion -- preposterous legislation, do you feel as a legislator -- and I respect the job that you are doing on the Appropriations Committee.

reached the date at which this technology becomes legally enforceable. I may be wrong.

And again, I think there's some people here in the business that probably could list out for you exactly what those dates are.

But I do believe there's a process in California by which someone has to certify, just as there's some language in here by which our attorney general would have to certify, that both the technology is -- is mass producible, but there are a number of other steps that would be required before the bill actually becomes enforceable rather than law.

REP. COUTU: Okay.

Thank you, Representative Miner. Thank you, Senator McDonald.

SENATOR McDONALD: Thank you.

Representative O'Neill is next, followed by Representative Conway.

REP. O'NEILL: Just two quick ones. In terms of this piece of legislation, particularly -- well, both of them, actually.

Have you had occasion to talk to people in your district about both 353 and 358, or either one?

REP. MINER: I have had an opportunity to talk to people about both bills. I think there is more interest, more agitation over the microstamping bill than there is over the setting an age for which someone can use a semiautomatic assault weapon and a machine gun.

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I think sportsmen in my district are no different than sportsmen everywhere else in the country, that the death of anyone, young people or not, at the hands of a handgun, especially when it's accidental, is very, very troubling and very serious.

What I have heard from my constituents and others that have approached me here in the building over the last couple of weeks is that the age of 18 is probably not an age at which you would want to draw a line in the sand; that there are a number of reasons why that age probably should be considerably lower, because it would match some of the other ages at which we allow people to participate in sporting events and everything else with semiautomatic long rifles.

With regard to the machine gun, I've not had anybody approach me about this issue, and that may be an area where the committee wants to take a different look.

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But the microstamping clearly is an issue that has upset most people in my district that are law-abiding citizens that are either sportsmen or own handguns and have gone through the process of -- of maintaining their right to own them and feel that this is very bad legislation.

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REP. O'NEILL: And the second question is, you mentioned before that you've had occasion to replace a firing pin in a shotgun.

Could you tell me approximately how long does that take to do and what kind of tools you need to do it?

REP. MINER: Thank you. I didn't do it. I dropped it off on a Friday and picked it up about four

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days later.

I suspect there was a lot of other work that was going on in the gunsmith shop. I think it's a relatively simple process, depending upon how often you deal with the weapon that is involved. I think they charged me \$75, as I recall, so I can only imagine that it didn't take all that long.

REP. O'NEILL: Thank you, Mr. Chairman.

SENATOR McDONALD: Thank you. Representative Conway was next.

REP. CONWAY: Thank you, Mr. Chairman. Good morning, Representative Miner.

REP. MINER: Good morning, Representative.

REP. CONWAY: Two -- with regards to both 353 and 358, with regard to 353, you mentioned before new technology.

And as somebody who has spent the last 20 years every day around criminals, I think I have the answer to this, but do you see this new technology being technology that would be in the guns that are in the hands of criminals, that would actually assist our police in tracking down the shooters of the vast majority of the bullets that are coming out of guns today?

REP. MINER: I suspect -- you know, "criminal" is a pretty broad spectrum of activity. I suspect that there may be occasions where in the heat of passion an individual may forget that they actually went through all the effort of buying a legal handgun that will tie them to the gun, to the bullet.

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In those cases, I suspect it's probably not as well-thought-out as those instances where somebody decides they're going to buy a gun to spray a neighborhood with -- with lead.

So I think there are two different situations that probably qualify under the heading of "criminal."

I don't think that the regular individual that would indiscriminately shoot a weapon at someone would go through the effort of buying this technology.

And if they ended up with a gun with this technology, I think they would go through the effort of changing it in such a way so that you couldn't tie it to them.

REP. CONWAY: Thank you.

And just to follow up on a previous question, California signed it into law in 2007. It will not be effective until 2010.

And then with regards to 358, when minors go to a shooting range for the sport of it, they would be with a parent, correct? They wouldn't be able to just walk into a shooting range at the age of 14 and take out a gun, or could they?

REP. MINER: I believe there are probably some activities where a parent has given an individual permission to participate in a sporting activity.

The caliber, .223, is -- I use the word "nice," a nice caliber for young people to learn how to shoot targets because it's very accurate, and the recoil on the semiautomatic, combined with that caliber, cartridge, doesn't

create much kick.

And so young men and young women alike have learned how to be very technically accurate and have gone off to have that be part of their life in the future.

So they don't always have to be in the presence, I believe, of their parent; but I do believe that there's usually someone there in a supervisory role that should theoretically have the kind of control that would be in place to guide someone in the safe use of a weapon.

REP. O'NEILL: But would the parent -- wouldn't have had to at least given -- sign something to give permission in terms of the weapons that they would like their child to be able to practice it and use?

REP. MINER: I have taken young people that are not my children to ranges in the past, and with some connection, some paperwork signed with regard to responsibility, have been allowed, in the case of .22s, specifically, have been allowed to let them participate in target shooting.

I don't know as you get up -- I can tell you there's an indoor range in Torrington that is very successful, runs very well, where you can shoot an array of weapons.

I don't know what their individual requirements are with regard to weapons perhaps of this caliber. I doubt very much someone off the street under the age of 18 or what have you without a parent could just walk in and start pulling the trigger.

REP. O'NEILL: To that point, I mean, would

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there -- do you think there would be objection if there isn't also policy in place that there might be something that with parental right -- parental permission that the individuals would be able to practice with any weapon that the parent saw fit for their child given their size, weight, height, as opposed to just their age?

Because, I mean, the more practice, practice, practice, the more responsible, you get better. And the higher you put that age, the less practice there's going to be. And it's not always age. It could be size.

You could have a very, you know, well-developed 12-, 13-, 14-year-old who's 20, 30 pounds heavier than the next guy, and leaving that decision to the parent as to when they want their child to be able to start practicing the sport, it's -- it's something we can't lose sight of moving forward.

But thank you very much.

REP. MINER: Representative, I think that's a logical connection. As long as there's some way for people to be able to continue to participate, I think that is a logical way to do it.

Whether they actually have to be on site or not, I think you can probably accomplish that in some way through a written document. And I think if I -- if I recollect the situation correctly, the young man's -- the youngster's, I guess I would say, parent I believe was on site at the time that tragedy occurred.

So there is no doubt that these are dangerous. They're like a chainsaw. They're like a number of other tools that we humans have

created for purposes -- and you need to be mindful of what they are. And accidents do happen, and they're unfortunate.

REP. O'NEILL: Thank you, Representative Miner. Thank you, Mr. Chairman.

SENATOR McDONALD: Thank you.

Representative Tong is next. Let me just first give you folks an update. We are searching for an overflow room. All of the other committee rooms in the building are being occupied at the moment.

Our staff tells us that we will have -- and I have reserved Room 2D that will be available but only beginning at noon.

So I apologize to members of the public who don't have a seat here. There are some scattered seats still in the room if folks want to try and -- to -- to find a seat. And we -- I do have to make sure that people keep the aisles clear going to the exits. But I wish we had an immediately available hearing room for our overflow. We will have that in about an hour.

Representative Tong.

REP. TONG: Thank you, Mr. Chairman. Good morning, Representative Miner.

REP. MINER: Good morning, Representative Tong.

REP. TONG: Just a few quick questions. I'm sorry if -- I was a little bit late and I missed the earlier part of your testimony, so I hope you'll excuse me if I ask questions that you've already answered.

But you mentioned that based on feedback from your constituents, there was more concern about 353 than 358; is that right?

REP. MINER: That's correct.

REP. TONG: Okay. And so when I say "concern," that has been the greater topic of conversation.

Do you -- do you know if there's a reason why there's less concern about 358? Is it because it involves the death of a young child and that's a different issue?

I'm just trying to get a sense of why people are focusing less on 358 than 353.

REP. MINER: I don't think anyone who has approached me is unconcerned about the death of anyone. And I think that's the big disconnect here. Somehow there's an association between guns and gun owners and violence.

And the part that you missed in my first comments, I believe, was that I learned at a very young age the sanctity of life. When I choose as a hunter to take the life of an animal, I know what I've done. I've measured the importance of that against the value of the meat or the taking of the quarry for some purpose.

I suspect that most of the people that shoot indiscriminately at others never learn that. They don't care. It means nothing to them to pull the trigger out the window of a car and shoot at 15 people, maybe because they're mad at one.

So I would not gauge the interest or

disinterest in someone's interest or disinterest in the life of anyone. I would gauge the interest or disinterest in their ownership of semiautomatic handguns. It will be greatly impacted by Committee Bill 353.

With regard to the other two issues, few of my constituents own machine guns. More own semiautomatic weapons. But for our definition, flash suppressor, able to carry a bayonet, maybe some other things, have weapons that are only a word or two away from falling in the category of an assault weapon.

So their interest is solely based on the most immediate battle to try and protect their rights.

REP. TONG: I apologize if my question wasn't clear. I wasn't trying to ascertain whether a certain segment of the population cared more or less about human life.

REP. MINER: Yes.

REP. TONG: I certainly believe that everybody in this room cares very deeply about the sanctity of life and human life and would do everything in their power to keep our families safe and the children of our state safe.

So that was not the intention of my question. My question was really to discern whether based on your comment you thought there was more support as a general matter for 358, or that people could live with the idea of 358.

And what I mean by that is the specific idea of limiting the transfer of an assault weapon or machine gun to a certain, you know -- to people above a certain age.

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REP. MINER: I think "transfer" to you and me might mean on its face "sell."

REP. TONG: Right.

REP. MINER: So I would transfer to you ownership of a gun. I think the law currently prohibits that kind of activity in the State of Connecticut.

So "transfer" as it's written here has a different meaning, I suspect, which would mean the mere possession of.

REP. TONG: Right.

REP. MINER: So if I hand you a semiautomatic rifle that meets the definition of an assault weapon, you would be prohibited under the age of 18 from firing that weapon even if I was standing right next to you.

They are an extremely safe weapon. It is by virtue of our definition of discussion "assault weapon" that we have categorized them. They are no less safe being pointed at a target safely than a semiautomatic without a bayonet mount and without some of the other things that we have said don't belong on these. These are assault weapons.

So we've carved out the definition. Semiautomatic -- my semiautomatic hunting rifle and a semiautomatic .223 assault weapon really fire pretty much the same way.

So I think it's the establishment of an age at which you can actually use one, when I happen to know that there's competitive shooting going on in the State of Connecticut, lawful, competitive, organized shooting going on in the State of Connecticut that help people

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understand how to handle these weapons and their importance.

REP. TONG: But I've -- I've fired guns several times at a range and had the experience of doing that recently, you know, as a recreational matter, and enjoy it.

My question to you, though, is you just said there's no difference, you know, as between different classes of firearm and their relative safety.

REP. MINER: I didn't say that.

REP. TONG: Okay.

REP. MINER: I said semiautomatic.

REP. TONG: Okay.

REP. MINER: We classify certain semiautomatics as assault weapons. The difference between a semiautomatic in terms of its firing capability, a semiautomatic .223 assault weapon, and a semiautomatic 30-odd-6 hunting rifle really aren't -- there's no difference.

REP. TONG: Okay.

But certainly as a general matter, there are different calibers of guns, you know, if I use the terms correctly.

And you testified earlier, you know, there's a different kick associated with different types of guns.

REP. MINER: Absolutely.

REP. TONG: And as I know from my personal experience, some guns kick much harder than

other guns. And I can imagine being an adult now that, you know, if I were younger, if I were 12, 13, 10 years old, that it would be tougher to handle a gun of that size.

Is that right?

REP. MINER: I think there's -- if my understanding of what occurred with the fully automatic weapon is correct --

REP. TONG: Yes.

REP. MINER: -- it's not a matter of pulling the trigger and having the recoil be something that was unmanageable. It's the gyration of the weapon that created a problem in a fully automatic weapon.

The assault weapons that we're talking about in here are semiautomatic, as I understand our definition.

REP. TONG: Okay.

REP. MINER: And so I don't think the kick is the issue.

REP. TONG: You mentioned that you thought that the age of 18 was too high. Do you have an idea as to an age that you think is appropriate, or is it no age?

REP. MINER: Well, to some degree, I think that goes back to what Representative Conway was talking about, and the first order of business is that I think parents ought to be the decider of when young men and women get involved in this sport.

A .22, for instance, in the hands of one of the age of eight, nine, ten, is not necessarily an unsafe situation.

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REP. TONG: Right.

REP. MINER: It's a healthy situation.

REP. TONG: Right.

REP. MINER: A .22 in the hands of someone undisciplined, uncontrolled, unwatched is -- is probably as dangerous as a chainsaw.

So I would say that 18 is probably too old. The younger age of 14, which is the age at which we allow people to begin the hunting process, is probably the right age. And then allow the parents to be the guide beyond that.

REP. TONG: So you would amend this to make it 14?

REP. MINER: Well, I think that's -- I think if you -- if we look through the different categories, we have that established as an age where we allow certain people to do certain things.

Personally, I will tell you, when you get to the fully automatic status of a machine gun, maybe that's the right age. Maybe that's not the right age. But I'm not a complete -- when I say complete, I'm not fully knowledgeable when it comes to the physical characteristics of a fully automatic weapon.

But I suspect trying to hang on to a square box is much different than hanging on to a long rifle.

REP. TONG: To switch to microstamping, we've heard testimony not just this year but last year that it would -- and I want to move away from the -- from the business arguments, and I want to just talk about the Second Amendment issues

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you please hit the button so your mike is on?

ROBERT BURNOP: Sure. Is it all set now?

SENATOR McDONALD: Thanks very much.

ROBERT BURNOP: Just a footnote here, this is actually is my first time ever coming to a public hearing, and I thought that this -- this topic was important enough to take time off of work and actually do so.

I see this bill, 353, 358 and some of the ones our newly elected president wants to bring up, as a Second Amendment attack. The criminals are the ones that are not going to be affected by this -- by this law.

I'm a toolmaker by trade, so I can answer some of the questions as far as the microstamping, how it can be easily removed, how it would affect the cartridges themselves. And one of my biggest concerns, my children, who are hunters and sportsmen, sportswoman, eight years old, they will not have the ability to have my firearms transferred to them.

They are legally abiding by the system. They have been brought up that way. And as far as Bill 358 goes, all of my boys, the oldest one being 27, started shooting at the firing range at five years old. My daughter is going to be eight, and she'll be starting this summer, more than likely.

Again, this is not the only bill that we see before committees, Senate, Judiciary Committees, the Congress of the United States of America, as far as attacking our Second Amendment rights. And I do consider it an attack, and cumulative also, as was spoken about before.

Little by little by little, they're taking away or enforcing or trying to enforce certain little provisions that will just little by little take away my right to own a firearm.

And it was in the Senator's opening statements that he said that everybody in this room has a right to voice their opinion, and the only reason I'm sitting here today is because of the people who started this country had the ability to own firearms and made sure that that right was protected, and that's why I'm here today.

I've got few footnotes here that I'm going by, but -- and recently, I'd say within the past four to six years, every time a vote comes up, a town vote, town referendum, state vote, presidential vote, I look at that person's record as far as Second Amendment rights go, as well as I do think almost everybody in this room also does.

And I just wanted to bring that up, because, again, it's becoming more and more cumulative. And every time I turn around, as was spoken before, there's something new. Something -- and may I respectfully say -- and I don't know how else to say this -- I cannot believe some of the questions I heard from the committee themselves when they're sitting here trying to either propose this bill or enforce this bill or get this bill voted on as approved that do not know enough about the subject.

SENATOR McDONALD: Thank you very much, sir. Your three minutes is up, but I believe Senator Kissel has a question for you.

SENATOR KISSEL: Thank you very much. Thank you, Mr. Chairman.

You and I both are probably astounded at some of the things that have been raised in this building in the last few weeks, but that's okay.

As the previous speaker indicated, I also take the proponents -- and I believe one of the chief proponents is Senator Looney. And I have the utmost respect for Senator Looney. He cares passionately about issues of crime. He comes from New Haven, a lot of crime, a lot of dead bodies. And so people struggle for how do we get our arms around this.

I would suggest that the last several gun control laws that this legislature passed -- and I voted "no" on each and every one of them -- have done nothing, and we saw it coming that they would do nothing. But it's a free country; people put out these proposals.

What I'm most interested in -- and you indicated at the beginning of the testimony that you could help us with this -- is how would a criminal subvert this proposal?

Because to my mind, it's unconstitutional, or is certainly goes right to the Second Amendment rights that people have to bear arms, which our Supreme Court finally -- United States Supreme Court finally started to address what the Washington, DC [inaudible] to do.

But, given the best of intentions, how would the average criminal get around this law if it passed, at the same time using Senator Doyle's analysis of cost-benefit?

We all want to -- we all care about life, but I view this as just one drip, drip, drip,

drip, drip, constantly targeting hunters and sportsmen and everything else. Goes right against those folks, law-abiding people. And so I'm with you on this. I am with you on this.

But we have to make the case -- and I love to see this room filled, because that's how, you know, I would like to think that common sense would prevail. Doesn't work that way. So let's make the case this is ridiculous, any criminal would get around it, and it's costly to law-abiding citizens.

ROBERT BURNOP: Okay.

One of the reasons why I oppose it -- and I'll get to the point as far as how it's going to affect the criminals, if at all. One of the reasons why I oppose it is because it's a way of setting up a database as far as registered firearms [inaudible]. Right. The only thing that a criminal cares about, as was stated before, is whether or not that firearm works, if it discharges.

He could care less whose name is on it. If one of my firearms got stolen, and I -- at this point if I didn't report it within 48 hours, I'm a criminal. If the crime was committed before I found out about that, I would be responsible for that firearm. That's why the criminal would not care.

If he owned it for more than 48 hours -- I can tell you I've changed firearms -- firing pins myself. In my AR15 it takes me about 20 seconds, okay.

Now, with this new bill, they want the firing pin to imprint on the primer, and they also want the breech face of the weapon to imprint

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on the case.

So in order to do that, you're going to need laser -- some type of laser or an EBM machine, and that can be taken off with a file -- with a needle file. It can be taken off with a grinding wheel, and the weapon would still be usable. All right?

I can take any firearm I own in my house, which I have six of right now of my own, and I can take that weapon apart, and there's about seven different places on each one of those firearms that has the serial number on the fire -- on that part itself.

So there's no reason for the microstamping on the ammunition. None at all. If that firearm is registered to me, it already has a serial number, and the police station, state police, the ATF has all that information already.

Now, if somebody takes that weapon apart and changes the firing pin, it's not really going to help me out. It's not going to help them out, because the serial numbers are already on that weapon.

The only reason to put a mark on the case is to -- after somebody is murdered, picking up a shell and telling you that -- which firearm that was, you know, shot out of.

The cost-benefit analysis, like was said earlier, a criminal pays \$25 for a weapon or lets somebody borrow their car for a half an hour so they can use their firearm that was stolen in the first place. All the numbers are taken off it. It's not traceable.

I had a weapon that I sold to a reputable dealer that I got a call two years after the

fact from a state police officer in Southbury who wanted to know what that weapon was. I explained to him what it was, who I sold it to, and he said it was used in the commission of a crime.

I said, Why are you contacting me? He said, Well, we're just trying to trace it back. So a weapon that I owned for five or six years, sold two years earlier that was used in a crime.

Some -- you know how the person got it? It was stolen. Criminals who steal guns can care less about any type of markings on the firearm at all. And if they're going to bend down and pick up the case, that [inaudible] this ID even -- even further.

SENATOR KISSEL: I appreciate your passion, and I'm really happy that you came here to testify, and I'm looking forward to future testimony throughout the afternoon. Thank you.

ROBERT BURNOP: Thank you, Senator.

SENATOR McDONALD: Are there any other questions?

If not -- I'm sorry, Representative Walker.

REP. WALKER: Good afternoon.

ROBERT BURNOP: Good morning.

REP. WALKER: Good morning.

I wasn't going to say anything, but I -- I'm one of the legislators from the cities that have the dead bodies around.

ROBERT BURNOP: Well, there --

REP. WALKER: But I've -- when you said that you were concerned or surprised or that people were asking so many questions on a bill that they don't know that much about, I think that one of the things that a lot of people who don't understand is that when a bill comes before us in the public hearing, the whole idea is for us to get that information --

ROBERT BURNOP: Okay.

REP. WALKER: -- so that we understand more about it. Everybody doesn't necessarily agree or disagree with the bill. It's a fact-finding situation.

And the best thing that we can do is to ask questions, because you wouldn't want us to make statements or make value judgments without having enough information.

So I think a lot of people misunderstand when we have bills before us that we're automatically either supporting or not supporting it.

So that's part of the way we get this. And I -- I think this is the best way for us to hear from the public about those issues. So I just want to let everybody know that, you know, that it's important that we do have an opportunity to talk to you and everybody else in the audience about how you feel. And how these things --

I don't own a gun, and I'm not somebody who supports guns. One, because I've seen too many misuses with it, and I think that we have to learn how to use things a little bit better and use our minds a little bit better than using something that -- against each other like that.

ROBERT BURNOP: You're talking just about criminals. Everybody in this room sport shoots or hunts.

REP. WALKER: Yes.

ROBERT BURNOP: We're not talking about criminals on this side.

REP. WALKER: Oh, I --

ROBERT BURNOP: Your idea -- if I may, your idea is to ban all guns. That way, nobody can shoot at each other. That's -- that's the way I feel.

REP. WALKER: No, that wasn't -- that wasn't what I said. I said I don't support guns.

ROBERT BURNOP: I understand.

REP. WALKER: And I don't own guns. But I didn't say I would ban anybody from owning guns.

ROBERT BURNOP: All right.

REP. WALKER: I think we all have those -- the right to make some of those decisions ourselves, and that's the whole beauty of it.

But when you were talking about using it for hunting, do you think that machine guns are something that should be available for hunting also?

ROBERT BURNOP: Machine guns are not for hunting.

REP. WALKER: Okay.

ROBERT BURNOP: I use them for -- collect them. I was in the service.

REP. WALKER: Okay.

ROBERT BURNOP: That was one of the biggest reasons why I bought my AR15, to remember the service that I, you know, did for my country, that our gentlemen here wearing their caps -- for that same reason.

There are machine gun shooting clubs, and I don't -- you know, there's -- what a lot of people don't understand, there's really nothing wrong with a machine --

If I laid an uzi or an M16 right here or even a light -- automatic light antitank weapon here, if I didn't pick it up and use it in a disrespectful manner, it wouldn't hurt anybody.

REP. WALKER: Well, thank you. And thanks for your testimony.

ROBERT BURNOP: Thank you.

REP. WALKER: Okay.

SENATOR McDONALD: Are there any other questions?  
Representative Coutu.

REP. COUTU: Thank you for taking time off today from your job and everything. We appreciate that.

My question is just do you have any opinion on how long it would take you potentially to take apart [inaudible] weapon and remove the microstamp?

ROBERT BURNOP: Well, my experience with semiautomatic handguns is -- you know, is extensive. I'm mean, it's -- to take apart a

semiautomatic weapon for field cleaning,  
probably ten minutes.

Now, to take the microstamping off, you know,  
with a grinding wheel, two minutes. You can  
only go so far, because it -- the impression  
that there's going to be either on a breech  
face or the firing pin itself can only be so  
deep before it actually cuts into, you know,  
the mechanism of the shell itself.

So it's -- it really wouldn't take long at  
all. Twenty minutes, tops, between taking it  
apart and taking the [inaudible] --

REP. COUTU: Okay. So not that long.  
And additionally, the weapons -- you're  
telling us that just about every weapon has a  
serial code on it --

ROBERT BURNOP: Yes.

REP. COUTU: -- of some sort?

ROBERT BURNOP: Even the imported weapons have  
them.

REP. COUTU: Okay.

And just so you know, I also ask questions  
sometimes just to get on the record. I'm in  
the military. I use a -- some different  
weapons. And just so you know, that's  
sometimes why we ask questions also, just to  
get on the record and to get you to say your  
opinion on a position, so --

ROBERT BURNOP: Okay.

REP. COUTU: Thank you for being here today. Thank  
you, Senator.

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SENATOR McDONALD: Thank you.  
Are there any other questions?

If not, thank you for your patience, and it was very helpful information.

ROBERT BURNOP: Thank you, sir. Thank you.

SENATOR McDONALD: Next is Charles Trombley, followed by Meg Sautter.

Good morning, sir, and welcome to the Judiciary Committee.

CHARLES TROMBLEY: Hi. Good morning. My name is Charles Trombley. I'm from Waterbury Connecticut. Senator McDonald, thank you for allowing me to speak to your Judiciary Committee.

SB353

You know, looking past these things, you know, it seems like so many well-spoken people here today took time off from work, from their daily, you know, whatever they have to do and they come up here, but it does seem like every year you're going after the Second Amendment rights.

You know, I hear -- are you a legislator, madam? Are you a state rep? You say you own a gun, are you the one --

[Inaudible].

CHARLES TROMBLEY: All right.

You know, the most horrible thing happened in Cheshire last year. We all worked so hard for [inaudible]. You couldn't get that fast from democrats.

A few weeks ago, you had -- you wanted to

abolish the death penalty. You know, is there any sense to what this Judiciary Committee -- you have two legislators, they're on ten years, chairman of this committee, and they've caused nothing but havoc.

You know, let's speak the real truth here. Who's really being affected? We're -- I'm a 15-year pistol permit holder. Thank God I've never had it taken out. I enjoy going to the range with my wife, she's also a pistol permit holder, and shooting guns, you know, target practice.

You've made laws here that we can't have a clip with more than ten bullets in a gun. It used to be 15. You've made laws we have to put locks on our triggers. You've made laws that you have to lock them in your house.

Now, the poor -- I don't even want to say the poor doctors. I feel -- that affected all of us as family, as people, across the country, not just in Connecticut, and you sit here today and talk about putting a number on a firing pin to stamp a bullet, and you've got two sanctuary cities in this state, you've got illegal aliens running wild in New Haven and Hartford, in the capital of Connecticut, and you sit here in judgment, coming after law-abiding citizens.

What is wrong with this picture? I'm ashamed -- I've been a democrat for 40-something years. I am ashamed at this point to even be calling myself a democrat. As a matter of fact, I'm going home next -- the next few days, and the three of us in my family, we're going to be republicans, because you people are just so ridiculous.

(Applause.)

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SENATOR McDONALD: Ladies and gentlemen, please.

CHARLES TROMBLEY: \$17 billion in the hole  
pensions.

SENATOR McDONALD: Ladies and gentlemen, please.

CHARLES TROMBLEY: You want to go up on our gas  
tax. Come on.

SENATOR McDONALD: Okay.

CHARLES TROMBLEY: Judiciary, you need term limits.  
You need term limits --

SENATOR McDONALD: Mr. Trombley --

CHARLES TROMBLEY: -- in the state rep and state  
senate. And you need them on your  
chairmanship. You've been in that position  
too long, Mr. McDonald and Mr. Lawlor. Thank  
you for letting me speak.

(Applause.)

SENATOR McDONALD: Thank you. Ladies and  
gentlemen --

CHARLES TROMBLEY: I'm not a democrat, but --

SENATOR McDONALD: Ladies and gentlemen, please.  
Please refrain from any expression of support  
or opposition so that we can move smoothly  
through this process.

And thank you, Mr. Trombley, for your  
testimony. Meg Sautter, followed by Carlton  
Chen.

Good morning, ma'am.

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JOSH HOROWITZ: I understand that.

REP. COUTU: I'm sort of kidding with you.

JOSH HOROWITZ: No, but -- I understand that.

REP. COUTU: There's a lot of variables, I suppose.

JOSH HOROWITZ: Yes.

REP. COUTU: Thank you for your input and your feedback. I appreciate it.

JOSH HOROWITZ: Thank you.

REP. COUTU: Thank you, Chairman.

SENATOR McDONALD: Thank you.  
Is there anything further? Thanks for your time.

JOSH HOROWITZ: Thank you very much.

SENATOR McDONALD: Peter Kuck. Kuck, sorry.  
Followed by -- is Michelle Cruz here? Okay.  
Thank you.

PETER KUCK: Thank you all for putting up with all my emails. I hope you all had a chance to read the Reveron case that was attached to the last one.

SB 728  
SB 353  
SB 358

Senators and representatives of the Judiciary Committee, my name is Peter Kuck, and I'm a member of the Board of Firearms Permit Examiners. In the name of full disclosure, I am also one of individuals who has filed a civil rights suit against the Department of Public Safety. Please keep that in mind.

I speak today in opposition not only to Raised.

Bill 728, An Act Concerning Enhanced Penalties for the Commission of Crimes with Illegal or Unregistered Firearms, but also Raised Bill 358, An Act Concerning Prohibiting the Transfer of Assault Weapons or Machine Guns to Minors, and Raised Bill 353, An Act Concerning the Microstamping of Semiautomatic Pistols.

Please note that I oppose the granting of any additional authority or power to the Department of Public Safety until they resolve the issues identified by the attorney general's report, December 2006.

And I will continue this opposition until the Department of Public Safety stops enforcing nonexistent laws against the citizens of Connecticut.

Among the nonexistent laws currently enforced by DPS are the requirement for the presentation of a passport, birth certificate or voter registration card for the renewal of the state pistol permit, even though this legislature has refused to pass that as a requirement three times.

Kuck v. Danaher, currently scheduled for the Second Circuit Court of Appeals, is a result of that.

The enforcement of concealed carry by permit holder when there is no such requirement in state statute, Goldberg v. Danaher, currently scheduled, Second Circuit Court of Appeals in New York is a result of that.

That was also asked for by Commissioner Danaher, who I see is here today, of public safety, and it was stripped from the bill.

Three: The enforcement of nonexistent

requirement to register the sale of long arms with DPS using Form DPS-67-C, citing Connecticut statute 29-33 and 29-37a, which are only for pistols and revolvers.

Four: The use of the "at risk" warrant process passed by this legislature without first applying for a warrant.

Five: The use of erased records under Connecticut state statute 54-142a(a) at hearing regarding pistol permits before the board.

To allow the Connecticut State Police, or for that matter, any law enforcement agency, to unilaterally interpret and capriciously question mandates or prohibitions of any state statute on their exclusive belief that the General Assembly "intentionally or otherwise" made a mistake when enacting law only causes the vagueness and chaos currently found in circumstances faced by countless citizens who have attempted to read, understand and comply with the written provisions of state statutes.

And now I'll get into the specifics. 728 -- and I didn't find a copy out there, but I assume that it's still on the agenda. I oppose this bill because it is faulty. There is no firearms registration requirement in Connecticut state statute.

There is no licensing requirement for long arms in Connecticut state statute. There is a registration requirement for the sale of pistols and revolvers in Section 29-33a in Connecticut.

In the post DC v. Heller environment where the US Supreme Court reaffirmed the individual's right to keep and bear arms -- please bear

with me -- in an individual's home, there's every indication that even Connecticut's recently passed eligibility certificate requirement for the purchase of pistols and revolvers may be unconstitutional.

Do we not have sufficient laws on the books for use against violent criminals? Are the courts not imposing penalties?

And I'll take a break if you wish, or I can go on. I've got another couple of minutes.

SENATOR McDONALD: Are there any questions at this point?

Try to -- we're trying to keep everybody to three minutes, but I realize you've heard the bell. If you could try to narrow it within a minute or so.

PETER KUCK: Try to get it real close.

SENATOR McDONALD: Thank you.

PETER KUCK: 353 is also faulty. As was noted last year in front of this committee, that microstamping could easily be obliterated in a matter of moments with sandpaper or with a hammer and a punch.

It should also be noted that the exercise of eminent domain is not limited to real property. Governments may also condemn personal property, such as supplies for the military in work wartime, franchises, including intangible property, such as contract rights, patents, trade secrets and copyrights.

Were this bill to pass, this would render all owners of semiautomatic handguns unable to

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of someone who is a substance user when they -- when they leave prison. I can't point to any.

And, in fact, I think that committee last year heard testimony from someone from Philadelphia, and I can't remember if it was part of the Siting Incentives Committee, that said specifically that we need to find more innovative ways of working with individuals with substance abuse disorders who are in our DOC population.

So I -- I think just extending that time in prison isn't -- isn't going to help the root cause, which is the -- the substance abuse. In this case, alcohol.

REP. GREEN: Thank you.

SENATOR McDONALD: Thank you very much. Are there any other questions? If not, thank you for your time.

FRANK FORTUNATI: Thank you.

SENATOR McDONALD: Senator Looney. And after Senator Looney is Dr. Ellen Eden here? How about Michael Day? Okay. You'll be next, Mr. Day.

SENATOR LOONEY: Good afternoon, Senator McDonald and vice chairman and Representative Fox and members of the Judiciary Committee.

My name is Martin Looney. I represent the 11th Senate District, also serving as Senate majority leader, and I would like to express my support for several bills on the committee's agenda today. Two of these, Senate Bill 358, An Act Concerning Prohibiting the Transfer of Assault Weapons or Machine

SB 353  
SB 732  
HB 6576  
HB 6664

Guns to Minors, and Senate Bill 353, An Act Concerning the Microstamping of Semiautomatic Pistols, would create better regulation of firearms.

I propose Senate Bill 358 in response to the tragedy of the gun show in Massachusetts. It's of vital importance that we keep young children safe from assault weapons and machine guns. The children should not be in possession of these powerful weapons which they may not be strong enough to control, even if they are under the supervision of an adult standing nearby.

It's unclear under current law whether children are strictly prohibited from possessing assault weapons and machine guns, and this ledge ladies and gentlemen would leave no doubt that Connecticut will protect its youth from this obvious danger and potential tragedy.

Senate Bill 353 would require microstamping of semiautomatic pistols. And microstamping uses lasers to make engravings on the firing pin or inside the firing chamber which are transferred to the casings when the gun is fired, and this process allows police to link the evidence to the specific gun that fired the bullet.

And microstamping technology will help law enforcement identify and apprehend perpetrators of gun crime, because at times, as we know, the only evidence at a crime scene is a spent cartridge case.

Microstamping will allow police to link used cartridge cases recovered at a crime scene to a specific firearm and to the criminal who fired it. And in addition, microstamping will

Therefore, if these offenders were released to house arrest, the state to save more than \$17 million on this basis.

I would also like to express my support for House Bill 6576, An Act Concerning Larceny. This bill would increase the amount a person would have to steal in order to be charged with the varying degrees of larceny.

As we know in many cases, the seriousness of a larceny crime is pegged to the value of the amount stolen, and those amounts have not been adjusted for some time, and this would reflect an inflation adjustment for those various offenses where the seriousness of the crime is pegged with a dollar value of the item stolen.

I finally would ask that House Bill 6664, An Act Concerning Revisions to the Various Statutes Concerning the Criminal Justice System be amended to include the federal public offenders as one of the federal agencies with access to the CGIS system. And this is a reasonable change, as US attorneys currently have access but the public defenders do not.

But thank you for hearing these important bills and for your attention to a wide range of important legislation in this session.

SENATOR McDONALD: Thank you very much, Senator. There were a number of people -- the room is actually much less crowded than it was earlier in the day, and most of the people who came and testified earlier were opposed to the microstamping bill for a variety of reasons, but one of the issues was the -- was the nature of the -- of the transfer of a semiautomatic weapon.

SB 358

And it was unclear -- I think it was unclear whether the transfer was intended to be -- and the language in there was intended to be a sale of a semiautomatic weapon or a temporary transfer, as in the case of handing a semiautomatic weapon to a particular individual.

I'm -- you know, what I apologize. I -- it was 358 that that was --

SENATOR LOONEY: 358.

SENATOR McDONALD: I'm sorry, wrong number, was whether you were talking -- transferring that to somebody under the age of 18 years of age, even with adult supervision.

And I'm just trying to get your impression about that issue, because it was a significant issue of concern for some folks.

SENATOR LOONEY: Yes, I think there had been some suggestive language to [inaudible] on that. The intent is that people below a certain age should not handle those weapons, even under adult supervision, because of the terrible tragedy in Massachusetts. Even when there was an adult standing nearby, in many cases, children handling those weapons, the recoil or the force of the weapon may cause a tragedy, as we saw in that case in Massachusetts.

Even when there is adult supervision, per se, the child holding and handling the weapon or in possession of that weapon is in great danger regardless of whether or not there is an adult in close proximity.

SENATOR McDONALD: Okay. Let me just -- do other folks have questions? Representative

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I'm sorry.

REP. GREEN: Okay. The Marlin Firearms Company do not make the pistols that this law would apply to.

BRUCE ROZUM: Yes, sir.

REP. GREEN: Okay. Thank you. Thank you.

REP. FOX: Thank you.

Are there any other questions? Thank you very much.

Next, Raymond Hanley, followed by Kathleen Foster, followed by Dawn Watson, followed by William Misenti.

RAYMOND HANLEY: Afternoon, Chairman Fox, members of the Judiciary Committee. My name is Ray Hanley. I'm from Southbury Connecticut, president of High Rock Shooting Association, and I'm here this afternoon to voice opposition to Bill 353, and I'd like to comment on Bill 358.

But first on 353, if 353 were to pass, it would mandate to the hard-pressed taxpayers of Connecticut to gamble on an unproven theory of linking used cartridge to a firearm that fires requiring the microstamping of semiautomatic pistols.

This legislation was passed in California, as has been pointed out, but hasn't been implemented, so no data is available as to its reliability.

Maryland and New York have passed similar legislation called ballistic fingerprinting. The report updated July 8, 2008, Maryland

State Police recommended suspending the ballistic ID system. The report states that so far, two and a half million dollars has been spent on this system, and they recommend using that money for more proven crime-fighting techniques.

The report further states the system has failed to provide any meaningful hits. Colonel Thomas Hutching, superintendent of the Maryland State Police, further states, This system so far is really not doing anything.

In New York state, its seven-year handgun fingerprint database has yet to yield one criminal prosecution. Since March of '01, information from more than 200,000 handguns sold in New York that has been entered into the database with no result.

Cost estimate in New York, more than a million dollars a year. In these hard-pressed economic times, why should the State of Connecticut and its taxpayers gamble on a program that has no proven record, has the potential of costing more workers the loss of jobs, and has an aura of "maybe some day" ring to it? Quite honestly, we don't need it. We can't afford it.

Now, in regard to 358, I would like to say that there's more testimony coming on that, and there's no one in this room more interested in handgun safety or firearms safety than what many of these instructors, including myself, are.

That tragedy that occurred up in Massachusetts, beyond explanation. Do we have to be more careful? Absolutely. But the bottom line here is education. And we have to begin that at an age earlier than 18. I would

sincerely ask that that age be reconsidered and looked at very carefully. I'll answer any questions that I can. Thank you for your time, gentlemen, ladies.

REP. FOX: Thank you very much, sir.  
Representative Tong.

REP. TONG: Thank you, Mr. Chairman. I asked the question earlier, somebody -- actually, with Representative Miner, if he was aware, and as an instructor, I'll ask you, do you require parental permission for use to practice with assault weapons today?

RAYMOND HANLEY: I don't exactly know what an assault weapon is, sir. If you're referring to what's defined in our statutes as a legal assault weapon, yes, I would.

REP. TONG: You do or you would?  
Do you instruct now?

RAYMOND HANLEY: I do not instruct with a .223 right now, sir. I know there are other people in the room that do. But I limit my instructing to the younger group, to shotguns and to .22s, primarily.

REP. TONG: Is there any particular reason why you personally choose to limit it?

RAYMOND HANLEY: Well, because of what I instruct primarily, I do a lot of instructing with Boy Scouts, and we use .22s and shotguns. I don't have .223s on the range there.

Would I? In another life, I would. But it would certainly require a different type of training.

REP. TONG: Okay. Thank you. Thank you,

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I request that you turn this bill down and don't pass it. Thank you.

REP. FOX: Thank you, Mr. Watson.  
Are there any questions? Thank you very much for waiting all day to testify.

DON WATSON: Thank you.

REP. FOX: Thank you. Next is William Misenti. He will be followed by Erin Romano, followed by Chris Powell.

WILLIAM MISENTI: Good evening. First time I've ever been up here, so you're going to have to give me a little break, but I'm here on -- in front of you all you gentlemen and ladies because I oppose now two bills, 33 -- 353, my reason for that is the technology isn't proven, it can be easily done away with.

SB358

In my lifetime, I've had several jobs, some of them security, some of them carrying a gun for a nuclear plant, and I'm very familiar with a lot of law enforcement people, including family members.

So I have been following this since I was a young tad. And so that was a long time ago. But this method of tagging the brass does not stop people from using revolvers, which there are more revolvers around, and it only does it for pistols, which will limit pistols.

Now I have a few pistols. By this law going into effect, I won't be able to transfer these. I already have a gun through your assault bill because it says "Colt" on it. No other assault guns can be sold in this state because they're pre-banned. I can't sell my Colt. I have to will it to my nephew. It's

already done.

But the idea is that takes all my guns, and it's now going to make them illegally for me to transfer to somebody in this state. That means I'll have to transfer them somewhere out of state.

That doesn't solve your problem. People haven't mentioned this, but there are automatic weapons that are in this state that were made in 1911 and are still being fired. You're going to start and put a tag on a gun this year or two years from now or three years from now or ten years from now when they finally figure out how they can do it, because that's the part that's not done.

And unless you've been in manufacturing, saying you're going to do something and doing it runs into a lot of monkeys, and they don't all work the way they're supposed to.

And then you're going to have these guns that are around, what, 50 years? They got all those guns from 1911 up till now, and they are there's tons of them around. You're going to make everybody hand in their gun? You're going to pay me for them, because I've got some real collector's items. I spent a lot of my taxpayer money which you ended up getting a portion of when I paid my taxes on that purchase.

Now, the other thing I'm going to bring up is also this 358. Now, assault weapons, I have two nephews that are into guns. I have several nephews that aren't into guns. One of them is a sergeant, I won't say where, but he's in forensics, so this is also interesting. But, if I could take a little longer, I learned how to shoot when I was in

the Boy Scouts. That's how I learned. I was about 12 years old, and that's how I learned how to shoot.

My nephew shot my assault weapon when he was probably 16. That was after he had quite a few lessons in other guns and how to shoot. But once he got to that point, he was taller than me, stronger than me, and he learned how to shoot an assault weapon.

His father showed him how to shoot previous, what you would consider of their day, assault weapons, semiautomatics, which could be almost anything. A 1022, which is a .22 rifle, dolled up with a few little doodads looks more like an assault rifle than some of the modern assault rifles.

And those guns are how kids learned. They learned safely. They learned what a gun can do, what a gun can't do. And the proper thing is we should be educating all children in all schools that guns around toys. They're tools. And they are dangerous. But in the right hands, they can be used to have fun. They can be used to go hunting and put food on your table, and they can do a lot of things law enforcement and otherwise. That's what my nephew got into.  
Any questions?

REP. FOX: Thank you very much for your testimony. Are there any questions? Thank you very much for spending your day with us.

Next is Erin Romano. She's not here, then next is Chris Powell, followed by James Weissmann, follows by George Sipila.

CHRISTOPHER POWELL: Good evening. Judiciary Committee members, Chairman McDonald, thanks

HB 6670

know that the case was decided correctly if that significant evidence was withheld? It's not as if the New Haven Police Department has covered itself with glory lately. There's been a very serious corruption problem down there, as we all know. Thank you.

REP. FOX: Thank you.

Are there any questions? Thank you very much.

Is James Weissmann here? I'm just going to go through a list of names, so I'm not sure who's here. George Sipila. He'll be followed by George Baktis. This is George -- yes. Ron Pinciario I saw earlier. Okay.  
Good evening.

GEORGE SIPILA: Good afternoon, sir, ladies and gentlemen. I'm George Sipila. I'm the shooting -- the only reason I'm here, I'm the shooting sports director at June Norcross Webster Scout Reservation. I'm an NRA-certified training counselor, as well as instructor for almost every discipline there is in NRA. I'm also a range safety officer. I'm a retired military officer [inaudible], and I spent my time in Vietnam, so I am very familiar with all sorts of weapons, et cetera.

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Very interesting note, California, when that new law goes into effect, not a problem. On the light side, the Marines at Camp Pendleton have been using rubber guns, so that if they already know how to yell "hoo-wah," they can go bang, bang, bang.

Okay. Continuing on.

(Laughter.)

GEORGE SIPILA: At the scout reservation, we use primarily .22 caliber rifles and pistols. On

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one for competition. That's why I change parts, competition.

Okay. The next problem, is this going to affect the military?

SENATOR McDONALD: Sir?

GEORGE SIPILA: Yes.

SENATOR McDONALD: The three minutes is up. Could you just -- do you have any concluding -- quick concluding remark?

GEORGE SIPILA: Yes, my recommendation is we take in a [inaudible]. It's going to prove to be a problem.

SENATOR McDONALD: Okay.

GEORGE SIPILA: On Bill 358, one comment, you can't legislate stupidity. The father should have been right there and had the common sense to control his son.

SENATOR McDONALD: Thank you very much. Thank you.

GEORGE SIPILA: Thank you.

SENATOR McDONALD: Are there any questions? Thanks for your time, sir.

GEORGE SIPILA: Thank you, sir.

SENATOR McDONALD: I believe George Baktis is next, High Rock Shooting Association.

UNIDENTIFIED SPEAKER: No, it's someone else.

SENATOR McDONALD: Oh, there you go and Ron Pinciario.

GEORGE BAKTIS: Good afternoon. My name is George Baktis. I'm treasurer of High Rock Shooting Association. I've been their treasurer for 17 years.

I'd like to make a comment on 358. I've heard testimony here today concerning the assault rifles. And nobody's actually defined "assault rifle."

I don't know if anybody on the panel here knows the actual definition. But Connecticut defines "assault rifle" as any firearm capable of semiautomatic -- I'm nervous -- full automatic and burst fire at the action of the user, which means it's a selective firearm.

And then it goes on to name 60 different firearms that don't fit your own definition. And also, it goes on even farther to say that any firearm with a detachable magazine that has a combination of any of the two, which is a flash suppressor, a bayonet lug, gratuity pistol grip, folding or a classical stock.

So under this law, if I were to take my grandson to the range, and my AR has a bayonet lug on it, and it has -- it will have the protruding pistol grip, it's an illegal firearm. If I take a grinder, take off the bayonet lug, it's now a legal firearm.

Now, it has nothing to do with the function of the firearm whatsoever. And I can't understand how we can legislate things on appearance and not how they function. When you give a definition of an item, and none of these firearms that we're talking about here fit your own definition, how can we try to ban them or say I can't take my 13-year-old grandson and let him fire that firearm.

It doesn't make sense to me, and I don't know if anybody can explain it to me. So that's really about all I have to say. And the one thing I would like you all to remember is that we can't legislate away crime. You know, that we cannot do. If we did, we wouldn't be here having this discussion, because there would be no crime. We'd be living in a perfect world. And obviously we aren't.

That's all I have to say. Thank you.

SENATOR McDONALD: Thank you.

Are there any questions? Thanks for your time today, sir. Ron Pinciario, followed by Thomas Walker. Is Mr. Walker here? He'll be next.

RON PINCIARIO: Good evening, Senator McDonald, members of the committee. I'm Ron Pinciario, executive director of Connecticut Against Gun Violence, and I'm speaking in support of SB 353, because microstamping is an important tool that will help law enforcement solve gun crime.

SB 358

The national clearance rate for homicide cases was approximately 60 percent in 2007. And over 3,000 gun homicide cases went unsolved. At approximately half of gun homicide investigations, a spent cartridge casing but not a firearm is recovered at the crime scene.

Today that cartridge can only be tied to the gun that shot it if the gun itself is found. Microstamping will allow police to positively link used cartridge cases recovered at crime scenes to the exact guns that fired them without having the gun in their possession.

In the first six weeks of this year, ten shootings in Hartford, New Haven and

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drug mob in Bridgeport.

RON PINCIARO: That's right.

SENATOR GOMES: I just wanted to clarify that for somebody's edification.

SENATOR McDONALD: Are there any other questions from members of the committee? Thanks very much.

Thomas -- Thomas Walker, followed by Raymond Holdridge.

Is Mr. Holdridge here? Mr. Holdridge?

Steven Loban, you'll be the next person up.  
Good evening, sir.

THOMAS WALKER: Thank you, Mr. Chair and members of the committee. My name is Thomas Walker. I'm from Ashford, Connecticut. I'm a small businessman, and I'm here representing myself and my family.

I'd first like to touch on Bill 6009. This is the kind of legislation you people should all be passing. This is good. This should be passed as quickly as possible. I wasn't aware of that before I came here, but this is a very good bill.

The faster we can get criminals off the street by any means, or make people be responsible, the sooner we'll all be safe.

Next, I'd like to talk on Bill No. 353. This bill has no merit whatsoever. It's been shot full of holes. The people that are for it really don't have any hard evidence that this works.

I'm not a criminal. I've never -- my biggest

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me. They're pushing a product that hasn't been tried. One person is trying to put this out. That I have a big problem with.

There's no law that will account for our lack of responsibility. We need harsher penalties. I would love to see you build more prisons in the in the state. I would gladly pay more taxes to get these people off the street and keep them there. We have plenty of laws. Let's enforce them to keep them off the street.

As far as Bill no. 358, are, anyone 17 years of age in this country can join the armed forces. They can handle automatic weapons. They can drive tanks. I think that this is way out of line.

There was a proposed bill, No. 5852, that it's my understanding will never reach this committee. It had language in it that was much more fitting to what you're trying to do here.

I understand that it's a tragedy that that young boy died at the machine gun shoot in Westfield. But would you hand an eight-year-old a chainsaw? An automatic weapon is the same thing, only it reached out farther.

Proper training and education is the key to stopping all this, not future legislation. It just ties people down. Thank you.

SENATOR McDONALD: Thank you, sir. And I appreciate you staying so close to the time.

THOMAS WALKER: You've been here a long time. I'm trying to get you out of here.

SENATOR McDONALD: Are there any questions?

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Representative Tong.

REP. TONG: You made an interesting point. You said that -- I think you just asked rhetorically whether you would hand a chainsaw to an eight-year-old.

THOMAS WALKER: Would anyone on committee do that, yes.

REP. TONG: I wouldn't. I don't imagine you would.

THOMAS WALKER: I wouldn't, no. I'm a logging contractor. I have an 18-year-old, that I won't give a chainsaw to.

REP. TONG: Right.

THOMAS WALKER: There's a balance there. We need to be responsible for our actions. That's our responsibility -- was it an accident? Yes, a tragic accident. But you're not going to prevent that with legislation.

REP. TONG: I guess my question is, it sounds like it just defies common sense, if I can just paraphrase what you're saying.

THOMAS WALKER: Uh-huh.

REP. TONG: It defies common sense, and I just -- I got my first chainsaw from my in-laws last year for Christmas, and I'm still working my way through it. Maybe they're trying to send me a message.

(Laughter.)

REP. TONG: They're from western Pennsylvania.

THOMAS WALKER: Maybe they're trying to get rid of you.

REP. TONG: Maybe. But, you know, it is an inherently dangerous instrument.

THOMAS WALKER: Sure.

REP. TONG: And are you saying, then, that it defies common sense to hand an eight-year-old a chainsaw?

THOMAS WALKER: Sure.

REP. TONG: Okay. So does it defy common sense to hand an eight-year-old an automatic weapon?

THOMAS WALKER: Yes.

REP. TONG: How about a ten-year-old?

THOMAS WALKER: I would say yes.

REP. TONG: Twelve-year-old?

THOMAS WALKER: At 12 years old, according to the DEP, you can take a hunter safety course, and you can start hunting with a legal guardian. That's what that bill that I referred to starts at.

REP. TONG: Okay.

THOMAS WALKER: At 12 years old. That's when I started hunting. That's when I started carrying a weapon.

REP. TONG: So the 12 --

THOMAS WALKER: Again, though, there's got to be some parental guidance --

REP. TONG: No, I understand --

THOMAS WALKER: -- because --

REP. TONG: But there's a certain maturity, both mental and physical at that age?

THOMAS WALKER: Yes, yes, I agree with that.

REP. TONG: I do understand your statement that we cannot enact legislation -- we cannot legislate common sense. But at the same time, it is our obligation to protect the public from, you know, where we can, things that are inherently dangerous.

THOMAS WALKER: Uh-huh.

REP. TONG: There's a whole body of law about that. If you and I can agree right here that handing an eight-year-old an automatic weapon is not smart and should not be done under any circumstances --

THOMAS WALKER: I agree.

REP. TONG: -- you and I would not do it, what would be the harm in us saying then you can't do it?

THOMAS WALKER: Do it at all?

REP. TONG: Yes.

THOMAS WALKER: What if you had a child that was 15 years old and decided he wanted a career in the military --

REP. TONG: No, no, I'm talking about the eight-year-old.

THOMAS WALKER: Oh, I agree with an eight-year-old.

REP. TONG: Okay. So we've agreed now --

THOMAS WALKER: I agree with an eight-year old --

REP. TONG: Ten-year-old up to a 12-year-old.

THOMAS WALKER: I mean, there's definitely an age  
limit --

SENATOR McDONALD: Folks, folks, just so you know,  
there's some poor person who's actually going  
to have to transcribe this.

REP. TONG: Sorry, you're right.

SENATOR McDONALD: You need to allow people to  
finish their conversation.

THOMAS WALKER: I didn't mean to bait you.

REP. TONG: No, that's all right. Please.

THOMAS WALKER: I think you were talking.

REP. TONG: Okay.

THOMAS WALKER: Sorry.

REP. TONG: Eight-year-old, 10-year-old, up to 12.  
There is some number at which it stops and it  
doesn't make sense to hand somebody an --

THOMAS WALKER: Yes.

The DEP has a guideline for hunter safety, a  
point where young adults may start handling a  
firearm in a semi-supervised situation, which  
is 12 years old.

A machine gun at 12 years old? Probably not.  
I have one son that at 12 would have been fine  
with it. I have another one at 18 that I  
wouldn't do it.

(Laughter.)

THOMAS WALKER: I mean, that -- that's something that the parent has to be responsible for.

REP. TONG: Yes.

THOMAS WALKER: It's important to keep them -- I mean, our families have collapsed to the point where anything we can do as citizens and as legislators to bring that back together is only going to be good.

REP. TONG: I appreciate your spending time with us.

THOMAS WALKER: Thank you for listening.

SENATOR McDONALD: Are there any other questions? Thanks for your time.

THOMAS WALKER: Thank you.

Next is Steve Loban and is Bob Malinowski here? Is Mr. Malinowski here? Randy Bieler, Bieler. You'll be next.

Please proceed, sir.

STEVEN LOBAN: Thank you. Good evening, Chairman McDonald, members of the committee. My name is Steve Loban. I reside in Naugatuck, and I'll be speaking in evening in opposition to 353 and 358.

It seems like a deja vu experience. We were here a year ago -- I was here a year ago -- many of the same faces and some new faces, talking about the same bill, the same arguments as last year.

My question is, why is microstamping such a priority? Why is it on the agenda? We've heard the arguments before. It's impractical. It actually constitutes a de facto ban and denies citizens access to new pistols. That's very clear. That's in the legislation. It hasn't been brought up tonight. So it's unconstitutional on that basis.

I want to bring up Senator McDonald's point earlier when Josh Horowitz was testifying. And again, the example of California came up. California doesn't know how to implement this.

And might I add, this bill has failed in Illinois, failed in Maryland and in other states that are strong gun law states. Why is that? And they don't even want to introduce it on the federal level, because they don't know how it will play out in California.

You know, we've heard how law-abiding citizens -- you know, impact on law-abiding citizens. Of course it will, you know, for that reason.

You know, law-abiding gun owners, we're your neighbors. We pay taxes. Consult us on these things. We have solutions for some of these problems. We heard other -- of your colleagues speak, hey, it's about crime and the violence. We don't want to ban guns.

There are solutions for that. This isn't one of them.

Regarding 358, my issue here is the term "assault weapon," more so the "machine gun." I'll be happy to engage you to clarify differences on there.

I began shooting competitively when I was 13

years old, and some of the shotguns and rifles I shoot might be assault weapons if future federal legislation passes.

It.

Last year, Mary Fritz commented I'm not sure we're going down the right road with these bills. Well, what road are we seeking to travel by bringing it back up?

I would welcome an opportunity to engage the committee to discuss solutions that work, to reduce crime and preserve the rights of the people, which we all have an obligation to uphold.

The microstamping bill offers nothing to aid law enforcement and everything to deny Connecticut citizens access to [inaudible]. Thank you.

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SENATOR McDONALD: Thank you very much, sir. I appreciate your patience all day.

Are there any questions? Thanks very much.

STEVEN LOBAN: Thank you.

SENATOR McDONALD: Randy Bieler. Joseph Knott, is Joseph Knott here? You'll be after Mr. Bieler, and you can tell me if I've mispronounced his name.

RANDY BIELER: Bieler is all right. That's good. Thank you, representatives, members of the committee, my name is Randy Bieler. I'm a citizen of Cheshire, Connecticut, and I'm also the president of the Connecticut State Rifle and Revolver Association.

I'm opposed to the language on the 358 bill because it talks about an assault weapon. And I've always asked myself the same question.

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It could be a golf club, it could be a baseball bat, it could be a tennis racket. I don't know what a weapon is.

In Connecticut, most of the soon yours start in competition -- shooting competitions around the age of ten. Our Connecticut juniors have competed in national and Olympics competitions, winning and taking home medals for Connecticut and some actually at the age of 12.

They've broken national records, and now you want to take away their privilege and their right to compete.

Being a Boy Scout leader for 25 years, I'm a father of two Eagle Scouts, and a shooting coach for 30 years, I can tell you that the Connecticut Junior Shooting Team has the same has the same morales, the ethics and the laws the same as the Boy Scouts. Trustworthy, loyal, helpful, friendly and all the rest of them.

With the help of these parents -- with the help of their parents and the teachers that they have learn from, their coaches and their peers, they are going to be outstanding citizens. Through the years, our juniors have grown to be excellent citizens, top of their classes at high schools and colleges, such as RIT, Annapolis and West Point, just to name a few.

,Have become pharmacists, lawyers, engineers, surveyors, air traffic controllers, et cetera, paralegals.

All these jobs can be used in Connecticut, and we don't want them to move to another state just so they can stay active in shooting sports.

I would not like to go to the national championships this year and say that Connecticut has passed a law that says that Connecticut juniors cannot compete any longer: If you have to pick a new age, do some little discussion about an age, like I said, at the age of ten, they -- they shoot in the small board competition. At the age of 12, we have them fully -- fully shooting in high-power competitions.

So if you have to pick an age, I would say make it the same as the NRA. Make it 12.

As far as the microstamping bill, opposed to that also. It has never proven to solve any crimes. And there's no criminal that's going to turn in their illegal pistols and get them microstamped. It's only going to attack us honest citizens. In Connecticut, we have drive-by shootings. We have drive-through jail items.

We even drop the early release inmates at Downtown Haven to start it all over again. I think we should enforce and increase the jail times.

And the last thing, representative over here asked a question about innocent citizens were being microstamped. If I'm at the range and I fire seven rounds out of my weapon and I leave one round on the ground, somebody could pick that up and use it at a crime, [inaudible] knocking on my door and saying what did I do, shoot somebody.

So yes, it could affect an innocent person.  
Thank you.

SENATOR McDONALD: Thanks for your testimony, sir.

next.

Good evening. Thank you.

ROBERT CROOK: Good evening, Chairman Fox. My name is Bob Crook. I'm the executive director of the Coalition of Connecticut Sportsmen, testifying in opposition to SB 353.

I'm not going to go into this. I think it's been covered. I would just like to say there's been three comprehensive studies done on this issue, one by the Journal of Forensic Firearms Examiners, University of California at Davis, and National Academy of Sciences.

All three conclude that the technology of firearms microstamping is easily defeated by criminals, flawed, unreliable and must be studied further before any legislature even considers mandating the technology.

And the bill I'm interested in more so is 358. This is on the machine gun incident. Federal law defines a machine gun as any weapon which shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot without manual reloading by a single function of the trigger.

OLR has published three reports on the accident in issue. The latter two rightfully address only machine guns. The question then becomes why are so-called assault weapons, which are not machine guns, in this bill?

So-called assault weapons, not machine guns, only semiautomatics, one shot, one pull of the trigger, under our statutes can be legally owned and used for legal purposes -- that's hunting, target shooting, self-defense or collecting -- if they have been registered.

Why would a restriction be placed on these activities by those under 18 when state law allows minors, age 12 to 16, to obtain a Department of Environmental junior firearms hunting license, allowing them to hunt with firearms, including the so-called assault weapons, if they're legally registered and under supervision?

People over age 16 may get a DEP license for unsupervised firearms hunting. Section 1 is clearly in conflict with longstanding current statutes that have worked. So we'd strongly suggest deletion of Section 1 of the bill as not appropriate to the issues.

By the way, if you're caught doing this, it's a six-year mandatory sentence. So we're going to say as a legal people -- of course I have to go in court and everything, but I think you understand it's in conflict. It doesn't make any sense.

Section 2 of the bill addresses the relevant cause in the Massachusetts accident, machine guns. We think the 18-year-old prohibition should be reduced also. This -- there's a couple of statutes. One is the DEP statute, which say 12, and there's another statute in there dealing with safe storage of firearms, which says "minor" means any person under the age of 16.

Additionally, there's no exemption in here for a 17-year-old who wants to familiarize himself with machine guns before going into the military, or for active National Guard Reserve members of the military to shoot machine guns.

So what we suggest is you make the determination on what is best for the age. We

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think 12 is sufficient, but if you want to go with 16, that's fine. Eighteen is too high.

And we think the standardization is the key to compliance and enforcement. And there's a quote at the end of my -- my section by James Madison. Essentially, it says if you write too many laws and they can't be understood, then you're not doing the service [inaudible] to the public.

And if there's too many different age groups doing different things by law, that is confusing. So please standardize.

REP. FOX: Thank you.

Senator Kissel.

SENATOR KISSEL: Okay.

Just briefly so I understand where you're coming from, Bob, 12 and older for semiautomatic weapons comports with the DEP laws already on the books --

ROBERT CROOK: Yes.

SENATOR KISSEL: -- allows for training, Boy Scouts, all that kind of stuff. For machine guns, 16 and older, and you think those are the appropriate -- or you would be willing to accept those as appropriate guidelines.

ROBERT CROOK: I think we would be willing to accept 16, but what I'm really concerned about is -- is get rid of that first section, because that's -- that's -- it's in conflict with other statutes, and it will really penalize legitimate people.

SENATOR KISSEL: Okay. Thank you.

REP. FOX: Representative Labriola.

REP. LABRIOLA: Thank you, Mr. Chairman.

Bob, I want to thank you for your continuing and longstanding advocacy on behalf of the Second Amendment.

Can we go back to the microstamping, the 353 proposal? One of the most powerful arguments against that proposal, I believe, is the economic impact that would result if it passed, that jobs would actually be lost here in Connecticut?

Could you speak to that?

ROBERT CROOK: Well, we know that Colt has over 500 union members. I think just saying that is significant.

I think last year, if I remember correctly, Colt said that they would not sell in this state. Smith & Wesson said they would not sell in this state. Colt inferred that they might move out of state.

So I think -- I think the job loss is -- is probably the most significant economic problem. I don't see how anybody can come in here and argue it isn't going to cost the companies a fortune.

Jake McGuigan, you know, said that there is no -- who's going to -- who's going to keep all this data? It's -- he said, essentially, it's against federal law to keep all this data, for the companies to do it, so that means the state's going to have to keep it.

They're going to have to have another

comes up, is Drue Hontz still here? You'll be next, Mr. Hontz.

S.D. BRODER: Senator McDonald, the members of the committee, I also will not rehash what most of the people have said in opposition to Senate Bills 353 and 358. But I'd like to bring up something that at least I haven't heard of.

Americans, most Americans, are good people, and they believe -- they believe that if they have a problem, they can go to their state legislature or to their Congress and get something done to solve the problem.

So what happens? Somebody says there's a problem. We're finding shells at crime scenes, and somebody says let's pass a law. And so we go through the process.

Somebody else says in Massachusetts, a kid was killed by a machine gun. And what is the answer? Somebody jumps up and says let's pass a law. And if you look at the crazy [inaudible] of gun laws all over the country, you will see that this is what happens.

Now, so the law is passed, so who does it hurt? It never hurts the bad guy. Never hurts the bad guy. The criminal -- and I'm not talking about the person who does a crime of passion and becomes criminal. I'm talking about the person who does it for a living. That's his -- that's what he does. What do you do? Well, I'm a criminal. What does that mean? Well, I break the law. That criminal is never hurt. It just raises his cost of doing business.

Then you have -- at least in the past few years people talk about terrorists. The terrorist wants to destroy the law. He

doesn't care what the law is. He wants to destroy the system. The criminal wants to keep his cost of doing business as low as possible.

And then again, there's the person who is adjudged to have physical -- I'm sorry, to have mental and emotional problems. What will his excuse be if and when he's caught? He didn't understand.

Well, if the criminal, psychopath and the terrorist all have a built-in excuses, who is affected by the law? Joe Solid Citizen who fills out all the paperwork, takes all the exams, pays the money, does all the things he's supposed to do, but he's the only one adversely affected by the law.

People have said, well, microtechnology would not cost that much money. It doesn't matter how much "that much" is. \$200 or someone said at this table 50 cents. Why should the good guys constantly pay for what the bad guys do?

There are principles here. It's not just dollars and cents. It's principles.

So that's part one. My other part is this: There are people -- oops. We'll never get to part two.

SENATOR McDONALD: Thank you very much, sir.

S.D. BRODER: Thank you.

SENATOR McDONALD: Thanks for your testimony. Are there any questions? Thanks very much.

Drue Hontz next. And as he comes forward, is Robert Ricardo here? [Inaudible]. Daniel DeCostello? Brian Carey? Gregory Nolan?

SENATOR McDONALD: Understood. Thank you very much. Are there other questions? Thanks for your testimony.

CONRAD OST SEIFERT: Thank you, Senator.

SENATOR McDONALD: David Hodgman, I believe, is next. And then is Thomas Violante here? Mr. Violante, you'll be next.

DAVID HODGMAN: Good evening, Senator McDonald and committee. This is my first time here, so please be patient with me.

I think on the bright side, we've missed the rush hour for the ride home. Pretty much, being one of the last few into here, everybody has pretty much touched on what I had thought as far as the 353 and also the 358. I would like to be brief, as I'm sure you would appreciate that.

The -- 353, obviously since the underlying thing here is that it is not perfected yet, the thing that really is the clincher to this is the firearms that we now possess are no longer transferable.

So I can't hand anything down to my son. I can't go purchase a used firearm. Being a former firearms dealer, I do collect certain guns. Also, being a bail enforcement agent in the past -- actually, I'm in the process of finishing up probably in another few weeks -- couple weeks I should be back on the road again doing that, I've had the opportunity to deal with these criminals.

The criminals are not paying attention to the laws. We do, the bulk of us that are in here. We're here because we are law-abiding, and we

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As far as the assault weapon ban, and I'll be very fast and quick with that, my son started shooting with me, he was about ten years old. Now, unfortunately, these -- some of these guns qualify under assault weapon ban just because they're on a list.

Now, my son's not quite 18 yet, so now we can't do that any longer. We go to the range. We have a good time. It would now be illegal -- and I'd go to jail -- for doing what we've been doing.

The machine gun thing, it was a terrible thing what happened in Massachusetts. Appalling. Just tragic.

I think, as I said, 12 years old, kids can go hunting. Seventeen years old and you're in the service and given a machine gun.

I think that that should be -- both of those may need a little bit of rewriting, and microstamping at least perfected.

SENATOR McDONALD: Thank you very much, sir. Are there any questions? Thanks for your time.

DAVID HODGMAN: Thank you.

SENATOR McDONALD: Thomas Violante. And after Mr. Violante -- just with your indulgence, just let me run through this list.

I would like to get an idea how many people are left. Andrew Marcorini? He wasn't here to hear me brutalize his name. Edward Angelillo? Lee Friedman? Somebody with very elaborate script handwriting that I can't read. Maybe Joel Halliwell or something?

Barry Berger? Leo St. John? Ed Pancella?

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to bear arms. Thank you.

SENATOR McDONALD: Thank you for some very eloquent testimony. I appreciate it.

NOELLE FEUCHT: Thank you.

SENATOR McDONALD: By the way, I was looking at the photographs and it's very impressive work that you do as well.

NOELLE FEUCHT: Thank you.

SENATOR McDONALD: Are there any questions for Noelle? Thanks so much.

NOELLE FEUCHT: Thank you.

SENATOR McDONALD: And if I am not mistaken, Mr. Worsham --

CHARLES WORSHAM: Yes.

SENATOR McDONALD: -- is the last member of the public who wishes to testify. Is that correct? Is there anybody else?

You have the last word, sir.

CHARLES WORSHAM: That figures. Been here since 9:00 myself.

Good evening, committee members. My name is Charles Worsham, and I'm a resident of the great State of Connecticut. I'm here to state my opposition to SB 353 and SB 358.

SB 358, if this bill had any hope of stopping crime consistently, I don't know anyone in the [inaudible] community that would oppose it. However, if this bill becomes law, it will do nothing except hinder those who care about the

law and follow it.

Criminals don't legally buy guns. They don't follow the law. That's why they are criminals. And laws don't really help prevent any single crime that a criminal is intent on committing.

SB 353 fails on many levels. It fails on many levels in its objective to enhance public safety.

The first item is that it will violate the Second Amendment of the Constitution of the United States. More specifically, the second or operative clause, which contains the word "infringement."

When the legislature proposes legislation which mandates the application of an unproven, untested, unavailable technology to a very common firearm in order to obtain that firearm, that will most certainly be construed as infringement.

This technology has no proven production platform, requires retooling and manufacturing changes; and since common semiautomatic handguns cannot be purchased or obtained until these hurdles are met, it doesn't take a scientist to figure out that this would easily construe infringement.

Secondly, this technology is so easy to defeat with common materials and tools that it borders on the ridiculous. You heard about a common item left at crime scenes, the shell casing. This may be true today, but who in their right mind would believe that this trend would continue if this legislation were enacted?

March 16, 2009

Judiciary Committee  
Legislative Office Bldg  
Hartford, CT

Steven Loban  
100 Barn Finch Circle  
Naugatuck, CT 06770

Re: S.353 (Micro stamping) and S.358 (Minors Prohibited from Machine Guns or Assault Weapons)

Good Morning Chairman Lawlor, Chairman McDonald and members of the Committee. My name is Steve Loban, residing in Naugatuck and I am speaking in opposition to the Micro stamping and Minors gun bills.

It seems like a "déjà vu" experience that a year ago almost to the day we were here, with most of the same people and now with many new faces debating the same issue as last year.

My question to the Committee is why is micro stamping a priority? Why is it on the agenda? We've heard the arguments before; no public safety value, not feasible; counterproductive; de facto new gun ban; unconstitutional in denying access to new pistols; and economically disastrous for the state.

Why hear it again? It has been defeated in every other state where it was introduced, except CA and CA doesn't know if it can be implemented. Why bring it back when its lobbyists suggested it not be considered at the federal level because of the problems with it in California?

Senator Looney believes micro stamping will have no impact on law abiding citizens, when in fact it will. Representative Dillon last year said, "...the concern is about crime and gun violence". Law abiding gun owners of this state are citizens affected by crime, too. We're your neighbors. We pay taxes. And we've asked to be consulted to work with the Committee on real solutions to no avail.

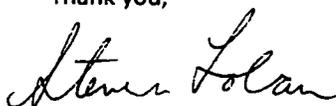
Regarding S.358 the concern here is with the term "Assault Weapon" It may include firearms commonly used in traditional shooting programs preventing shooters under age 18 to participate in National Matches and possibly clay target sports with many commonly used firearms. Please consider removing the term "Assault Weapon" and adhere to the BATFE definition of "Machine Gun" alone.

In closing, I want to refer to Rep. Mary Fritz's comment from last year: "I'm not sure we're headed down the right road with these bills." I ask then, what road is the Committee seeking to travel?

I would welcome an opportunity to engage the Committee to answer questions and help explore other roads to reduce crime and preserve the rights of the People which we all have an obligation to uphold.

The Micro stamping bill offers nothing to aid law enforcement and everything to deny Connecticut citizens access to new pistols.

Thank you,



Steven Loban

Good Morning Chairman McDonald, Chairman Lawlor, Members of the Judiciary Committee.

I'm Ray Hanley from Southbury and President of the High Rock Shooting Association and I'm here to voice opposition to Committee Bill 353 and comment on Committee Bill 358.

If passed, 353 would mandate to the hard pressed taxpayers of Connecticut to gamble on an unproven theory of linking used cartridge cases to a firearm that fires them by requiring the micro stamping of semi-automatic pistols.

This legislation was passed in California but hasn't been implemented yet so no data is available as to it's reliability.

Maryland and New York states have passed and implemented legislation similar to this called Ballistic Finger Printing.

In a report updated July 8, 2008, Maryland State Police recommended suspending the ballistic ID system. The report states that the 2.5 million spent on the system so far, be used on proven crime fighter techniques. The report further states the system has failed to provide any meaningful hits.

Colonial Thomas E. Hutching, Superintendent of the Maryland State Police further states, "The system really is not doing anything."

In New York State, its 7-year handgun fingerprint database has yet to lead to a criminal prosecution. Since March of 2001 ID information from more than 200,000 new handguns sold in New York have been entered into the database maintained by state police.

Cost estimated in New York for this program is about a million dollars a year.

In these hard economic times in our state, why should the taxpayers be mandated to finance a program that has no proven track record, has the potential of costing more workers the loss of their jobs and has an aura of "maybe someday" ring to it?

We don't need it and we can't afford it.

**Opposed to SB 358 & SB353****SB 358 Assault Weapon?**

**What is an Assault weapon? A golf club? A baseball bat? Tennis racquet?**

Most juniors start in shooting competitions around the age of 10

Our Connecticut Juniors have competed in National & Olympic competitions, winning & taking home medals for Connecticut, some at the age of 12! They have broken many national records, now you want to take away their privilege, their right to compete.

Being a Boy Scout leader for 25 years, a father of 2 Eagle scouts & a shooting coach for 30 years I can tell you that the Connecticut Junior Shooting teams have the same morals, ethics, and laws as the Boy Scouts

**Trustworthy, Loyal, Helpful, Friendly, Courteous, Kind, Obedient, Cheerful, Thrifty, Brave, Clean, Reverent.**

With the help of their parents & the teachings they have learned from their coaches & peers they have grown to be outstanding citizens.

Though the years our Juniors have grown to become excellent citizens, top of their classes at High Schools and Colleges, RIT, Annapolis, West Point, just to name a few They have become, lawyers, pharmacist, engineers, surveyors, air traffic controllers, electricians, paralegals, etc. All of these are jobs we could use in Connecticut, do we want them to move to another State just so they could stay active in "Shooting sports"?

I would not like to go to the National Championships this year & say they passed a law that says Connecticut Juniors can not compete!!!

If you hàve to pick a new age, pick 10, remove the term "at shooting ranges".

**SB 353 Micro stamping?**

This still has not been proven to be effective & will not help to solve any crime

No criminal is going to turn in there illegal pistol to get it "micro stamped", this only attacks honest law abiding Citizens & Connecticut firearms manufactures.

In Connecticut we have "Drive by shootings" & "Drive Through" jail times, we even drop early released inmates to downtown New Haven to start the "cycle" all over again, enforce & increase jail times!

Randy Bieler  
1068 Peck Lane  
Cheshire, CT

Testimony of Hans D Justus before the Judiciary Committee  
March 16, 2009

Re: SB 353 and SB 358

Good Morning Chairman Lawlor, Chairman McDonald and members of the committee

My name is Hans Justus, residing in Cheshire I am a retired engineer and currently President of WLOPA, a sports shooting club in Wolcott.

SB 353

I am opposed to micro stamping of firearms, as it does nothing to either keep guns out of the hands of criminals or assure punishment of them.

\* This technology does not work with any degree of reliability ( Ref AFTE Journal Vol 40, No 3; NSSF Micro Stamping Factsheet )

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\* Implementation will add large costs to firearms and create a bureaucratic nightmare for manufacturers and

state agencies attempting to keep track guns, replacement parts ( coded bolts, firing pins ) which must be

matched to the original codes of affected firearms.

\* Due to the problems involved in providing special ' Connecticut Versions ' of their product lines, manu-  
factu-

ners would most likely opt not to sell in Connecticut.

\* Very importantly, if enacted, this law would ban transfer of firearms not micro stamped from being trans-

ferred. This would greatly affect family heirlooms, valuable collectors pieces and such.

Please consider that this proposed legislation will only benefit the group selling the concept and those who would further restrict access to firearms for law abiding citizens - and do nothing to prevent criminals from obtaining and (ab)using guns for illegal purposes.

SB358

My opposition to this bill is based on the term ' Assault Weapon '. The original and military term defines an

Assault Rifle as a select fire rifle which fires reduced power rifle cartridges. As currently used, it has been applied to a large variety of semi automatic rifles and shotguns.

There are many young people, who aspire to shoot in the National Rifle Matches or to compete in Trap, Skeet or similar shotgun sports. The use of ' Assault Weapon ' could effectively ban them from participating.

Please consider changing the term.

Thank You

  
Hans D. Justus



*Francisco Ortiz, Jr.*  
*Chief of Police*

**NEW HAVEN**  
**DEPARTMENT OF POLICE SERVICE**  
One Union Avenue • New Haven • Connecticut • 06519



*John DeStefano Jr*  
*Mayor*

**Testimony of the City of New Haven to the Judiciary Committee**

Honorable Committee Members, thank you for allowing me to address you. My name is Chief James M. Lewis of the New Haven Police Department. I respectfully testify on behalf of the City of New Haven Police Department and Mayor John DeStefano, Jr. in support of SB 353, An Act Concerning The Microstamping Of Semiautomatic Pistols. And SB358, An Act Concerning Prohibiting The Transfer Of Assault Weapons Or Machine Guns To Minors.

SB 353 requires microstamping of the firing pins in all firearms that are sold and purchased within the State of Connecticut. Microstamping technology uses lasers to make microscopic engravings on the firing pin of a gun, which leave an identifying mark on any spent casings discharged from that gun. The ability to identify and link spent casings to a specific firearm would assist law enforcement officials with the tracking of that weapon if it is lost, stolen or used in the commission of a crime.

During the calendar year 2007 the City of New Haven Police Department investigated 162 assaults and 13 homicides committed by use of a firearm. During this same calendar year our agency responded to 940 reports of gunfire within the city limits. These reports resulted in 577 cases where ballistic evidence was seized by officers on the street. All of these incidents in addition to the assault shootings and homicides, places a great burden on the officers of the New Haven Police Department.

*Policing through Partnerships*

[cityofnewhaven.com/police](http://cityofnewhaven.com/police)

Presently, when evidence from the discharge of a firearm is collected, it sent to the Connecticut State Police Forensic Laboratory in Meriden, CT for processing by an expert firearm examiner. This Laboratory is the only facility in the state that processes evidence for police departments and does so for the entire state. The backlog of evidence from firearms cases is evident by the amount and nature of incidents in the City of New Haven alone, compiled with the evidence sent in by the remainder of the police agencies in the state.

The Microstamping of firearms will greatly reduce this backlog of cases at the laboratory and allow each police agency in the state to examine ballistic evidence collected at crime scenes. The ability to identify which crime scenes are linked together based on the identifiers from the microstamping process will greatly enhance the police agencies throughout the state's ability to reduce crimes that involve firearms.

Tracking of firearms through any means is a difficult job for any police agency in the nation. With the use of current technology the tracking process has become easier in the past decade. Now we are faced with an even newer form of technology that can greatly enhance the tracking of firearms. A simple database of information related to microstamped firearms can only be an asset to our police.

Although we understand that microstamping of firearms is not a cure-all for firearms related crimes; if it has the ability to reduce the number of firearms used in crimes by a modest percentage it would be of a great assistance to law enforcement officers and make our communities safe places to reside in.

SB358 addresses the issue of minors possessing assault weapons. It is difficult to imagine any legitimate use by a minor of an assault weapon within an urban environment.

We believe this exposes the minor to unnecessary risk that they may not be able to recognize at a young age.

We urge the passage of both of these pieces of legislations as it is a step in the right direction to reduce gun crimes across the state of Connecticut and the nation.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 14  
4276 - 4597  
2009**

David Hodgman Jr.  
P.O. Box 403  
Botsford CT. 06404  
203-525-0956  
March 13, 2009

Dear Representative:

It is my understanding that you are a member of the State of Connecticut Joint Committee on Judiciary, and will be reviewing the following raised bill regarding THE TRANSFER OF ASSAULT WEAPONS OR MACHINE GUNS TO MINORS.

**I urge you to oppose Raised Bill No. 358 PROHIBITING THE TRANSFER OF ASSAULT WEAPONS OR MACHINE GUNS TO MINORS.**

This law would hurt someone, such as me or any other parent who wants to go to the range with a son(s) and or daughter(s) maybe an uncle, scout master, friend and so on; I think you have the idea, for a day of legal sport shooting. But because of a certain type of gun that is on a list here in Connecticut people that are normally law abiding tax paying citizens will now be breaking the law.

From past experience of going to the range with my son we have bonded and have good safe fun. As many others have and do.

Let's work on putting the REAL, law breaking criminals in jail with MINIMAL plea bargaining so they stay where they belong. Let's work together to enforce the laws that we have, instead adding more laws and only adding to an already over burdened legal system, from law enforcement to the courts.

This type of law only hurts good honest people. The criminal doesn't follow the law. This we all know.

**"You won't get gun control by disarming law-abiding citizens. There's only one way to get real gun control: Disarm the thugs and the criminals, lock them up, and if you don't actually throw away the key, at least lose it for a long time... It's a nasty truth, but those who seek to inflict harm are not fazed by gun controllers. I happen to know this from personal experience." Ronald Reagan, 1983**

Your consideration of my request and the careful and thoughtful review of the above bill are greatly appreciated.

Respectfully yours,

David Hodgman Jr.

## COALITION OF CONNECTICUT SPORTSMEN

P.O. Box 2506, Hartford, CT 06146, (203) 245-8076  
[www.ctsportsmen.com](http://www.ctsportsmen.com) [ccsct@comcast.net](mailto:ccsct@comcast.net)

Testimony presented to the JUDICIARY COMMITTEE, MARCH 16, 2009

### IN OPPOSITION to S. B. No. 358 (COMM) AN ACT CONCERNING PROHIBITING THE TRANSFER OF ASSAULT WEAPONS OR MACHINE GUNS TO MINORS.

by Robert T. Crook, Director

This bill is being addressed due to an incident in Massachusetts involving an eight-year-old who shot and killed himself at a "Machine Gun Shoot" using a fully automatic firearm.

Federal law defines a "machinegun" as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger." OLR has published three reports on the accident issue, the latter two rightfully address ONLY Machineguns. The question then becomes WHY are so-called "Assault Weapons" which are NOT machineguns being addressed in this bill?

So-called "Assault Weapons," not machine guns - only semi-automatic fire (one shot, one pull of the trigger), under our statutes can be legally owned and used for legal purposes (hunting, target shooting, self-defense) if they have been registered. Why would a restriction be placed on these activities by those under 18 when State law allows minors ages 12 to 16 to obtain a Department of Environmental Protection (DEP) junior firearms hunting license, allowing them to hunt with firearms, including so-called "Assault Weapons" legally registered, under supervision? People over age 16 may get a DEP license for unsupervised firearm hunting (CGS §§ 26-27(a) & 26-38). Section 1 is clearly in conflict with long-standing current statutes.

We suggest deletion of Section 1 of the bill for those reasons.

In Section 2 of the bill which addresses the relevant cause of the MA accident (Machineguns), we would strongly suggest reducing the eighteen-year-old prohibition to sixteen to correspond with Sec 52-571g. Strict liability of person who fails to securely store a loaded firearm. Any person whose act or omission constitutes a violation of section 29-37i shall be strictly liable for damages when a minor obtains a firearm, as defined in section 53a-3, and causes the injury or death of such minor or any other person. For the purposes of this section, "minor" means any person under the age of sixteen years. Additionally there is no exemption for a 17 year old who wants to familiarize with machinegun shooting before entering the military, or for National Guard/Reserve/Active members of the military to shoot machineguns.

Standardization is a key to compliance and enforcement. **"It will be of little avail to the people that the laws are made by men of their own choice if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood."** —JAMES MADISON.

Thank you

March 16, 2009

Thomas R. Walker from Ashford, CT, with testimony on Committee Bill No. 358 concerning prohibiting the transfer of assault weapons or machine guns to minors. I am opposed to this Bill.

All branches of the United States Armed Forces have a minimum requirement of 17 years of age. This Bill will effectively prevent youths contemplating a career in the Armed Forces from receiving proper training. Proposed Bill No. 5852 would better serve in the safety of the public and that of our military. Bill No. 5852 allows use of certain assault weapons in a safe manner when accompanied by a parent or guardian and a certified instructor.



## CONNECTICUT POLICE CHIEFS ASSOCIATION

342 North Main Street, West Hartford, Connecticut 06117-2507

(860) 586-7506 Fax: (860) 586-7550 Web site: www.cpcanet.org

### Testimony to the Judiciary Committee

March 16, 2009

Chief Anthony Salvatore & Chief James Strillacci, Connecticut Police Chiefs Association

We support **SB #358, AAC Prohibiting Transfer of Assault Weapons or Machine Guns to Minors**. October's death of an 8-year-old Ashford boy who was allowed to fire a mini-Uzi dispelled any hope that common sense could fill a gap in the law which allows children to play with machine guns.

Moreover, Connecticut has passed a "Raise the Age" law which considers those under 18 to be juveniles. The law deems them too immature be tried in adult court. If they're too young to understand their rights or to give a statement without a parent present, they're certainly too young to handle assault weapons. We approve of this bill.

We support **HB #6025, AA Increasing the Penalty for Engaging Police in Pursuit**. Since 1999, each Connecticut police department has had a policy on pursuits. But police policies only control the officers, not the motorist. It's the violator who decides whether to flee, and some still choose to run, sometimes even after they're no longer being pursued.

It's a dangerous choice. According to a Legislative Research report\*, there were over 286 chases in 2006-2007, resulting in at least 34 injuries and thousands of dollars in damage. This bill will make this potentially deadly activity a felony. We think it is entirely appropriate.

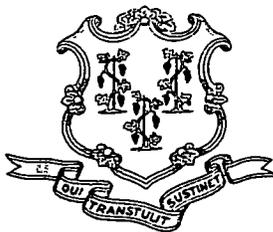
We are concerned about what appears to be a training mandate in **HB #6671, AAC Forfeiture of Money and Property Relating to Child Sexual Exploitation and Human Trafficking**. The Connecticut Chiefs believe that the Police Officer Standards and Training Council should be allowed to perform its statutory duty of determining the type and amount of training necessary for police officers.

CGS 7-294f now requires a course on rape crisis intervention in every basic and review training program. Section 3 of the bill adds "sexual assault investigation" to this course. We are uncertain whether this is intended to add another required subject, or to expand the possible subject matter of the current requirement. We would prefer the latter.

\*OLR 2009-R-0025, Feb. 6, 2009

SENATOR MARTIN M. LOONEY  
Majority Leader

Looney@senatedems.ct.gov  
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Legislative Office Building, Room 3300  
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## State of Connecticut

SENATE  
11th District

March 16, 2009

Good Morning Senator McDonald, Representative Lawlor and members of the Judiciary Committee. I would like to express my support for several bills on the agenda today.

HB 6576  
HB 6664

Two of the bills, S.B. No. 358 AN ACT CONCERNING PROHIBITING THE TRANSFER OF ASSAULT WEAPONS OR MACHINE GUNS TO MINORS and S.B. No. 353 AN ACT CONCERNING THE MICROSTAMPING OF SEMIAUTOMATIC PISTOLS would create better regulation of firearms. I proposed SB 358 in response to the tragedy at the gun show in Massachusetts. It is of vital importance that we keep children safe from assault weapons and machine guns. Children should not be in possession of these powerful weapons which they may not be strong enough to control. It is unclear under current law whether children are strictly prohibited from possessing assault weapons and machine guns and this legislation would leave no doubt that Connecticut will protect its youth from this obvious danger. SB 353 would require microstamping of semiautomatic pistols. Microstamping uses lasers to make engravings on the firing pin or inside the firing chamber which are transferred to the casings when the gun is fired. This process allows police to link the evidence to the specific gun that fired the bullet. Microstamping technology will help law enforcement identify and apprehend perpetrators of gun crime because, at times, the only evidence at a crime scene is a spent cartridge case. Microstamping will allow police to link used cartridge cases recovered at a crime scene to a specific firearm and to the criminal who fired it. In addition, microstamping will help reduce gun trafficking of new semi-automatic handguns because legal purchasers who buy guns in Connecticut for traffickers (known as straw buyers) will be deterred by the knowledge that crimes committed with the guns can be traced directly back to them.

I have also proposed S.B. 732 AN ACT CONCERNING THE SENTENCING OF DRUNKEN DRIVERS which would require the use of an ignition interlock device by a person convicted for the first time of drunken driving and it would give judges the discretion in certain cases to sentence a person convicted of

Dear Senators and Representatives of the Judiciary Committee,

My name is Peter Kuck and I am a member of the Board of Firearms Permit examiners

In the name of full disclosure I am also one of the individuals who have filed a Civil Rights suit against the Department of Public Safety

I speak today in opposition to not only Raised Bill 728 (An Act Concerning Enhanced Penalties for the Commission Of Crimes With Illegal or Unregistered Firearms), but also Raised Bill 358 (An Act Concerning Prohibiting the Transfer Of Assault Weapons Or Machine Guns to Minors), and Raised Bill 353 (An Act Concerning The Microstamping of Semiautomatic Pistols).

Please note that I oppose the granting of any additional authority or power to the Department of Public Safety until they resolve the issues identified by the Attorney Generals report of December of 2006, and I will continue this opposition until the Department of Public Safety stops enforcing non-existent laws against the citizens of Connecticut. Among the non-existent laws currently enforced by DPS are

- 1 The requirement for the presentation of a passport, birth certificate, or voter registration card for the renewal of a state pistol permit even though the legislature refused to pass this as a requirement 3 times (Kuck V. Danaher currently scheduled 2<sup>nd</sup> circuit Court of Appeals).
- 2 The enforcement of concealed carry by permit holders when there is no such requirement in state statute (Goldberg V Danaher currently scheduled 2<sup>nd</sup> circuit Court of Appeals). I might add that when Commissioner Danaher asked for legislation in this session to require concealed carry in HB-6457 the public safety committee stripped it from the Bill
- 3 The enforcement of a non-existent requirement to register the sale of Longarms with DPS using form DPS-67-C citing Connecticut Statute 29-33 and 29-37a.
- 4 The use of the "at risk" warrant process passed by this legislature without first applying for a warrant
- 5 The use of erased records under Connecticut State Statute 54-142a (a) <sup>1</sup>

To allow the Connecticut State Police, or for that matter, any law enforcement agency, to unilaterally interpret and capriciously question mandates or prohibitions of any state statute, on their exclusive belief, that the General Assembly "intentionally or otherwise" made a mistake when enacting law, only causes the vagueness and chaos currently found in circumstances faced by countless citizens who have attempted to read, understand and comply with the written provisions of state statutes

**Rational for the opposition to Bill No. 728**

I oppose this bill because it is faulty. There is no firearms registration requirement in Connecticut State Statute. There is no licensing requirement for Longarms in Connecticut State Statute. There is a registration requirement for the Sale of Pistols and revolvers Sec 29-33(a) in Connecticut.

In the post "DC V. Heller" environment where the U S Supreme Court reaffirmed the individual right to keep and bear arms in an individuals home there is every indication that even Connecticut's recent eligibility certificate requirement for the purchase of pistols and revolvers may be unconstitutional. Do we not have sufficient laws on the books for use against violent criminals? Are the Courts not imposing current penalties?

**Bill No. 353**

I oppose this bill because it is faulty. As was noted last year in front of this committee Micro stamping could be easily obliterated in a matter of moments with sandpaper or with a hammer and punch. It should also be noted that the exercise of eminent domain is not limited to real property. Governments may also condemn personal property, such as supplies for the military in wartime, franchises (including intangible property such as contract rights, patents, trade secrets, and copyrights). Were this bill to pass this would render all owners of semiautomatic handguns unable to sell their firearms in this state after January 1, 2001. They would be deprived of their right to sell their property as this law will render their firearms valueless in Connecticut.

There are some 145,000 pistol permit holders in Connecticut, there are undoubtedly a minimum of an additional 30,000 hand gun owners who have no permit. Using a figure of 175,000 handgun owners and understanding some only have revolvers and others have multiple semiautomatic handguns a figure of 2 semiautomatic handguns per person is not unreasonable. This results in a figure of some 350,000 semiautomatic handguns.

Values of these would range from a low of around \$200 to a high value of \$2500. Taking a reasonable average value of around \$1000/per gun times the number of guns results in a figure of some \$350,000,000. How does the state intend to compensate the owners of these firearms as would be necessitated by the passage of this act?

**Bill No. 358**

I oppose this bill because it is based on a single tragedy in a neighboring state. It is just another example of a tragedy being used to push through unneeded legislation.

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<sup>1</sup> "Whenever in any criminal case, on or after October 1, 1969, the accused, by a final judgment, is found not guilty of the charge or the charge is dismissed, all police and court records and records of any state's attorney pertaining to such charge shall be erased upon the expiration of the time to file a writ of error or take an appeal, if an appeal is not taken, or upon final determination of the appeal sustaining a finding of not guilty or a dismissal, if an appeal is taken."