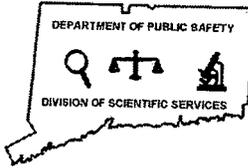


STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY OFFICE OF THE COMMISSIONER

Leonard C. Boyle
Commissioner

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Rep. Michael P. Lawlor, Co-Chairman
Sen. Andrew J. McDonald, Co-Chairman
Judiciary Committee
Legislative Office Building
Hartford, CT 06106

March 24, 2006

RB 5818 AAC LOST OR STOLEN FIREARMS

The Department of Public Safety supports this bill.

The intent of this bill is to require any person who possesses a firearm that is stolen or lost to report such theft or loss to law enforcement authorities not later than seventy-two hours after such person knew or should have known of the theft or loss.

Under the domestic violence protocol set forth in CGS Sec. 29-36k, persons that are ineligible to possess firearms must legally transfer the firearm within two business days after the occurrence of any event that makes a person ineligible to possess the firearm.

While conducting investigations regarding the domestic violence protocol, individuals have told law enforcement authorities that their firearm was stolen but they never filed a report. The Firearms Task Force has also conducted investigations regarding multiple purchases of firearms (straw purchases which may be made for the illegal purpose of transferring the weapons to ineligible persons) in which the individuals making the purchases have claimed that the firearms were stolen. In both of these circumstances, unless the individuals are caught with the firearm, the case is closed.

This bill will increase the efficiency of the law enforcement authorities conducting investigations regarding these cases. It will also help to protect victims of domestic violence.

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There is one issue of some concern that the committee should be aware of regarding implementation of this bill. According to the language of section i(1), if a pistol or revolver is seized, this is prima facie evidence that the act has been violated and the "owner" is charged with a felony. However, prior to October 1, 1994, paperwork was not required when selling a handgun unless it was a retail purchase. If a "violator" says that he sold the weapon prior to this date and does not have supporting documentation, he did nothing illegal - even if he says that he cannot recall to whom he sold the handgun. Further investigation would be needed in these cases.

Similarly, according to section i(2) of the proposed bill, if the person did not act with criminal negligence while storing a handgun, then it becomes an affirmative defense. However, if the handgun was stolen prior to October 1, 1990, there was no law requiring the proper storage of a firearm. The criminal negligence storage of a firearm statute did not exist.

Sincerely,


Leonard C. Boyle
COMMISSIONER