

Exhibits included (attn file)



NATIONAL SHOOTING SPORTS FOUNDATION, INC.

FLINTLOCK RIDGE OFFICE CENTER • 11 MILE HILL ROAD • NEWTOWN, CT 06470-2359

TEL (203) 426-1320 • FAX (203) 426-1245 • www.nssf.org

Micro-stamping Firearms Will Not Reduce Crime

Mandating the use of this unreliable technology is predicated on the faulty assumption that most criminals obtain the firearms they use to commit crime from federally licensed firearm retailers. A 1997 survey of prison inmates shows criminals rarely obtain firearms from retail dealers. They obtain firearms primarily – about 80% – from the illegal black market and from friends and family. *See Firearm Use by Offenders, U.S. Dept. of Justice, Bureau of Justice Statistics, Nov. 2001.* This same faulty assumption appears to be the basis for the states of Maryland and New York to have wasted millions of taxpayer dollars establishing and operating systems that capture ballistics images of firearms sold at retail in those states. These “retail purchase” systems have been shown to be ineffective in solving crime. Neither system, after several years of operation at a cost of millions to taxpayers, has resulted in a single criminal conviction, nor have they yielded meaningful, investigative leads. In fact, in a recent report, the Maryland State Police reviewed the failures of their system, as well as the equally dismal results of the New York system, and recommended to the Maryland legislature that their system be de-funded and repealed. *See Maryland State Police Forensic Sciences Division, MD-IBIS Progress Report #2, September 2004.*

We are unaware of a single peer-reviewed study by a criminalist or forensic science expert that has examined the question of whether micro-laser engraving firearms would be an effective means of reducing the criminal misuse of firearms.

AB1471 fails to recognize the unfortunate reality that mandating the technology for firearms sold each year in the state of California will create an illegal black market for “non-laser engraved” firearms and further increase illegal, interstate firearm trafficking. This bill also fails to consider that there are tens of millions of firearms in circulation that have not been, and cannot now be, micro-laser engraved. There are also far more firearms stolen each year in the United States, approximately 500,000, than there are violent crimes committed each year with firearms. It is an unfortunate reality, but criminals modify their behaviors and will always find ways to obtain firearms.

Even if this technology were mandated, it would have limited value. As with ballistics imaging, there is a serious “chain of custody” problem that renders any information derived from the technology essentially worthless from an evidentiary point of view.

Criminals Will Easily Defeat the Technology

As with “ballistics imaging,” criminals can and will easily defeat the “micro-stamping” technology as conclusively established by the two studies referenced above. Criminals will do this for the same reason they now deface the serial number on firearms (which reportedly has significantly increased in recent years), to avoid detection by law enforcement. Criminals will also be able to simply remove parts that have been micro-laser engraved and replace them with spare parts, which are widely available, or swap (micro-laser engraved) parts between firearms.

Criminals will be able to confuse the police and send them on “wild goose” chases by simply throwing around at crime scenes expended cartridge casings (having a make, model and serial number imprinted on them) from other firearms. Expended shell casings would be widely available at shooting ranges all across the state. Criminals will also use reloaded ammunition made from previously expended cartridge cases already having a make, model and serial number imprinted on them. In both cases, there appears to be a real risk that innocent civilians will be arrested by law enforcement on suspicion of having been involved in criminal shootings. Criminals can avoid the technology by simply using firearms that do not eject shell casings, i.e. revolvers, thus leaving no casing at the crime scene.