

STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

March 17, 2008

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

***SB. 607 AN ACT CONCERNING THE IDENTIFICATION OF CERTAIN
FIREARMS AND THE CRIMINAL POSSESSION OF FIREARMS***

*The Department of Public Safety advises of fiscal impact and questions
necessity of mandating a new technology for identification of spent
cartridges.*

This bill, as written, seeks to remove the criminal possession of a "firearm" language from section 53a-217 and substitute the term "firearm" in place of the current criminal possession of a "pistol or revolver" language in section 53a-217c. These changes in statutory language would effectively expand the number and types of state and federal disqualifiers to possessing firearms, including convictions for eleven misdemeanor crimes that currently affect a person's ability to obtain a pistol permit, eligibility certificate, or possess a handgun in Connecticut.

The term "firearm" is not specifically defined in this bill. Lacking such definition, law enforcement will apply section 53a-3 (19), which defines a firearm as "any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged." Application of this definition would negatively affect a person's ability to continue to possess rifles, shotguns and other long guns that are used for legitimate target shooting, firearm competitions, hunting and other sporting purposes and events. Prohibited firearms would also include functional antique, curio and relic firearms that are maintained by collector hobbyists and dealers.

Phone: (860) 685-8000 Fax: (860) 685-8354

1111 Country Club Road
Middletown, CT 06457-2389

An Equal Opportunity Employer

This bill also fails to update subsection (b) of section 29-36n, protocol concerning transfer or surrender of pistols and revolvers, with a necessary reference from section 53a-217 to 53a-217c.

By expanding the number and types of state and federal disqualifiers to possessing firearms, as presented in this bill, the number of persons affected and firearms prohibited would increase dramatically. There would be significant fiscal impact to DPS, law enforcement agencies state-wide, and the overall criminal justice system as additional personnel, facilities, resources and oversight would be necessary in order to properly enforce the additional mandates. Additional difficulties include identifying and accounting for the large numbers of long guns believed to be possessed in the state.

Subsection (e) of section 1 of this Raised Bill 607 would require semiautomatic pistols sold, delivered or otherwise transferred at retail to be designed and equipped with a microscopic array of characters that identify its make, model and serial number on its internal parts and would imprint such identifiers on each cartridge case when the pistol is fired.

There is already a system in place that has been extremely successful in identifying spent cartridge cases and linking them with guns used in previous crimes. Public Act 01-130, which is codified in Section 29-7h of the Connecticut General Statutes, required the Department of Public Safety's Division of Scientific Services to establish a firearms evidence databank. This firearms evidence data bank, which is currently operating extremely successfully, is a computer-based system that scans a test fire and stores an image of such test fire in a manner suitable for retrieval and comparison to other test fires and to other evidence in a case. The discharged ammunition consists of a cartridge case or a bullet or a fragment thereof, collected after a handgun is fired and contains sufficient microscopic characteristics to compare to other discharged ammunition in order to determine the handgun from which the ammunition was fired.

Test fire evidence submitted to the laboratory or collected from handguns submitted to the laboratory is entered into the databank. The firearms evidence databank is used by laboratory personnel to compare two or more cartridge cases, bullets or other projectiles submitted to the laboratory or produced at the laboratory from a handgun. This is often done upon the request of a police department as part of a criminal case investigation, microscopic examination of any resulting match can verify the gun used. Any image of a cartridge case, bullet or fragment thereof that is not matched by a search of the databank is stored in the databank for future searches.

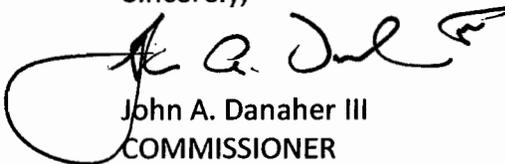
The statute requires police department to submit to the laboratory any handgun that comes into police custody as the result of a criminal investigation, as found property, or for destruction, prior to the return or the destruction of the handgun.

Each test fired bullet is collected and labeled with the handgun manufacturer, type of weapon, serial number, date of the test fire and name of the person collecting the test fire. Similarly, all handguns that are issued by law enforcement agencies are test fired and the test fire bullet is labeled and placed in a package with the handgun manufacturer, handgun type, serial number and the name of the person collecting the test fire bullet.

The laboratory shares the information in the firearms evidence databank with other law enforcement agencies, both within and outside the state, and also participates in a national firearms evidence databank program.

Considerable state resources have been invested in this technology, which is commonly used with other states and the federal government. Mandating a new technology would have fiscal impact to the Department of Public Safety as additional personnel, new databases, and additional test, office and computer equipment would be necessary for proper enforcement.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Danaher III". The signature is fluid and cursive, with a large loop at the beginning and a small flourish at the end.

John A. Danaher III

COMMISSIONER

Department of Public Safety