



NATIONAL RIFLE ASSOCIATION OF AMERICA
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MEMORANDUM OF OPPOSITION

TO: Honorable Members of the Connecticut Joint Committee on Judiciary
FR: Rebecca J. Williams, NRA-ILA Connecticut State Liaison
RE: S 353
DATE: March 16, 2009

The National Rifle Association would like to communicate our position of opposition on SB 353, currently pending consideration in the Connecticut Joint Committee on Judiciary. This proposal would prohibit the sale or transfer of all semi-automatic pistols unless they are designed and equipped with a microscopic array of characters that identify the make, model and serial number of the pistol in two or more places on the interior surface or internal working parts of the pistol. When deliberating this issue, we urge you to consider the following:

Micro-stampings have repeatedly failed in tests. In 2006, a study by forensic experts and researchers at the University of California (Davis) concluded, "At the current time it is not recommended that a mandate for implementation of this technology in all semiautomatic handguns in the state of California be made."² Results of the study were consistent with earlier peer-reviewed tests published by the Association of Firearms and Toolmarks Examiners.³ Firearms examiner George Krivosta, of the Suffolk County, N.Y., crime lab, found that the "vast majority" of micro-stamped characters in the alphanumeric serial number couldn't be read on "any of the expended cartridge cases generated and examined."

Micro-stampings are easily removed. In the tests noted above, firing pins were removed in minutes, and serial numbers were obliterated in less than a minute, with household tools.

Most gun crimes cannot be solved by micro-stamping, or do not require micro-stamping to be solved. Most gun crimes do not involve shots being fired, thus there are no cartridge cases left at crime scenes for police to recover. Also, a large percentage of crimes involving guns, involve guns that don't eject fired cartridge cases. Notwithstanding TV shows that portray crime-solving as impossible without high-technology, most crimes can be solved by traditional means. For example, of murders in which the victim-offender relationship is known, 77% involve family members, friends and other acquaintances. Only 23% involve strangers.⁴

Most criminals who use guns get them through unregulated channels. According to the BATFE, 88% of crime guns are acquired through unregulated channels, and the median time between a crime gun's acquisition and its use in crime is 6.6 years.⁵ According to the Bureau of Justice Statistics, most criminals get guns via theft or the black market.⁶

Micro-stamping may increase gun thefts, home invasions and other burglaries, and expand the black market in guns. Criminals will be further encouraged to get guns illegally; if they believe that guns bought legally will be linked to them in a computerized database.

Most guns do not automatically eject fired cartridge cases. Revolvers can fire five or more rounds without any fired cases being ejected. Pump-action, bolt-action, lever-action and other types of guns eject fired cases only if the user manually operates the gun's unloading mechanism. If a fired case is not ejected at a crime scene, it cannot be recovered for examination.

Only a small percentage of guns will be micro-stamped. There are about 250 million guns in the U.S. already.⁷ New guns sold annually account for only 2% of that total, new semi-automatic pistols less than 0.5%,⁸ and guns to which this proposal would apply will account for a tiny fraction, at most.

Most violent crimes are committed without guns. According to the FBI, ¾ of violent crimes, including 1/3 of murders and 3/5 of robberies, are committed without guns.⁹

Micro-stamping causes problems for law enforcement. Departments will have to spend money destroying all cases fired in training, to prevent cases from being reused at crime scenes. Criminals can obtain fired cases from practice ranges, and use them to "seed" crime scenes, to confuse investigators.

Micro-stamping wastes money, including that which is better spent on traditional crime-fighting and crime-solving efforts. If there is any intention of enforcing this law, it will require a costly computerized database to track micro-stamped handguns, costs that will be passed along to all consumers, including law enforcement agencies. Questions should be raised as to why there is no method in the bill to facilitate the tracking of these micro-stamped handguns, no agency charged with tracking micro-stamped handguns and no fiscal notes attached to SB 353 to support any effort to track micro-stamped handguns.

Micro-stamping costs jobs. Because implementation of this law would require a redesign of the handgun manufacturing process businesses would be forced to stop production of many types of firearms or close altogether because affected guns are the bulk of their sales. There are four manufacturers in Connecticut and two in neighboring Massachusetts that employ thousands of Connecticut workers. At a time when record numbers of people are unemployed and companies are struggling to stay afloat, this measure has the potential to push them under.

This proposal outlaws the sale of used semi-automatic handguns and would make it illegal for estates to bequeath such firearms. Perhaps the most important factor garnering opposition from Connecticut's law-abiding gun owners is that the implementation of this law would ban the sale or transfer of any semi-automatic handgun they currently own and possess.

It is for the above stated reasons that we oppose SB 353. As always, I am available at (703) 517-8102 should you wish to discuss the National Rifle Association's position on this proposal.

1. Gun control supporters have also advocated empowering the Consumer Products Safety Commission or BATFE to dictate firearm manufacturing standards that no manufacturer could achieve, advocated prohibiting the manufacture of guns that do not possess gadgetry intended to identify whether the person holding the gun is its owner, and try to bankrupt gun manufacturers by suing them for damages caused by criminals who misuse guns.

2. David Howitt, et al., *What Laser Machining Technology Adds to Firearm Forensics: How Viable are Micro-Marked Firing Pins as Evidence?*, 2007.

3. George G. Krivosta, "NanoTag™ Markings From Another Perspective," 38 *AFTE Journal* 41, 2006.

4. FBI,

5. BATFE, *Crime Gun Trace Reports 2000, National Report*,

6. Bureau of Justice Statistics, "Firearm Use by Offenders,"

7. National Research Council, *Firearms and Violence: A Critical Review*, National Academies Press, 2005.

8. BATF, "Firearms Commerce in the United States 2001/2002,"

9. FBI,