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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 General's 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 2nd 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 2nd circuit Court of Appeals). I might add that when Commissioner Danaher asked for legislation in this session to require concealed carry in HB-6467 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) ¹

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 individual's 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 handgun 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 \$350,000,000.00 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.

¹ "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."