

March 16, 2009: Hearing before the Committee on the Judiciary

Although I couldn't be present at this hearing, I wish to submit my written testimony.

Good day, distinguished members of the Committee on the Judiciary. My name is Cheryl Violante. I am a resident of New Haven and I hereby submit my written testimony in OPPOSITION to SB353, AN ACT CONCERNING THE MICROSTAMPING OF SEMIAUTOMATIC PISTOLS.

I oppose this bill about microstamping because:

1. It can be easily defeated in seconds using common household tools.
2. Criminals could simply switch the engraved firing pin for readily available unmarked spare parts, thereby circumventing the technology.
3. Criminals can and will easily defeat micro-stamping for the same reason they now deface the serial number on to avoid detection by law enforcement.
4. Criminals won't buy microstamped pistols because they get 80% of them from the black market.
5. 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.
6. 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.
7. Criminals modify their behaviors and will always find ways to obtain firearms. If this technology were mandated, it would only affect purchases by law-abiding citizens.
8. Micro-stamping firearms will not reduce crime. It's a faulty assumption that most criminals obtain the firearms they use to commit crime from federally licensed firearm retailers. A 1997 U.S. Dept. of Justice survey of prison inmates shows they obtain firearms primarily -- about 80% -- from the illegal black market and from friends and family.
9. Systems that capture ballistics images of firearms have been shown to be ineffective in solving crime. After several years of operation at a cost of millions to taxpayers, none have resulted in a single criminal conviction, nor have they yielded meaningful, investigative leads. *(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dismal results of the New York system, and recommended to the Maryland legislature that their system be de-funded and repealed.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.*
10. 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.
11. Peer-reviewed, study by forensic firearms examiners proved that the technology is unreliable and does not function as the patent holder claims.
12. Experts at the University of California, Davis, recently concluded that this patented technology was "flawed" and that it shouldn't be implemented, that it requires further testing.
13. NSSF and major law enforcement organizations are opposed to this unproven and unreliable technology.
14. The cost of this dubious technology would not only have forced consumers of firearms to pay exorbitant price increases -- as much as \$200 per firearm -- to cover the increased cost of microstamping, but substantially higher taxes for the cost of microstamped law enforcement guns.
15. Three comprehensive studies have been done on firearms microstamping and concluded that the patented, sole-sourced technology of firearms microstamping is easily defeated by criminals, flawed, unreliable. *(Professor George Krivosta, for the professional scholarly journal for forensic firearms examiners; The University of California at Davis, and most recently the National Academy of Sciences. "Further studies are needed on the durability of microstamping marks under various firing conditions and their susceptibility to tampering, as well as on their cost impact for manufacturers and consumers." -- National Academy of Science Study. "Implementing this technology will be much more complicated than burning a serial number on a few parts and dropping them into firearms being manufactured." -- Professor George Krivosta, The professional scholarly journal for forensic firearms examiners. "At the current time it is not recommended that a mandate for implementation of this technology be made. Further testing, analysis and evaluation is required." -- University of California at Davis on Firearms Microstamping.)*
16. There is no 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.

Please vote to OPPOSE SB353 and support our rights to keep and bear arms according to our state and federal constitutions.