

**March 23, 2011**

**Testimony - Connecticut Joint Committee on Judiciary**

**S.B. No. 1094 -**

**An Act Banning Large Capacity Ammunition Magazines-**

**OPPOSE**

**S.B. No. 1210-**

**An Act Concerning the Use of Deadly Physical Force to Defend the Residents of a Home-**

**SUPPORT**

My name is David Francis and I am a resident of Guilford, CT. I am a West Point graduate and an Air Force veteran; consequently, I have had the privilege of receiving considerable training with firearms. After I left the service, my wife was reluctant to have any guns in our home because we had small children. The environment back in the '70's and '80's also seemed much more benign than currently.

After the terrible Petit family home invasion in 2007, my wife was terrified to be left alone at home, even though my business over the years had necessitated my being away on numerous trips. We discussed at length whether to attend an NRA training class and qualify for a handgun permit and decided to go ahead. We have both had our permits for over two years. During that time, we have taken additional classes, have joined a local gun club and have become both confident and competent in the use of semi-automatic handguns. The guns that we purchased primarily for home defense were high quality weapons designed to utilize magazines with capacities in excess of 10 rounds. These are the guns we have trained with and are most comfortable with.

I hope that neither my wife nor I will ever have to access a weapon to defend our lives in our home. The probability of that is, thankfully, very small. If we ever do, we are both confident that, even under pressure, we will know what to do and just how much force must be brought to bear to end a potentially life-threatening situation. Every training session emphasizes taking a defensive posture, not taking the offensive. It is always preferable to prevent, deter, evade or escape an attack. Unfortunately, these options may not be available. Retreating to a safe and secure room, calling the police and issuing a verbal warning are the next defensive steps. If intruders continue their attack and violate safe room boundaries, using a defensive firearm may be the last resort.

Studies have shown that actual shooting situations bear little resemblance to what is commonly shown on television or in the movies. One shot “stops” of an assailant are highly unlikely. Even hitting an intruder under pressure is not easy at any distance. Studies have shown that the “effective hit rate” of trained law enforcement officers may be as low as 15% to 20% when they are in a shooting situation.

My wife asked me once how many rounds would be necessary if she had to defend herself during a home invasion. My response was ...”one more than it takes to stop the life-threat”. Is that number 10 rounds? If there are multiple threats in a dark room at night, I seriously doubt it. I also doubt that any defender has the training or would have the time to drop an empty 10 round magazine, locate and load an additional 10 round magazine, and continue to defend themselves before assailants were on them. I hope that I never have to confront a legislator and tell them that a family member might have survived if they could have been able to adequately defend themselves against a home invader who didn’t turn in their own “high capacity” magazines.

For the above reasons, I strongly oppose S. B. 1094; and, for essentially the same reasons, I strongly support S. B. 1210. As previously stated, home defense training emphasizes taking a defensive posture, avoiding or escaping an attack or, as a last resort, retreating to a “safe” room, calling the police and verbalizing a warning. If an intruder continues to pursue their unlawful entry, the defender can only assume that the perpetrator intends to do grievous harm and deadly physical force may be the only way to escape a life-threatening situation.

Please put yourself in the place of a homeowner at night trying to defend themselves from an unknown number of people who have unlawfully broken into their home. It may be a single mother with small children; it may be an older couple who are seen as an easy target by street thugs; it could be you or a relative. Don't handicap their defense by restricting the number of rounds they may have available to an arbitrary number that has no real meaning. Don't further complicate the situation by having the threatened homeowner try to trade off the legal ramifications of possibly being sued down the road while under attack trying to save their own lives.

Thank you for your time.

David P. Francis

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