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RE: Proposed CT Bill 1094

March 23, 2011

Ladies and Gentlemen of the Judiciary Committee:

I would like to give my thanks to you for giving me this opportunity to give my views as they pertain to this proposed piece of legislation, CT Bill 1094, the banning of magazines in excess of 10 rounds.

I am not a lawyer, nor a politician; I am an average working citizen who has lived in Connecticut essentially my entire life. The only significant time I have not lived in Connecticut was when I was in Federal Service, deployed in support of the national security goals of this great Nation.

In the past, as a Connecticut citizen I had never once felt my rights had been in jeopardy, nor that I should feel worried about my property being seized unjustly by the State. However I now, for the first time in my adult life, feel compelled to voice my opposition to what I see as a pointless and ineffective proposed piece of legislation that will do nothing to control crime and will only serve to negatively impact those that already follow the laws and confiscate legally purchased property without just compensation by the State.

In its current format proposed Bill 1094 will ban all magazines holding 10 rounds or more of ammunition. My question to you is simple. Why? What do you intend to accomplish with this proposed bill? I assume this is an attempt to control crime, however it has been shown countless times that limiting the size of ammunition magazines will have no impact upon crime. This has been studied and well documented numerous times by various agencies including the CDC, FBI, Department of Justice, etc. When the State of Connecticut enacted the 'assault weapon' ban there was no decrease in crime that was attributed to that piece of legislation. The only people that were impacted were those that already follow the law. Why is it then that this bill is being proposed?

The State of Connecticut already has some of the toughest gun legislation in the United States. Our licensing process, approval to purchase, and registration for firearms, is exhaustive and comprehensive. Criminals (the individuals I believe you are trying to impact with this proposed bill) already do not comply with these laws and go around the system. I would like to know how many crimes with a firearm were committed by people who legally could own them in Connecticut. Few, if any, I am certain. In addition, in how many of those crimes did a magazine capacity of more than 10 rounds actually have an impact? Again, few if any crimes would have had an impact by using magazines in excess of 10 rounds.

If it is truly the intent of this committee to increase public safety, specifically homicide, then I suggest the State enforce and prosecute offenders utilizing the current highly restrictive gun laws already in the regulations. Take the criminals off the streets who are caught with weapons they should not own as they will not follow this or any other piece of legislation involving firearms. The law abiding citizens are truly the only ones who will suffer under this proposed bill.

In addition, if the intent is to have an impact upon untimely death and enhance public safety, then the State should look at other causes of death where there are far more occurrences than by homicide with a firearm. Some clear examples of this, based on publicly available data from the CDC, include alcohol induced deaths, falls, drug overdoses, and accidental poisoning since each of these categories on their own account for more untimely deaths than homicide by a firearm. In reality if the State wishes to make the biggest impact on untimely deaths then looking into traffic deaths should be of paramount concern as 4 times as many people are killed in traffic deaths as compared to homicide with firearms. Again, this data is readily available through the CDC.

In looking at traffic deaths, the most obvious impact would be to ban all cars that can go over the maximum legal speed limit in the State of Connecticut as they pose clear and documented threat to public safety. All persons who currently own a vehicle that can travel over 65 miles per hour should surrender their car to the State of Connecticut as they pose a direct threat to public safety. Additionally going over the posted speed limit (65 miles per hour being the maximum) is a direct violation of Connecticut Law.

This sounds ludicrous, I know, but this is the exact same logic as banning magazines in excess of 10 rounds.

I realize there are some that believe "the only reason to have 'high' capacity magazines are for criminal purposes". There are numerous examples of where having a magazine in excess of 10 rounds is not only practical, but in many cases the only option for a specific firearm. One clear example is in regards to the numerous collectable and historic firearms that are classified as 'Curio's and Relics' (which are legal to own in the state of Connecticut). In many cases the only magazines available for these types of firearms are over 10 rounds. I would estimate that not one single firearm of this category has ever been used in a crime in this State. Additionally, from a financial standpoint, modification to these types of guns magazines would destroy their intrinsic value, making them essentially valueless, and again accomplish nothing since they pose no threat to society.

Personal choice is also another important factor. Why do people need a Ferrari or other car that can go from 0 to 60 in less than 5 seconds and have a top speed of 200 mph? They don't, but it is about choice. If that driver is driving recklessly and is caught speeding, or worse yet causes injury to another person then they are prosecuted. This same thinking should apply to firearms. Hold the individual accountable, not the machine. Again, as stated previously, 4 times as many people are killed on the highways in the United States than by firearms.

I also question in the current bill how the State of Connecticut can force people to surrender legally purchased property to the State without remuneration? I believe it is the intent of this proposed bill that confiscation (or surrendering to the State) would happen in an effort to enhance public safety and therefore the State intends on gaining a public benefit for this confiscation. By that intent there would be "use" by the State of this property. Section 11 of the State Constitution clearly states:

"The property of no person shall be taken for public use, without just compensation therefore."

How does the Committee intend to address the compensation issue to private citizens for the thousands, tens of thousands, possibly hundreds of thousands of magazines in the State that were legally purchased by citizens prior to this proposed bill if it is enacted? If private citizens were to simply surrender them, this would have a massive financial burden to individuals and the State as compensation would be due to them for surrendering this property.

To quote one of our Founding Fathers John Adams, "The moment the idea is admitted into society that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence."

If this bill is passed in its current form it would be the only law of it's kind in the Nation that does not allow for a grandfathering clause to be in place. No other state in the Union has forced its citizens to give up their property which was procured legally prior to the enacting of a new regulation; this includes States such as California and Massachusetts.

In conclusion, I do not support this bill. It simply defies logic and facts, will do nothing to decrease crime, will not deter criminals (as they do not adhere to the current laws), only impact those that already follow the laws, and will pose a significant financial impact to the State, and cause an unnecessary burden to Law Enforcement as they to try to enforce this unneeded, and draconian proposed bill.

I have lived in this State a long time. However, this bill requires me to pause for a moment and question if I wish to remain here. Thankfully in this day and age, and with technology as it is, I am no longer tied to Connecticut with my job and I can live elsewhere and still remain in my current position. If this proposed bill does become law I will definitely have to consider relocating outside of this State to preserve my. I know there are many that agree with me on this and are contemplating the same.

Again, I thank you for the opportunity for my opinions on this to be heard. If you have any questions, please do not hesitate to contact me at any time.

Regards,

Jeffrey J. Simpson