

20 March 2011

To: Chairman, Committee on Judiciary

Re: Raised Bill No. 1094, An Act Banning Large Capacity Ammunition Magazines

Sir, my name is Joseph L. Metcalfe, I am a resident of West Haven, Ct and have lived in West Haven for 70 of my 72 years. I am strongly opposed to this bill, first because it is totally unnecessary as it will have no effect on crimes committed with a firearm, second because the firearm I possess that uses one of the indicated magazines came with it at purchase, and finally, but not least, this Bill No. 1094 violates both the United States Constitution and the Connecticut Constitution. I will list the violations below.

#### UNITED STATES CONSTITUTION

Article I, Section 10, Clause 1: NO STATE SHALL-----PASS ANY BILL OF ATTAINDER, EX POST FACTO LAW-----. This bill is an EX POST FACTO LAW in that it makes illegal something that was legal the day before it goes into effect.

Article IV, Section 2, Clause 1: THE CITIZENS OF EACH STATE SHALL BE ENTITLED TO ALL PRIVILAGES AND IMMUNITIES OF CITIZENS IN THE SEVERAL STATES. This bill removes a privilege granted in other states.

#### Amendments to the Constitution

Article II. A WELL REGULATED MILITIA, BEING NECESSARY TO THE SECURITY OF A FREE STATE, THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS, SHALL NOT BE INFRINGED. This bill would ban the use of magazines used by many firearms used by the militia to defend the state of Connecticut and the United States.

Article V. NO PERSON SHALL-----BE DPRIVED OF LIFE, LIBERTY, OR PROPERTY WITHOUT DUE PROCESS OF LAW, NOR SHALL PRIVATE PROPERTY BE TAKEN FOR PUBLIC USE, WITHOUT JUST COMPENSATION. This bill does not provide for ANY compensation, never mind just compensation.

(OVER)

## CONSTITUTION OF THE STATE OF CONNECTICUT

Article First, Section 1. ALL MEN WHEN THEY FORM A SOCIAL COMPACT, ARE EQUAL IN RIGHTS, AND NO MAN OR SET OF MEN ARE ENTITLED TO EXCLUSIVE PUBLIC EMOLUMENTS OR PRIVILEGES FROM THE COMMUNITY. This bill deliberately excludes certain classes of men from its provisions, namely police and military, et al.

Article First, Section 11. THE PROPERTY OF NO PERSON SHALL BE TAKEN FOR PUBLIC USE, WITHOUT JUST COMPENSATION THEREFOR. There is no provision in this bill for any compensation for the property seized, and the word seized is the correct term as I would not willingly surrender my magazines as they were costly.

Article First, Section 15. EVERY CITIZEN HAS A RIGHT TO BEAR ARMS IN DEFENSE OF HIMSELF AND THE STATE. This bill would reduce my ability to defend both myself and the state.

---

Sir, I feel that I have presented a very strong argument against the passage of this bill and I trust the legislature to do the right thing and vote it down, or better yet, remove it from consideration.

Joseph L. Metcalfe

60 White Street

West Haven, Ct 06516