

Testimony of Thomas M. Mitney, Jr.
In support of
S.B. 547 An Act Concerning Firearms
Joint Committee on Public Safety and Security
February 10, 2011

Senator Hartley, Representative Dargan, and members of the Public Safety and Security Committee, my name is Thomas Mitney. I am a life long resident of Connecticut and I currently reside in Rocky Hill. I have been a sworn police officer in Connecticut for fifteen years; I am currently at the rank of sergeant. I am here to today to support Senate Bill 547 and the two improvements that it would make to our statutes.

Senate Bill 547 would delete the "select fire" prohibition in C.G.S. 53-202a, the semi-automatic assault weapons ban. Automatic firearms are legal as automatic-only and semi-automatic only; but they are made to be illegal by the "select fire provision" if they can switch from one setting to the other. The deletion of "select fire" would in no way impact public safety, neither for benefit or detriment. Also, there is no financial impact to the state what-so-ever. The "select fire" provision does nothing to govern illegal automatic firearms; C.G.S. 53-202 covers those contraband firearms, and does so with much more severe penalties than the assault weapons statute offers (five year mandatory sentence for 53-202 vs 1 year with possible reduction to misdemeanor for 53-202a). The deletion of the "select fire" prohibition would open no loopholes nor cause any changes what-so-ever to the current, and very stringent, laws governing the transfer, storage, registration, and use of automatic firearms. There is no basis to place further restrictions on registered automatic firearms, as history has shown us that they quite simply are not involved in criminal activity.

The ownership of automatics firearms is somewhat uncommon. The exhaustive process of local, state, and federal screening and approval; the many restrictions, requirements, and provisions for accountability of the owners; as well as the prohibitive cost of the firearms themselves greatly reduce those who can commit to ownership of an automatic firearm. The approval process for ownership takes approximately four months. The average cost of an original M-16 automatic rifle ranges from \$16,000 - \$24,000.

Despite the uncommonness of automatic firearms as compared to more conventional firearms, the importance of the statutory change cannot be understated. The "select fire" provision in 53-202a, while serving no purpose for the benefit public safety, causes owners of automatic firearms to grind, cut, fill, or drill their firearm to be in compliance with the law. Many of these automatic firearms are historical relics, much like those in museums. A tour of a firearms museum is much more of a lesson in history than a lesson in firearms. As with any historical piece, relic, or curio, all attempts should be made to protect the integrity and originality of the piece. When holding my original WWII automatic firearm, you are holding history in your hands. The firearm survived a war in the South Pacific, but was forced to sustain damage solely to conform to the "select fire" provision of our state statute. All civilian-transferable automatic firearms are all more than twenty-five years old and can not be replaced if they become unusable due to wear or damage. I feel that the "select fire" provision in C.G.S. 53-202a does not

belong, does not serve the interest of public safety, is a disservice to those historical relics and those who maintain them, and should be deleted.

The second section of Senate Bill 547 is to allow holders of a Curio and Relic Federal Firearms License to make use of the license as intended by Federal Law, and attempted by state law. There are two statutes that currently govern firearms transfer that are somewhat overlapping; 29-361 and 29-33. Statute 29-361 already exempts "transactions between persons who are licensed as firearms importers or collectors, manufacturers or dealers pursuant to 18 USC 921, to the requirement of submitting to a National Instant Criminal Background Check, or "NICS" for short. After all, anyone licensed by the ATF has already been pre-screed, has met such requirements, is subject to immediate license revocation upon change of status, as well as inspections by the ATF. However, C.G.S. 29-33 also requires a NICS check, personally identifying the transferee (which implies interstate transfer between licensees would not be possible), obtaining an authorization number, and signing a receipt. Although these provisions seem to be applicable only to intra-state transfers, it does affect licensed collectors with intra and interstate transfers between other licensees, as the word "collector" has been forgotten from subsection (g), which only mentions dealers, manufacturers and importers as exempted parties. I believe that licensed collectors should be included in the exempted licensees in subsection (g) of C.G.S. 29-33 to avoid a statutorily created "gray area" of law for law abiding licensees. This addition to the statutes has no financial impact on the state what-so-ever.

I thank the committee for time and attention to this matter, as well as my opportunity to be heard.