

Testimony of Jeff Tang before the Public Safety Committee, Room 2A LOB, February 10, 2011

Testimony Supporting:

HB 5643 An Act Concerning the Carrying of Firearms by Out-of-State Residents.

HB 5263 An Act Authorizing Renewal of State Permit to Carry a Pistol or Revolver by Mail.

HB 5270 An Act Authorizing Renewal of State Permit to Carry a Pistol or Revolver by Mail or by Electronic Submission.

SB 554 An Act Concerning the Pistol Permit Appeals Process.

SB 547 An Act Concerning Firearms.

And Opposing:

HB 5800 An Act Requiring Registration of All Firearms

SB 42 An Act Concerning Gun Safety Standards for Firing Ranges

HB 6185 An Act Creating a Gun Offender Registry

Members of the Public Safety and Security Committee, my name is Jeff Tang, the Membership Coordinator for the Connecticut Citizen's Defense League (CCDL) and Secretary for the Stratford Gun Collectors Association, residing in Fairfield. I am a self-employed carpenter with my own small business, loving husband, regular church-goer, and gun owner.

•In support of HB 5643 An Act Concerning the Carrying of Firearms by Out-of-State Residents:

I support this Act because it enables residents of other States to exercise their Constitutionally protected rights while in the State of Connecticut. Article One, Section 15 of the Connecticut State Constitution says: "Every citizen has a right to bear arms in defense of himself and the state." The Second Amendment of the United States Constitution says: "The right of the people to keep and bear Arms, shall not be infringed." In keeping with that right, Connecticut issues Permits to Carry Pistols and Revolvers to qualified applicants who meet certain criteria.

Most States also issue permits to carry a handgun on one's person, often with more rigorous criteria than Connecticut requires. Many of these States offer reciprocal recognition of permits toward other States with similar requirements. For instance, Delaware and Maine have a reciprocity agreement, and holders of Maine permits may carry concealed firearms in Delaware, and vice versa.

However, many States do not recognize permits to carry firearms from States which do not recognize their own permits. Thus, Delaware and Maine do not recognize a Connecticut Permit to Carry a Pistol or Revolver, despite having similar requirements to obtain the permit, because Connecticut refuses to recognize their permits.

If a Connecticut driver's license were not valid in a certain State, clearly drivers from Connecticut would avoid that State; and if other State's drivers' licenses were not recognized in Connecticut, drivers from other States would avoid Connecticut. Those who, like myself, routinely carry a handgun for personal protection view this situation as a direct analogy. When possible, we avoid travel to States which do not recognize our permits to carry a handgun, for fear of running afoul of their laws. Thus, Connecticut is losing business from law-abiding citizens of other States because the Constitution State does not recognize a right guaranteed by its own Constitution.

Not only would HB 5643 bring business to Connecticut, but it would also open the door for other States to recognize the rights of Connecticut citizens to bear arms in those jurisdictions. Instead of presenting itself as a backward, and uncooperative State, Connecticut would join the ranks of other States which respect the good will and proper procedure of other States in the Union. Just as good citizens must respect the competence of other credible citizens for a society to function, so must States recognize the competence of other States for the United States of America to function as one nation.

● In opposition to HB 5800 An Act Requiring Registration of All Firearms:

I oppose this Act because it places an unjustified burden on the citizens of the State and the Department of Public Safety, without adding to the Public Safety or good of the State. For several years, versions of this bill have been fruitlessly proposed, but none has become law. One example is last year's H5158, An Act Concerning the Regulation of Firearms. As in previous years, HB 5800 would change the laws to require that the Department of Public Safety be notified when firearms are sold or transferred, necessitating the creation and maintenance of a database for such a purpose. As in previous years, this proposal would add significant costs to the State's budget, which is troubled more than in previous years.

However, HB 5800 would go further, requiring registration of firearms already owned by residents and citizens of Connecticut, even when not being transferred or sold. Clearly this would require an even more extensive and expensive database, in a time when the budget is being cut more deeply than previous years. Furthermore, to create this effectively and without omissions, this database would require laborious manual searches upon the residences and properties of gun owners and suspected gun owners; and this in a time when State personnel are already stretched thin because of layoffs. The phrase "getting blood from a stone" comes to mind when considering the effect of this bill on the budget.

And what effect would the proposed legislation have, should it be signed into law? The transfer or sale of a handgun in Connecticut already requires an authorization from the Department of Public Safety and the NCIS background check system, effectively registering handguns in Connecticut. HB 5800 would require another registration of handguns, and also apply that requirement to all other firearms in the State. Whereas the NCIS information cannot legally be kept for more than a specified number of days, HB 5800 would allow this information to be kept in perpetuity.

Were this bill to become law, citizens would have a mere 10 days to register all their firearms, or face felony charges. Ten days is not enough time for citizens to learn about the law, let alone to survey their firearms and report back to the State. Would it be fair to suddenly require citizens to re-register all their motor vehicles within ten days, when it would take several days to even transfer the paperwork? Meanwhile, criminals would continue to hide their firearms which they obtained and possess illegally under existing laws. State Police would have a lengthy and expensive database of guns not likely to be used in crimes, while having no additional information on guns most commonly used by criminals.

To add insult to injury, these registrations would undoubtedly be accompanied by fees. These fees would unduly burden hunters, collectors, and participants in the shooting sports, who are already sorely pressed by other tax increases. Every five years, this process would be repeated. After the cost to obtain a hunting permit was increased, and subsequently decreased after a public outcry, these citizens would see another tax increase for the same activity. Should this bill become law, legislators should expect another public outcry, not only from hunters but from all gun owners in the State.

If legislators are serious about reducing gun crime and making Connecticut a safer place to live, the funds which might go toward an ornamental database should instead aid law enforcement officials to enforce the existing laws against violent gun crime. HB 5800 is a feel-good measure to make it seem like legislators have "done something", rather than a substantial effort to make the public safer.

● In opposition to: SB 42 An Act Concerning Gun Safety Standards for Firing Ranges

I oppose this Act because it potentially subjects firing ranges to unreasonable, impossible, and crippling rules, with no added benefit and no necessity. Gun owners strongly support gun safety, and most gun owners have thoroughly integrated safe practices into their habits. I personally learned safe gun handling skills through the NRA's marksmanship program as a child nearly 20 years ago, and still rigidly and gladly observe those rules. When shooters violate the safety rules at firing ranges, they are sternly warned or ejected from the range, with no objection from shooters.

This is all to say that gun owners and shooters love gun safety, because it keeps them safe from potential injuries and prevents accidents. However, the term "gun safety" has a very specific meaning to those familiar with firearms. Instructors and authorities on gun safety all have different specific lists, which boil down to three fundamentals: always point guns in a safe direction, the one where no damage or injury would occur if the gun fired; keep guns unloaded until ready for use but always treat every gun as though it were loaded; and keep the finger off of and away from the trigger to prevent the gun from firing unintentionally. Firing ranges go further than these, making provisions to safely stop bullets once fired and to prevent lead and other chemicals from entering the surrounding environment. For instance, the Wolcott Land Owner's Protective Association has earthen berms to stop bullets, with substantial unoccupied property behind the berms as a fall-back measure, and also special containment ponds which filter the water from the property to remove chemicals.

Gun owners and firing ranges are serious about what they consider to be gun safety. However, others may consider the term "gun safety" to mean something entirely different. In 2009, a similar bill would have required firing ranges to reduce the noise associated with them, to a nearly impossible extent. Essentially, that bill would have shut down firing ranges. The vague language of SB 42 means it, too, could become an instrument to shut down firing ranges, rather than increase their already exemplary safety standards.

Current safety practices at firing ranges are more than adequate; injuries and accidents at firing ranges are very rare. The National Rifle Association has already created guidelines for firing range safety, which firing ranges willingly follow or exceed. Additional requirements will not improve the safety of firing ranges, but they will increase the expenses related to firing ranges. This would likely lead many ranges to close, destroying jobs in a time of already high unemployment. It would also increase the expense for shooters who wish to practice at firing ranges, discouraging them from practicing firearm safety and from training to use guns safely. Sportsmen would be unable to practice their aim to humanely hunt game animals, competitive shooters would be unable to hone their skill, and collectors would be unable to demonstrate their historic firearms. Therefore, it would harm the public safety and the good of the State of Connecticut.

● In opposition to: HB 6185 An Act Creating a Gun Offender Registry

I oppose this Act because it has the potential to endanger the rights of citizens, while spending money which could be used for better purposes, while providing no real benefit to the State or toward the Public Safety. Gun owners are not fans of gun offenders. Criminals who use guns give legitimate gun owners a bad reputation, creating an unjust association between guns and crime. The creation of a gun offender registry would, then, seem like a good idea. Sadly, it is far from a good idea.

Criminals are, by definition, those who do not follow the law. The sex offender registry has been costly and difficult to implement and enforce, especially since criminals have been less than cooperative regarding their participation. Are sex crimes and gun crimes really so analogous that such a registry would have even the same limited effect in warning the public and helping to prevent repeat offenses? Would such a registry keep criminals who have used guns in the past from obtaining other illegal guns, when the enforcement of existing laws and procedures by definition did not prevent them from getting an illegal gun in the first place? Given that mere possession of certain firearms with improper paperwork or in certain situations can be a gun crime, will this registry really prove to be a useful tool for law enforcement against criminals who are really a danger to society? Those who use guns to augment crimes like robbery and murder get no sympathy from anyone, but the same can hardly be said for someone who failed to properly understand Connecticut's complicated gun laws--for instance transporting a lawfully owned pistol outside the home, even in a state not ready for use and locked away separate from ammunition, without a permit to carry such a weapon?

Without clear definitions, HB 6185 leaves too many questions and open ends. At this stage, a gun offender registry would more likely do an incomplete job of tracking a group composed, in part, of statutory criminals who do not pose a significant danger to society, mixed in with the truly dangerous gun criminals who are likely to offend again. If more money is to be spent fighting gun crime, it should be used to specifically target violent gun criminals, without dragging down those whose offense consisted of a misuse of paper, not a misuse of guns for violence.

● In support of HB 5263 An Act Authorizing Renewal of State Permit to Carry a Pistol or Revolver by Mail and HB 5270 An Act Authorizing Renewal of State Permit to Carry a Pistol or Revolver by Mail or by Electronic Submission.

I support these Acts because they make State services more accessible to citizens and reduce costs for the State with no negative consequences. The renewal of a Permit to Carry a Pistol or Revolver is merely a paperwork matter, with no need for the physical presence of the permit holder. Is there any benefit to a clerk seeing an applicant in person? Some States, such as Utah, issue such permits via mail from the beginning, and have not reported any problems with such a system. Allowing renewal of a Connecticut permit by mail or electronic means would reduce traffic congestion and fuel waste by a small amount, free up parking spaces at State Police barracks, and allow personnel to work more efficiently on the actual paperwork instead of waiting at a window for permit holders.

● In support of SB 554 An Act Concerning the Pistol Permit Appeals Process.

I support this Act because it makes the pistol permit application process more fair, and prevents municipalities from abusing the system to the detriment of citizens who are cooperating with the State. It has been well-documented that some towns have ignored State-mandated requirements and timeframes while processing Permits to Carry a Pistol or Revolver. Relief from this abuse was the primary goal when the Department of Public Safety issued a Declaratory Ruling regarding the lack of authority of municipalities to add criteria to the State's list of requirements for a pistol permit. Some municipalities continue to ignore this Declaratory Ruling, leaving applicants with no recourse but to file an appeal with the BPFE. However, the wait times for these appeals pose as much barrier as the towns' disregard toward the State's authority, allowing towns to also violate the timeframe requirements provided by law while applicants wait for an appeal. Applicants are caught between the long wait for an appeal and the refusal of towns to follow the law, making a mockery of the permit process. SB 554 would help remedy this situation.

● In support of SB 547 An Act Concerning Firearms.

I support this Act because it would remove arbitrary restrictions on firearms sought by collectors and simply the law, without negative consequences. While fully-automatic firearms are available to properly licensed citizens with additional Federal background checks and a tax stamp from the BATFE, firearms which can fire in fully-automatic mode or in lesser modes such as "three round burst" (firing only 3 rounds with one movement of the trigger, rather than firing constantly until the trigger is released) or semi-automatic mode (firing only one round with each movement of the trigger, like many of the firearms available to and in use by the general public without any additional licenses or permits). Select-fire guns would still be covered under the same laws which govern guns that can only fire in the fully-automatic mode. These guns are really of interest only to collectors, who prize the authenticity of such weapons when compared to military weapons of the past. Collectors often spend considerable time and money finding genuine gun components which match the history of their firearms, down to every spring, screw, and fitting. But collectors have been forced to accept modified weapons which can only fire in fully-automatic mode, unlike the original design of many of these weapons. Such guns in the original configurations would likely be even more expensive than the already-expensive fully-automatic modifications, and the supply is limited. There is no danger of a sudden, substantial increase in the number of such weapons. As a reminder, the purchase of such weapons is limited by increased Federal scrutiny and background checks, the same as for current purchasers of fully-automatic weapons.

● In support of SB 552 An Act Concerning Retired Officers' Authority to Carry Concealed Firearms.

I support this Act because it allows retired police officers to avoid town politics in continuing to protect themselves and others. While employed as a police officer, these public servants were trusted to carry a handgun to "serve and protect" the public. When these officers retire, they are no less committed and no less capable of continuing this duty. Many retired officers already possess a Connecticut Permit to Carry Pistols and Revolvers; however, some are stymied by town politics and disregard for the authority of the State's requirements, and prevented from obtaining such a permit. Allowing such retired officers to apply directly to the Department of Public Safety for a permit would expedite the process and ensure that these retired officers are able to continue to exercise their rights. Police officers, both active and retired, are at risk from criminals who they've had past interactions with and may be hostile toward them. This risk is a direct result of their service to the public, and the public owes them an efficient process to continue to protect themselves and their families from such criminals.

Thank-you for hearing and reading my testimony. Jeff Tang, membership@ccd.us