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United States of America

13 March 2013

Public Safety Committee
CONNECTICUT GENERAL ASSEMBLY
Legislative Office Building
Hartford, CT

Re: Gun Control Law Hearing

Dear Members of the Public Safety Committee:

I would like to take this opportunity to express my views regarding the current stampede to adopt new and senseless anti-gun, anti- Second Amendment, unconstitutional laws in Connecticut in knee-jerk response to the tragic massacre at Sandy Hook Elementary School three months ago. It is clear from the public statements of many legislators and many anti-gun advocates in the general populace that the Constitution of the United States is being ignored, the constitution of the State of Connecticut is being ignored, and the deplorable status of security in our state's schools is being ignored in favor of demonizing "gun violence"—as if violence perpetrated with a gun is different from and/or worse than violence perpetrated with knives, machetes, motor vehicles, bombs, or other weapons of mass destruction.

I am a United States Army Veteran who served in Vietnam. I put my life on the line to protect and defend the Constitution of the United States. I swore my oath to defend the Constitution 47 years ago and I still consider it my sacred oath. It is distressing to see so many members of the General Assembly who can't seem to remember their oaths for a period of even one or two years.

We do not need more gun control laws. Such laws do not impede criminals. You all know this. These new gun control laws will accomplish nothing other than to harass and inconvenience law-abiding citizens, while offering nothing that might in any way serve to prevent a repetition of Sandy Hook. It must be recognized that sandy Hook was not an everyday crime. It was an anomaly, an aberration. It was unpredictable. It is impossible to predict and to protect against the unpredictable. It is a waste of time, energy, and resources to even attempt this.

With respect to the specific bills which I understand are the subject for discussion on 14 March, I wish to offer the following comments:

SB 299 – AN ACT CONCERNING COMMUNICATION AMONG STATE AND LOCAL
POLICE DEPARTMENTS DURING ACTIVE SHOOTER INCIDENTS

I support this bill.

SB 505 – AN ACT CONCERNING THE MINIMUM AGE REQUIREMENT TO PURCHASE A RIFLE

I OPPOSE this bill. A law should be changed or a new law enacted only if/when there is a clearly identifiable problem the new law can address. Where is the problem with the current law? Adam Lanza did not purchase the rifle he used at sandy Hook—he stole it. The age to purchase a rifle or shotgun could have been fifty years and it would not have mattered.

SB 506 – AN ACT REQUIRING CRIMINAL BACKGROUND CHECKS FOR ALL PRIVATE FIREARM SALES

I OPPOSE this bill. This would accomplish nothing other than to unnecessarily burden the citizens of this state. There is no major wave of crimes being committed with rifles and shotguns changing hands through unregulated, private transfers. Again, Adam Lanza did not acquire the rifle he used (or the shotgun in the trunk of his car) through private sale. He STOLE them. This proposed law could not prevent a recurrence of a theft.

SB 710 – AN ACT CONCERNING PERMITS FOR GUN SHOWS

I OPPOSE this bill. There are exceedingly few gun shows in Connecticut anyway. I have a friend in Pennsylvania who can attend a gun show larger than any in Connecticut roughly every two weeks, all within an hour's drive from his home. What problem, what issue is this proposed law supposed to address, and how would it in any way serve to prevent another Sandy Hook, or in any way to reduce "gun violence"?

SB 897 – AN ACT CONCERNING REGULATION OF FIREARMS

I OPPOSE this bill. This bill will do nothing to prevent a recurrence of Sandy Hook, or to reduce "gun violence." All this bill would accomplish is to further burden and harass law-abiding citizens. Criminals do not purchase crime guns from commercial gun shops, they buy them on darkened street corners and in back alleys, or they steal them from lawful owners.

The proposed change in the blood-alcohol limit to be consistent with motor vehicle laws for intoxication is not a problem, although I doubt there is any demonstrable history of incidents where this change would have made any difference. However, in my opinion the State's registration system is already unconstitutional, and I see no purpose to be served by modifying an already useless system to require yet another piece of data: the purchaser's date and place of birth. In reality, C.G.S. 29-33 should be repealed, not amended.

SB 1071 – AN ACT CONCERNING ADDITIONAL FUNDING FOR THE CRIMINAL INJURIES COMPENSATION FUND

I OPPOSE this bill. This proposal is nothing more than a tax on the exercise of a lawful, constitutionally guaranteed right. Law-abiding firearms owners are not the problem. Why should we be singled out as the source of income for a "criminal injuries compensation" fund? People who elect NOT to arm themselves and to provide for the defense of themselves and their families are far more likely to be injured or killed by criminal assault. Any such tax should rightly be imposed on that segment of the population most likely to need compensation: those who refuse to provide for their own safety. This proposal is

unfair, regressive, arbitrary, capricious, and insulting. The Supreme Court of the United States has ruled that government may not tax the exercise of a right. This proposal is, therefore, unconstitutional.

SB 1076 – AN ACT CONCERNING THE REDUCTION OF GUN VIOLENCE

I OPPOSE this bill. This is another proposal that will not accomplish anything. The overwhelming majority of crimes involving firearms are committed with handguns, not rifles. There is no wave of drive-by bayonetings in Connecticut, there is no history of crimes involving flash hiders on rifles that would have been prevented if only the rifle had NOT been equipped with a “thingie” on the end of the barrel. Connecticut is one of only three or four states in the country with an Assault Weapons Ban (AWB) in currently force, yet the statistics for Connecticut regarding crimes committed with such weapons are not measurably better than the statistics of the 46 or 47 states that do NOT have an AWB.

By this state’s own definition, the rifle used at Sandy Hook was NOT an “Assault Weapon.” (It was also NOT the same as a military M16 or M4, despite the efforts of the press to convey the impression that they are the same.) There simply is no overwhelming problem in Connecticut of crimes being committed with “Assault Weapons.” Therefore, it is incomprehensible that the Legislature’s response is to sweep *more* firearms under the umbrella of the AWB—as if that would accomplish anything.

In the landmark case of *Heller v. Washington, DC*, the United States Supreme Court ruled that the Second Amendment of the U.S. Constitution protects the right of The People to self-defense, and the decision explicitly states that this means the Second Amendment protects the right of The People to own and to bear those firearms in prevalent current use. It is indisputable that the single most popular rifle in the United States today is the AR-15 style rifle, equipped with a 30-round magazine. In fact, there is such a rifle in the trunk of probably every police vehicle in the State of Connecticut. The overwhelming choice for self-defense handguns in a semi-automatic pistol with a magazine capacity of between 13 and 19 rounds. Therefore, Connecticut’s AWB as it currently exists is in violation of the United States Constitution, and any attempt to further expand it should be expected to generate a lawsuit that is almost certain to result in the law being overturned in its entirety.

Further, the retroactive requirement that owners of firearms that were lawfully purchased and are lawfully owned must register their firearms is demeaning, insulting, of questionable constitutionality, and will accomplish nothing toward preventing another Sandy Hook or reducing “gun violence.”

What needs to be done is to **REPEAL** C.G.S.53-202a without substitution.

HB 6162 – AN ACT CONCERNING INELIGIBILITY FOR A PERMIT TO CARRY A PISTOL OR REVOLVER OR AN ELIGIBILITY CERTIFICATE BASED ON A PRIOR HOSPITALIZATION

I OPPOSE this bill. This bill is poorly thought out and penalizes persons other than those who *might* be a problem. Please remember that the right to keep AND BEAR arms for self defense is guaranteed to us by both the Constitution of the United States and by the constitution of the State of Connecticut. Yet this bill proposes to deprive people of their **constitutional right** solely because some *other* person in their family is not deemed

suitable to possess a firearm? That cannot be viable under either the state or Federal constitution.

HB 6251 – AN ACT REQUIRING FINGERPRINTING AND CRIMINAL BACKGROUND CHECKS PRIOR TO THE SALE, DELIVERY OR TRANSFER OF ALL LONG GUNS

I OPPOSE this bill. There is no history of crimes being committed in Connecticut by people armed with rifles or shotguns purchased in private sales. This proposal will accomplish nothing while imposing a significant burden on law-abiding citizens of the State of Connecticut.

HB 6595 – AN ACT PROHIBITING THE DISCHARGE OF FIREARMS NEAR PRIVATE RESIDENCES

I OPPOSE this bill. Connecticut already has a law prohibiting the discharge of firearms with 300 feet of occupied dwellings. There will be nothing accomplished by increasing this distance to 500 feet. Even the 300-foot distance renders discharge unlawful in virtually all portions of the majority of Connecticut municipalities.

HB 6598 – AN ACT CONCERNING PUBLIC PROTECTION

I SUPPORT this bill. Overall, I am opposed to C.G.S. 29-38c because I believe that it is far too easy for an individual to be stripped of his or her constitutional right to self-defense through the application of this law. That said, assuredly the addition of a provision calling for the return of the individual's property after seizure is a small improvement.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harwood W. Loomis".

Harwood W. Loomis