

Thursday, March 14, 2013

Public Safety and Security Committee

Raised Bill No. 6595 An Act Prohibiting the discharge of Firearms near Private Residences.

A **privilege** is a special permission, immunity or benefit granted by another authority on a conditional basis. It can be revoked or modified by that same authority in certain circumstances. By contrast, a **right** is an inherent, irrevocable entitlement held by all citizens or all human beings from the moment of birth. A drivers license is a **privilege** granted by CT Statute. As my Senator, you have the **privilege** of serving as a lawmaker granted by my vote. Gun ownership is a ‘Constitutional Right, entitled by the mere fact that I am a US citizen and a Connecticut resident.

CONSTITUTION OF THE STATE OF CONNECTICUT:

ARTICLE FIRST. DECLARATION OF RIGHTS:

SEC. 15. *Every citizen has a right to bear arms in defense of himself and the state.*

UNITED STATES CONSTITUTION: SECOND AMENDMENT: *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.* (and as ruled by the Supreme Court in *District of Columbia v. Heller*², confirmed that the rights of the Second Amendment adhere to individuals ... and extend beyond the context of militia service to include self-defense.)

I am opposed to Raised Bill No. 6595: An Act Prohibiting the discharge of Firearms near Private Residences.

This bill **conflicts** with numerous other laws and regulations already part of the Connecticut Statutes. It conflicts with the hunting regulations that specify there is no hunting “within 500 feet of any building **occupied** by people or domestic animals or **250 feet** [when] waterfowl hunting in tidal areas unless written permission for lesser distances [is given] [and it] exempt; landowners, spouse and lineal descendants.” It conflicts with the legislatures ‘grandfather clause’, allowing existing ranges to continue operation in spite of and in concert with residential development around them. While this protection is for “noise”, it can reasonable be understood that other issues of ‘encroachment’ should also be protected. There are many ranges that exist currently and are within 500’ of a ‘building that is used for residential purposes’. I have shot pistol competitions in a suburban indoor range, in the basement of a ‘clubhouse’, set in a residential area. I shoot trap at a range that has existed for over 40 years, and now is within 500 feet of a number of ‘buildings used for residential purposes’, because of recent building. This statue would essentially allow property owners adjacent to such range the opportunity to ‘shut them down’ for no valid reason, based merely on a [newly enacted] legal technically. I participate in Cowboy Mounted Shooting. We ride patterns on horseback and shoot black-powder blanks at balloon targets, recreating the thrill of the “Old West” through competition. Several of our arenas, (which are really temporary ranges), are within 500 feet of a ‘building that is used for residential purposes’. I belong to a hunting dog training club. We give demonstrations on hunting dogs, and on occasion use ‘blanks’ to simulate hunting scenarios, sometimes within 500 feet of a ‘building that is used for residential purposes’. It is very disconcerting to not understand how “blanks’ are characterize under such a wide reaching and loosely worded law.

Finally, it appears to infringe on our constitutional right of gun ownership for self-protection. While otherwise legal to use a firearm for self-protection this law would impose guilt for merely the fact of ‘intentionally discharging’ a firearm ... if within 500 feet a ‘building that is used for residential purposes’ ... even when legally defending ones personal safety or apartment that you may be renting; [sic, ‘do not own’]

The existing law, provides effective protection based on the act of: “intentionally, negligently or carelessly discharges any firearm in such a manner as to be likely to cause bodily injury or death to persons or domestic animals, or the wanton destruction of property”. The current law does not restrict applicability

to 'distance', but rather "action". Distance is not a cause and effect criteria and should not be introduced to this existing law. The existing law is sufficient.

I urge you to recognize these observations and REJECT the proposed Raised Bill NO. 6595.

Thank you.

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