

I am here today in opposition to SB 1076 - AN ACT CONCERNING THE REDUCTION OF GUN VIOLENCE in it's entirety.

Since there is no way I can speak against all the issues with this bill in under 3 minutes I sincerely hope that you all read my, and the other people here today's, submitted testimony.

The term "assault weapon" was invented by the anti-gun lobby as a way of blurring the distinction between military-style semi-automatics, which fire once per trigger pull, and selective-fire assault rifles, which can be set to fire continuously. Since the term has no meaning independent of the laws that define it, there is little sense in saying the laws should be changed to cover more "assault weapons." Guns are not "assault weapons" until legislators arbitrarily decide they are. In effect, these rifles would be banned solely based on their looks. These potentially banned rifles share ammunition with other traditional looking wood-stocked hunting rifles - some of which would also be considered "assault weapons" under this proposed legislation in a misguided attempt to "do something."

The expansion of the definition of an assault weapon to one feature, instead of three, would essentially turn 95% of all modern rifles in the state into "Assault Weapons." This "one feature" proposal would turn many low-powered "plinking" .22 caliber rifles into "assault weapons" and place any firearm with a detachable magazine that also had a pistol grip, or any other single cosmetic feature onto the "ban list." This is unacceptable and is a clear violation of both the United States and Connecticut constitutions and must not be allowed to pass.

In *Heller v. District of Columbia* the Supreme Court case defines the Second Amendment as protecting: "from infringement by the federal and state governments the right of the individual to keep and to bear a weapon which is part of the ordinary military equipment or which use could contribute to the common defense."

Again, in *United States v. Miller* 1939, Miller possessed a sawed-off shotgun banned under the National Firearms Act. He argued that he had a right to bear the weapon under the Second Amendment, but the Supreme Court ruled against him. Why? At the time, sawed-off shotguns were not being used in a military application, and the Supreme Court ruled that since it didn't, it was not protected. The Miller case set the precedent that protected firearms have a military, and thus a legitimate and protected Militia use.

Both of these Supreme Court cases rule in the *favor* of lawful citizens owning these so-called "Military-Styled Assault Weapons".

Recently, after NY State passed its' SAFE Act (which this bill seems to draw much from), the NY Sheriff's association spoke out against it and said the following about it's new reclassification of "Assault Weapons":

"We believe that the new definition of assault weapons is too broad, and prevents the possession of many weapons that are legitimately used for hunting, target shooting and self defense. Classifying firearms as assault weapons because of one arbitrary feature effectively deprives people the right to possess firearms which have never before been designated as assault weapons. We are convinced that only law abiding gun owners will be affected by these new provisions, while criminals will still have and use whatever weapons they want." The NY Safe Act is currently being challenged by local municipalities as well as in the courts and will likely be overturned. If this bill, or any like it, were allowed to pass, Connecticut can expect the same to occur here.

In regards to registration, rifle permits, and fees - Why would the state of Connecticut need to know where each and every legally owned firearm in the state is? That is, unless it had plans for eventual attempted confiscation? This registration clause is completely unacceptable. As it stands, we already have de-facto registration on all handgun purchases. Under this law all rifles and shotguns would need to

be registered as well, with renewals on this registration annually, and at cost to the gun owner. This is simply another bill designed to financially discourage firearm ownership by making owning any firearm a burden on the citizen. One would now have to pay the state for the privilege to KEEP their currently owned legal property. This is essentially a tax and would effectively make it nearly impossible for the poor and struggling citizens of the state to exercise a fundamental right! This is inarguably unconstitutional. Additionally, if one forgets, or misses a deadline for renewal, he or she is now a felon and risks search and seizure of property.

I also must mention the risks involved if and when this registration information is "leaked" or hacked, as we all know likely happen. This registration would provide a shopping list for criminals and make all legal gun owners targets, increase break-ins and home invasions and eventually put even more illegal firearms in the hands of criminals.

Finally, with more than 180,000 pistol permits, and a conservative estimate of 2 million legal firearms in the state (I am sure the number is actually much higher) I can only wonder: if the DPS was overwhelmed with the 29,000 NICS checks in December 2012 and the 31,800 NICS checks in January 2013, how do you propose they will handle 1 to 2 million initial registrations and their annual renewals?

When it comes to restricting the rights and freedoms of law-abiding citizens, the burden of proof is on legislators to show significant public good that would result. Citizens should not have to demonstrate a need for a particular right - just as the onus in the criminal justice system is for prosecutors to prove guilt and not on defendants to prove innocence. "I don't see why you would need an AR-15" is not a valid reason to make such firearms illegal unless there is also sufficient evidence to prove that banning them will create a real and significant public benefit. There is no evidence of that here.

I am sure that some lawmakers are reluctant to vote against this type of bill after the events at Sandy Hook for fear of appearing "weak on crime." I say this instead - it would show us you believe in the civil rights of the citizens of this state and are not willing to pass knee-jerk legislation that would only affect the law abiding gun owner while doing NOTHING to prevent future tragedies and crimes. It shows us that you actually represent the citizens of the state and are willing to vote against party lines on unnecessary legislation.

Connecticut has long been known as the Constitution State. Please do not pass this or any other legislation that makes a mockery of that moniker.

Thank You for Your Time.

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