

JOHN BARRY 3/14/13

CONNECTICUT HAS STRONG CONSTITUTIONAL PROTECTIONS FOR THE RIGHT TO BEAR ARMS. THESE PROTECTIONS ARE MORE CLEARLY STATED THAN THOSE PROVIDED IN THE UNITED STATES CONSTITUTION. ARTICLE FIRST, SECTION 15 OF THE CONNECTICUT CONSTITUTION STATES THAT "EVERY CITIZEN HAS A RIGHT TO BEAR ARMS IN DEFENSE OF HIMSELF AND THE STATE". THE LETTER OF THE LAW, BY THAT I MEAN ITS EXACT WORDING, IS VERY CLEAR AND THE RIGHT IT CONVEYS IS UNRESTRICTED BUT WHAT IS THE SPIRIT OR INTENT OF THE LAW, PARTICULARLY THE PORTION WHICH SPEAKS ABOUT THE DEFENSE OF THE STATE? WHEN THE WRITERS OF OUR STATE CONSTITUTION ENVISIONED THE POSSIBILITY THAT THE CITIZENS OF CONNECTICUT MIGHT ONE DAY BE REQUIRED TO BEAR ARMS IN DEFENSE OF THE STATE, THEY SURELY ENVISIONED A DIRE EMERGENCY THAT THREATENED THE EXISTANCE OF THE STATE. THEY WOULD HAVE ENVISIONED NO RESPONSE TO SUCH AN EMERGENCY OTHER THAN THE MOST VIGOROUS AND POWERFUL DEFENCE THAT THE CITIZENS OF CONNECTICUT COULD POSSIBLY MOUNT. THE WRITERS WOULD IN NO WAY HAVE ENVISIONED HANDICAPPING THE CITIZENS OF CONNECTICUT BY RESTRICTING THEIR ACCESS TO THE BEST MOST MODERN WEAPONS. SUCH RESTRICTIONS WOULD HAVE BEEN AND STILL ARE ILLOGICAL GIVEN THE DIRE CONSEQUENCES OF FAILURE IN SUCH A SITUATION. I BELIEVE THAT ANY OF THE PROPOSED LAWS THAT RESTRICT THE AVAILABILITY OF MODERN FIREARMS TO THE CITIZENS OF CONNECTICUT ARE UNCONSTITUTIONAL AND THAT A HEARING BY AN IMPARTIAL JUDGE WOULD DECLARE THEM SO. EVEN THE EXISTING BAN IS UNCONSTITUTIONAL FOR THE SAME REASON.

THE MAGAZINE BAN ARTICLE FIRST SECTION 7 OF THE CONNECTICUT CONSTITUTION STATES IN PART THAT "THE PEOPLE SHALL BE SECURE IN THEIR PERSONS, HOUSES, PAPERS AND POSSESSIONS FROM UNREASONABLE SEARCHES AND SEIZURES..." BY FORCING THE CITIZENS OF CONNECTICUT TO GET RID OF LEGALLY PURCHASED GUN MAGAZINES, THE PROPOSED LAW VIOLATES THE SPIRIT OR INTENT OF SECTION 7 BECAUSE EVEN THOUGH THE STATE DIDN'T ACTIVELY SEIZE THE PROPERTY THE END RESULT IS THAT THE CITIZEN IS DEPRIVED OF HIS PROPERTY DUE TO AN ACTION OF THE STATE. THE ENACTION OF THE GUN LAW FUNCTIONS AS A SEIZURE AND IS THEREFORE UNCONSTITUTIONAL.

EX POST FACTO

FURTHERMORE ARTICLE 1, SECTION 10 OF THE UNITED STATES CONSTITUTION STOPS STATES FROM PASSING EX POST FACTO LAWS. EX POST FACTO LAWS ARE LAWS WHICH RETROACTIVELY CRIMINALIZE BEHAVIOR THAT WAS LEGAL WHEN PERFORMED. MAKING IT ILLEGAL TO POSSESS LEGALLY PURCHASED GUN MAGAZINES VIOLATES EX POST FACTO. IT IS THE FUNCTIONAL EQUIVALENT OF ARRESTING THE PURCHASER OF THE GUN MAGAZINE AS THEY EXIT A GUN STORE HAVING JUST MADE A LEGAL PURCHASE WITH EXPLICIT STATE PERMISSION AND HAVING PAID SALES TAX WHICH AGAIN INDICATES FURTHER STATE APPROVAL OF THE PURCHASE TRANSACTION. THE ONLY DIFFERENCE BETWEEN THE LAW AND THE SCENARIO ABOVE IS THAT THE STATE IN THE PROPOSED LAW "GENEROUSLY" ALLOWS THE PURCHASER TO HOLD THE

THIS WOULD HAVE BEEN A FRONT PAGE ARTICLE IN THE COURANT BUT GOOD NEWS ABOUT HUGE REDUCTIONS IN GUN VIOLENCE ARE BAD FOR THEIR AGENDA WHICH IS TO KEEP PRESSURE ON YOU LEGISLATORS TO PASS THESE UNCONSTITUTIONAL GUN LAWS. I WOULDN'T HAVE NOTICED IT AT ALL IF CHANNEL 30 NEWS HADN'T CARRIED THE STORY.

ONE RESULT OF THE HARTFORD SHOOTING TASK FORCE IS THAT IT SHOWED THAT THE NUMBER OF STOLEN GUNS AND THE MURDER RATE ARE CLOSELY TIED. UNDER A PROPOSED GUN LAW THE STATE WOULD MAINTAIN A LIST OF EVERY GUN IN THE STATE. THAT LIST WILL BE A TREASURE MAP FOR CRIMINALS. LIKE EVERY COMPUTERIZED LIST IT COULD BE HACKED, POSSIBLY BY SOME GUN CONTROL ACTIVIST WHO WOULD PUBLISH IT ON THE INTERNET. SOME STATE EMPLOYEE COULD DOWNLOAD IT ON THEIR LAPTOP AND LOSE IT AS HAS HAPPENED ALL TOO OFTEN. SOMEBODY COULD EVEN SELL THIS EXTREMELY VALUABLE INFORMATION AS WAS DONE WITH ILLEGAL DRIVERS LICENSES. IN ANY CASE ARMED CRIMINALS WOULD COME TO OUR HOMES TO STEAL GUNS PUTTING US IN GRAVE DANGER AND THOSE GUNS WOULD END UP ON THE STREET. A BIG INCREASE IN STOLEN GUNS WOULD ARGUABLY GREATLY INCREASE THE MURDER RATES IN THE CITIES AND UNDO ALL THE WORK DONE BY HARTFORD'S SHOOTING TASK FORCE. NOT WHAT YOU HOPED FOR BUT A HIGHLY PROBABLE RESULT OF MAINTAINING THIS LIST. ALSO SINCE GUN OWNERS SOCIAL SECURITY NUMBERS WOULD BE INCLUDED ON THE LIST, IDENTITY THEFT WOULD SPIKE AS WELL. THANKS A LOT.

LET'S SPEAK PLAINLY, THE DEMOCRATS CONTROL THE LEGISLATURE AND THE RESULTS OF WHATEVER LAWS GET PASSED ARE ON THEM. MANY DEMOCRATS DISLIKE BEING CALLED LIBERALS, THEY PREFER THE TERM PROGRESSIVE. WHAT IS SO PROGRESSIVE ABOUT PASSING MORE TIRED OLD GUN CONTROL LAWS THAT GO UNENFORCED WHEN THE HARTFORD POLICE DEPARTMENT AND MAYOR SEGARRA HAVE SHOWED YOU SOMETHING BRAND NEW THAT WORKS SO UNBELIEVABLY WELL. THAT IS THE DIRECTION YOU SHOULD BE GOING IN. PUTTING MORE LAWS ON THE BOOKS AND DECLARING VICTORY ARE NOT GOING TO CUT IT.

FINALLY, I WOULD INVITE EVERYONE IN THIS BUILDING WHO HEARS MY VOICE TO PLEASE STAND UP WHEREVER YOU ARE AND GIVE THE BRAVE MEN AND WOMEN OF THE HARTFORD POLICE DEPARTMENT AND HARTFORD'S MAYOR, THE HONORABLE PEDRO SEGARRA A NICE ROUND OF APPLAUSE FOR THE LIVES THEY HAVE SAVED AND FOR SHOWING US WHAT IS POSSIBLE. LET'S GIVE THEM THE MOMENT IN THE SUN THEY SO WELL DESERVE. THANK YOU.