

Testimony to the CT Public Safety and Security Committee

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I oppose S.B. 1076 and most, if not all, the other gun bills discussed by the committee on March 14, 2013.

My comments regarding specific topics follow. Note that, from a public safety perspective, I do not merely believe that the proposed measures would not be perfect. I believe they would not even work *well*.

Assault Weapons

I oppose broadening the CT Assault Weapons Ban.

The following corrects some false statements or misconceptions that have been floating around regarding so-called "Assault Weapons."

"Increasingly More Lethal"

Some, such as Connecticut Against Gun Violence, have claimed that firearms have become increasingly lethal lately. This is false. All the firearms painted as "assault weapons" are semi-automatic. Semi-automatic firearms technology was invented roughly a century ago. The AR15 platform in its semi-automatic form was developed in the early 60s, and AR15s that are sold today are functionally identical. The cartridges that these firearms are chambered in have also been around for a long time. Other considerations (e.g. whether the firearm has a pistol grip) are essentially irrelevant.

"Meant for Military Usage"

First, we must ask whether this matters, and second, whether it is true.

I dispute that being "originally designed for the military" is relevant. Many common firearms or types of firearms were first developed for military usage. For example, the bolt action rifle (now frequently used for e.g. hunting). Another example is the 1911 pistol, which was originally developed for the US military but is now in common use among civilians for self defense and sporting purposes.

Secondly, it is not really true. For example, take the AR15 platform. Though originally invented by ArmaLite as a selective-fire rifle intended to be marketed to the US military, the **semi-automatic** version was developed by Colt in the 1960s specifically for the civilian market. In fact, any semi-automatic "clone" of a selective-fire firearm is generally intended specifically for the civilian market.

"The UK, et al, have lower homicide rates due to their gun control"

The important fact to observe is that the UK, et al, had much lower homicide rates than the US **before** they ever enacted strict gun control laws. For example, around 1910, when the UK began enacting gun control laws, their homicide rate was roughly 0.8 per 100,000, versus a rate of about 7 per 100,000 in the US. Now, with very strict gun laws, the UK has a homicide rate of about 1.2 per 100,000, versus about 5 per 100,000 for the US. Thus the UK homicide rate has risen roughly 50% whereas the US rate has fallen roughly 30%, despite the UK having enacted much stricter gun laws during that period.

Further Remarks Regarding "Assault Weapons"

It's worth noting that the term "assault weapon" itself is highly dubious and inherently misleading. To the best of my knowledge it was first invented by the Violence Policy Center (a gun control advocacy group) with the goal of manipulating the language of the debate, and hence public opinion, in favor of further firearm restriction measures. The term "assault weapon" is largely not used by those in the firearms industry (manufacturers, dealers and consumers), because it is not regarded as a bona fide or useful firearms classification.

Firearms such as AR15s are operationally identical to more traditional looking firearms (such as the Ruger Mini 14, or any semi automatic hunting rifle) and are not inherently more lethal or dangerous. People sometimes assume that so-called "assault weapons" are fully automatic, like rifles used by the military. That is false - they are semi automatic - which means only one round is discharged when the trigger is pulled.

AR15s are one of the best-selling rifles in America, with over 3 million estimated to be in private ownership. A miniscule percentage of them have been used for criminal purposes. Otherwise, by an overwhelming margin, they are a firearm that is in common use for lawful purposes such as sporting (including competition shooting, varmint hunting and wild hog hunting), and self defense. Since "assault" is not a lawful purpose, it is inherently misleading to call such firearms "assault weapons."

High Capacity Magazines

I oppose magazine capacity restrictions.

The term "high capacity magazine," when applied to magazines with capacity of greater than 10 rounds, is really a misnomer. Many modern pistols and rifles are designed with *standard capacity* magazines of greater than 10 rounds in mind, and they are certainly in common use. Thus, I will henceforth refer to them as "standard capacity magazines," to distinguish them from "restricted capacity magazines."

What legitimate purpose do standard capacity magazines have? I would ask law enforcement officers, who routinely carry standard capacity magazines for both their duty pistols as well as their rifles. LEOs carry firearms for the lawful purpose of self defense and the defense of others. If they did not believe standard capacity magazines were suitable for this purpose, why would they use them? If LEOs can use

such magazines for the legitimate purpose of self defense and defense of others, why should law abiding citizens not be allowed to use them for that same purpose?

Also, note there is arguably an asymmetry in how a standard capacity magazine ban would affect lawful users of firearms versus those who use them with criminal intent. Someone with malicious and unlawful offensive intent can either (a) ignore the ban on standard capacity magazines, or (b) simply carry a large number of restricted capacity magazines (and/or multiple firearms). On the other hand, a lawful user generally will not employ either of these options. He, or she, will not ignore the law, and neither will he generally have a large number of restricted capacity magazines accessible. Thus, a standard capacity magazine ban would likely disproportionately infringe on the lawful use of firearms for self defense relative to the extent it would impede the unlawful use of firearms. Since various studies estimate defensive gun usages occur with a frequency of hundreds of thousands to over a million times per year in the US, this would be a huge infringement on the lawful use of firearms for self defense.

Registration

I oppose registration.

I am aware of no compelling evidence to believe that registration will do anything to enhance public safety. On the other hand a registry would require a substantial amount of resources to maintain. Refer to the history of the Canadian registry for an example. There is the potential for abuse of any firearms or ammunitions registry. Requiring registration along with periodic re-registration is an undue burden on the exercise of a constitutionally protected right. Aside from that, frankly speaking, what firearms and ammunition I own is simply not the state's business.

Universal Background Checks

I oppose universal background checks.

Universal background checks are unenforceable without registration. I oppose registration, and thus any law that would be unenforceable without registration.

Ammunition Limits

I oppose limits on the amount of ammunition that can be purchased or possessed.

People buy ammunition in bulk for the same reason they buy anything in bulk: lower cost per unit. To a non-shooter, several hundred or a thousand rounds of ammunition sounds like a lot, but in reality it is not. Several hundred to 1,000 rounds of ammo only lasts a few range sessions or perhaps one course at a private firearms training school (of which there are at least two in Connecticut). Some people shoot as much as 25,000 or 50,000 rounds per year or more, in which case 1,000 rounds is only one or two week's worth of ammo.

Regarding the amount of ammunition possessed, maintaining a sizable personal inventory of ammunition is rational for several reasons: (a) it is a hedge against future increases in the price of ammunition (the price of which has increased substantially in the past few years), (b) it is a hedge against future shortages of ammunition (we are in the midst of a shortage right now), and (c) it simply makes sense if you are a high-volume shooter. Again observe that one course at a local firearms training school may require anywhere from several hundred to 1,000 rounds of ammunition. Therefore, there are various legitimate reasons to purchase ammunition in bulk as well as maintain a sizeable personal inventory. Limitations on the quantity that could be purchased or possessed would impede on those, while not necessarily doing anything to enhance public safety. The amount of ammunition used in any instance of criminal use of firearms is generally relatively small.

Taxation of Ammunition

In general I oppose any taxation of ammunition.

If such a tax were to be established, it would need to be small enough so that it would not be an undue burden on law abiding gun owners. As mentioned above, some shooters shoot tens of thousands of rounds per year, and that fact would need to be taken into account.

Clearly a tax rate of 50% is absurd and puts an undue burden on the right to keep and bear arms.

Internet Sales of Ammunition

I oppose a ban on internet ammunition sales.

Internet sales of ammunition increases the pool of suppliers, which therefore increases competitiveness, and therefore provides the best price to consumers, who by an overwhelming margin use ammunition in a lawful manner. Banning online sales of ammunition therefore is anti-competitive, and only significantly impedes lawful consumers. Someone who intends to use firearms and ammunition for malicious purposes is not going to be stopped by the fact that he needs to purchase ammunition locally at an increased price.

Laws on Gun Storage

I oppose any storage law that would require all firearms to be inoperable or locked up while the owner or a responsible trusted person is at home.

Aside from the inherent difficulty of enforcing such laws, unless carefully written such laws would infringe on our constitutional right to bear arms for lawful purposes. Any storage law that would impede on the use of firearms for self defense would be unconstitutional, as was evidenced by the Supreme Court striking down the Washington DC law mandating firearms in the home be kept disassembled or bound by a trigger lock.