Good afternoon Senator Winfield, Representative Ryan, Senator Formica, Representative Dauphinais, and distinguished members of the Joint Sub Committee on General Government A. Thank you for this opportunity to address you this evening. My name is Colonel Kyle Overturf, and I am Secretary of the Board of Firearms Permit Examiners.

The Board of Firearms Permit Examiners exists pursuant to Section 29-32b of the Connecticut General Statutes. The Board currently is comprised of 7 members and we have two vacancies. All members are appointed by the Governor, subject to certain nominations submitted by several independent organizations. At present, in addition to myself who is a recently retired Colonel of the Department of Energy and Environmental Protection's Environmental Conservation Police, Board members include the Board Chairman nominated by the Governor, the Granby Chief of Police nominated by the Connecticut Police Chiefs Association, the representative from the Department of Emergency Services and Public Protection, a representative of Ye Connecticut Gun Guild, a representative from the Department of Mental Health and Addiction Services and a representative as a public member, also nominated by the Governor. The 2 vacant positions on the board are from the Connecticut State Rifles and Revolvers Association, Inc. and a representative of the Chief Court Administrator.
All members of the Board are uncompensated volunteers. Board members, however, are allowed a travel allowance and are supplied an inexpensive lunch during board hearings.

The Board of Firearms Permit Examiners functions as a civil administrative appellate source, providing Connecticut residents with a means to appeal denial of a temporary or state permit to carry firearms or a revocation of a previously granted permit. The Board generally meets monthly, but often will hold hearings twice during any given month. During calendar year 2019, for example, there are 19 meetings already scheduled, and we’re looking to add one additional date later in the year. These meetings are public hearings and are conducted in accordance with the provisions of Sections 29-32b and 29-28 of the Connecticut General Statutes. Hearings are held at the Wethersfield Police Headquarters or at the headquarters of the Department of Emergency Services and Public Protection, in Middletown, depending upon the availability of those facilities. Each meeting typically lasts approximately 7 to 9 hours, including 2 or 3 breaks of 5–10 minutes each. The Board’s decisions are announced at the conclusion of each individual appeal, and the analyses, reviews, and discussions among Board members of the participants’ sworn testimony and the salient facts are always conducted entirely in public.

The Board maintains a small office on the 5th floor at 20 Trinity Street, Hartford. Pursuant to the Governor’s proposed budget, the Board’s entire compensated staff includes only 1 full time member and 1 part time member. These 2 staff members occupy the Trinity Street office while fulfilling and complying with all of the Board’s administrative duties and obligations. They do ‘yeoman’s work’, and the Board could not function without them.

In regard to the proposed Fiscal Years’ 2020 and 2021 budgets, the recommended amounts for the Board of Firearms Permit Examiners are $114,611 and $121,016, respectively.
The budget includes personal service costs for the Office Manager and Office Assistant and leaves a small amount for all other expenses.

Since the tragic events at Sandy Hook elementary school in December, 2012 and its resulting legislation, the number of appeals filed with the Board has increased, and, as can be reasonably expected, so has the ‘backlog’. There has been approximately 30% increase in cases since 2015. With regard to the Board’s backlog: First, let me set the definition of the term “backlog.” The “backlog” refers to those situations where an appeal has been filed, all the requisite questionnaires and paperwork have been properly completed and submitted to the Board, and the only things left to do are to schedule and conduct a public hearing on the appeal. Currently, there are 603 appeals classified as “backlogged”, and the time line for scheduling their hearings approximates almost 21 months. This certainly is a problem, and one which the Board has consistently addressed and will continue to address, seeking new and innovative ways to ease that backlog and, ultimately, to eradicate it. Prior to December 2012, if someone filed an appeal with the Board, their scheduled hearing date would be in approximately six months.

Some of ways in which the Board already has attempted to address the backlog are: The Board has agreed to hear more appeals at every meeting, additionally, several times a year, the Board Secretary, in conjunction with one or more other Board members, reviews outstanding appeals and identifies several cases with “automatic disqualifiers”: An automatic disqualifier case is an appeal where an appellant had been denied a permit because he/she had been convicted of one or more of the disqualifying criminal violations specifically enumerated in CGS §29-28. Those appeals are consolidated, and a special hearing is scheduled for those matters only. That particular session will hear a larger number of cases than the number of cases normally docketed. The greater number of cases option is available simply because each
“automatic disqualifier” case typically takes less time to adjudicate than fully contested matters do; lastly, in situations where the State Police have denied a permit or have revoked a permit, updated case schedules are sent to the Special Licensing and Firearms Unit, where, in turn, the cases are re-evaluated to determine if the original basis for the denial or revocation has ameliorated and if the permits now should be reinstated or granted. In the months of January and February, 2019, alone, this action resulted in the elimination of 66 scheduled appeals, which afforded an additional 16 hours to hear other, truly contested, matters, and that, in turn, further reduces the potential backlog. Although the Board has taken substantial substantive steps to eradicate the backlog, as I indicated before, we are continuing to search for additional ways to accomplish that mission and will continue to do so until the appeals process is rendered current. Further, whenever an applicant fails to submit the required questionnaire within the 60 days deadline, Staff contacts the appellant and notifies her/him that she/he has an additional 30 days, only, to comply; otherwise, the appeal is placed on a dormancy list for appellant’s failure to pursue. Subsequently, the Board formally dismisses those dormant appeals, thus closing even more cases.

All of these steps have contributed, and will contribute in the future, to a more equitable and more efficient processing of these appeals, resulting in a greater contribution to a healthier, fairer, and safer quality of life for all Connecticut citizens - firearms’ owners and non-owners alike.

Again, thank you for this opportunity to submit our testimony and I am happy to answer any questions you may have.