Public Safety Committee Public Hearing

CT Against Gun Violence

HB 5306: AN ACT CONCERNING TEMPORARY STATE PERMITS AND STATE PERMITS TO CARRY A PISTOL OR REVOLVER FOR RETIRED PEACE OFFICERS
March 10, 2022 | Zoom

Senator Osten, Representative Horn, ranking members Champagne and Howard and distinguished members of the Public Safety Committee:

I am testifying in Opposition to HB 5306.

It is specifically the proposed repeal of Section 29-28 of the General Statutes and substitution of subdivision (2) that is particularly problematic. The proposed language is as follows:

> (2) Notwithstanding the provisions of subdivision (1) of this subsection, upon receipt of an application pursuant to subdivision (1) of this subsection from a person who has retired in good standing after serving as a peace officer, as defined in section 53a-3, with a law enforcement unit, as defined in section 7-294a, for a period of not less than ten continuous years:
>
> (A) The local authority shall issue such person a temporary state permit to carry a pistol or revolver within the state; and
>
> (B) The commissioner shall issue a state permit to carry a pistol or revolver within the state.

This new language would require both local law enforcement and the Department of Emergency Services and Public Protection (DESPP) to issue a permit to a retired police officer or peace officer, without conducting any criminal background check, without taking into consideration the amount of time that has passed between an officer's retirement and their application, without consideration as to why the police officer retired, or separated from law enforcement, their record as a police officer, or whether they have met the standards for qualification in firearms training as required by active law enforcement, or any consideration of mental illness that would make them a risk to themselves or others.

Connecticut's permit law has been identified by researchers as being one of the most effective ways to reduce gun homicide. Connecticut's enactment of the permit to purchase law in 1995 has been associated with 40% reduction in Connecticut's firearms homicide rate during the first 10 years that the law was enacted. (Association between Connecticut's permit to purchase handgun law and homicides, John Hopkins Center for Gun Policy and Research.)

It is unclear why a law that is so effective in reducing gun violence would require an exception for people who are no longer law enforcement, and that would only weaken the effectiveness of the law. Furthermore, it is unclear why this proposed amendment to the permitting process is necessary, given the existence of United States federal law that is

already in existence. The Law Enforcement Safety Act (LEOSA) codified under 18 USC § 926B and §926C, already provides a process for "qualified retired law enforcement officers" to be able to carry a firearm after meeting certain standards. This law has been in existence since 2004.

The language "shall issue" in the proposed bill creates a mandate on law enforcement agencies to issue a gun permit to any peace officer who retires in good standing, after only 10 years on the job, regardless of whether that person has committed a violent felony, domestic violence, was confined to a mental hospital, is subject to a restraining order, or is a danger to themselves or others, since their retirement.

It would require the issuance of a permit even if 75 years have passed since the applicant retired as a peace officer, or held a gun, even if that person is no longer mentally competent.

If you suffer from dementia, but were once a law enforcement officer 50 years ago, should you be allowed to carry a firearm in public? What if you threatened to shoot up a school after you retired, and then applied for a gun permit the next day. Should that person be allowed carry a concealed weapon? Definitely not.

Gregory McMichael had a career in law enforcement for over 30 years and retired as an investigator from the District Attorney's Office. On February 23, 2020, he and his son hunted down 25 year old Ahmaud Arbery, who was jogging and was unarmed, and murdered him in the middle of a residential street with a shotgun and a .357 magnum. This retired law enforcement officer was convicted of murder and sentenced to life in prison without parole. Under the proposed bill, this person not only would be able to get a gun permit in Connecticut, but the local and State police would be forced to give him a permit upon application…even after his conviction…even while serving his sentence. This is unconscionable.

I urge you to vote against this dangerous amendment to a law that has been responsible for keeping the resident of Connecticut safe for almost 30 years. Background checks save lives. Thank you for your consideration.

Respectfully submitted,

Jeremy Stein
Executive Director
CT Against Gun Violence

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