

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-6816

AN ACT CONCERNING MICROSTAMPING-ENABLED PISTOLS, RAISING THE AGE TO PURCHASE AMMUNITION AND RESTRICTING THE SALE AND

Title: POSSESSION OF BODY ARMOR.

Vote Date: 3/28/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/6/2023

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

Gun violence is plaguing the nation and there is a deep desire to combat it any way we can. This bill would start the investigation process of microstamping pistols and its viability, as well as raise the age to purchase ammunition and restrict the sale and purchase of body armor.

SUBSTITUTE LANGUAGE:

The substitute language strips the ammunition and body armor sections out of the original bill and changes the due date for the microstamp study to Jan 1, 2024.

RESPONSE FROM ADMINISTRATION/AGENCY:

Deborah, Sullivan, Legal Counsel, Office of Chief Public Defender: The Office of Chief Public Defender expresses their concern with sections 6 and 7 of the bill, regarding regulation changes with body armor. Current rules require in-person meeting before the sale and transfer of body armor; section 6 would prevent any transfer of body armor; section 7 criminalizes possession of body armor. The Chief Public Defender also notes the lack of a requirement for law enforcement officers to exclusively use body armor for official purposes or to require they relinquish it upon separation from law enforcement. Therefore, the Office requests that sections 6 and 7 be deleted from the bill.

NATURE AND SOURCES OF SUPPORT:

Todd Lizotte, President & CEO, TACLABS: The testifier disputes the claim made that pricing will significantly increase as a result of microstamping, claiming the price is \$0.75 if the industry implements the scheme, and \$5-\$8 if it is done by the state. They note that many common household products use the technology without significant impact on the pricing. The testifier also notes that firearms currently produce an Unintentional Firearm Microstamping (UFM) as a result of the geometric shaping of the gun, and that their company has performed over 20,000 cycles of 10,000 rounds at their testing facility. The testifier states that they have placed microstamping into the public domain, and that they are motivated by their desire to target the minority of second amendment abusers who ruin it for lawful followers. The testimony concludes with two high precision photographs of example microstamping.

Alison Shih, Counsel, Everytown: The testifier expresses their support for the bill because of the increased ability for police to identify which firearm was used in a shooting. They note that current bullet ballistics technology has a success rate of only 1.5%, and that the introduction of microstamping would help to increase the success rate. The organization also notes that the bill sets out a path should firearm manufacturers continue their blockade on microstamping technology.

Of the remaining testimony in support of the bill:

- **12** stated their support for the bill, commonly on the grounds that it would combat gun violence. One testifier noted the endorsement of the technology by the International Association of Chiefs of Police.

NATURE AND SOURCES OF OPPOSITION:

Brian Mezick, State Marshal, State Marshal Association of CT: The State Marshals express their concern that the State Marshals would not be included in the exceptions to the ownership of body armor in sections 6 and 7. They request that they be included in the exception should the bill pass.

Vito Addabbo, Major General, USAF: The testifier opposes the microstamping section of the bill on the grounds that it places a burden on Connecticut law enforcement to determine if microstamping works. They oppose the body armor restrictions because the list of exempt agencies is too short, with the TSA Flight Deck Officers given as an example of one such agency which is not included in the exceptions list.

Dr. Kevin Gerard: The testifier primarily takes issue with the bill for the microstamping, with noted objections to age restrictions and body armor elimination. With respect to microstamping, it is the opinion of Dr. Gerard that the repetitive process of firing a gun will wear the microstamper down to redundancy; it is not difficult to manually wear the stamp down using common tools. A second issue with the purpose of the bill is that the costs of a device which catches spent cases is minimal, with even a plastic bag being able to be used. A third issue posed by the testifier is the ownership of the gun, and how the collection and correct identification of a cartridge will often lead back to a stolen firearm; this can be exploited by criminals to sprinkle unrelated cartridges at crime scenes to send the police after unrelated individuals. With respect to body armor, Dr. Gerard expresses support for

individuals being able to protect themselves. The testifier also notes their objections to the disparity between allowing 18-year-olds to join the military and not allowing them to purchase ammunition.

Jake McGuigan, Managing Director, National Shooting Sports Foundation (NSSF): The NSSF bases their opposition to the bill on the argument that microstamping does not work, with the claim that it is unreliable and can easily be removed using common tools. The testimony notes the lack of national traction following the introduction in California in 2010 as well as research done by outside groups into the viability of microstamping. The Foundation argues that criminals purchase from the black market, and therefore will not be impacted by the regulations, whilst law abiding citizens will pay upwards of \$200 extra per gun as a result of this bill.

Kevin Reid, Vice President and General Counsel, Sturm, Ruger & Co.: The Connecticut-based firearms manufacturer takes issue with the claim that costs will be minimal, and that the process of microstamping even works. They express the belief that the bill requires a 100% success rate for microstamping, and the technology to ensure this level of success does not exist. This issue is present with the need to ensure that the bullets are engraved, which would require a precision microscope to check each of them, furthering the costs above the claimed amount. Finally, they note that the engraving can be defeated with tools as simple as an emery board, therefore making the entire process a financial nuisance for little to no results.

Due to the quantity of testimonies received, it would not be possible to provide an itemized summary of every submission. The following is a series of common ideas held by the testifiers.

Of the remaining testimony in opposition to the bill:

- **1593** solely stated their opposition to the bill.
- **587** expressed the belief that the bill was unconstitutional, with the second amendment being the principal reason. Often quoted was the line 'shall not be infringed', with mentions of the historical tyranny which the founding fathers sought to prevent. Of the constitutional defenses, **47** specifically mentioned the recent Supreme Court ruling in *New York State Rifle & Pistol Association, Inc. v. Bruen*. Several testimonies also raised constitutional questions concerning the age restrictions.
- **464** expressed the belief that the bill would have no impact on crime rates, and that the purpose of the bill was for little more than to make those worried about gun crime feel good. Many testimonies noted the safety which gun possession grants, and how with the passage of this bill they would be unable to sufficiently defend themselves or their families.
- **225** expressed the belief that the process of microstamping was flawed. Testifiers commonly held the belief that the serial numbers were able to be filed off, firing pins were simple to replace, and guns which were worn down would not be able to be traced. Similarly, many expressed beliefs that microstamping technology did not exist, often pointing to the abandonment of the program by California. **28** expressed concern

that microstamping would result in criminals framing other firearm users, with the possibility for them to plant spent cartridges collected from firing ranges at the scenes of crimes to send the police after unrelated individuals.

- **138** expressed concerns at the cost increases that microstamping would have on firearms. Several testimonies opposed Connecticut moving on the act on its own, with the belief that manufacturers would stop selling in the state. Many testimonies linked the cost increases to the impact on the less economically advantaged, with minorities and women at particular risk of being impacted despite the elevated risk associated with being part of those groups.
- **184** expressed opposition to restrictions on body armor being placed, with the strong belief that body armor is protective gear, and therefore essential to ensure safety. Some noted the disparity in the law, with law enforcement allowed to continue to purchase and wear body armor. Many opposed on the grounds that they wish to allow their children to wear plated backpacks whilst at school. Several noted that body armor would be obtained from neighboring states; one testimony noted that there have been cases of shootouts with homemade body armor.
- **137** oppose the restriction on ammunition purchases, with many expressing concerns that those who serve in the military would be prohibited from their second amendment rights. Several testified their desire to teach their children and grandchildren safe firearm practices at a young age, and their belief that this bill would limit their ability to teach sports and best practices with firearms.
- **69** expressed the belief that sufficient regulations already exist, and that enforcing the books was sufficient to combat gun crime. A further **66** expressed the belief that repetitive criminals served the main cause for crime, and therefore the solution was to increase sentencing, eliminate plea bargains, and some suggested mandatory minimums for any violent gun crimes.
- **42** requested that focus be placed on mental health services and combatting drug addiction.

Reported by: James McNealey

Date: April 10, 2023