

January 27, 2013

Public Testimony for the Gun Violence Prevention Working Group of the Bipartisan Task Force on Gun Violence Prevention and Children's Safety

My name is **Christopher Lunding** and I live in the Riverside section of the Town of Greenwich, Connecticut. I am not an enrolled member of any political party. I do not own or desire to own a "Bushmaster" or similar high-tech semi-automatic rifle. I nevertheless am very concerned about many recent legislative proposals in this state on the subject of firearms.

I appreciate the opportunity to offer written testimony for the record to the Gun Violence Prevention Working Group of the Bipartisan Task Force on Gun Violence Prevention and Children's Safety. Due to personal commitments elsewhere, I regret I cannot attend the gun safety hearing on Monday, January 28, in person.

Despite Assurances to the Contrary, Many Recent Proposals Infringe on the Rights of Connecticut Gun Owners

I was pleased to read in the January 19, 2013 issue of the New Haven Register that Senate Majority Leader Looney has stated of the bipartisan task force that "we don't intend to infringe on the rights of legitimate gun owners, but to enhance public safety."

I agree that it would be wrong (indeed, in many areas, illegal) to infringe on the rights of legitimate Connecticut gun owners. And I also agree that enhancement of public safety is a fine goal. However, what I see in a number of proposals recently made in press announcements and through bills recently introduced in the General Assembly leads me to believe that *there are a number of legislators who are seeking to infringe the rights of legitimate gun owners without any demonstrable benefit to public safety.*

I do not intend by focusing on some proposals to taken to agree with others. Indeed, there are new proposed bills filed almost every day, and it

is impossible to keep track of them all. Rather, I decided to comment in particular on some that have come to my attention.

Some Proposals of Particular Concern

A number of proposals would have the functional effect of disarming the middle class and, indeed, most Connecticut citizens by making the legal possession of firearms or ammunition prohibitively expensive for all but the rich. These include:

- a proposed 50% sales tax on ammunition,
- a proposed barring the purchase of ammunition through interstate commerce or in quantity,
- a proposal for onerous new liability insurance requirements for firearms owners,
- proposed increases in gun license registration fees, and
- a proposal, as floated by Senate Majority Leader Looney in an televised interview on WTNH on January 6, 2013, **“perhaps certain categories of guns should be taxed as personal property if they have a certain value.”**

In my opinion, none of this has any connection at all to what happened at Newtown and all of this has to do with a separate political agenda, which is to increase state revenues on the backs of legitimate gun owners, while disarming many law-abiding Connecticut citizens who cannot afford to pay what the state may demand. As Majority Leader Looney also said in his WTNH interview, **“A gun without ammunition is just a club.”**

These tax proposals would unreasonably disadvantage, in particular, struggling residents of our most dangerous cities, who are exactly the sort of people who most need a legally-possessed handgun for personal defense.

Bridgeport, the city in this state with the largest number of resident holders of concealed carry pistol permits, comes immediately to mind, but *thousands of Connecticut citizens with concealed carry pistol permits, now numbering more than 176,000 and rising (a rapidly growing percentage of whom are women) also would feel the serious, discriminatory effect of such misguided legislation, as would every legal owner of a rifle or shotgun in Connecticut.*

Other Particularly Offensive Proposals

One introduced bill would limit firearms that may be possessed legally in Connecticut to those that are capable of firing only one shot. *This plainly is unconstitutional.*

Another introduced bill would make public the name and address of each holder of a Connecticut concealed carry pistol permit, an invasion of privacy previously thought appropriate only for convicted sex offenders. *This is highly offensive and dangerous and to constitute an unwarranted invasion of the privacy rights, and a serious threat to the personal safety, of Connecticut citizens who have chosen to possess a handgun in full compliance with Connecticut law.*

There is no “Emergency” Justifying New Legislation about Guns or Ammunition, and Suspension of Normal Legislative Procedures would be Improper

On the question of whether or not true firearms emergency exists in Connecticut, let me start with the predicate for the formation of this task force insofar as it addresses guns. As Senate Majority Leader Looney and State Senate President Williams jointly announced in a press release on January 16, 2013, a major identified factual basis for this claimed “emergency” is that **“Forty percent of gun sales nationwide are conducted without background checks and that must change.”** *Put bluntly, this statement is not true.*

This statement, which also not incidentally is the mantra of the Bloomberg gun control lobby, in turn has as its sole basis *one imperfect,*

methodologically-flawed study conducted in 1994. That study was a telephone survey of exactly 251 people, including as far as can be determined, *none in Connecticut.* The Washington Post, no champion of gun rights, examined this “40 percent” assertion only last week and found it “appears overstated and out of date.” I urge you to read why. See:

“The stale claim that 40 percent of gun sales lack background checks,”
http://www.washingtonpost.com/blogs/fact-checker/post/the-stale-claim-that-40-percent-of-gun-sales-lack-background-checks/2013/01/20/e42ec050-629a-11e2-b05a-605528f6b712_blog.html

I could go on about the problems with this asserted “fact,” but to state the obvious, *one flawed and questionable study, conducted in the mid-1990s, cannot be a legitimate basis for suddenly declaring a gun “emergency” here in Connecticut today.*

The Newtown Tragedy Itself Does not Justify Declaration of a Gun “Emergency”

Nor does the Newtown tragedy itself support a suspension of the normal legislative process as applied to legislation affecting firearms or ammunition. *As the facts show, the gun used in the Newtown shootings was owned in full compliance with law by a middle-aged suburban homeowner.* Her deranged son murdered her in her own bed, stole her guns and went on a suicide mission to murder innocent children at an elementary school he attended years ago.

These exceptional events are sickening, but they were not caused by lax Connecticut gun laws. Indeed, no thinking person claims that they were -- or that future incidents of murder-suicide by deranged individuals or terrorists (whether using a gun, a bomb or, for that matter, a box-cutter) can be prevented by any sort of laws. Nor is there any basis to predict that they will be repeated here in Connecticut any time soon, or ever.

The Issues that this Working Group Is Considering Require Careful Deliberation and Not a Rush to Judgment

Last week, Richard Bonnie, a consultant to the panel that reviewed the shootings at Virginia Tech, told the Sandy Hook Advisory Commission that his experience in Virginia led him to conclude *it should engage in a careful, unrushed deliberative process and that acting prematurely could lead to “disproportionate responses,”* that might unreasonably erode the privacy rights of the mentally ill (those rights in this state apparently including, to my astonishment, those of the deceased criminal Adam Lanza, whose mental health records reportedly cannot be accessed by any public body). Mr. Boonie further stated, based on his experience in Virginia, that *over-reaction is “always a concern in every one of these tragic situations, when there’s such momentum for action”*

Careful deliberation certainly is appropriate and desirable and suggest that this task force show to legitimate, law-abiding gun owners in this state at least as much consideration as advocates for the mentally-challenged urge be accorded to people whose mental state makes them a danger to themselves or to others. To do otherwise would expose those who rush ahead to enact crushing new gun laws to the legitimate criticism that their actions show a fixed prejudice against, and adverse pre-judgment of, the hundreds of thousands of Connecticut citizens who choose to exercise their Constitutionally-guaranteed right to keep and bear firearms for personal protection, or for sporting purposes.

Gun Ownership Is Not Evil, but Rather a Civil Right, and Any New Legislation About Guns or Ammunition Should Follow Normal Legislative Practices to Allow For Thorough Public Debate and Assure Legislative Accountability

Owning a gun is neither a sign or mental illness nor of anti-social tendencies, and Connecticut gun owners as a class are not dangerous and in need of further legislative restraint for the protection of society. *In fact, gun owners are your neighbors and your friends and are significantly more law-abiding than the Connecticut population as a whole. I urge that they be treated with fairness and respect.*

This state already has the fourth most restrictive gun control laws in the entire nation.

Legislators supporting specific proposals to restrict or tax guns or ammunition should be required, as is normal, to make them through separate bills and to vote on each proposed bill separately, so the voting public may take their actions into consideration at the ballot box.

And Connecticut gun owners, and the public at large, should be afforded their democratic right to express themselves through orderly, constructive public comment on the wording of specific proposed bills regarding guns or ammunition in the General Assembly, when made, through the normal public hearing process.

In short, I believe in *participatory democracy* and in *due process of law*. I thus oppose any attempt to strong-arm new gun laws through the General Assembly through declaration of a phony “emergency” and urge that this task force, and the General Assembly itself, slow the pace here and allow *an open, fact-based, non-pejorative public debate about what new gun laws (if any), with what exact text, are necessary or desirable in Connecticut.*