



CCM 2013 Testimony

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BIPARTISAN TASK FORCE ON GUN VIOLENCE PREVENTION AND CHILDREN'S SAFETY

Gun Violence Prevention Work Group

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CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 92% of Connecticut's population. We appreciate the opportunity to be invited today and discuss this important issue.

The CCM membership recognizes that the reduction of gun violence in our country requires a federal-state-local partnership that addresses firearm regulation, mental health, and school security issues. CCM supports the enactment of a new, comprehensive, federal ban on assault weapons. In addition, CCM supports the following state legislative initiatives to reduce gun violence that, at the same time, respect the rights guaranteed by the Second Amendment to the United State Constitution.

- 1. Expand the state definition of an assault weapon to conform to current California law (attachment 1), which includes limiting the magazine capacity of rifles and handguns to no more than 10 bullets.**
(Current state law lists approximately 57 specific firearms as an assault weapon. Additionally, any semi-automatic firearm not listed but meets particular criteria (attachment 2) is also considered an assault weapon. Current state law does not restrict magazine capacity.)
- 2. Require a rifle permit for the purchase of any long gun, unless the owner is already in possession of an up-to-date handgun permit. A hunting license will no longer allow the background check and waiting period to be waived.**
(Current state law only requires a permit for handguns. To purchase a long gun, only a 14-day waiting period is required for a background check. If an individual has a pistol permit or hunting license, the background check and waiting period are waived.)
- 3. Allow municipal CEOs to designate a Chief of Police, Resident State Trooper, or the Connecticut Board of Firearms Permit Examiners as the issuing authority for firearm permits.**
(Current state law specifically lists the chief of police, or, where there is no chief of police, the warden of the borough or the first selectman of the town as the issuing authority for pistol permits.)

- 4. Allow municipal CEOs that deny permit applications, but such applications are subsequently overturned by the Connecticut Board of Firearms Permit Examiners, the ability to appeal said decisions before the Superior Court. Permit applicants are already afforded such appeal rights.**

(Current state law does not allow local officials to appeal a Connecticut Board of Firearms Permit Examiners decision.)

- 5. Consider expanding the list of offenses that would prohibit an individual from obtaining a firearm permit.**

(CGS §29-28 (attachment 3) specifically lists the requirements and offenses that prohibit an individual from obtaining a firearm permit.)

- 6. Improve the enforcement of existing state law:**

- a. Require registration of all firearms (exempt antique firearms as defined in statute) and allow individuals a one-year, no-fee, grace period to complete such registration;
- b. Require the State to utilize existing firearm registration data by providing electronic access to a registered firearms database. Such database would be available to law enforcement only;
- c. Increase the capacity of the Connecticut State Forensics Laboratory to provide timely processing of firearm and ballistic data to local officials. (It can now take 6-8 months to get this information); and
- d. Create a statewide Gun Offender Registry that would require individuals convicted of gun crimes to register with the State every six months (or when they change address) for a duration of five years. Registering will be required at the time of conviction, or after their jail sentence has been served. Registry would be available to law enforcement only.

(Current state law requires all firearm sales to be recorded and a copy be sent to DESPP and local law enforcement. Connecticut does not maintain a Gun Offender Registry.)

- 7. No firearm permit shall be issued if:**

- a. An individual has a serious mental disorder or illness that has been diagnosed, or determined in a court proceeding;
- b. A mental health facility or licensed psychotherapists has reported, as they would now be required, to local law enforcement, DESPP and DMHAS any individual that has been determined to be a danger to themselves or others, or communicates a serious threat of physical violence against others; and
- c. They have ever been confined in a psychiatric hospital by the probate court or found not guilty of a crime by reason of a mental disease, unless a licensed mental health official affirms that they are now mentally fit.

(Current state law requires DMHAS to report data on an individual that has been confined to a psychiatric hospital by the Probate Court within the 12 months preceding the request for a permit, or an individual discharged from custody in the proceeding 20 years after a finding of not guilty of a crime by reason of a mental illness.)

- 8. Require an updated background check to be completed on all firearm permit renewals.**

(Current state law does not require an updated background check to be completed.)

- 9. Require a firearm permit for the purchase of ammunition.**

(Current state law does not regulate who may purchase ammunition.)

10. Regulate online purchase and delivery of ammunition by banning the use of rights-of-way for the transportation of ammunition.

(Current state law does not regulate online sale or home delivery of ammunition.)

11. Prohibit individuals from purchasing more than one weapon within a 30-day period. Thus eliminating bulk purchases of firearms, as recommended by the Brady Campaign to Prevent Gun Violence.

(Current state law does not limit the amount of firearms an individual may purchase.)

12. Require gun/trigger locks to be provided with each firearm purchased.

(Current state law does not require gun/trigger locks to be provided with each firearm purchase.)

13. Outlaw the possession and purchasing of body armor (exempt law enforcement and active military), defined in Connecticut law as being any material designed to be worn on the body and to provide bullet penetration resistance.

(Current state law restricts the sale and possession of body armor for anyone convicted of specific felonies or serious juvenile offenses.)

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If you have any questions, please contact
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ATTACHMENT 1 – California Assault Weapon Definitions

1. *A semiautomatic, centerfire rifle that has the capacity to accept a detachable magazine and any one of the following:*
 - a) A pistol grip that protrudes conspicuously beneath the action of the weapon.
 - b) A thumbhole stock.
 - c) A folding or telescoping stock.
 - d) A grenade launcher or flare launcher.
 - e) A flash suppressor.
 - f) A forward pistol grip.
2. *A semiautomatic, centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds.*
3. *A semiautomatic, centerfire rifle that has an overall length of less than 30 inches [762 mm].*
4. *A semiautomatic pistol that has the capacity to accept a detachable magazine and any one of the following:*
 - a) A threaded barrel, capable of accepting a flash suppressor, forward handgrip.
 - b) A second handgrip.
 - c) A shroud that is attached to, or partially or completely encircles, the barrel that allows the bearer to fire the weapon without burning his or her hand, except a slide that encloses the barrel.
 - d) The capacity to accept a detachable magazine at some location outside of the pistol grip.
5. *A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.*
6. *A semiautomatic shotgun that has both of the following:*
 - a) A folding or telescoping stock.
 - b) A pistol grip that protrudes conspicuously beneath the action of the weapon, thumbhole stock, or vertical handgrip.
7. *A semiautomatic shotgun that has the ability to accept a detachable magazine.*
8. *Any shotgun with a revolving cylinder.*

ATTACHEMENT 2 – Connecticut Definition of Assault Weapon – CGS §53-202a

(A) A semi-automatic rifle that has an ability to accept a detachable magazine and has at least two of the following:

- i. a folding or telescopic stock;
- ii. a pistol grip;
- iii. a bayonet mount;
- iv. a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and
- v. a grenade launcher.

(B) A semi-automatic pistol that has an ability to accept a detachable magazine and has at least two of the following:

- i. an ammunition magazine that attaches to the pistol outside of the pistol grip;
- ii. a threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip or silencer;
- iii. a shroud that is attached to, or partially or completely encircles, the barrel and permits the shooter to hold the firearm with the non trigger hand without being burned;
- iv. a manufactured weight of fifty ounces or more when the pistol is unloaded; and
- v. a semiautomatic version of an automatic firearm.

(C) A semi-automatic shotgun that has at least two of the following:

- i. a folding or telescoping stock;
- ii. a pistol grip that protrudes conspicuously beneath the action of the weapon;
- iii. a fixed magazine capacity in excess of five rounds; and
- iv. an ability to accept a detachable magazine.

A part or combination of parts designed or intended to convert a firearm into an assault similar to the ones designated in statutes is illegal.

ATTACHMENT 3 – Connecticut Pistol Permit Requirements - CGS §29-28

A permit may be issued, so long as the individual:

- Has a bona fide residence or place of business within the jurisdiction in which he or she is applying;
- Intends to make only lawful use of the handgun for which the permit will be issued;
- Is a “suitable person” to receive a permit;
- Has successfully completed a course approved by the Commissioner of Emergency Services and Public Protection in the safety and use of handguns;
- Has not been convicted of a felony or of a violation of:
 - Criminal possession of a narcotic substance;
 - Criminally negligent homicide;
 - Assault in the third degree or assault in the third degree of an elderly, blind, pregnant, or disabled person, or a person with an intellectual disability;
 - Threatening in the second degree;
 - Reckless endangerment in the first degree;
 - Unlawful restraint in the second degree;
 - Riot in the first or second degree or inciting to riot; or
 - Stalking in the second degree;
- Has not been convicted as a delinquent for the commission of a serious juvenile offense;
- Has not been discharged from custody within the preceding 20 years after having been found not guilty of a crime by reason of mental disease or defect;
- Has not been confined in a hospital for persons with psychiatric disabilities within the preceding 12 months by order of a probate court;
- Is not subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person;
- Is not subject to a firearms seizure order issued for posing risk of imminent personal injury to self or others after notice and a hearing;
- Is not prohibited from shipping, transporting, possessing or receiving a firearm pursuant to the mental health prohibitions under federal law;
- Is not an alien illegally or unlawfully in the United States; and
- Is at least 21 years of age.