

David R. Cameron

**Testimony in Support of
PSB-1, PSB-42, PSB-124, and PSB-161**

**Public Hearing of the Gun Violence Prevention Working Group
of the Bipartisan Task Force on Gun Violence Prevention and Child Safety
Jan. 28, 2013**

Good afternoon Senator Looney, Representative Miner, and members of the Gun Violence Prevention Working Group. I appreciate the opportunity to appear before you today to add my voice to those of the many, many Connecticut citizens who support your effort to prevent gun violence in the state.

After Newtown, the most urgent priority facing the state is to ensure that all children, teachers and staff are secure in their schools and that what happened Dec. 14 never happens again. The Sandy Hook Advisory Commission, which includes mental health professionals, educators, school security experts, and first responders and is chaired by Hamden Mayor Scott D. Jackson, is ideally suited to recommend measures to ensure school safety and increase the access to and availability of mental health services for those in need.

But it is important, also, to strengthen the state's laws pertaining to guns, ammunition, ammunition magazines, permits and background checks. I urge that you support and recommend to the Bipartisan Task Force and the General Assembly a synthesis of PSB-1, PSB-42 pertaining to the purchase of ammunition, PSB-124 pertaining to the capacity of ammunition feeding devices, and PSB-161 pertaining to the capacity of such devices, the definition of assault weapons, the purchase of rifles with a pistol grip, the purchase of ammunition, and the registration of firearms and renewal of firearms permits.

Reflecting on his experience as a member of the commission created to examine the 1999 shooting at Columbine High School, former Gov. Bill Ritter told the Sandy Hook Advisory Commission last Thursday it will be especially important to look at the intersection between mental health issues and access to guns.

There are obvious differences between what happened at Columbine, Virginia Tech, Tucson, Aurora, and Newtown. But there appear to be some similarities as well. All of those shootings were carried out by young men who appear to have been socially isolated and psychologically disturbed, had access to rapid-fire guns, high-capacity ammunition magazines and large amounts of ammunition, and were able to fire a very large number of bullets at a large number of people in a public space in a very short time. In Newtown, the perpetrator reportedly used 30-round ammunition magazines and fired more than 150 rounds in less than seven minutes.

It will be especially important, both for the advisory commission and your task force, to look at the intersection of the three issues and, I hope, recommend legislation that will increase the resources available to mental health professionals who can identify and treat seriously disturbed

individuals who may pose a threat to others and make that information known to those conducting background checks for gun permits, prevent the access of seriously disturbed individuals to guns, high-capacity magazines and ammunition, and protect schools, colleges and other institutions from such individuals.

Two weeks ago, Vice President Biden submitted the recommendations of his working group to President Obama. The president proposed, among other things, that a background check be required for the purchase of any firearm, that more be spent on mental health services for young people, that there be increased penalties for straw purchases, that the federal ban on assault weapons that expired in 2004 be reinstated and strengthened, and that the sale of ammunition magazines be limited to those holding no more than 10 rounds.

A Gallup Poll national survey conducted on Jan. 19-20 found substantial, although widely varying, support for all of the measures proposed by the president. 91 percent of those polled said they supported a requirement that a background check be required for any purchase of a firearm. 82 percent supported increased spending for mental health services. 75 percent supported increased penalties for straw purchases. 60 percent supported reinstatement and strengthening of the federal ban on assault weapons. 54 percent supported limiting the capacity of ammunition magazines to 10 rounds.

Last week, Sen. Feinstein introduced the Assault Weapons Ban of 2013 bill, co-sponsored by Senators Blumenthal and Murphy and a number of other senators. That bill would reinstate and broaden the federal ban on assault weapons and ban high-capacity magazines. Sen. Blumenthal also introduced the Ammunition Background Check Act of 2013 that would require every buyer of ammunition to undergo an instant background check under the FBI's National Instant Criminal Background Check System (NCIS).

Given the political realities on Capitol Hill, it is unlikely that a federal ban on assault weapons, whether the one that expired in 2004 or the new one proposed by Sen. Feinstein, and a ban on high-capacity ammunition magazines will be approved by both houses of Congress. The Republican-controlled House of Representatives is unlikely to act until it is presented with legislation approved by the Senate and at least a half-dozen Democratic senators, most of them from the West and several of whom are up for re-election next year, have expressed reservations about, if not outright opposition to, the president's proposals, especially the ban on assault weapons and high-capacity magazines.

It is quite possible, therefore, that the only measures that will be enacted at the federal level will be a narrowly-defined requirement for a background check for any purchase of a firearm and perhaps Sen. Leahy's proposal to assist law enforcement in preventing straw purchases of guns. Both would, of course, represent significant improvements over the status quo. But that would, in effect, leave action on the other issues up to the states.

Some will say that, compared with most states, Connecticut's gun laws are quite good. That's true; they are. The California-based Law Center to Prevent Gun Violence ranks the state's laws fourth, after those of California, Massachusetts, and New Jersey. In its *Gun Laws Matter 2012*,

those three received an overall grade of A- and Connecticut, along with three others, received a grade of B. Eight states received a C, 10 a D, and 24 an F.

The Brady Campaign to Prevent Gun Violence assigns points, rather than overall grades, to the states for various measures relating to guns, ammunition, permits, etc. As in the Law Center's ranking, California receives the highest score (81), followed by New Jersey (72), Massachusetts (65), New York (62), and Connecticut (58). Most of the other states are far behind; indeed, 31 receive a score under 10.

But while Connecticut's laws regarding guns, ammunition, permits, and related issues are among the strongest in the country, there are nevertheless some notable shortcomings in our laws. Perhaps the most glaring shortcoming, relative to the laws in the other states with strong gun laws, is the absence of any limit on the capacity of ammunition magazines. California, New Jersey, and Massachusetts prohibit the sale or possession of magazines capable of holding more than 10 rounds. New York recently lowered the maximum legal magazine capacity to seven rounds. As mentioned above, the Newtown shooter reportedly used 30-round magazines that enabled him to shoot more than 150 rounds in less than seven minutes.

The state doesn't require a gun permit to buy ammunition. California, New Jersey, and Massachusetts require such a permit. It doesn't require those selling ammunition to keep records of their sales. California and Massachusetts do. It doesn't limit the amount of ammunition that can be bought at one time and, because it doesn't require that records of ammunition purchases be kept, it doesn't and can't limit the amount of ammunition purchased over some period of time.

The state doesn't limit bulk purchases of firearms. California and New Jersey limit sales of handguns to one per month.

While the state prohibits the ownership of assault weapons, it excludes from the definition semi-automatic rifles with a detachable ammunition magazine and one "military" feature – a pistol grip, bayonet mount, flash suppressor, grenade launcher, or folding stock. California, New Jersey, and now New York prohibit rifles having one such feature.

There are a number of loopholes in the statutes regarding permits for firearms (Connecticut General Statutes, Sections 29-28 through 38). For example, section 29-37 waives a two-week waiting period for the sale or delivery of a firearm other than a pistol or revolver if the buyer holds a valid state permit for a pistol or revolver, an eligibility certificate, or a valid hunting license. Handgun permits and eligibility certificates are valid for five years. That means that someone could purchase and receive immediately a semiautomatic rifle by having a handgun permit or certificate that was issued several years earlier, even if the individual would currently no longer satisfy the conditions for such a permit or certificate.

Another loophole concerns access to long guns, including semiautomatic rifles, by young people. Section 26-27 establishes 16 as the minimum age for a hunting license. That means that, while there is a minimum age of 21 for a handgun permit, anyone 16 or older could, by presenting a

hunting license, take immediate delivery of a semiautomatic rifle rather than waiting for two weeks.

As I said, the most glaring shortcoming in the state's laws is the absence of any limitation on the capacity of ammunition-feeding devices. PSB-124 and PSB-161 would both limit ammunition magazines to no more than 10 rounds. I urge you to support such a limit.

The state doesn't require a firearm permit in order to purchase ammunition. PSB-42 would prohibit those who are prohibited from possessing a firearm from possessing ammunition and PSB-161 would require a permit in order to purchase ammunition. I urge you to support both provisions.

The state does not require that records be retained of sales of ammunition and does not impose any limit on the amount of ammunition that can be bought at one time and over a period of time. I urge you to require that such records be retained and consider limits on the bulk purchase of ammunition.

The state does not limit the bulk purchase of firearms. I urge you to limit purchases of firearms to no more than one per month.

The state excludes semiautomatic rifles with a detachable magazine and one military feature – for example, a pistol grip – from its definition of assault weapons. PSB-161 would change the definition to include such rifles with one such feature within the definition. I urge you to support that change.

The state does not require a new firearm permit for the sale and delivery of a gun other than a pistol or revolver if the buyer already has a valid state permit for a pistol or revolver, or an eligibility certificate, or a hunting license. The state should require a permit and background check, and require a two-week waiting period prior to delivery, for every sale of a firearm, even if the buyer already has a firearm permit or eligibility certificate. It should establish the current minimum age for a handgun permit – 21 – as the minimum age for a permit for any firearm.

A valid state firearm permit must be renewed every five years. The state should instead require that all permits be renewed every two or three years and that each renewal be accompanied by a new background check that involves not only checking with the FBI's National Instant Criminal Background Check System (NICS) but with local mental health professionals. In order to make that possible, it should require mental health professionals to report the name of individuals in their care who may pose a threat to others if allowed to purchase or possess a firearm.

The state does not maintain a statewide registry of all firearms. It should create such a registry, require that all firearms be registered, and require that registrations be renewed every two years. PSB-161 would establish such a registry.

There are 300 million guns in this country. There are reportedly some 3 million semiautomatic rifles like the one used in Newtown and roughly 250,000 new ones are manufactured each year.

No one is so naïve as to imagine that, in a nation awash in guns, addressing the shortcomings in the state's laws will bring an end to gun violence here, given the failure of so many states to adopt any meaningful gun legislation and the inability of the federal government to stop the interstate trafficking in illegal guns and ammunition. But the state owes it to those who lost their lives at Newtown and to their families to do everything in its power to ensure that there will never be another Newtown and lead the way for other states in enacting legislation that will end the scourge of mass shootings that afflicts our country.

Your attention is rightly focused on what happened in Newtown on Dec. 14. Nevertheless, I hope you will give some consideration to the more general issue of gun violence in the state – specifically, the gun violence that occurred on a daily basis prior to Dec. 14 and that continues on a daily basis since Dec. 14.

The Centers for Disease Control report that in 2008-10, the latest three-year period for which data are available, there were 263 homicides by firearm in Connecticut. In 2010-12, there were more than 200 homicides – the vast majority committed with a firearm – in Bridgeport, Hartford, and New Haven. The creation of shooting task forces in Hartford in 2011 and New Haven last year contributed to 50 percent reductions in the number of homicides in both cities last year. Nevertheless, there are still many gun-related homicides and non-fatal shootings in the state.

That being the case, I hope you will consider, in addition to the measures discussed above, two others that would be directed at the more general problem of gun violence in the state. First, I urge you to recommend the formation of a task force, modeled along the lines of the task force that studied and recommended improvements in eyewitness identification procedures, to study the more general problem of gun violence in the state, especially the violence that plagues the state's largest cities. Second, I urge you to recommend the establishment and support of an annual statewide gun buyback effort similar to the ones conducted last year in Hartford, New Haven, and Bridgeport that took in more than 900 guns. I can think of no better way for the state to honor the memory of those who died on Dec. 14 than to conduct on that day each year a statewide gun buyback program.

Thank you for the opportunity to testify at this public hearing.

David R. Cameron is a New Haven resident and a professor of political science at Yale University. He is a member of the Eyewitness Identification Task Force created by Public Act 11-252.