

Dear Gun Violence Prevention Working Group,

The recent horrific events in Newtown have left many people desperately looking for ways that this tragic even could have been prevented. However, decisions made out of anger or fear are rarely ever good ones. Accordingly, I write to you to voice my **strong opposition to any gun control measure that is based on banning particular items or features (i.e. renewed Assault Weapons Ban or similar)**.

As an elected official, I know your time is limited and so I have summarized my opposition in the bullets below:

10+ round magazine limit:

- **10 round magazines limits would not have saved lives in Sandy Hook.** As it is, the shooter had to reload his 30-round magazines during the attack. Since the six adults killed in Sandy Hook were spread throughout the building and the shooter did not encounter more than two at a time, having to reload every 10 shots instead of every 30 would not have saved any lives as the young victims would have been unable to do anything doing the few extra seconds it would have taken to reload. In fact, recent reports indicate the shooter often changed magazines before they were empty.
- **Numerous reloads did not limit the lethality of the shooting at Virginia Tech.** The shooter at Virginia Tech only used 10 and 15 round magazines and even with numerous reloads was still able to shoot and kill 32 and wound another 17. Keep in mind that in the case of Virginia Tech, the victims were much older and better able to fight back or take advantage of a magazine reload than the 1st graders in Sandy Hook. The report created by the commission put together to investigate the shooting concluded:

“The panel also considered whether the previous federal Assault Weapons Act of 1994 that banned 15-round magazines would have made a difference in the April 16 incidents. The law lapsed after 10 years, in October 2004, and had banned clips or magazines with over 10 rounds. The panel concluded that 10-round magazines that were legal would have not made much difference in the incident. Even pistols with rapid loaders could have been about as deadly in this situation.”¹

- **Banning items does not make items disappear.** Prohibition did not prevent alcohol from existing, making drugs illegal does not prevent them from existing, and banning 10+ round magazines will not prevent criminals from getting them. Anecdotally, this can be seen in David Gregory’s ability to acquire a 30-round magazine despite them being illegal in Washington DC, where his show was produced (as an aside – when even the ATF can’t correctly decipher the current myriad of gun legislation, what chance does an ordinary citizen have?). More relevantly, the following mass shootings all involved the use of 10+ round magazines despite taking place during the federal Assault Weapons Ban which made them illegal:
 - Caltrans Maintenance Yard (12/18/97)
 - Connecticut State Lottery Headquarters (03/06/98)
 - Westside Middle School (03/24/98)
 - Thurston High School (05/20/98)
 - Columbine High School (04/20/99)
 - Wedgwood Baptist Church (09/15/99)

¹ Virginia Tech Review Panel. (2007). *Mass Shootings at Virginia Tech*. Page 74. Retrieved from <http://www.governor.virginia.gov/tempcontent/techPanelReport-docs/FullReport.pdf>.

- Xerox Office Building (11/02/99)
- Edgewater Technology Office (12/26/00)

In fact, according to a study commissioned by the Department of Justice on the effectiveness of the Federal Assault Weapons Ban, usage of 10+round magazines actually *increased* during the Assault Weapons Ban:

“Attributing the decline in gun murders and shootings to the AW-LCM ban is problematic, however, considering that crimes with LCMs (Large Capacity Magazines) appear to have been steady or rising since the ban.”²

Banning items is particularly ineffective when the items themselves are relatively simple. A magazine consists of little more than a plastic or metal box with a spring inside and there is no real complexity in manufacturing them. Add to this the recent technological developments in 3D printing, and in the coming years it will be all but impossible to prevent a criminal from obtaining 10+ round magazine.

- **Presence does not equal effectiveness.** Similar to how correlation does not equal causation, while there may be some statistics that are able to show the usage of 10+ round magazines in gun attacks, the real issue is not their presence, but rather their effectiveness. Is a criminal able to be significantly more lethal with one 30-round magazine than with three 10-round magazines? I am aware of little evidence that has been presented which shows that the ability to fire more than 10 rounds without reloading affects the outcome of gun attacks. If it were found that a significant number of orange colored guns were used in crimes, would banning orange guns make anyone safer? This conclusion was also reached by Christopher Koper in his study commissioned by Department of Justice:

“However, it is not clear how often the ability to fire more than 10 shots without reloading (the current magazine capacity limit) affects the outcomes of gun attacks. All of this suggests that the ban’s impact on gun violence is likely to be small.”³

1 feature Assault Weapons Ban:

- **Cosmetic features do not make a firearm more lethal.** Connecticut’s current Assault Weapons Ban is nothing more than “feel good” legislation that purports to make us safer by banning primarily cosmetic features. The current law bans “A semiautomatic rifle that has an ability to accept a detachable magazine and has at least two of the following:
 - **A folding or telescoping stock.** The most common rationale for this is to prevent the rifle from being easily concealed. However, the inclusion of telescoping stocks does not make sense in this context since the stock would be legal if pinned in the shortest position. The few extra inches of adjustability are a pure comfort feature and do not meaningfully increase the concealability of the rifle. Can anyone on the committee tell me how having a stock that is able to be adjusted by a few inches makes a rifle more dangerous?

² Koper, C. (2004). *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*. Page 92. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>

³ Koper, C. (2004). *An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*. Page 19. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>

- **A pistol grip that protrudes conspicuously beneath the action of the weapon.** A pistol grip provides better ergonomics and comfort when firing a weapon for extended periods – such as when practicing at a range. However, this feature does not really provide an advantage during a crime or mass shooting which tend to be relatively short events. Can anyone on the committee tell me how having a pistol grip makes a rifle more dangerous?
- **A bayonet mount.** In this day and age the primary purpose of a bayonet mount is for displaying on historical rifles. Is anyone on the committee really concerned about bayoneting?
- **A flash suppressor or threaded barrel designed to accommodate a flash suppressor.** While a flash suppressor does slightly reduce the visible flash from a rifle, it in no way allows a shooter to hide. There is still a distinct flash as well as a very loud noise when a rifle is fired. Rather, the primary purpose of a flash suppressor is to deflect the flash out of the line of sight of a shooter in order to prevent the loss of night vision (a feature which could be quite important if someone breaks into your house at night). Can anyone on the committee tell me how having a flash suppressor makes a rifle more dangerous?
- **A grenade launcher.** Of all of the features, this is the one feature that I can understand the rationale for a ban. However, in all the other states that no longer have an assault weapons ban, are grenade launchers a real issue? Can anyone point out a recent incident when a grenade launcher was used during a crime?

To further this absurdity by reducing it to a 1 feature ban is of absolutely no value. If the Sandy Hook killer had used a rifle without a pistol grip, how would the outcome have differed? Even if you banned all rifles, would the outcome have been different had he used the shotgun and pistols he brought with him?

- **Rifles are extraordinarily safe, particularly in Connecticut.** The FBI publishes the Uniform Crime Report Annually. Table 20 of the report lists homicides by state broken down by the type of firearm used. During the 6 year period from 2006 – 2011, out of nearly 700 homicides only 2 people in Connecticut were killed by any rifle whatsoever (of which, semi automatic rifles is an even smaller subset). Not 2%, or even 2 per year – 2 total for a 6 year period. During that same time period 114 were killed by knives or other cutting instruments, and 30 were killed by hands and feet.

Ammunition Restrictions (Online sales/increased taxes)

- **Ammunition restrictions will only affect law abiding citizens.** Criminal acts, including mass shootings use comparatively little total rounds when compared to practicing or target shooting. If a criminal had to spend \$30 instead of \$20 for a box of ammunition, does anyone on the committee reasonably believe the criminal would be dissuaded from committing a crime? The only effect this type of legislation would have would be to reduce the amount of time ordinary citizens spent practicing. Can anyone on the committee explain to me how a person having less practice with their firearms is a good thing?

General Points:

- **Burden of proof not met.** When it comes to restricting the rights and freedoms of law-abiding citizens, the burden of proof should be on legislators to show significant public good that would result. Citizens should not have to demonstrate a need for that particular right - just as the onus in the criminal justice system is for prosecutors to prove guilt and not on defendants to prove innocence. "I don't see why you would need a 10+-round magazine, or semi automatic rifle" is not a valid reason to make such items illegal unless there is also sufficient evidence to prove that banning them will create a real and significant public benefit. As can be seen in the above points, no such public benefit appears to exist in this case.

Finally, I find the fact that this working group seems to be rushing to propose legislation well before the police report (which you would think would be a vital piece of information) is available quite disturbing. I find the fact that one of the co-chairs of this working group has already proposed numerous pieces of new control legislation before hearing public testimony on the issue even more disturbing. I urge you all to fully consider all relevant information before recommending legislation that puts a large burden on law abiding citizens while doing little to nothing to keep our citizens safe.