

To the honored members of the Judiciary Committee:

I strongly oppose HB SB 1047 - AN ACT BANNING LARGE CAPACITY AMMUNITION MAGAZINES in it's entirety and ask that you do the same.

In response to the horrible acts of one madman sweeping anti-second amendment legislation has sprung up all over the country and federal government. I do not believe this is the answer. I do not believe this bill, nor any bill that limits second amendment rights is the answer.

- 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. In fact, recent reports indicate the shooter actually 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. 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 an using them. 10+ round magazines were present at the following mass shootings despite taking place during the federal Assault Weapons Ban which made them illegal:

- o Caltrans Maintenance Yard (12/18/97)
- o Connecticut State Lottery Headquarters (03/06/98)
- o Westside Middle School (03/24/98)
- o Thurston High School (05/20/98)
- o Columbine High School (04/20/99)
- o Wedgwood Baptist Church (09/15/99)
- o Xerox Office Building (11/02/99)
- o 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.

- 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 affects the outcomes of gun attacks. All of this suggests that the ban’s impact on gun violence is likely to be small.” (3)

- 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” is not a valid reason to make such magazines 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.

Effectively, even if there was a 20, 15, or 10 round limit on magazines it wouldn't have mattered in this case. The simple point of fact in the matter is that there was no one there to stop him. Signs that say gun-free zone have no effect on a person who is intending to walk into a school and start shooting. We need armed guards and or police in every school. We have armed security at banks, shopping malls and corporations - why aren't we protecting our children the same way we are protecting our money, goods and jobs?

There is no substantive benefit in this bill, nor would it make anyone safer. Criminals, who are already breaking the law would have no compunction against breaking this proposed law as well. There would be nothing at all to stop a criminal from traveling out-of-state to purchase magazines over 10 rounds - that is, if they turn in their magazines over 10 rounds with the rest of the law abiding citizens of Connecticut. Of course, they will not do this - we all know that. So who, in fact, does this proposed bill affect?

The answer is simple: The only people legislation like this would affect are law abiding citizens. Limits on magazine capacity only help to stack the odds against law abiding citizens and homeowners in the case of a home invasion scenario or assault. When you factor in the reality

that more than a third of aggravated assaults and robberies involve more than one assailant and that it may take three or more shots to effectively stop an aggressor - the obvious need for more than ten rounds in a defensive scenario becomes apparent.

Furthermore, if passed, this bill would turn law-abiding citizens into felons overnight. This act does not not punish anyone for committing a crime, but rather would punish people for owning an object that in and of itself was legal the day before. Connecticut can expect class action law suits if this were to pass as this is an obvious fifth amendment violation.

These magazines are standard equipment for handguns and other firearms owned by tens of millions of Americans, just as they were before and during the 1994 "Assault Weapons Ban".

After the expiration of that ban a comprehensive study by the Centers for Disease Control - hardly a pro-gun entity - looked at the full panoply of gun-control measures, including the ban on magazines over 10 rounds, and concluded that none could be proven to reduce crime. Another study, commissioned by Congress, found that bans were not effective since "the banned weapons and magazines were never used in more than a modest fraction of all gun murders."

Besides using them for self-defense, gun owners own them for competitive or recreational shooting, as key parts of collectible firearms, and for other lawful purposes. Additionally, there are some firearms where there is no such thing as a ten round or less magazine - this law would make the owners of these firearms owners of very expensive paperweights.

Personally, I think a much better course of action would be to strengthen the punishments and minimum sentences for gun-related crimes. That way criminals convicted of these crimes would get stiffer penalties and law abiding citizens would be unaffected and their rights intact. This is the way our criminal and legal system is supposed to work.

I am all for creating and, more importantly, enforcing laws that punish criminals and, therefore, a safer society. This act does not accomplish that; it makes criminals out of ordinary people who choose to exercise a fundamental right that a minority of the US population may disagree with.

I ask that you oppose this bill and support the law-abiding firearm owners of Connecticut. It will do absolutely nothing to combat crime and only serve to limit the rights of the citizens of Connecticut.

Thank You, once again, for your time.

Glenn Frank  
Haddam, CT

Sources:

(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>.

(2): Koper, C. (2004). An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003. Page 92.

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(3): Koper, C. (2004). An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003. Page 19.