

Subject: Presentation for Hearing of January 28, 2013

I regret that my schedule does not permit me the ability to express my views in person at the meeting scheduled for Monday, January 28, 2013. For that reason I am submitting my thoughts in the sincere hope that it may shed some light on the subject at hand and facilitate a dialogue between law-abiding gun owners and those legislators interested in improving public safety. By way of credentials, I am a resident of Westport, Connecticut and have been an avid target shooter and gun collector for over forty five years. I have been a member and /or officer of more than a half dozen gun clubs and believe that I am reasonably qualified as a firearms expert. I am a life member of the Amateur Trapshooting Association and the National Skeet Shooting Association.

In the wake of the horrific tragedy that occurred at Sandy Hook Elementary School this past December, legislators and politicians across this nation have brought to bear a host of proposed legislation that is seemingly little more than a knee-jerk reaction to this very sad event. Some are using this tragic occurrence as a fulcrum to advance their political agendas of depriving ordinary law-abiding citizens of their constitutional rights to firearms. As constitutional scholars have pointed out, the Second Amendment does not grant us the right to keep and bear arms, that is inherent in our Constitution, but merely restricts governments from infringing on that right. Legislators increasingly call for a dialogue regarding gun safety but to date, that conversation has not occurred on either a local or national level. We have witnessed a legislative soliloquy which will negatively impact those who have historically followed the law and who behave responsibly. I sincerely hope that this Task Force will maintain an ongoing dialogue so that any legislation that is passed is de facto an improvement in public safety and not just incremental “feel-good” restrictions imposed on the law-abiding shooting community.

In presenting my views, I am reinforcing the idea that the terms “assault rifle” or “assault weapon” are for the most part capricious definitions that attribute certain cosmetic characteristics of firearms to these ill-defined guns. Specifically, the incorporation of a pistol grip, flash hider, bayonet mount, removable magazine and adjustable stock have all been ascribed to the definition of assault rifles. Please note that any or all of these attributes do not effect the functionality of any firearm. A rifle without any of these cosmetic features will operate as potently as one with all of them. A flash hider does little in the way of hiding the muzzle flash but will safely redirect the muzzle flash from the line of sight of the shooter to the side of the rifle’s muzzle. It should not be confused with a suppressor which reduces muzzle noise or mistaken for any device that adds a level of stealth to the firearm. The pistol grip has absolutely nothing to do with the manner in which a firearm can be deployed and in fact is much safer for a shooter than the previously more conventional stock grip. To the best of my knowledge, there is no incident on record in which a bayonet affixed to a rifle has been used to inflict mayhem on any civilian population. In combat, bayonets were viewed as a weapons of last resort when servicemen may have exhausted their ammunition and were still faced with life-threatening circumstances. Adjustable stocks are merely a convenience that permits shooters with vastly different arm lengths to adjust the stock to their personal dimensions. It is no different that adjusting the seats in one’s car for drivers whose leg lengths are uniquely different. Magazines of various capacity have always been available.

While much negative publicity has centered around the capacity of magazines, as a seasoned shooter I prefer smaller capacity magazines as the likelihood of a magazine feeding malfunction is directly proportional to its capacity. I would also like to point out that there are millions of magazines in circulation. Few, if any have any means of identification other than their manufacturer. There are customarily no serial numbers or production dates that would facilitate the identification of magazines. Any legislation that would ban magazines of stipulated capacity would likely make such ammunition feeding devices more valuable to illegal sellers of such devices and thus would result in windfall profits to those who would deal in contraband magazines. Lastly, even if larger capacity magazines were banned by legislation, the time necessary to reload with smaller capacity magazines is so short as to make any such legislation essentially ineffective in improving public safety.

After ten years, the 1994 assault weapon ban had little or no evidence that such legislation had any effect in reducing violent crime and thus the law was allowed to lapse under its sunshine provisions. To the contrary, in the ten years that the ban was in effect, sales of weapons increased dramatically, while gun-related crime experienced a significant decline. Recent reports by the Federal Bureau of Investigation reveal that guns were a much less significant threat to public safety than were hammers, clubs, knives and fists. The report also disclosed that gun-related homicides were much more likely to be committed with handguns which accounted for 87% of all such gun deaths in that study. Similarly, the Center for Disease Control's website provides statistics in support of the fact that from 1991 through 2007 violent crimes per 100,000 population declined from 9.9 to 6.1. Moreover, The Department of Justice Bureau of Justice Statistics in its Bulletin dated October 13, 2010 documents that use of firearms in violent crimes in 2009 (the most recent published data) is limited to 1.4% of the all such violent crimes, a decline from 2.4% in 2000.

By banning so-called assault weapons from use by law-abiding gun owners, legislators are blindly following the terminology of the mainstream media by taking a collection of superficial cosmetic features associated with today's weapons manufacture and deciding unilaterally that these features make firearms more potent than they should otherwise be. A serious "conversation" with respect to the functionality of these arbitrary features would indeed be welcomed.

To be clear, semi-automatic rifles and pistols have been around since the beginning of the 20th century. There is fundamentally no difference between these civilian weapons and any semi-automatic firearm manufactured for civilian use in the past one hundred ten years. They may cosmetically look different for several reasons. The availability of wood for conventional stocks has either been in limited supply or become far too expensive for use on sporting firearms. Composite materials and the use of modern alloy materials has been able to reduce the weight of both target and hunting firearms by several pounds making them much less burdensome to carry in the field. Just as the space program gave rise to electronic miniaturization which resulted in such consumer products as cell phones, portable DVD players and iPods, so too, has the technological breakthroughs in materials for military production carried over to the civilian firearms market. It should be borne in mind that the assault weapons subject to much proposed legislation work like all other firearms. They only fire one round with each pull of the trigger.

That truism relates to semi-automatics as well as bolt action, lever action, pump action or single shot firearms.

The National Firearms Act of 1934, with few exceptions, made it illegal to own automatic firearms. Operationally, those weapons continue to fire as long as the trigger is depressed in contrast to semi-automatic firearms which require the pull of the trigger each time a round is discharged. As with ubiquitous illegal drugs, criminals intent on violent crime seem to have a ready source for obtaining illegal automatic weapons. It is unrealistic to expect that any legislation will keep lethal weaponry out of the hands of those who wish to use them in the commission of illegal acts. Criminals, by definition, will not comply with any proposed legislation just as they have not complied with the more than twenty thousand gun related statutes that are already on the books nationally.

The Brady Center to Control Gun Violence has cited Connecticut's gun control laws as a model for other states to follow. When the assault weapon ban disappeared nationally in 2004, Connecticut elected to retain the state laws banning such weapons. Sales of weapons through Federally licensed dealers as well as through private parties, including gun show sales, require NIC background checks. Concealed carry permits require complete vetting by both state and Federal law enforcement agencies. All firearms purchases require significant paperwork and clearance through the Department of Public Safety before purchases are finalized. The guns used in the Newtown atrocity were, according to press reports, all legally obtained by the perpetrator's mother. The perpetrator was illegally in possession of the weapons. All the statutes in effect and proposed legislation would not have prevented what ensued at Sandy Hook. Increased legislation will only serve to further burden those gun owners already operating under the yoke of excessive regulation and those seeking their perverse sense of infamy will continue to disregard the law and find means to commit whatever heinous acts they wish to perpetrate.

The internet is replete with sources of data that substantiate the fact that when cities enact gun bans, there is a concomitant rise in violent crimes. Thus banning firearms on the basis of arbitrary cosmetic features supports the likely unintended consequence of reducing public safety rather than enhancing personal security. Banning of modern sporting arms will be a costly endeavor as law enforcement organizations at the state and local level will need to administer new legislation and local police forces may need to increase their officer ranks to confront the increase in crime rate that historically follows.

In examining articles covering relatively recent mass shootings in locations such as Columbine and Aurora, Colorado and Newtown, Connecticut, the most obvious common thread in the majority of these tragic and senseless acts, is the mental instability of the perpetrators. To that end, it would seem that the logical conclusion to the public safety issues under consideration by the Task Force, would be to devise some reporting mechanism that would result in increased information included in the database used for background checks that are required to complete any and all firearms transfers. While the ACLU has litigated against the release of such information, I might suggest that any indication that the risk of committing personal harm to oneself or others should be available to the NIC system.

I would be remiss if I did not also include some suggestion for enhanced control over the indiscriminate use of firearms. I am a firm believer that there are essential obligations inherent in responsible gun ownership. In that regard, I would suggest that before gun permits are issued by local law enforcement officers to citizens seeking such permits, that they demonstrate to their local issuing officer that they have the appropriate storage to insure that firearms can be secured by lock and key from access by minor children and which will frustrate any home invader seeking the theft of such weapons. The same requirement should be imposed on any resident seeking to purchase a rifle or shotgun under the hunting license provisions of our state. While my suggestion is by no means foolproof, as children may be able to obtain access to secured storage, had the weapons used in Newtown been secured without access by the perpetrator, the ensuing needless loss of life might have been averted.

I appreciate this opportunity to address the Gun Safety Task Force. I hope my presentation has been enlightening with respect to the complexity of some of the issues that are currently under consideration. Adding increased regulations and limiting factors to those of us who have lived under the myriad gun legislation statutes that have come about over the years, will not result in any appreciable improvement in public safety. History has already supported that contention. Both the failures of "Prohibition" and the "War on Drugs" have shown that you cannot legislate morality particularly among those intent on breaking the law. Statutes already present relating to gun ownership, are poorly enforced and statutory penalties are often plea-bargained down. These historic practices have emboldened criminals to use firearms indiscriminately. The legislative remedies proposed thus far, including bans of firearms, magazines of certain capacities, punitive taxation of ammunition, limiting ammunition purchases, will only serve to further burden the law-abiding shooting community. Enactment of such legislation may provide elected officials with a sense of accomplishment, particularly if their political agendas include eradication of firearms ownership, but it will not prevent anyone motivated to inflict harm on unsuspecting citizens nor will public safety be improved.

Respectfully submitted,

Peter Thorner