

Testimony
The Rev. Joshua Mason Pawelek
Connecticut General Assembly Bipartisan Taskforce on Gun Violence and Children's Safety
Gun Violence Prevention Working Group
January 28, 2013

Members of the Gun Violence Prevention Working Group:

Thank you for this opportunity to provide testimony in support of reducing gun violence. I am the Rev. Josh Pawelek, President of the Greater Hartford Interfaith Coalition for Equity and Justice and Minister of the Unitarian Universalist Society: East in Manchester.

Any gun-related death—whether homicide, suicide or accident—is unacceptable. The extent to which we regard any gun-related death as acceptable is the extent to which we as a citizenry have lost our moral foundation. In light of the mass shooting in Newton, the mass shooting at Hartford Distributors, the ongoing epidemic of gun homicides in our cities, and the more than 100 annual gun-related suicides in Connecticut, our collective unwillingness, year after year, to take aggressive actions to reduce gun violence represents a catastrophic moral failure. In particular, our ongoing collective indifference to the anguished cries of good people in our cities—cries for anyone with a shred of power and authority anywhere to do anything to stop children from killing children with guns—borders on criminal negligence. It is long past time for us as a citizenry to grow a moral backbone and act to end gun violence.

I want to address two aspects of this conversation: reducing urban gun violence and banning assault weapons and high capacity magazines.

First, we know 80% of gun homicides occur in our cities; and of these, 85% involve illegal weapons. Far too often the community asks, “Where did they get the gun?” but the answer is not forthcoming. Why? It ought to be simple for investigators to trace where an illegal gun came from, and to hold the source of that gun accountable. We need to *get tough* not only on gang members who commit homicides, but on all those who supply guns to gangs. Requiring background checks for all gun purchases, imposing the harshest possible penalties on straw buyers, and limiting handgun purchases to one per month are measures that will help reduce the flow of illegal guns into our cities. I see no reason why law-abiding citizens, including gun owners, should balk at keeping illegal weapons off the streets.

Second, on the questions of banning assault weapons and limiting magazines sizes, I struggle with these not only because the Constitution protects the right to keep and bear arms, but because every gun owner I've ever known prioritizes safety, takes pride in following the letter and spirit of the law, and would never abuse their right to own guns. The gun owners I know—some of whom own assault weapons—are trustworthy. That's one side of it. But spend a summer night at the St. Francis Hospital emergency room and watch the wounded come in. Sit in the presence of a Hartford mom who's fifteen-year-old was murdered, or any parent who's lost a child to suicide. Try to teach traumatized elementary school kids after they walk by yellow police tape and white chalk bodies on their way to school. Or just try to wrap your heart around what it will take for the people of Newtown, including the first responders, to heal from the Sandy Hook

shooting. The trauma of gun violence is all around us, and the cost in terms of fear, anxiety, stress, physical injury, premature death, shattered lives, broken communities, and lost dreams is not worth it. No assault weapon or high capacity magazine is worth it. The right to keep and bear arms does not trump the requirements for public safety. I take Justice Antonin Scalia at face value when he writes in the 2008 Supreme Court decision in *Washington, DC vs. Heller* that “like most rights, the right secured by the Second Amendment is not unlimited.... From Blackstone through the 19th-century cases, commentators and courts routinely explained that the right was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.”¹ The appeal to liberty in support of unfettered access to guns is disingenuous. Victims of gun violence have had their liberty taken away from them. Improving public safety by strengthening gun laws is no threat to liberty. On the contrary, by preventing the madness and anarchy of gun violence, strengthened gun laws ensure liberty for all.

A further point about banning assault weapons and high capacity magazines: I worry it is quite possible to enact such bans into law and achieve nothing more than symbolic, ‘feel-good’ change. From what I know about assault weapons—which is admittedly limited—the legal definition sets a fairly high bar for which weapons qualify. With slight modifications, weapons manufacturers can produce guns that skirt the legal definition of ‘assault weapon’ while still possessing essentially the same, exact level of fire power. There are also many guns on the market that do not meet the legal definition of ‘assault weapon’ yet which are quite capable of producing the very same carnage we witnessed in Newton on December 14th. Keep in mind that the shooter in the Hartford Distributors massacre used Ruger SR9 handguns. The March 7, 1998 CT Lottery shooter used a Glock. I also understand that a well-trained marksman can replace an empty magazine in less than a second—which means we should not assume a ban on high capacity magazines automatically provides a sufficient deterrent to someone committed to doing mass harm. I am not suggesting that bans on assault weapons and high capacity magazines are of no use. On the contrary, I support them. I’m simply asking that you to do your homework. Make sure the measures you propose and enact will actually reduce gun violence. Don’t waste our time with symbolic, “feel-good” legislation. Too many lives are at stake.

I urge you to study, propose and pass the most comprehensive gun safety measures possible. In particular, I urge you to take seriously the collection of proposals from Connecticut Against Gun Violence, including:

- Strengthening our assault weapons ban;
- Banning large capacity ammunition magazines of more than 7 rounds;
- Requiring universal background checks on all sales and transfers, including long guns;
- Requiring a permit to purchase and carry all guns, including long guns;
- Requiring a permit to purchase and carry all ammunition;
- Increasing penalties for storage and safety violations, including liability for negligent storage if unlicensed or dangerous people gain access to firearms and cause damage to persons or property;
- Prohibiting sales of guns or ammunition via internet to CT residents;

¹ The text to Scalia’s opinion in *Washington DC vs. Heller* can be found at <http://www.law.cornell.edu/supct/html/07-290.ZO.html>.

- Restricting handgun sales to one gun/month.
- Instituting graded permitting based on level of training and proficiency;
- Requiring gun owners to purchase liability insurance;
- Requiring microstamping of bullet casings.

Thank you.

Respectfully submitted,

The Rev. Joshua Mason Pawelek