

The legislature must take up the challenge Newtown poses to us as a state and a people. We need to do better, to enact laws that make us safer, and more secure in our schools, homes, and streets. Over the last decade a large body of sophisticated economic and epidemiological research has investigated the nature of gun violence and the dynamics of black market gun sales. While guns do not cause crime or kill people, guns do increase the lethality of violent encounters. There is a good deal of misinformation about the relationship between guns and violence in America. I would urge the committee to consult the best research available and use it to construct a coherent set of policies. Reasonable gun regulation is entirely consistent with the original meaning of the Second Amendment and the guidelines provided by the Supreme Court in *District of Columbia v. Heller*. The common sense gun regulations described below are consistent with both the letter and spirit of the Second Amendment. The legislature must approach this issue calmly and seek a holistic and multifaceted approach to public safety. The following set of policies seem the most likely to achieve these goals.

**Safe Storage**—Responsible gun owners recognize the need to store firearms securely. When guns are not properly locked up they not only become available to kids and others within a household who should not have access to firearms, they become an attractive target for criminals who can make a significant profit selling stolen firearms in the black market. More than 600,000 firearms are stolen each year. Failing to lock up firearms when not in use is not an unwarranted government intrusion on our liberty, it is an essential regulation to promote the Founders' ideal of “well regulated liberty.” When firearms are not locked up they become a potential threat to all law abiding citizens. The legislature should not only strengthen existing safe storage laws, they should provide appropriate tax incentives to encourage and reward, and if necessary require gun owners to store all weapons safely.

**Supply Side Policies**-- Universal background checks for all sales, transfers of firearms, and background checks for ammunition sales are absolutely essential to promote public safety. Allowing some individuals to avoid the background check process simply makes no sense. Requiring all sales and transfers to go through a background check will help restrict the flow of guns and ammunition to criminals. These measures place a modest burden on law abiding citizens but make it more difficult and expensive for criminals to obtain guns and ammunition. While criminals do not obey most laws, the one law they do obey is supply and demand. These supply side restrictions will not end gun violence or block every black market sale, but they will drive up the cost of guns and ammunition and will influence the behavior of some criminals. We have very good empirical evidence that driving up the cost of ammunition has a significant impact on gun violence in urban areas where the mark up on bullets can be as high as 50 to 1. Many handguns wind up in the black market because a person legally entitled to buy guns sells them to someone prohibited from owning one. We should consider limiting or creating a more restrictive permitting scheme to make it harder to divert guns to the

black market. Apart from gun collectors how many law abiding citizens need to buy multiple handguns at a single time or need to engage in multiple purchases of guns on a monthly basis?

Civilian Firepower--- The question of what to do about “assault weapons” or what the Connecticut Sports Shooters Association likes to call “modern sporting rifles” merits the legislature’s careful attention. We should acknowledge that these are tactical weapons derived from a military model. The main use for these weapons is target shooting and in keeping with that purpose, and its military origin, we ought to require that these weapons be stored and locked up at a firing range. Military weapons in the era of the Second Amendment were often stored in a public magazine so such a policy is consistent with both the spirit and original understanding of the Second Amendment. Such a policy would not involve confiscation or deprive serious shooters from having access to these weapons, but they would make the social cost of having such firearms in circulation more fully reflect their potential for carnage. Although many believe the Second Amendment is intended to protect a right of revolution or give civilians comparable firepower to the army and police these are not goals consistent with the true meaning of the Second Amendment. The “well regulated militia” protected by the Second Amendment was drawn from the ranks of citizens, but it was an institution defined by law. It was controlled by the individual colonies and eventually by the states and the new federal government. The militia put down rebellions, it did not foment them. Many states required a loyalty oath of citizens and many states disarmed individuals who refused to swear such oaths. The Constitution only defines one crime—treason—taking up arms against the government. It makes no sense to read the Second Amendment as if it repealed the Constitution’s treason clause.

The legislature has a rare opportunity to create a new model for gun regulation that can lead the nation. Such a model would acknowledge that “every citizen has a right to bear arms in defence of himself and the state.” The legislature can honor this right and it can lead the nation in charting a new path to sensible and effective gun laws. It is time to move beyond the tired clichés of bumper stickers and sound bites. If we do this, history will judge us well and we will honor those whose lives were taken from us in Newtown.

Sincerely

Saul Cornell, Ph.D