

Testimony
before
House Judiciary Committee
Thursday, December 2, 1999
Philadelphia

by

Lehigh Valley Firearms Coalition

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Allegheny County Sportsmen's League
Bucks County Sportsmen's Coalition
Cameron County Gun Owners Association
Delaware County Field and Stream Association
Keystone Firearms Coalition
Lehigh County Chapter of the PA Federation of
Sportsmen's Coalition, Inc.

Lehigh Valley Council for Women's
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Northampton County Chapter of the PA
Federation of Sportsmen's Coalition, Inc.
Pennsylvania Federation of Sportsmen's Clubs, Inc.
The Pennsylvania Sportsmen's Association

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Representing over 20 gun clubs with over 20,000 gun owners
in Lehigh and Northampton Counties

Hearing before the
PA House Judiciary Committee
Philadelphia, December 2, 1999

Summary of Testimony

John F. Brinson, President & CEO
Lehigh Valley Racquet & Fitness Centers
Chairman, Lehigh Valley Firearms Coalition

We represent the 20,000 members of 20 gun clubs in Lehigh and Northampton Counties.

We are sincerely concerned about firearms crime and firearms safety. We are also concerned that our rights under the U.S. Constitution and the PA Constitution not be infringed.

What should the Pennsylvania Legislature do to reduce firearms accidents, firearms suicides, and firearms crime?

Let's examine these one at a time.

Firearms accidents are regrettable, and accidental deaths of all kinds are tragic. But, we must not burden firearms owners with all sorts of draconian restrictions which cannot (and should not) be enforced.

There are over 4 million firearms owners in Pennsylvania, with over 10 million firearms of all types.

But, firearms accidents in Pennsylvania rank only 15th as a cause of accidental death. And firearms accidents have steadily declined in the past 30 years, even as gun ownership, especially handgun ownership, has skyrocketed. Compared to the other 14 causes of accidental death, gun accidents are simply insignificant.

For example, in Lehigh and Northampton Counties in the past 13 years (since the PA DOH began keeping detailed statistics), of 1,908 accidental deaths there were only 10 involving firearms, and not one was a child 14 and under. Not one!

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protecting and preserving the Right of the People to keep and bear Arms.
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Thus, we feel that the Pennsylvania Legislature should be addressing the real problems of the Commonwealth, not bogus problems created by hysterical anti-gun politicians and their allies in the news media.

Many of us have firearms at home and in our businesses for self-defense against violent criminals. We will not allow ourselves to be rendered at a disadvantage by trigger locks, or other devices intended to prevent the timely use of our firearms. Nor will we allow ourselves to be incrementally disarmed by bans of the same types of firearms carried by criminals and the police.

Our rights are equal to those of the police, and superior to those of criminals. Therefore, we expect that our right to keep and bear arms will not be infringed in the name of firearms safety, especially when gun accidents are not a real problem.

Firearms suicides in Pennsylvania account for less than 50% of all suicides. Suicide is the final stage of the most common mental illness: depression. The presence or absence of firearms does not affect the suicide rate. Depressed persons can and will find means to commit suicide with or without firearms. For example, Japan and Sweden have hardly any private firearms ownership, but have very high rates of suicide. Therefore, the Legislature would have a better chance of reducing suicides by outlawing suicide than by restricting firearms ownership, that is, no chance at all.

We firearms owners do not want our rights infringed because of erroneous assumptions about suicide.

Firearms crime is a problem, and the Legislature has a role to play.

First, we agree that firearms should not be available to criminals and to the insane. But, we already have laws in Pennsylvania mandating instant background checks for any transfer of a firearm. All transfers must be processed through a gun licensed dealer (except transfers between parents/children and grandparents/grandchildren).

There is nothing more to be done except to enforce the law. And although it is a felony to transfer a firearm without the required involvement of a licensed gun dealer and an instant check, the law is simply not enforced. Why not? Because most DAs are more concerned about processing cases expeditiously with plea agreements than going through the troublesome process of getting a conviction in court.

Second, we agree that violent criminals create horrendous mayhem in our society, and should be locked up for extended periods of time.

Do you agree? Did you know that 90% of all violent crimes are committed by repeat offenders? So, wouldn't it make sense to lock them up?

Did you know that in Pennsylvania there is a 5 year minimum prison term for use of a firearm in the commission of a felony? There is, but violent criminals are seldom (and in many counties, never) charged under this law. Why not? Because most DAs want speedy convictions, therefore, the law - a good one - is only used to obtain guilty pleas for lesser offenses, and the violent criminals receive short sentences, or even probation, and are soon out in our communities burglarizing, robbing, and raping again. And sooner or later, they kill innocent citizens.

In summary, if you want to reduce firearms crime, enforce the law. Lock up violent criminals for long periods of time.

Don't try to infringe on the rights of citizens to defend themselves and their families from criminals.

The anti-gun folks are determined to restrict the rights of Americans by gradually and incrementally taking away our guns. Australia and Britain recently banned private gun ownership and their rates of violent crime have increased remarkably.

Listed below are measures we oppose as clear infringements on our right to keep and bear arms. Please note that the term "arms" in 1787 meant weapons carried by an individual soldier, and it means the same thing today.

1. Any measure which would make it difficult to obtain a firearm in a timely manner, or a license to carry a concealed firearm. This includes any limit on the number of firearms an individual can purchase during any period of time. Infringement.
2. Any measure which would restrict the ability of the people to possess the same types of firearms as used by individual soldiers. This means no restrictions on types, calibers, or magazine capacities. Infringement.
3. Any registration of firearms by any government agency. This is currently prohibited by Pennsylvania Law, but the State Police are knowingly violating that Law, and maintaining a computer registry of each and every citizen's handgun purchases in Pennsylvania. (Did you know this? Why is nothing being done to stop this?) Infringement.

The legislature should be outraged that any government agency knowingly breaks the Law, and when told to stop, refuses.

The first thing you should do is use your authority and power to stop the State Police registration scheme and punish those responsible.

4. Fingerprinting of law-abiding gun owners. Infringement.
5. Restrictions on rights based on prior charges or convictions for non-violent offenses. Infringement.

Listed below are measures which we oppose as ridiculous or illegal.

1. Mandatory triggerlocks or other devices which would prevent the use of a firearm. This is ridiculous. Voluntary is OK, but to require people to purchase anything they don't need, don't want, and won't use, is absurd. Besides, child safety is not a problem. Better you should mandate locks to prevent bicycle operation by minors! Or locks on match boxes! (By the way, trigger locks are not analogous to auto seat belts. Seat belts have been proven to save lives. Trigger locks have not.) This is ridiculous.

2. Penalties for people who would be presumed to have allowed an accident or a crime by failing to secure firearms. This is ridiculous, and probably illegal.

Here again, the Legislature seems to want to punish law-abiding citizens, when at the same time, you allow DAs to let violent criminals off with light sentences.

Summary

Firearms accidents cannot be prevented by legislation. Firearms suicides cannot be prevented by legislation. Firearms crime can be prevented in prosecuting, convicting, and incarcerating those who use firearms in the commission of crimes. DAs should be required to prosecute criminals for use of firearms in the commission of felonies.