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SANDY HOOK ADVISORY COMMISSION

MARCH 1, 2013

9:30 AM

Legislative Office Building

Hartford, CT

- SCOTT JACKSON, Committee Chair
- DOCTOR ADRIENNE BENTMAN
- RON CHIVINSKI
- ROBERT DUCIBELLA
- TERRY EDELSTEIN
- KATHLEEN FLAHERTY
- DR. ALICE FORRESTER
- DR. EZRA GRIFFITH
- PATRICIA KEAVNEY-MARUCA
- DENIS MCCARTHY
- BARBARA O'CONNOR
- WAYNE SANFORD
- BERNARD SULLIVAN

CONNECTICUT COURT REPORTERS ASSOCIATION
P.O. Box 914
Canton, CT 06019

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AGENDA

I. Call to Order

II. Connecticut State Police Presentation

Trooper Barbara Mattson, Trooper Joe Delehanty:
Process of purchasing, transferring or
possessing a firearm.

Regulations on storage and safeguarding
weapons.

Training and Qualifications for Certain
Permits and Licenses.

III. Emergency Protocol by State and Local Police

Department of Emergency Services and Public
Protection

1 CHAIRMAN SCOTT JACKSON: Thanks for coming
2 in everyone. It's 9:35, so we'll call to order
3 this meeting of the Sandy Hook Advisory
4 Commission for March 1st, 2013. Couple of
5 introductory items. All items are available on
6 the web site, WWW dot CT dot GOV slash SHAC.
7 There is also an opportunity for public comment
8 at that website.

9 Would like to remind everyone that we are
10 being filmed, so please use your microphones
11 when speaking and turn them off when you're
12 completed. There is an additional item that
13 we'd like to add to the agenda. It was
14 inadvertently left off, a new item five for
15 school security. It is a panel discussion on
16 security and police officers and schools and a
17 presentation on police officer qualifications
18 and certification. I move that we add this
19 item to the agenda. Is there a second?

20 (Motion approved)

21 CHAIRMAN SCOTT JACKSON: Thank you. We
22 have a new item five on school security.

23 We'd like to, as always, go around the
24 table so the people in the room know who we
25 are. Chief, if we could start with you?

1 DENIS MCCARTHY: Morning. Denis McCarthy,
2 Fire Chief, City of Norwalk, Emergency
3 Management Director.

4 WAYNE SANDFORD: Wayne Sandford,
5 University of New Haven, Fire Science
6 Department and Emergency Management Department
7 at UNH.

8 RON CHIVINSKI: Ron Chivinski, teacher,
9 Newtown Public Schools, Second Vice-president,
10 AFT Connecticut.

11 KATHLEEN FLAHERTY: Kathy Flaherty, Staff
12 Attorney, Statewide Legal Services, Mental
13 Health Advocate.

14 ROBERT DUCIBELLA: Bob Ducibella, founding
15 principal, Security Consulting Engineer.

16 CHAIRMAN SCOTT JACKSON: Scott Jackson,
17 Mayor, Town of Hamden.

18 BERNARD SULLIVAN: Bernie Sullivan, Former
19 Chief of Police for the City of Hartford and
20 for the State of Connecticut.

21 DOCTOR ADRIENNE BENTMAN: Adrienne
22 Bentman, psychiatrist, Institute of Living,
23 Psychiatry Residency Program Director.

24 CHIEF BARBARA O'CONNOR: Barbara O'Connor,
25 Chief at the University of Connecticut.

1 PATRICIA KEAVNEY-MARUCA: Patricia
2 Keavney-Maruca, member of the State Board of
3 Education, retired Special Education Teacher.

4 JERRY EDELSTEIN: Jerry Edelstein,
5 Governor Malloy's non-profit liaison.

6 CHAIRMAN SCOTT JACKSON: Thank you. We
7 will, under item seven today, discussion,
8 discuss additional calendar and deliverables
9 but for now why don't we start with our
10 presentations for today? We will begin with
11 the Connecticut State Police. Thank you. If
12 you could introduce yourself and you are free
13 to begin your presentation. Thank you.

14 TROOPER BARBARA MATTSON: Good morning.
15 Thank you. I'm Barbara Mattson. I am with the
16 State Police Firearms Unit and to the right of
17 me is Attorney Christine Plourd (phonetic) with
18 our Labor Relations with the State Police. We
19 have Trooper Joe Delehanty and Trooper Mike
20 Burke, who will also be speaking throughout the
21 morning through their presentation as well.

22 This morning we're going to talk -- You
23 had some interest in learning about how the
24 pistol permit application is and about the
25 transfer of firearms, so we're gonna -- we have

1 a slide show presentation for you.

2 First one, we just talk about our agenda,
3 we will be talking about the definition of what
4 a pistol or revolver is, what permits are
5 required, the temporary state permits,
6 suitability, which is now very, -- where we're
7 talking quite a bit about suitability. The
8 State Permit regarding the checks for the
9 backgrounds for the purchase of a firearm, the
10 sale or transfer of a pistol or revolver and
11 the sale or transfer of long guns and what is
12 involved with that as well.

13 We'll also talk a little bit about assault
14 weapons, machine guns, the revocation of a
15 pistol permit, the surrender of firearms, the
16 appeals. You had some questions about the
17 storage of firearms, what laws are applicable
18 there and the Security Guard Certification.

19 This just talks about the definition of a
20 pistol, which is a firearm having a barrel less
21 than 12 inches in length. 29-28 talks about
22 the -- You're required to obtain a Connecticut
23 State Permit. You have to have that permit in
24 order to lawfully carry a pistol or revolver
25 outside your home or business. You have to be

1 21 years of age to make application to acquire
2 that permit. You have to take a handgun safety
3 course approved by the Commissioner of the
4 State Police and you have to be free of any
5 felonies or the eleven misdemeanors that also
6 would prohibit you from the permit or
7 possession of pistols or revolvers.

8 29-35 are the transporting of pistols or
9 revolvers where there's an exemption. There
10 are a handful of exemptions for people to
11 transport firearms who do not have pistol
12 permits. There is no statute that requires a
13 permit at this time to carry or own a long gun
14 and there is no mandatory registration of
15 firearms and I'll say that again. There is no
16 mandatory registration of firearms.

17 To start the permit process, again, you
18 have to be 21 years of age, you have to make
19 application to the Chief of Police or the First
20 Selectman in that town and it does require that
21 you have to have fingerprints for the State and
22 for the FBI fingerprints have to be -- have to
23 be completed. The application process is a
24 notarized application, supplied by the
25 Commissioner of the State Police. You have to

1 have the proof of training through the NRA, the
2 DEP or the State certified and that application
3 has to be notarized.

4 This is what the application for the
5 pistol permit looks like. It also discusses
6 the fees that are applicable and all the
7 procedures in regards to the application
8 process of the pistol permits. And this again
9 just talks about the name of the applicant, the
10 country of citizenship. You do not have to be
11 a U.S. citizen to get a permit or to purchase
12 or receive a firearm but you do have to be
13 legally and lawfully in the country to acquire
14 the permit or the firearm. It talks about
15 medical history. We do ask if you've been
16 confined in a hospital for mental illness in
17 the past 12 months by order of probate court,
18 we ask about your criminal history, have you
19 ever been arrested, have you ever been
20 convicted, are you currently on probation,
21 parole, work release or any other treatment
22 program? Are you currently or previously been
23 the subject of a protective or restraining
24 order and we ask about your military history.
25 We have the proof of training, the notarized

1 application. You submit that with all the
2 particular information, the handgun course,
3 your birth certificate, your passport, your
4 driver's license, etc., with your fingerprints
5 to the Chief, and then they, at that point,
6 would take over and do the background on that
7 individual to determine if they're statutorily
8 prohibited or their suitability would be
9 applicable. Once the Chief approves a permit,
10 he or she would issue a temporary 60-day permit
11 which is a paper permit and it is literally
12 only good for 60 days. If you come down to the
13 State for your permanent permit, it would not
14 be acceptable if it's after 60 days. You can
15 technically carry on that 60-day temporary
16 permit issued by the Chief but you would not be
17 able to purchase and the applicant would be at
18 least 21 years of age.

19 There is two reasons why people want to
20 get a permit. They want to get a permit
21 because they want to be able to carry that
22 pistol outside their home or business lawfully,
23 and number two, you have to have that permit
24 and able to lawfully purchase a pistol or
25 revolver. Okay? You can have the permit that

1 allows you to lawfully purchase the pistol or
2 revolver or we have a little known thing is the
3 eligibility certificate. The eligibility
4 certificate also allows you to purchase or
5 receive a pistol or revolver but it does not
6 allow you to carry that. You can only purchase
7 or receive. So a permit holder wants to
8 purchase and receive a handgun and they want to
9 be carrying that firearm outside their home or
10 business.

11 The administrative procedure for the Chief
12 would be they have eight weeks to do that
13 background check on the people to receive the,
14 the information back from the State and the
15 Feds regarding the fingerprint submission and
16 no permit would be issued if the Chief
17 obviously has any questions regarding the
18 suitability or the criminal history of that
19 applicant.

20 Here is the definition that we use for
21 suitability. It's not specifically defined as
22 we know but it's something -- Somebody who is
23 unsuitable, the factors include, conduct,
24 judgment, character, reputation, habits,
25 maturity, all of that is applicable in the

1 totality for suitability, if we should deny
2 somebody or revoke somebody for a suitability
3 purpose. Again, once that 60-day permit is
4 issued by the Chief, then they would come down
5 to our office, we would again do another
6 background check on them and if that produces
7 no issues or criminal issues or protective
8 orders as such, then a five year permit would
9 be issued. And again, they would come down to
10 us, they'd surrender that 60-day temporary
11 permit, they'd present us a check, we take a
12 full photograph of them and again, that
13 background check which we'll discuss a little
14 more in detail as we get later on in the
15 presentation and then that person would be able
16 to have that Connecticut state permit which
17 would be good for five years unless they become
18 under scrutiny or something to that effect or
19 prohibited.

20 We do send out notice to permit holders 90
21 days prior to the expiration of their permit
22 and they have a 90-day grace period after the
23 expiration of their permit where they could
24 lawfully carry a pistol or revolver but would
25 not be lawful to purchase on that expired

1 permit. All renewals are done through our
2 office and background checks are completed at
3 each issuance of a permit or each renewal of a
4 permit and a new photo would be taken as well.
5 Permit holders have two days to notify us of a
6 change of address. We want to know where our
7 permit holders reside, so there is a statute
8 for that. So they have to notify us of that
9 change or actually that's a felony, should they
10 not notify us of a change of address.

11 NICS. NICS is the National Instant
12 Criminal Background Check. It is the FBI. NICS
13 can only be used for permitting or for firearm
14 purchases. NICS cannot be used for any other
15 criminal investigative purposes. NICS was
16 created under Brady when the Brady Law went
17 into effect. This one was of the results of
18 Brady law. NICS has a multiple federal data
19 bases that they reference through NICS, through
20 other states that have federal prohibitors.
21 We, at my office, are the point of contact for
22 NICS because we do all the gun transfers in the
23 State. So the gun dealers have to call us in
24 our office in order, in order to do the
25 transfer of the guns and to get the background

1 check completed. They do not call directly to
2 the Feds as some of the other states do. We do
3 all the transfers here. So not only are we
4 obligated to make sure people abide by
5 Connecticut General Statute regarding their
6 permit and firearms, we have to make sure that
7 they meet all the Federal prohibitors for
8 firearms as well. So when we do a background,
9 part of our background check is NICS and like I
10 said, they'll touch into multiple other Federal
11 data bases that other states have inputted for
12 prohibitors, whether it be mental health,
13 criminal or any other prohibitor from the
14 states throughout the country, NICS would give
15 us that and it is an instantaneous result.
16 When we run a background on somebody, it's
17 literally probably 30 seconds. Unless you have
18 a very common name, it might run to a minute.
19 Okay? So the background checks are very quick.
20 And just be aware, not all states participate
21 in NICS. There are states that don't do
22 backgrounds, okay? So we, here in Connecticut,
23 do a pretty good job regarding our background
24 checks where other states may not have
25 background checks and these people could move

1 to our state and could have acquired a gun
2 without a background check or could have -- in
3 acquiring that gun, they could be illegal
4 because they may be a criminal or something to
5 that effect. So unfortunately all the states
6 in the country do not do what we do here in
7 Connecticut.

8 And just be aware, out-of-state people can
9 make application to us directly to the
10 Commissioner and get a permit, even though they
11 are not a resident of our state. The caveat to
12 that is, is one I discussed with you earlier.
13 If, if you have a permit, you can carry and you
14 can purchase. An out-of-state resident could
15 lawfully carry in our state but we would not
16 sell them a pistol or revolver. We may sell
17 them a long gun but we won't sell them a pistol
18 or revolver because Federal law says we can
19 only sell pistols and revolvers to residents of
20 our own state. So if you have an out-of-state
21 permit, you can lawfully carry here but you
22 wouldn't be able to be purchase a pistol or
23 revolver.

24 The sale or transfer of a pistol or
25 revolver. Every handgun in the state that is

1 moved or maybe I should specify, every legal
2 handgun transfer in the state, you have to go
3 through these procedures. The seller of that
4 pistol or revolver is obligated to call my
5 office to get the authorization number.

6 If you could pull up the next one, please.
7 This is one of the forms you're required to do
8 and there's a second form I'll show you in a
9 minute. This Application to Purchase is to be
10 filled out by the purchaser. So if I'm selling
11 a gun to another party, I'm going to have them
12 fill out this form. It's very similar to the
13 Federal form, the 4473. It gets all the
14 pertinent information of the purchaser of the
15 gun and it asks the purchaser, have you ever
16 been convicted of a felony, a misdemeanor,
17 crime of domestic violence, are you currently
18 under a protective or restraining order? Have
19 you been discharged from the custody in the
20 last twenty years after being found not guilty
21 of mental disease or defect? Are you the
22 subject of an arrest warrant? All those
23 pertinent questions that we want to know, the
24 purchaser fills out that form and then the
25 seller of the gun would actually keep it.

1 The next form, the DPS-3 is the form that
2 we deal with in our office. As you can see,
3 right next to the date of sale is that sale
4 authorization number and that's very important
5 because every handgun, every legal handgun
6 transfer in the state has to have that sale
7 authorization number or it will not be a legal
8 transfer. Okay? So every handgun transfer in
9 the state has to go through our office, okay?
10 The seller's information, the purchaser's
11 information. If I call my office and I say I'm
12 selling a gun to John Doe and I would like to,
13 you know, get the authorization number, I'm
14 gonna have to give that permit number or that
15 eligibility certificate number, okay? They are
16 gonna run a background on the purchaser to see
17 if that party is prohibited in any way. We do
18 run DMH'S, Department of Mental Health. We
19 check for anybody who's been involuntarily
20 committed above and beyond evaluation or
21 observation. We do check Connecticut SPR
22 state. We check Triple I out-of-state criminal
23 history. We check SLPW for wants, warrants,
24 criminal, excuse me -- wants, warrants, missing
25 persons, protective orders, restraining orders

1 and we check NICS, which we had previously
2 discussed. So we do a pretty good background
3 through the computer check to see if that
4 purchaser is prohibited in any way, whether it
5 be criminally or have any mental health history
6 that we're aware of that would prohibit them.
7 If, if the transaction is good, we give them an
8 authorization number or we also call the NICS
9 number. That authorization number says it's
10 okay to proceed with the transaction and I can
11 then lawfully sell that gun to that party.
12 Every handgun transfer in the state is to be
13 done this way with that DPS67 with that DPS-3
14 and then if it's at retail, it would have to be
15 done with also the Federal forms. Every
16 handgun transfer that gets moved in the state
17 has to be done that way.

18 The sale or transfer of a long gun is a
19 little different than the handgun. You have to
20 be 18 years or older. You can't have any
21 disqualifying convictions such as the felonies.
22 You can't have a protective or restraining
23 order. You can't have a risk warrant or any of
24 the mental health prohibitors. At retail, if I
25 purchase a long gun at retail, everything we

1 just discussed for the handguns is also
2 applicable at retail, okay? If somebody does
3 not have a permit or doesn't have an
4 eligibility certificate, there is a 14-day wait
5 under Brady. So if I go into a retail
6 establishment to buy a long gun and I just have
7 a driver's license or an ID, I'll end up doing
8 a 14-day wait but after the 14 days, we'll run
9 another background and if they're eligible,
10 we'll give it to them but the unfortunate thing
11 is secondary sales of long guns between two
12 private parties do not have to have a
13 background check. So currently, any two
14 parties, private parties doing a transfer of a
15 long gun, they do not -- they are not mandated
16 to get that authorization number. If they
17 choose to, we encourage it but they don't have
18 to.

19 Assault weapons, I'm just gonna touch on
20 very lightly because Trooper Delehanty will go
21 into the assault weapons specifically but it
22 just talks about a semi-automatic rifle with a
23 detachable magazine and any two of the
24 following. The folding grip -- The folding or
25 telescoping stock, the bayonet, pistol grip,

1 the main lug, the flash suppressor or the
2 grenade launcher, but I will certainly let
3 Trooper Delehanty get into that in more detail.

4 You are currently prohibited from
5 possessing an assault weapon, the specific ones
6 named by statute or the ones that meet that
7 criteria. Machine guns. Again, a fully
8 automatic weapon rather than a semi-automatic
9 weapon, can be acquired and possessed legally
10 as long as you do the legal procedures. The
11 first step would be to go through the ATF. You
12 have to go through the ATF process, pay for a
13 tax stamp. Once you have the tax stamp, you
14 then have to come immediately to the state
15 police and you have to register that machine
16 gun. So there are people who lawfully possess
17 fully automatic machine guns in our state.

18 These are some of the grounds for the
19 revocation or even for a denial via the Chief.
20 All felonies, any felony conviction would
21 prohibit you from not only having a permit but
22 from possessing any fire, firearm and that
23 includes black powder muzzle loaders. They
24 fall under our definition.

25 We have eleven misdemeanors which we'll

1 get into shortly that would also prohibit you
2 from pistols and revolvers but you still could
3 possess a long gun with a misdemeanor
4 conviction. Restraining and protective orders,
5 you cannot possess a gun. Again, an illegal
6 alien cannot purchase or possess a gun.
7 Anybody who is subject to a risk warrant, a
8 warrant to seize firearms from persons who are
9 posing imminent danger to self or others, that
10 party would be prohibited. Anybody who is
11 convicted of a serious juvenile offense defined
12 by statute would also be prohibited from
13 obtaining a permit or getting a firearm.
14 Discharge from custody, being found not guilty
15 by mental disease or defect within the last 20
16 years. Somebody who has been probate court
17 committed within the last 12 months and anybody
18 who is -- anybody who meets the qualification
19 under Federal Law 18USC922(g)(4) is the Federal
20 law for their mental defect statute. We drop
21 that statute specifically into our statutes for
22 anybody who, again, who has been involuntarily
23 committed above and beyond observation and
24 evaluation. Anybody who has been involuntary
25 conserved and is not able to manage their

1 affairs, would be prohibited under
2 18USC922(g)(4), that would also be a prohibitor
3 and then we'll go back to that unsuitable
4 person that we discussed earlier.

5 Here are the eleven misdemeanors that
6 would prohibit you from pistols or revolvers
7 only. You could still possess a long gun with
8 these convictions but you would not be able to
9 possess that pistol or revolver. Possession of
10 marijuana under the 21a-279(c) from 1983 and on
11 is a prohibitor. Criminally negligent homicide
12 from 1983 and on is a prohibitor. Assault
13 third, assault of a victim 60 or elder is a
14 prohibitor. Threatening, reckless endangerment
15 one from 1969 and forward. Unlawful restraint
16 from 1969 and forward. Riot one, riot two,
17 inciting a riot and stalking. Those eleven
18 misdemeanors would all be prohibitors for the
19 permit or the possession of a pistol or
20 revolver.

21 Just to touch on a little bit about
22 carrying with a firearm while intoxicated,
23 whether it be by alcohol or by drugs, you are
24 prohibited. Now unfortunately, this statute
25 still reflects point one which is accurate,

1 even though we know DWI is .08, we haven't been
2 able to get the two to meet, even though we
3 would like that but you have to be at least a
4 .10 and if you are carrying a firearm, this is
5 a misdemeanor and it is a prohibitor and that's
6 like, one of our prime examples of a
7 suitability revocation. If I'm intoxicated,
8 whether by driving a vehicle would be bad
9 enough or even a walking drunk, if you're
10 carrying a gun and you're intoxicated, we have
11 a serious problem with you and we would revoke
12 your permit on that suitability for that
13 action.

14 The misdemeanor crime of domestic
15 violence. This is a federal prohibitor but
16 certainly one we take great notice to due to
17 our domestic violence problems. If you have
18 that element, if you used, attempted use or
19 threatened use of a deadly weapon, committed by
20 one of those appropriate parties, if you've met
21 the Federal law, you are prohibited from
22 possessing any firearms, even though it's a
23 misdemeanor crime. If it meets the Federal
24 statute, you would be prohibited from any
25 firearms with the misdemeanor crime of domestic

1 violence.

2 Restraining and protective order. Any
3 restraining and protective order that has the
4 after notice and opportunity to be heard, would
5 be eligible for us to pursue them to seize
6 their firearms or if need be to pursue through
7 search warrants, arrest warrants, whatever it
8 might be but protective and restraining orders
9 after notice and opportunity to be met is a
10 prohibitor not only under state law but also
11 under Federal law.

12 At a domestic violence arrest, at the
13 scene of the arrest, we are able to seize any
14 guns in plain view or the possession of the
15 party that we're arresting and we have the
16 right to hold those guns for seven days and
17 hopefully, within those seven days, we will get
18 a protective or restraining order issued and we
19 are eligible to do that at the scene of the
20 domestic. You are obligated within two
21 business days, two business days of the
22 issuance of that court order, you become
23 prohibited and you only have two options when
24 you are under a protective or restraining
25 order. You can sell your guns to an FFL, which

1 is a Federally Firearms Licensed Dealer or you
2 can surrender your guns to the police. That is
3 the only two options under a domestic violence
4 court order, that a firearm owner has; to sell
5 the guns to a gun dealer or surrender to the
6 police. The risk warrants, the risk warrants
7 are warrants for law enforcement to seek for
8 parties who are in imminent danger to self or
9 others. So if somebody -- We respond to an
10 incident where somebody needs some mental
11 health treatment and we do an emergency
12 committal and we send these people to the
13 hospital, it would be in law enforcement's best
14 interests if we have any inkling of firearms,
15 whether it's because we physically see them in
16 the home, that the party themselves tell us
17 about the guns, family members tell us about
18 guns or that we're aware they possess guns, the
19 risk warrant should be done and we should be
20 seizing those firearms and at that point, once
21 the, the firearms are seized, they have to go
22 to a hearing through the court and the judge
23 would make the determination of the disposition
24 of the firearms and that would be what the risk
25 warrant allows us to do.

1 There's an avenue, if people get revoked
2 or denied by the state or by the Chief that
3 they could go through the Board of Firearms
4 Permit Examiner for a hearing and the Board can
5 order the Chief or the state to reissue that
6 permit or to issue a permit to a party. So the
7 Board is where the revoked or denied parties go
8 to, to have another opportunity to get that
9 permit back.

10 Storage of firearms. We have only two
11 statutes currently regarding the storage of
12 firearms and they both reference minors under
13 the age of 16 and they both reference a serious
14 injury or death. One of the statutes actually
15 has some bite to it. The other statute doesn't
16 have very much bite but those are the only two
17 storage statutes that we currently have on our
18 books and the criminally negligent storage. So
19 again, it references minors under the age of 16
20 and those are the two statutes that we have
21 regarding the storage issues.

22 And there was a question about some
23 security officer certification. To be a
24 security guard, I'll go with unarmed first. To
25 be a security guard you have to go through a

1 security guard training course and then you can
2 be an unarmed guard as a security -- unarmed
3 guard for a security company. If you want to
4 be an armed guard for a security company, you
5 must be 21 years of age, you have to first
6 acquire your pistol permit and then you would
7 have to, again, go through additional training
8 to carry as an armed guard for that security
9 company and you would have yearly retraining
10 with the firearm.

11 So now, is there any questions?

12 CHAIRMAN SCOTT JACKSON: Thank you for the
13 presentation. Questions from the panel?

14 CHIEF BARBARA O'CONNOR: I have a couple
15 of questions if you have a minute. So you
16 obviously have a lot of experience about this
17 and you sort of eluded to a couple of things
18 but you haven't been direct and come right out
19 and said it. What would you change based on
20 your experience? What recommendations would
21 you specifically give to us as a Commission?

22 TROOPER BARBARA MATTSON: Well, the one
23 area that we seem to be lacking most is the
24 secondary transfer of long guns because we do
25 acquire by statute, we get to do the background

1 on all handgun transfers, long gun transfers at
2 retail we run a background but we do not run a
3 background on people with secondary transfers
4 on private sale of long guns. So I would think
5 that might be an important one.

6 CHIEF BARBARA O'CONNOR: Ammunition, do
7 you need a pistol permit to purchase ammunition
8 in Connecticut?

9 TROOPER BARBARA MATTSON: No.

10 CHIEF BARBARA O'CONNOR: Is that something
11 you would recommend? Having come from
12 Massachusetts, I know if I go into the
13 Wal-Mart, I need to display my pistol permit.

14 TROOPER BARBARA MATTSON: ID card, right.

15 CHIEF BARBARA O'CONNOR: Would you
16 recommend that?

17 TROOPER BARBARA MATTSON: I don't know if
18 recommendation is the right word but do I see a
19 problem if you made a requirement for us so we
20 know that lawful and suitable people are
21 acquiring ammunition? No, I don't see a
22 problem with that. Only lawful people should
23 be buying ammunition because only lawful people
24 should be able to possess the guns.

25 CHIEF BARBARA O'CONNOR: I would agree

1 with that. But if someone from another state
2 comes into Connecticut and you've already
3 talked about this, we don't know, at least
4 there would be a way to have some sense that
5 when they went into the Wal-Mart --

6 TROOPER BARBARA MATTSON: Um-hum.

7 CHIEF BARBARA O'CONNOR: -- you know, to
8 purchase ammunition, they wouldn't be able to
9 in Connecticut if we had that requirement.

10 TROOPER BARBARA MATTSON: Well, if you
11 required it whether it be a permit or whether
12 you require a background to be done on any
13 ammunition sale.

14 CHIEF BARBARA O'CONNOR: Right and I don't
15 want to monopolize the questions but I want to
16 talk about training a little bit because you
17 eluded to that.

18 TROOPER BARBARA MATTSON: Um-hum.

19 CHIEF BARBARA O'CONNOR: Do you know the
20 substance of that training and I mean, how in
21 depth it goes in terms of storage and some
22 other things?

23 TROOPER BARBARA MATTSON: You mean for the
24 training for the handgun safety course?

25 CHIEF BARBARA O'CONNOR: Correct.

1 TROOPER BARBARA MATTSON: I personally
2 have never gone through one of the NRA courses
3 because I get trained through our people so I,
4 I can't say I know exactly what happens through
5 the NRA training. No, I do not.

6 CHIEF BARBARA O'CONNOR: Okay.

7 CHAIRMAN SCOTT JACKSON: Bob?

8 ROBERT DUCIBELLA: Thank you very much for
9 being here.

10 TROOPER BARBARA MATTSON: You're welcome.

11 ROBERT DUCIBELLA: I have a -- Two
12 questions. You can buy a long gun, a shotgun
13 at Cabella's or any other place and they
14 normally in the semi-automatic mode carry a
15 fire round chamber and you can load five rounds
16 in a gun. It's very easy to acquire through a
17 number of sources a chamber extension and now
18 you have a gun that can manage ten rounds and
19 of course, the shotgun as you folks know, a
20 very deadly weapon. Is there or has there been
21 any thought given to the legislation or control
22 of or further requirement for procurement for
23 extension magazines on long guns, such as
24 shotguns? Has anyone discussed that within the
25 State Police? I mean you instantly turn a

1 weapon into essentially a semi-automatic weapon
2 with a lot of round capacity and I know anyone
3 can do that.

4 TROOPER BARBARA MATTSON: I'm, I'm not
5 really clear on what your question is, though.

6 ROBERT DUCIBELLA: Has there been
7 discussion within the State Police about the
8 interest and need for or benefit of converting
9 guns that you can buy once you've gotten that
10 gun through a licensed dealer, to reduce the
11 ability for that weapon to then carry
12 subsequent additional rounds?

13 TROOPER BARBARA MATTSON: I'm not aware of
14 any conversation to that specifically, no.

15 ROBERT DUCIBELLA: Okay. The second and I
16 know I'm sometimes mentally deficient in the
17 morning but I heard that basically if you are
18 from another state and you had a pistol and
19 perhaps the requirements for pistol acquisition
20 and use were less than what you do here in the
21 state which is thorough, you could bring that
22 handgun into the state and we wouldn't know
23 about it, you wouldn't know about it and the
24 viability of the person carrying it would not
25 be at the same level of fidelity as the process

1 that you would go through here if you were to
2 get a handgun. Is that right?

3 TROOPER BARBARA MATTSON: If somebody
4 moves into our state and brings their firearms
5 with them from their other state, perfectly
6 legal.

7 ROBERT DUCIBELLA: Yup.

8 TROOPER BARBARA MATTSON: As long as they
9 are not prohibited by statute, they can possess
10 in their home.

11 ROBERT DUCIBELLA: Yup.

12 TROOPER BARBARA MATTSON: They just would
13 not be eligible to carry that pistol or
14 revolver outside of their home till they went
15 through our permit process.

16 ROBERT DUCIBELLA: Yeah. So we find out
17 that we had somebody who was carrying a gun
18 after they did something.

19 TROOPER BARBARA MATTSON: Unfortunately,
20 if it's an illegal act.

21 ROBERT DUCIBELLA: Yeah, so that the
22 notion is, handguns carried in from
23 out-of-state folks, at least from what I
24 thought I heard, I just want to make sure that
25 there isn't a clinical registration process for

1 that?

2 TROOPER BARBARA MATTSON: We have no
3 mandatory registration.

4 ROBERT DUCIBELLA: Yeah, and I can see the
5 smile on your face. Okay. Thanks very much.

6 BERNARD SULLIVAN: I would be interested
7 if you have any recommendations on the storage
8 of firearms? We realize at a recent incident
9 there was an adult that got access to a weapon
10 and I'm just curious just if you would tighten
11 up those regulations?

12 TROOPER BARBARA MATTSON: I don't see why
13 we couldn't; that would be a good idea because
14 we only have those two statutes as I said and
15 they reference specific to minors under the age
16 of 16.

17 BERNARD SULLIVAN: Thank you.

18 DENIS MCCARTHY: Morning.

19 TROOPER BARBARA MATTSON: Good morning.

20 DENIS MCCARTHY: The issue of local Chiefs
21 of Police prohibiting the issuance or not
22 recommending the issuance of a permit, the
23 feedback that we have received from Chiefs of
24 Police is that most of those get overturned in
25 the appeal process. Could you speak to that

1 issue?

2 TROOPER BARBARA MATTSON: Um, the Board is
3 a seven member panel appointed by the governor
4 and they have specific parties. A couple of
5 gun groups are on that, a representative from
6 state police, a representative from the DEP, a
7 representative from the Chiefs of Police
8 Association and then you have two public
9 members, again, appointed by the Governor. The
10 Board rules as they see fit as you can imagine
11 and, um, I don't always agree with the Board's
12 decision, um, so I -- What I would do is I
13 would invite you to come and witness the Board
14 live. That would be the best way for you to
15 come and see what's going on and then you can
16 make your own determination but I do see where
17 quite a few of the cases do get overturned.

18 DENIS MCCARTHY: The feedback that we've
19 received is nearly all or all of the cases get
20 overturned and is there some defect in the
21 process that either the prohibitors are being
22 misapplied by the local Chiefs of Police or
23 that the, the process is too loose that ties
24 the hands of the Review Board that they have to
25 overturn the local Chief of Police? Is there a

1 way for us to better understand those
2 relationships?

3 TROOPER BARBARA MATTSON: Well, the best
4 way to put it is in some circumstances, nothing
5 is always but in some circumstances, many
6 people falsify, lie, forget, whatever you want
7 to call it on their application where they
8 notarize and swear and attest to the fact that
9 the information they're giving us is true and
10 accurate and often times it is not and it says
11 right where you swear and notarize, if you are
12 found false or to admit information in this
13 application, it's a reason for denial of your
14 permit. So the Chiefs deny because the
15 information is false and the Board doesn't see
16 that quite the way law enforcement does. We
17 find that to be a problem. Why would you not
18 disclose something, even if it's an arrest and
19 conviction, if it doesn't prohibit you, why
20 wouldn't you tell us? If you've had a
21 protective order in the past, yet you don't
22 have an arrest or conviction off of that
23 protective order, we still ask you if you've
24 ever been subject to one. Why wouldn't you
25 just disclose that to us? Being subject to one

1 is not a prohibitor but not telling about it
2 is. So we, again, as law enforcement, take
3 that seriously when somebody doesn't give us
4 all the facts like they're supposed to, we will
5 deny them on that and the Board seems to look
6 at that a little differently than we do.

7 DENIS MCCARTHY: If I may, I have a couple
8 of other questions. Federal legislation. Part
9 of our concerns or it's been raised in public
10 discussion is the, although Connecticut has
11 fairly conservative gun laws, we're subject to
12 guns being brought in from other parts of the
13 country and you talk about some states that
14 don't have background checks.

15 TROOPER BARBARA MATTSON: Um-hum.

16 DENIS MCCARTHY: Is it the position of the
17 Connecticut State Police that there is Federal
18 legislation that needs to be enacted to solve
19 some of our -- beyond the purview of
20 Connecticut gun laws?

21 TROOPER BARBARA MATTSON: Um, I certainly,
22 I certainly in the seat I sit today, I think
23 that's a good idea. I think any responsible
24 gun owner would have no problem with background
25 checks because it allows the lawful people to

1 acquire their weapons but it certainly makes it
2 more difficult for the unlawfully unsuitable to
3 acquire the guns, so I don't see how any
4 responsible gun owner would have a problem with
5 background checks.

6 DENIS MCCARTHY: And if I may, I have one
7 last question. Lawfully owned guns in homes
8 where there is a protective order, if there's a
9 protective order or I am subject to a
10 protective order and my spouse owns a gun,
11 there's a gun in the home --

12 TROOPER BARBARA MATTSON: Um-hum.

13 DENIS MCCARTHY: -- or a parent owning a
14 gun with a child that may use that
15 inappropriately and it's accessible to the
16 child, how do we deal with protective orders
17 that exist where there are other guns in the
18 home and is there a way around that
19 legislatively?

20 TROOPER BARBARA MATTSON: Nothing that I'm
21 aware of by state or Federal law. When there's
22 a, a prohibited party in the house, whether it
23 be by court order or by a felony conviction,
24 those parties who have that prohibitor is
25 prohibited from having that gun but if you're

1 married or living with a party who is perfectly
2 lawful, they can possess the gun. So if, if my
3 husband has a protective order, he can't
4 possess but the protective order may not
5 necessarily say we can't live in the same
6 house, so he's still living with me and I'm a
7 lawful gun owner; so I can possess my guns, he
8 can't possess his guns and the only thing we
9 can say to the lawful person is, if you're
10 living with a prohibited party, to lock up your
11 guns securely so as you not to have a problem
12 criminally or civilly should the ineligible
13 party gain access. At this point, that's all
14 we can recommend to those people.

15 DENIS MCCARTHY: Okay. Thank you.

16 WAYNE SANDFORD: I have a couple of
17 questions regarding the training. If I'm a
18 normal citizen and I want to acquire a gun, it
19 says that I need to take an approved safety
20 course and I guess my question is, is there a
21 standard, a national standard that that course
22 is taught to when the commissioner reviews that
23 and says, you know, the Wayne Sandford Company
24 wants to do firearms training and I go to the
25 Commissioner and get permission to do that, is

1 there a national standard then I have to train
2 to?

3 TROOPER BARBARA MATTSON: Well, there is a
4 standard and you would have to submit your,
5 your package, your course to the Commissioner
6 for his review. The NRA obviously has that
7 national standard that you may be inquiring
8 about and again, I'm not the Commissioner so I
9 don't review all those, that would be his duty
10 but I do believe there's going to be that
11 standard of safety across the board,
12 absolutely.

13 WAYNE SANDFORD: So the NRA creates the
14 standard?

15 TROOPER BARBARA MATTSON: I wouldn't say
16 that. What I said was they have that
17 nationalized standard you asked about but some
18 of the other parties who may look to teach that
19 want to be approved by the Commissioner,
20 they're going to have to meet the safety
21 standards, the live training. There is a
22 criteria that the Commissioner is looking for
23 before he would approve that course.

24 WAYNE SANDFORD: Okay. And if the, if
25 these people are delivering the training, do

1 they have any obligation to report and I'll
2 give you an example. After 9/11 we realized
3 that airline pilots were doing a lot of
4 training and they were just training people to
5 fly, not to take off and land but they didn't,
6 they didn't see that as a problem. So I'm
7 wondering if, if I'm a trainer for firearms, do
8 I have -- Is there a statute, is there a
9 requirement as there are now for airline
10 pilots, to report a deficiency in a student?
11 If I say, -- If I come in and I plop down
12 whatever amount of money the course is and I
13 take the course and I fail it and I keep coming
14 back, ten, fifteen, if I've got the money, who
15 cares? They don't care. They're gonna make
16 the money. Is there any obligation for that
17 instructor to report that to the Commissioner
18 that this individual is deficient in any way?

19 TROOPER BARBARA MATTSON: I don't know of
20 obligation. I know I've certainly talked to
21 some of the instructors who have encountered
22 just what you're speaking about and they have
23 not certified them, they won't qualify them
24 because they're -- they are not able to
25 qualify. So I think most people who are

1 teaching classes want to make sure that those
2 parties are responsible and lawful with the
3 guns. So I -- Again, I -- You'd have to ask
4 the Commissioner but I don't know if they have
5 to but I know that we have those conversations
6 with the instructors.

7 WAYNE SANDFORD: So technically, if I
8 didn't do good in one course with one
9 individual, I could switch to a different
10 training organization, pay enough money and
11 eventually I may pass the course?

12 TROOPER BARBARA MATTSON: That is
13 possible.

14 WAYNE SANDFORD: Okay. Thank you.

15 DOCTOR ADRIENNE BENTMAN: You talked about
16 the fact that if a, a series of misdemeanors or
17 other kind of crimes that would prohibit a
18 person from getting a license, that those
19 would, that those would apply. What, what's
20 the protocol should those misdemeanors or other
21 crimes occur regarding, um, a police follow-up
22 of looking into whether they are gun owners and
23 whether that, whether that license should be
24 revoked? Do you follow -- It's the invert --
25 It's the obverse of what you described. In

1 other words, you, you described to us what
2 happens when one applies for a license.

3 TROOPER BARBARA MATTSON: Um-hum.

4 DOCTOR ADRIENNE BENTMAN: My question is,
5 if all of those things that would prohibit --

6 TROOPER BARBARA MATTSON: Um-hum.

7 DOCTOR ADRIENNE BENTMAN: -- one owning a
8 firearm occur after one owns the firearm, what
9 is the obligation of, of the police or anyone
10 else other than the individual who owns the
11 firearm to determine that they have one and
12 determine that that's removed from their
13 possession?

14 TROOPER BARBARA MATTSON: We, we, do that
15 regularly.

16 DOCTOR ADRIENNE BENTMAN: Oh, --

17 TROOPER BARBARA MATTSON: So all of the
18 permit holders or gun owners who have criminal
19 histories or maybe they have a pending felony
20 or one of the pending eleven misdemeanors for
21 the handguns, we will track them through the
22 disposition of their crime to see if they
23 become prohibited by conviction. If they do
24 become prohibited by conviction, then we get
25 the ball rolling about getting either the gun

1 legally transferred to an eligible party or
2 surrendered to the police.

3 DOCTOR ADRIENNE BENTMAN: Second question
4 in terms of the, of the shootings which occur
5 in the State of Connecticut, what percentage of
6 the firearms are owned legally and what are
7 not? Do you happen to know?

8 TROOPER BARBARA MATTSON: I don't know
9 that answer, I'm sorry.

10 DOCTOR ADRIENNE BENTMAN: Might anybody
11 else who is testifying know that? No?

12 TROOPER BARBARA MATTSON: We don't keep
13 those statics.

14 DOCTOR ADRIENNE BENTMAN: Okay. Thank
15 you.

16 ROBERT DUCIBELLA: Thanks again. This is
17 less a question and more or less a question for
18 confirmation. There's no mandatory
19 registration of firearms in Connecticut. Is
20 that correct?

21 TROOPER BARBARA MATTSON: That's correct.

22 ROBERT DUCIBELLA: Long guns and hand
23 guns?

24 TROOPER BARBARA MATTSON: Correct.

25 ROBERT DUCIBELLA: Thank you. Secondly,

1 an individual can bring a long gun or a handgun
2 in from another state and if their requirements
3 for acquiring that gun are less than the
4 standard for the State of Connecticut, we
5 currently don't regulate that. Is that
6 correct?

7 TROOPER BARBARA MATTSON: That's correct.

8 ROBERT DUCIBELLA: Okay. Secondary sales
9 of long guns amongst private parties, it's not
10 legislated by the eleven, what I call metrics
11 or misdemeanor prohibitors. Is that correct?

12 TROOPER BARBARA MATTSON: For the long
13 guns, correct.

14 ROBERT DUCIBELLA: Correct. And there is
15 no current legislation or means to control the
16 acquisition of a additional chamber or magazine
17 capacity for long guns. Is that correct?

18 TROOPER BARBARA MATTSON: That's correct.

19 ROBERT DUCIBELLA: Okay. And could you
20 just go back, I know you shut down the
21 projector but could you just go back to the
22 storage requirements? You are quite adept at
23 what you are doing and they were up on the
24 screen in less time than I had a chance to
25 review them. Could you do that for us? I

1 bring this up because we know, you know, that
2 crimes that have been committed with long guns
3 or handguns in some cases have been in a home
4 managed by a person who was in legal possession
5 but someone who was not, was able to acquire
6 them, so I just think we have a responsibility
7 to look at what those storage requirements are.

8 TROOPER BARBARA MATTSON: I have two slide
9 copies, if you'd like those.

10 ROBERT DUCIBELLA: That would be great,
11 thank you. Thanks very much.

12 TROOPER BARBARA MATTSON: You're welcome.

13 ROBERT DUCIBELLA: I'm all set.

14 KATHLEEN FLAHERTY: I just have a couple
15 quick questions. Are there any requirements in
16 terms of how stores are required to store their
17 ammunition when they have it for sale in terms
18 of locking things up and --

19 TROOPER BARBARA MATTSON: That would all
20 fall under the Federal. The ATF regulates all
21 the FFL's, so that would fall under the Federal
22 side of the shop.

23 KATHLEEN FLAHERTY: Okay. And the other
24 thing that you mentioned was you had a
25 suggestion in terms of how police departments

1 should ideally behave in terms of say, um, they
2 had to bring somebody to the hospital for a
3 mental health issue in terms of the risk
4 warrant should be issued. Do you have a sense
5 of how often those risk warrants are applied
6 for and how often those are instituted and
7 followed?

8 TROOPER BARBARA MATTSON: Um, there,
9 there -- The state has become certainly more
10 familiar over the last few years that that
11 statute was available for us, so we are seeing
12 it used quite frequently. It's not just for
13 mental health, so it's been used for domestics
14 and purposes like that but no, it's become,
15 it's becoming more widely used every day.

16 PATRICIA KEAVNEY-MARUCA: When the permit
17 expires after the five years and the person
18 gets the 90 days as you said extension, then do
19 you have some vehicle to confiscate that weapon
20 if they don't turn it in?

21 TROOPER BARBARA MATTSON: Well, the permit
22 is to lawfully carry. If somebody lets their
23 permit expire, we have no authority to take
24 their guns. They just have no longer the
25 privilege to go outside their home or business

1 in possession of the pistol or revolver. So
2 they can still possess their guns; that's not a
3 problem.

4 PATRICIA KEAVNEY-MARUCA: And if a person
5 on your permit application is inpatient
6 treatment for drug and alcohol abuse, any one
7 of the questions that you ask?

8 TROOPER BARBARA MATTSON: If they answer
9 yes to that question, I'm going to guess that
10 the Chief will probably deny at that time while
11 they're still in treatment and getting the help
12 for that substance problem.

13 PATRICIA KEAVNEY-MARUCA: Is there a
14 period of time after which it's no longer an
15 issue, you know, if you were inpatient, if you
16 were at an inpatient facility for drug and
17 alcohol abuse, say five years ago or ten years
18 ago, is it no longer an issue?

19 TROOPER BARBARA MATTSON: It's --
20 Depending, as long as it's not a felony
21 conviction, it may not be an automatic
22 prohibitor except for the marijuana possession
23 but I would say that would be up to the
24 discretion of the Chief and what their
25 investigation through the background uncovers.

1 PATRICIA KEAVNEY-MARUCA: Thank you.

2 DENIS MCCARTHY: You spoke about the
3 actions you take regarding the prohibitive
4 factors in tracking through the criminal
5 process and take action against guns that are
6 owned by those that now meet the definition
7 that they can't lawfully own a gun. If there
8 is a protective order, do you follow the same
9 process to make sure that the guns are removed?

10 TROOPER BARBARA MATTSON: Absolutely.

11 DENIS MCCARTHY: Okay. Thank you.

12 TROOPER BARBARA MATTSON: Absolutely.

13 RON CHIVINSKI: Good morning. Just some
14 clarification. So we talked a lot about data
15 bases. There is currently no way if someone is
16 unlawfully able to own a gun and they're living
17 with someone who is legally able to own a gun,
18 there's no data collection for that, correct?

19 TROOPER BARBARA MATTSON: Correct.

20 RON CHIVINSKI: There's no laws against
21 that, correct?

22 TROOPER BARBARA MATTSON: Correct.

23 RON CHIVINSKI: Thank you.

24 CHAIRMAN SCOTT JACKSON: Thank you. Going
25 back to something the Chief asked earlier, the

1 records of the Board of Firearms Permits are on
2 line and the ratios are available for analysis
3 there. Trooper, you are able to quantify the
4 number of lawfully, of registered handguns --
5 pistols and revolvers. Do you have a sense of
6 how many unregistered, be they legal --
7 illegally unregistered or legally unregistered
8 weapons there are in the State of Connecticut?

9 TROOPER BARBARA MATTSON: That's a tough
10 question. I, I can give you a guesstimate of
11 what I would say would be registered guns in
12 the state. We're probably looking about one
13 four, one million, four hundred registered guns
14 that we know about and I would certainly
15 guesstimate we have a whole lot more than that.

16 CHAIRMAN SCOTT JACKSON: Thank you. Any
17 other questions from the panel? Bob?

18 ROBERT DUCIBELLA: Thank you for making
19 the document available. I'm reading this and
20 I'm wondering if there's something in addition
21 to this, Trooper, but I, I would imagine that
22 there isn't. In terms of storage of firearms,
23 keeps the firearm in a securely locked box or
24 other container. Is that the extent of
25 legislation that you're in a position to

1 enforce when you go to a location and an
2 individual has a weapon or not, is that the
3 total definition of what the expectation is for
4 the owner of a handgun or a long gun?

5 TROOPER BARBARA MATTSON: Yeah, but it's
6 got to, you know, have that serious injury or
7 death.

8 ROBERT DUCIBELLA: Yeah, but I'm simply
9 saying, if I own a long gun or a handgun and I
10 have a juvenile, someone under 16 in my house,
11 --

12 TROOPER BARBARA MATTSON: Um-hum.

13 ROBERT DUCIBELLA: -- the opportunity for
14 you to hold someone in a position of lawful
15 containment for that weapon is if they have it
16 in a locked box or other container. That's the
17 -- Those are the abilities for you as law
18 enforcement to interdict because this is the
19 extent of law that you are being asked to
20 enforce. Is that correct?

21 TROOPER BARBARA MATTSON: That's correct.

22 ROBERT DUCIBELLA: Thank you very much.

23 CHAIRMAN SCOTT JACKSON: Thank you very
24 much for your time. You're very informative.
25 Thank you.

1 TROOPER BARBARA MATTSON: Thank you.

2 CHAIRMAN SCOTT JACKSON: Why don't we take
3 a quick break before we go to the next
4 presentation, the Connecticut State Police.
5 We'll reconvene at 10:30.

6 (A break was taken)

7 CHAIRMAN SCOTT JACKSON: Thank you,
8 Trooper. Are you prepared?

9 TFC JOSEPH DELEHANTY: Yes, sir, I believe
10 I am.

11 CHAIRMAN SCOTT JACKSON: Okay. The floor
12 is yours, sir.

13 TFC JOSEPH DELEHANTY: My name is Trooper
14 Joe Delehanty with the State Police Firearms
15 Training Unit and we've been kind of going
16 along to different venues to just explain the
17 differences of the different firearms because
18 there are a lot of people that see things on TV
19 that they don't understand, so if legislation
20 is going to be passed, we'd like to have the
21 correct terminology.

22 As far as Trooper Mattson's presentation,
23 they talked about revolvers. This is what is
24 considered a revolver. The cylinder actually
25 revolves. This is a double action revolver,

1 which can also be shot single action. The
2 action means how it works. Single action means
3 the pull of the trigger does one thing, fires
4 the gun. Double action means that a pull of
5 the trigger does two things. So this is a
6 double action revolver, so that when I pull the
7 trigger on double action, it cocks the hammer
8 and fires the gun. So it does two things.
9 Single action means that if it's cocked, when I
10 pull the trigger, it only does one thing and
11 that's fire the gun. So this is a double
12 action or a double action single action
13 revolver and again, the capacity of this one is
14 six rounds but they have revolvers that hold up
15 to ten rounds now.

16 As far as semi-automatic pistols go,
17 semi-automatic means that with each pull of the
18 trigger, one round will be fired. A
19 semi-automatic of this configuration, once you
20 load a round into the chamber and you put a
21 magazine inside that's loaded, when you pull
22 the trigger, again, this one is a single action
23 pistol, that means it has to be cocked in order
24 for me to fire it. If I lower the hammer and I
25 try to pull the trigger, it will not fire. So

1 it has to be cocked first and now one pull of
2 the trigger will fire the pistol. When that's
3 fired, the firing pin hits the primer, it
4 ignites the powder, the bullet goes out the
5 barrel. Newton's Third Law of Relativity, for
6 every action, there's an opposite and equal
7 reaction. As the bullet goes out the barrel,
8 energy pushes back which forces the slide to
9 its rearward motion. There's a spring inside
10 that once it hits that rearward motion, it will
11 force it forward again. That forward motion
12 will strip off the next round in the magazine,
13 put it into the chamber and it will recock the
14 firearm so that it's ready to be fired again.
15 So with a semi-automatic pistol, you shoot
16 until the pistol is empty one round at a time
17 or you can just stop shooting and put the
18 safety on when you're done shooting.

19 As far as magazines go, this is a Glock
20 pistol. Some of the magazines that were
21 designed originally would fit flush with the
22 bottom of the pistol. Then again, as people
23 wanted more and more ammunition to shoot, they
24 have extended magazines that would allow you to
25 shoot more ammunition. This one is a nine

1 millimeter that would shoot thirty rounds.
2 This is one that says it's a ten round magazine
3 that would come with the gun.

4 As far as the actions of long guns, the
5 action is how the gun works. So we have a bolt
6 action shotgun. This is a four ten but it
7 actually has a bolt that each round to be
8 fired, you have to work this bolt which will
9 strip off a round from inside the magazine,
10 internal magazine, into the chamber, fire the
11 round, open the bolt, it will eject the fired
12 round and you push it forward again, it will
13 strip another mag -- or another round off from
14 the magazine and put it back into the chamber.
15 That is a bolt action.

16 This one is a pump action. It works like
17 a pump. As you can see, the bolt is being
18 worked by this fore end, so it has a magazine
19 underneath the barrel, a tubular magazine. So
20 this one works as you fire it, when it opens,
21 the empty case will be ejected out the side,
22 another round will be placed on the elevator,
23 the forward motion of the pump will strip that
24 next round off to the elevator and put it into
25 the chamber. This one is an eight shot

1 shotgun.

2 This one is a lever action rifle. It
3 works by this lever at the bottom. When you
4 pull the lever down it will pull a round out
5 from the magazine that's underneath. Put it on
6 the elevator here, then when you pull the lever
7 back, it will cock the hammer and put another
8 round into the chamber. Interesting thing
9 about the lever action rifle is that a genius
10 by the name of John Browning, he was able to
11 reconfigure a lever action rifle into a
12 semi-automatic and then later a full automatic
13 firearm. By using some levers and springs, he
14 realized that the gas that comes out of the
15 barrel would work the lever. When that lever
16 came down, it would cause the lever to do this.
17 After that gas was expended, a spring would
18 have the lever come back up again and when that
19 lever went up, it would do that and that was
20 later for World War I, they called it the
21 potato digger because the lever as they used it
22 as it was going up and down, if you put it next
23 to the ground, it would actually dig into the
24 dirt, so they called it a potato digger.

25 So that brings us up now to semi-automatic

1 firearms which utilize gas in order to work the
2 action. This has a hole in the barrel about
3 here underneath this front site. That hole
4 bleeds off some gas as the bullet is fired. So
5 when the bullet gets to about here, there's
6 still burning gases behind. I don't know if
7 you can see inside the hand guard here but
8 there's a silver tube that that gas is now
9 diverted from that tube and it pushes back on
10 this bolt and that's what pushed the bolt
11 backwards. It will eject the shell that was
12 fired. In the stock here is a buffer spring so
13 that now once it reaches its rearward most
14 movement, it will push it forward again. That
15 will strip out another round from the magazine
16 and put it into the chamber.

17 Now because we're talking about clips and
18 magazines, this is considered a magazine. A
19 magazine encompasses the entire cartridge. It
20 basically comes back to in the old calvary days
21 that before you'd have the barn for the horses,
22 all the ammunition and black powder was kept in
23 what they called a magazine. So now they kind
24 of went on that with magazines for firearms, so
25 most semi-automatic rifles and pistols use a

1 magazine.

2 A clip is something that only holds the
3 back of the bullet. So this is a stripper clip
4 and this is what they call an end block clip.
5 The difference is, magazines generally go from
6 the bottom of the firearm, up. So to load a
7 magazine, you would go from the bottom, up.
8 Clips generally go from the top, down. So
9 something like this, you would take the
10 magazine, put it in and push it down. The end
11 block clip would stay in the rifle and on the
12 last shot, the end block clip would fly out,
13 you would hear that, know that you were empty
14 and then they would put another round in or
15 another clip in. And the stripper clip would
16 be utilized in something like this. It would
17 go in the rifle like that, you would grab your
18 thumb here and push down hard and you would be
19 able to load all these ten rounds rapidly
20 because this is not a detachable magazine.
21 This is a permanently attached magazine.

22 Now when we get into assault rifles or
23 assault firearms, the law has, I think, 28 or
24 29 on their face value, assault weapons called
25 AR-15, as, on the face, it's an assault rifle.

1 There's different names that they have changed
2 it under now. It's sporters and match targets
3 but again, as the laws were going, these gun
4 companies would like to stay in business, so
5 they are, you might call them loopholes but
6 they are changing so that they can continue to
7 manufacture firearms. If we got into an
8 assault rifle, this has, let's say if it's not
9 illegal on it's face because of the type of
10 firearm it is, this one would be illegal
11 because it has all five of those prohibitors.
12 It is a detachable magazine. So the first part
13 of the law says that the firearm has to have a
14 detachable magazine, which this does. Then it
15 has to have two of these other ones. This
16 would be a flash suppressor, a bayonet lug, a
17 pistol grip and a telescoping or a folding
18 stock. So this one has all of those
19 prohibitors. So if I was able to put all of
20 these on say, this rifle, then this would be an
21 assault rifle. Again, some of those loopholes,
22 this is not a pistol grip, this is what they
23 call a thumb hole grip. So you can see it's
24 not a lot different but according to the law,
25 if you wanted to bypass that, this does not

1 have a pistol grip, it does not have a bayonet
2 lug, it does not have a folding stock. So this
3 firearm is legal. The only thing it has is the
4 detachable magazine and it doesn't even have a
5 flash suppressor, so this one is legal.

6 Some of the firearms that they're selling
7 so that they look like an assault rifle would
8 be a permanently pinned telescoping stock. So
9 like the rifle used in Newtown, that was a
10 legally purchased firearm, it looked similar to
11 this one but this one has a telescoping stock,
12 that one had this type of a stock but it was
13 permanently pinned so it couldn't collapse. It
14 also had this type of a flash suppressor or a
15 muzzle break. It had a detachable magazine but
16 no bayonet lug. I could demonstrate a bayonet
17 lug for you. This is a rifle bayonet put on a
18 carbine so it's not quite the right way. I'll
19 put it on this other rifle so you can see how
20 it is but the bayonet lug is what snaps the
21 bayonet to that. If this was a carbine one,
22 the circle would be up here so that the -- It
23 would have a little more support for the
24 bayonet but I'll put it on this one and I
25 brought this one because the law does talk

1 about grenade launchers, so this is one that we
2 have with a grenade launcher on it and I
3 believe grenade launchers are pretty well
4 regulated, so, so there you have on the bayonet
5 with the lug that holds it here, the ring goes
6 around this flash suppressor to give it a
7 little more stability and this is the grenade
8 launcher. This is considered a machine gun
9 because it is a full automatic. A machine gun
10 is something that shoots rifle ammunition.
11 Full auto means when you pull the trigger, all
12 the rounds keep going until you either run out
13 of ammunition or you take your finger off the
14 trigger. Semi-auto, like I said earlier, you
15 press the trigger each time so it only will
16 shoot as fast as you can pull your trigger.
17 Again, this is a machine gun, rifle ammunition,
18 a sub machine gun is pistol ammunition. So if
19 you have a nine millimeter sub gun which we
20 used to carry on the tactical team years ago,
21 that was a sub machine gun because it was full
22 auto and it fired pistol ammunition.

23 And I'll just show you the reloading
24 capabilities of a magazine. So if you had a
25 rifle like this and you fired it empty, when

1 the rifle goes empty, pop this magazine out,
2 grab another magazine, pull the bolt back or
3 hit the side and it will load another one. So
4 it doesn't take very long to reload a magazine.

5 This one is a ten round magazine, even
6 though it comes out a little bit lower of the
7 rifle there's a block in there so that you
8 can't put any more than ten. This is a thirty
9 round. No, I think this one's a forty. These
10 are two thirty round magazines that when my dad
11 had his M1 carbine he showed me, you tape this
12 together, he said that's what we used to do in
13 the service so that when you went empty, all
14 you had to do was turn it around and you had
15 immediately another magazine right here. This
16 one we just duct taped together but they
17 actually sell a spring steel holder that will
18 clip two magazines together.

19 The last action one that I didn't bring is
20 the old hinge break action. It's the old
21 side-by-side doubles but this is pretty much an
22 overview of different firearms, the differences
23 in the magazines versus clips and stripper
24 clips and I think we got a pretty good
25 representation of the one with the grenade

1 launcher, flash suppressor, although now, like
2 I said, they want to change things around.
3 They will have the, on their muzzle breaks,
4 they'll have different grooves cut in it to
5 call it a muzzle break because the law states,
6 flash suppressor. In some of the manuals like
7 the old M16 manuals, they call this a flash
8 suppressor, so that would be illegal but if you
9 change it a little bit and now it's called a
10 gas diffuser or a muzzle break, that would be
11 legal. So if you do see a rifle with something
12 on the end, you might think that it's a flash
13 suppressor but it may be called a flash
14 diffuser or gas diffuser or a muzzle break.
15 Oh, I'll get to this one, too. There was one
16 question we had earlier about a street sweeper.
17 This is not a street sweeper but this is a
18 Centennial Arms. It's a 12-gauge. Technically
19 this would be a revolver because the cylinder
20 here holds 12 rounds of shotgun ammunition.
21 When you pull the trigger, the cylinder will
22 revolve to the next round. So they could call
23 this a street sweeper. Any questions?

24 ROBERT DUCIBELLA: I need to be careful
25 what I say with all that horsepower on the

1 table.

2 TFC JOSEPH DELEHANTY: I'm a nice guy.
3 I'm a real, nice guy.

4 ROBERT DUCIBELLA: How old is the
5 Connecticut definition for assault rifle? Is
6 that a year old? Ten years old? Twenty years
7 old. How old is that?

8 TFC JOSEPH DELEHANTY: You, you wrote it.

9 ROBERT DUCIBELLA: Well then, it's only a
10 year old. I can tell from looking at it.

11 TROOPER BARBARA MATTSON: 1993,
12 the Connecticut assault weapon statute went
13 into effect. 1994, Federal assault weapon
14 statute went into effect and that lasted ten
15 years and was sunsetted in 2004.

16 ROBERT DUCIBELLA: And so the definition
17 that we use here in Connecticut is the '93 or
18 '94 version?

19 TROOPER BARBARA MATTSON: 93C from the
20 Connecticut Statute, correct.

21 ROBERT DUCIBELLA: Okay. Again, I don't
22 mean to have a fetish with shotguns but you
23 demonstrated a pump action.

24 TFC JOSEPH DELEHANTY: Correct.

25 ROBERT DUCIBELLA: Could you just perhaps

1 describe for us the semi-auto for a shotgun
2 which would not require a pump action?

3 TFC JOSEPH DELEHANTY: Okay. A
4 semi-automatic would probably look exactly like
5 this and where I have this chamber checker,
6 there would be a lever sticking out. When you
7 pull that back, there's a spring inside here,
8 just like with the semi-automatic rifle, when
9 you pull this back, the spring compresses, it
10 will take a round from the magazine and put it
11 on the loading gate or the elevator. When you
12 let go of that lever, the spring will push that
13 forward. Now, when you fire it, you pull the
14 trigger and again, some work strictly on blow
15 back meaning that they're not bleeding any gas
16 away from it. It's just like the
17 semi-automatic pistol, the action of the rounds
18 going down the barrel push back and will
19 actually work the action; that's a blow back
20 action. A gas operated shotgun would have
21 holes in the barrel so that some of that gas
22 could be diffused from the barrel to work the
23 action. So that gas will push on some valves
24 inside here that would have that come back, the
25 spring would compress again, eject a round.

1 Then the spring would push the bolt forward
2 again, stripping one round from the elevator
3 back into the barrel. So a semi-automatic
4 could either be blow back or it could be gas
5 operated.

6 ROBERT DUCIBELLA: The net result is the
7 user of the gun simply pulls the trigger --

8 TFC JOSEPH DELEHANTY: Correct.

9 ROBERT DUCIBELLA: -- until he exhausts
10 the number of rounds in the magazine?

11 TFC JOSEPH DELEHANTY: Yes.

12 ROBERT DUCIBELLA: Does the definition of
13 assault rifles here, you know, when you go to
14 purchase a shotgun there are tactical or what
15 the industry calls tactical shotguns and then
16 sport guns. Obviously the tactical gun from a
17 shotgun perspective allows you to buy a larger
18 number of rounds and the chamber is set up that
19 way. Is there, is there anything that
20 currently defines an assault rifle with respect
21 to shotguns and does that include weapons that
22 are sold commercially as shotguns but branded
23 as tactical shotguns?

24 TFC JOSEPH DELEHANTY: Well, there are a
25 few that are listed as tactical and I think

1 they just want them to look cool.

2 ROBERT DUCIBELLA: Yeah.

3 TFC JOSEPH DELEHANTY: Because there's the
4 coolness factor involved in all of this.

5 ROBERT DUCIBELLA: Yeah.

6 TFC JOSEPH DELEHANTY: So they'll put some
7 of these stocks on a shotgun, --

8 ROBERT DUCIBELLA: Yeah.

9 TFC JOSEPH DELEHANTY: -- they'll put
10 pistol grips on it. I mean, you can only go so
11 far. I mean, I can't -- It would be probably a
12 little ridiculous if I want the barrel to be
13 here and then have another extended magazine to
14 go further, that might be a little ridiculous.

15 ROBERT DUCIBELLA: But I could go into a
16 commercial wholesaler, I mean a licensed dealer
17 and I could buy a tactical shotgun?

18 TFC JOSEPH DELEHANTY: Correct.

19 ROBERT DUCIBELLA: Right? And that goes
20 into that two weeks wait period and I fill out
21 my ATF form and then I'm off and running.

22 TROOPER BARBARA MATTSON: Yes, if you
23 don't have a permit or that eligibility
24 certificate, you'd have that two week wait on
25 your driver's license or an ID.

1 ROBERT DUCIBELLA: Thank you very, very
2 much.

3 CHAIRMAN SCOTT JACKSON: Any questions?

4 UNIDENTIFIED SPEAKER: Just briefly, so I
5 could go to Cabella's, someplace and buy any
6 one of these weapons?

7 TFC JOSEPH DELEHANTY: No. You could buy
8 one that is legal in the State of Connecticut.
9 You cannot buy this. It's deemed an assault
10 rifle. You could probably buy something like
11 this because it's not an assault rifle. You
12 could buy this one, you could buy this one,
13 this one. I don't think this one's made
14 anymore, the lever action, this Chinese SKS you
15 could buy.

16 UNIDENTIFIED SPEAKER: So if I wanted one
17 of those others, I needed to go to a show, a
18 firearm show or no, you can't purchase them?

19 TFC JOSEPH DELEHANTY: Well, you would
20 have to have the eligibility certificate from
21 the State or you would have to have the tax
22 stamp if you were going to have a fully auto
23 machine gun.

24 UNIDENTIFIED SPEAKER: Okay.

25 TROOPER BARBARA MATTSON: You cannot buy a

1 machine gun at a gun show, though. You have to
2 go to a specific dealers. There's only
3 specific dealers that are lawful and sell ...
4 (inaudible)

5 DR. ADRIENNE BENTMAN: I have a very
6 elementary question. Can you run through the
7 legal weapons in Connecticut and explain what
8 uses those would be put to? Who might acquire
9 them? Which are public safety, for example,
10 which consumers might buy and for what purpose.
11 Thank you.

12 TFC JOSEPH DELEHANTY: Well, it runs the
13 gamut. I mean, the rifles like this, they have
14 matches at Camp Perry. I mean, military
15 firearms historically have been very sought
16 after by civilians. I mean, it dates back to
17 when the wagons were going west in the 1800's
18 when you could go into a store and buy a brand
19 new Winchester lever action rifle. For
20 seventeen you could get a single shot military
21 forty-five seventy for five dollars. So those
22 are the ones that people bought. They were
23 inexpensive. The military was trying to get
24 rid of them. They still do that today. Some
25 of the military firearms like this one can be

1 purchased through the Division of Civilian
2 Marksmanship for those people that are --
3 belong to military gun clubs that shoot at Camp
4 Perry. I mean, they use these rifle in
5 thousand yard matches.

6 There was a question on magazine capacity,
7 you know, why do you need a thirty round
8 magazine? Well, if I'm gonna run a match I may
9 say, okay, this match is gonna take sixty
10 rounds. So you need two thirty round magazines
11 or twenty round magazines to add up to sixty
12 but then you're going to be changing magazines
13 a lot more. So the sporting, -- It not only
14 goes into sporting and hunting but the actual
15 target shooting and those type of matches.

16 RON CHIVINSKI: Good morning.

17 TFC JOSEPH DELEHANTY: Good morning.

18 RON CHIVINSKI: You said it was important
19 to get, you know, the terminology and the terms
20 correct so I just want to review. The five
21 features on a gun with a detachable magazine,
22 what is that exact term again?

23 TFC JOSEPH DELEHANTY: It has to have a
24 detachable magazine, so this is a firearm with
25 a detachable magazine. So it has to have two

1 of the other four, basically. There's five
2 total but one of them is the mandatory
3 detachable magazine. So this one has a
4 detachable magazine but it does not have the
5 flash suppressor, it does not have the bayonet
6 lug. So if I put a bayonet on this one,
7 there's nothing for it to hook to because
8 there's no bayonet lug.

9 RON CHIVINSKI: So if it has the
10 detachable magazine and at least two of those
11 features --

12 TFC JOSEPH DELEHANTY: Then it would be an
13 assault rifle by the terminology in
14 Connecticut.

15 RON CHIVINSKI: -- and it would be banned?

16 TFC JOSEPH DELEHANTY: Well, yeah. You
17 would have to have proper paperwork to have
18 that.

19 RON CHIVINSKI: Unless you have proper
20 paperwork? My question is, do you believe that
21 definition, in your professional opinion, is
22 adequate?

23 TFC JOSEPH DELEHANTY: Well, originally it
24 was talking about military firearms, so if
25 these were military-type additions to a rifle

1 that would make it an assault rifle. So
2 there -- I mean, there's two of the five,
3 whatever, you, you know try to legislate, I
4 feel there will be changes because I know there
5 are already stocks that will change this from a
6 pistol grip to that thumb hole stock and all it
7 takes is a piece of plastic that goes from here
8 to here. So we could take away all of them
9 except just the detachable magazine and it's
10 still -- It's the same gun, really.

11 ROBERT DUCIBELLA: I think he was kindly
12 phrasing the following. When you were
13 speaking, there were obviously some references
14 to different gun, gun fabrication techniques
15 that really are workarounds so that a weapon
16 isn't classified as an assault rifle but it has
17 the same capability in terms of lethality.
18 Are, are you in the -- You seem to eat, sleep
19 and dream guns. I don't know if that's true
20 but -- I don't know about the dream part but it
21 would seem to me that it's a reasonable
22 statement and again, I'm looking for sort of a
23 verification of a conclusion that there are a
24 reasonable number of weapons that are
25 fabricated with loopholes that therefore, take

1 them out of the category of being assault
2 rifles but they maintain essentially the same
3 level of lethality. Is that reasonable to say?

4 TFC JOSEPH DELEHANTY: Absolutely.

5 ROBERT DUCIBELLA: That's all I need to
6 know. Thanks very much.

7 WAYNE SANFORD: You raised something that
8 kind of peaks my interest. Where would someone
9 go to shoot one of these guns?

10 TFC JOSEPH DELEHANTY: Well, our range is
11 in Simsbury on Nod Road. Right next door is
12 the Talcott Mountain Gun Club and they hold
13 full automatic matches there, I think, once a
14 month. So there's --

15 WAYNE SANFORD: So that leads me to my
16 next question. Assuming that people would have
17 to go to a gun range to use these type of
18 weapons, is there any documentation at these
19 gun clubs as to what is being shot, when
20 they're being shot and who shoots, to see if
21 they are actually shooting a gun that they
22 legally own and they should have a license for?

23 TFC JOSEPH DELEHANTY: Well, I belong to
24 two different gun clubs and nobody checks
25 unless somebody starts ripping off a full

1 automatic because a full automatic is
2 illegal --

3 WAYNE SANFORD: You kind of pay attention
4 to that.

5 TFC JOSEPH DELEHANTY: -- in a gun club.
6 Oh, yeah. That's, that's kind of noticeable.

7 WAYNE SANFORD: Yeah, so gun clubs really
8 don't have any ownership right now in who is
9 shooting at their club, at their site and what
10 they're shooting and if they're legally
11 licensed to do that?

12 TFC JOSEPH DELEHANTY: Correct.

13 WAYNE SANFORD: If I, if I'm a member or a
14 visitor of a friend, I could probably show up
15 and start shooting?

16 TFC JOSEPH DELEHANTY: Yeah, as long as
17 you had the key to get in, somebody would know
18 that you're a member and as long as you're not
19 shooting full auto, yeah.

20 WAYNE SANFORD: Okay. Thank you.

21 DENIS MCCARTHY: Morning. Thank you for
22 your presentation. We're struggling with
23 issues of gun control and I have a sense that
24 you're not here to advocate for or feel
25 authorized to advocate for changes and

1 legislation that leads to greater gun control.

2 Is that correct?

3 TFC JOSEPH DELEHANTY: Well, I don't have
4 a dog in this race. I don't own any of these
5 firearms except for the lever action thirty
6 thirty. So I am not for or against it. So I
7 just was here to explain what the different
8 guns are.

9 DENIS MCCARTHY: The issue that I think
10 that we need to deal with is violence in our
11 community and trying to make sense of the
12 current status of gun control legislation in
13 Connecticut and in the nation or in other
14 states that affect us and how to make a
15 recommendation to the Governor for changes in
16 that legislation. Who should speak to that
17 issue from Public Safety to help us understand
18 what changes would be appropriate to recommend
19 and I get a sense that you are not those
20 individuals.

21 TFC JOSEPH DELEHANTY: Absolutely not. I
22 think there's --

23 BERNARD R. SULLIVAN: Maybe I can help you
24 with respect to that because there's -- Every
25 department is obligated by the government to

1 put forward legislative packages. Absent that,
2 that decision really lies with us. We will be
3 the recommenders. We may even recommend
4 something the Governor hasn't recommended but I
5 think that we have to look at all the facts
6 before us and not expect the department head or
7 a member of the department to come in and be
8 put in a position where it appears they are
9 taking a side out of the issue. I think we
10 have to be very careful about that for their
11 professional benefits. I mean, they did a
12 great job. They were here to explain these
13 things to us. Now we have to absorb it and
14 make our recommendations and not place them in
15 a position because they don't want to get stuck
16 in the middle and rightfully so.

17 DENIS MCCARTHY: If I may then, I just
18 want to be clear that the absence of a
19 recommendation from law enforcement regarding
20 legislation does not mean that there is not
21 some changes that might be necessary; that we
22 shouldn't accept their testimony and their
23 absence of recommendations to be the lack of
24 need and -- Because I'm concerned that this is
25 broadcast and some of the previous testimony

1 regarding bulletproof glass was presented, that
2 hasn't been accepted by us as a recommendation,
3 nor is the lack of recommendation accepted by
4 us as a lack of need for, for changes.

5 BERNARD R. SULLIVAN: Right, we're
6 strictly on a fact-finding mission here to
7 gather all that we can and make recommendations
8 that we as a body feel appropriate and not
9 expect anybody who is testifying before us to
10 tell us what we should recommend.

11 DENIS MCCARTHY: I understand.

12 CHIEF BARBARA O'CONNOR: Excuse me though,
13 I do think though, Bernie, when the Connecticut
14 Chiefs Association is going to speak to us and
15 I think that they will have some specific
16 recommendations, I do think we need to have
17 some sense of what law enforcement is seeing
18 for violence on the street and what they need
19 to improve that situation, you know. So I
20 think we'll get that through the Connecticut --
21 I'm hopeful we'll get that through the Chief's
22 Association.

23 ROBERT DUCIBELLA: Obviously, as I said
24 before, you spend a lot of time around the
25 weapons and certainly a single action revolver

1 has an awful lot less lethality than perhaps
2 say, a fully automatic or a semi-automatic,
3 multi-round assault rifle. Is, is there a
4 notion with all of your handgun and long gun
5 experience and training and certification, is
6 there a sense that perhaps the training that
7 goes along with the semi-automatic weapon,
8 whether it's the long gun, shotgun or an
9 assault rifle, should be different, more
10 stringent than, than a handgun? What is, what
11 is your opinion about the level of
12 qualification for and the ability for the
13 procurer of that weapon to be more or less
14 competent using or based on the type of weapon
15 that's, that's purchased?

16 TFC JOSEPH DELEHANTY: Well, when somebody
17 goes through a or a class to be instructed on
18 firearms, it's ninety-nine percent safety.
19 Then you learn how to work whatever firearm
20 that you plan to carry or shoot and then
21 sometimes they'll actually have a -- They'll
22 have them shoot at a target to show that you
23 have some ability to hit.

24 ROBERT DUCIBELLA: That -- There seems to
25 be more rigorous requirements for obtaining a

1 pistol permit than for obtaining a
2 semi-automatic perhaps five or ten round
3 shotgun permit. One needs to get a certain
4 level of certification and training for one
5 kind of firearm which is inherently perhaps
6 with a smaller magazine, an awful lot less
7 lethal than someone who is acquiring a gun with
8 a two and three quarter inch round that's got
9 either a slug or, you know, a number four shot
10 which then can produce an awful lot,
11 potentially, greater lethality. Is there, in
12 your opinion, an equivalent level of training
13 and certification for long guns that are
14 semi-automatic and hand guns? I'm looking for
15 a sense from you about, does it really make
16 sense to have one standard for handguns and not
17 another for semi-automatic long guns?

18 TFC JOSEPH DELEHANTY: Well, I think it's
19 pretty much the same. They go over handguns,
20 how to carry them safely.

21 ROBERT DUCIBELLA: Um-hum.

22 TFC JOSEPH DELEHANTY: You know, don't
23 point it at anybody and the ten commandments of
24 safety. Then they'll actually shoot the same
25 thing on the long guns that is normally for

1 hunting, so you have the hunting laws that they
2 go over, you know. How to, you know, shoot
3 your shotgun. They'll maybe throw up a couple
4 of clay pigeons to see if you can hit a bird in
5 the air. So they are -- They're -- That's the
6 training that you receive.

7 ROBERT DUCIBELLA: Yeah, I guess the point
8 I'm not articulating well, anyone can go into a
9 licensed gun dealer and buy a semi-automatic
10 shotgun and fill out the paperwork and fourteen
11 days later they have it and they have no
12 clue --

13 TFC JOSEPH DELEHANTY: Correct.

14 ROBERT DUCIBELLA: -- of how to use that
15 gun, the lethality of that gun, whether the
16 round will carry through a wall or how many
17 people it may hurt. It would seem that that
18 doesn't make a lot of good sense. I got the
19 head up and down, that's all I need. Thank
20 you.

21 CHAIRMAN SCOTT JACKSON: I'd like to ask a
22 couple of questions regarding the ammunition.

23 TFC JOSEPH DELEHANTY: Yes, sir.

24 CHAIRMAN SCOTT JACKSON: You displayed
25 magazines between ten and forty. Are all of

1 those magazines currently legal?

2 TFC JOSEPH DELEHANTY: Yes.

3 CHAIRMAN SCOTT JACKSON: Is there any
4 limit to the magazine capacity?

5 TFC JOSEPH DELEHANTY: No. I guess if you
6 wanted -- I mean, they actually have hundred
7 round drum magazines that you can buy. They're
8 not very reliable but you can pretty much run
9 the gamut. If somebody's gonna pay for it,
10 they'll make it.

11 CHAIRMAN SCOTT JACKSON: Okay. Is
12 there -- Can you talk about ammunition types?

13 TFC JOSEPH DELEHANTY: Rifle ammunition,
14 as far as like, the military, this firearm was
15 developed in the '50's because this firearm was
16 very, very heavy. The ammunition for this
17 firearm was also very heavy. So the Air Force,
18 which has to keep things light in their planes,
19 looked to Armorlite Corporation to come up with
20 a rifle. They came up with this rifle that
21 shot the two two three round, which is a
22 lighter bullet, higher velocity but it weighs a
23 lot less. So they said, okay, we want that.
24 Then the Marine Corps grabbed this and said,
25 wow, if we have rifles like this, we could

1 carry twice the amount of ammunition than that.
2 So the Marine Corps adopted it and then the
3 military adopted it. Armorlite Corporation
4 basically said, we can't outfit two hundred
5 thousand rifles. They sold the rights to Colt
6 Firearms to start building the AR15 or the M16.

7 CHAIRMAN SCOTT JACKSON: What about things
8 like armor piercing?

9 TFC JOSEPH DELEHANTY: That's not illegal.

10 CHAIRMAN SCOTT JACKSON: Not illegal?

11 TFC JOSEPH DELEHANTY: No. I think the
12 only thing that's illegal as far as ammunition
13 is fifty caliber.

14 TROOPER BARBARA MATTSON: Fifty caliber
15 and incendiary is the only thing illegal by
16 statute right now.

17 CHAIRMAN SCOTT JACKSON: Thank you.

18 PATRICIA KEAVNEY-MARUCA: At the risk of
19 sounding naive, I need to ask. If the use of
20 these guns is -- If the legal use is to go to
21 these shooting areas, these clubs that you
22 speak about, why -- what would prevent us from
23 having ammunition available only there?

24 TFC JOSEPH DELEHANTY: Well, a lot of
25 these firearms are also used for

1 self-protection in the home.

2 PATRICIA KEAVNEY-MARUCA: But for
3 self-protection, you might need a limited
4 amount. I mean, hopefully you're not going to
5 have your home invaded that often so you only
6 would need a little bit of the ammunition.

7 TFC JOSEPH DELEHANTY: This is America.
8 More is better.

9 PATRICIA KEAVNEY-MARUCA: Okay.

10 TFC JOSEPH DELEHANTY: I can't put it any
11 other way. I mean, I collect guns. My, my
12 collection is more, you know, prior to, like,
13 1990. I like lever action rifles, muzzle
14 loaders, double barrel shotguns. I mean, I
15 won't even tell you how many I have. My wife
16 would say, do you need all of those? And I
17 say, yes. I could buy another one and it looks
18 just like that one and she goes, well, why do
19 you need that one? Because it's not that one,
20 it's this one. It's -- Some people collect
21 cars. Jay Leno's got all those cars. Does he
22 ever drive any? I don't know. It's, it's a
23 collection.

24 DR. EZRA GRIFFITH: I have a question
25 about the gun clubs, particularly in a small

1 state like Connecticut. Is there any ethics
2 regulations within the gun clubs?

3 TFC JOSEPH DELEHANTY: Absolutely.

4 DR. EZRA GRIFFITH: Can you explain a
5 little bit about that and then I have another
6 question which actually is leading to the
7 understanding of that. In your club, for
8 example, how often would the Ethics Committee
9 meet to discuss the potential expulsion of a
10 member because that member has done something
11 that's inappropriate with the weapon or the
12 ammunition?

13 TFC JOSEPH DELEHANTY: We have an
14 Executive Board that meets once a month and we
15 have committee chairmen that are in charge of
16 like, the rifle range, the pistol range, the
17 grounds, hunting, fish stocking, things like
18 that and we police ourselves. Anybody that
19 finds a member that is doing something that
20 they shouldn't be doing, they are brought
21 before the Board and it's a -- You don't want
22 to get thrown out of the club because the
23 waiting list on our club is very long. So
24 it's -- I mean, we're talking a lot of our club
25 members are older people. There's not a lot

1 of, you know, young people involved in shooting
2 anymore, so it's --

3 DR. EZRA GRIFFITH: So for a lay person
4 like me, at least with respect to this
5 particular subject, I'm trying to understand
6 and I know lots of people in the public,
7 they're always interested in this topic and
8 it's hard for us to really understand it. I
9 mean, what is, what is, from your point of view
10 then, the connection between the possession and
11 use of these weapons particularly in the area
12 of sport? I'm not, I'm not interested in the
13 area of crime, I'm interested in the area of
14 sport. What is the connection between, between
15 that activity, really, and violence?
16 Particularly -- And I'm interested in a small
17 state like Connecticut. In other words, your
18 club members, they get together Saturday
19 morning and have a beer and they say, you know,
20 have you heard about X that went on in Enfield,
21 that club up there? I mean, do these
22 conversations go on and do you have any
23 impression about what is -- what the connection
24 is between this activity and violence across
25 the state?

1 TFC JOSEPH DELEHANTY: There is no
2 drinking at our club. As far as --

3 DR. EZRA GRIFFITH: Is that the answer to
4 my question on the connection?

5 TFC JOSEPH DELEHANTY: That's part of our
6 ethics.

7 DR. EZRA GRIFFITH: Right.

8 TFC JOSEPH DELEHANTY: I mean, again,
9 these firearms, this one is legal, people use
10 these for coyote hunting, woodchuck hunting.
11 The two two three round is designed for long
12 distance. It's designed -- A lot of coyote
13 hunters will use that because it will not ruin
14 the pelt. We still have people that trap in
15 Connecticut and sell the pelts, so this round
16 is, is a high velocity, so it will make a pin
17 hole going in but not come out the other side.
18 So, I mean, there are uses for all of these
19 guns. Deer hunting for this one. Boar
20 hunting. I mean, there are --

21 DR. EZRA GRIFFITH: I'm still coming back
22 to my question, which I don't think you quite
23 answered and I'm not trying to pin you down,
24 I'm just trying to understand something because
25 I am really ignorant of the topic. Everybody's

1 talking out there that there is some
2 connection, people are saying, for example, you
3 answered one that I had, I had in my own head,
4 some interesting fantasies about, so why would
5 anybody want a magazine with thirty bullets in
6 it? You explained it. Because it, because it
7 actually has a reasonable application to sport.
8 So I am, I'm trying to understand, I'm trying
9 to extend it a little bit and understand so I
10 can, so I can get some interpretation about
11 this connection. I'm still trying to
12 understand the connection because there's no
13 question in my mind that that is, when, you
14 know, any cocktail party I go to and we're
15 talking about this stuff, we want to know why
16 does a sportsman need X? That question comes
17 up a hundred times during the cocktail party.

18 TFC JOSEPH DELEHANTY: Okay.

19 DR. EZRA GRIFFITH: And most of us who
20 aren't in this can't answer it. We can't
21 conceptualize what people do with this. So I'm
22 trying to, I'm trying to help you -- I'm trying
23 to ask you to help, at least help me --

24 TFC JOSEPH DELEHANTY: Okay.

25 DR. EZRA GRIFFITH: -- think about how --

1 what this connection is and particularly to
2 this notion of the, of the common man's view of
3 violence.

4 TFC JOSEPH DELEHANTY: Have you seen Zero
5 Dark Thirty yet?

6 DR. EZRA GRIFFITH: No, I haven't.

7 TFC JOSEPH DELEHANTY: After that, you
8 might want to go out and buy a gun that looks
9 like this. When Dirty Harry came out in the
10 '70's, we all had to go buy a .44 Magnum
11 because that was the most powerful gun in the
12 world. You had to have one. So anybody that
13 liked guns would buy one. So we have movies --

14 DR. EZRA GRIFFITH: But that doesn't
15 mean -- But that doesn't mean when I get, when
16 I get the Magnum I am not hurting anybody in
17 the community, though.

18 TFC JOSEPH DELEHANTY: Absolutely not but
19 you have the gun that was in that movie. So
20 you have a gun that was in this video game.
21 It's like --

22 DR. EZRA GRIFFITH: So in terms of --

23 TFC JOSEPH DELEHANTY: It's like
24 advertising. You're paying to go see
25 advertisement.

1 DR. EZRA GRIFFITH: So in terms of the
2 connection then, it's just the fault of the
3 press inducing me to think that there's some
4 connection that when you walk with a Magnum
5 that you're going to do X or Y? I mean, where
6 does this come from, this fantasy?

7 TFC JOSEPH DELEHANTY: I have no idea. I
8 don't know where it became okay in our
9 households to let our children, you know, play
10 those video games. I don't know.

11 DR. ALICE FORRESTER: I'm sorry, I came in
12 late but I have a very -- a question that may
13 or may not, you may not be able to answer but
14 in terms of the ethics in the gun clubs, is
15 there -- You said that if you see a person
16 using it inappropriately or doing something
17 inappropriate with the actual technical gun but
18 is there also, um, some sort of scan around
19 behavior or bragging, out of control. I mean,
20 is there a sort of a mental health ethic and I,
21 you know, I think in the extreme sort of
22 understanding of that.

23 TFC JOSEPH DELEHANTY: Oh, I'm sure if
24 somebody was acting irrational around the gun
25 club -- I mean, most of our gun club is retired

1 troopers, retired police officers, firemen, so,
2 if somebody's acting inappropriate there's
3 enough people there that know what to do but
4 that really hasn't come up. It's more, you
5 know, that that guy shouldn't of been shooting
6 at that sign or whatever, that -- We have a
7 steel course. You know, some people will shoot
8 the steel and wreck it and leave it, so if I go
9 by and I see people shooting at that, we're
10 only supposed to use that at certain times, so
11 that would be something that we report to the E
12 Board, that's something that needs to be done.

13 WAYNE SANFORD: I still need to go back to
14 the training. It doesn't make sense to me.

15 TFC JOSEPH DELEHANTY: Okay.

16 WAYNE SANFORD: So there's really no
17 national standard for what the training should
18 include other than what the NRA, I think that's
19 what we heard earlier kind of recommends, so
20 there's really -- You know, police officers get
21 hired, they get trained to a national standard,
22 firefighters get hired to a national standard
23 but yet someone can go buy a gun that obviously
24 can kill people and there's no national
25 standard for the training that they have to do

1 these things. There needs to be, I think, very
2 appropriately as, um, my fellow commissioners
3 mentioned that like, an analysis of their
4 ability to rationally think about what this gun
5 can do. That, that kind of surprises me that
6 there's no national standard for training or
7 that there's no requirement that the training,
8 you know, the training program has to cover
9 certain areas.

10 TFC JOSEPH DELEHANTY: Well, the training
11 does cover safe gun handling but we can't get
12 inside somebody's head and know that this
13 person is gonna go cuckoo at some certain time.
14 We don't know that. So all the training you
15 can do you still can't, can't alleviate that
16 possibility.

17 WAYNE SANFORD: But when someone's going
18 through the State Police Training Academy or a
19 local police academy goes to, you know, to
20 Meriden, to the Municipal Police Training
21 Academy or another place, they watch them and
22 they say, you know what? This individual is
23 probably not going to be a good firefighter or
24 this one's not going to be a good police
25 officer and that comes out during the training.

1 So maybe if there was a national standard for
2 training and maybe if there were certain
3 components of it that had to be met other than
4 this is how you carry the gun safely and these
5 are the laws, um, it just seems to me that
6 that's a weak spot.

7 TFC JOSEPH DELEHANTY: Sounds good.

8 ROBERT DUCIBELLA: I think that gets back
9 to the point where I said if you go and buy a
10 semi-automatic long gun, I fill out the
11 paperwork and I own it. As long as I don't
12 have the disqualifiers and I, I think Wayne and
13 I are sort of on the -- Or if I may speak on
14 behalf of him for a second. I have one of the
15 most deadliest things on the plant because I
16 didn't have a history. And once I have it, I
17 was able to acquire it without having a process
18 that I go through that's in some way rigorous
19 and that meets some kind of a national
20 standard. I mean, you folks are constantly
21 responding to DWI's and terrible accidents on
22 the highway where someone uses a vehicle
23 unwittingly and takes someone's life but yet
24 they had to get a driver's permit. But here I
25 am with a semi-automatic, 12-gauge shotgun with

1 five defender rounds in it from Winchester and
2 I have absolutely no experience in going
3 through Quantico with the FBI or the State
4 Police Academy and there I am and I can acquire
5 that gun and I know --

6 TFC JOSEPH DELEHANTY: Absolutely, that's
7 correct.

8 ROBERT DUCIBELLA: And that's, I think
9 that we're not shocked but I think that one
10 would ask oneself whether that makes a great
11 deal of sense. Now obviously, there's a
12 resource allocation, okay, I'm going to buy a
13 gun, who is going to do that training? Where
14 is that money going to come from? It's another
15 business. We're in America. So that's not my
16 responsibility as a commissioner. It's to ask
17 you who manage, handle, train and understand
18 weapons, whether it makes sense for that
19 arsenal in some way, shape or form to be
20 procurable without knowledge, training and
21 certification and the answer --

22 TFC JOSEPH DELEHANTY: Oh, I'm all for
23 that.

24 ROBERT DUCIBELLA: No, I know you are and
25 I think what I'm just doing is it iterating

1 sort of clearly a conclusion that we've come to
2 which is, you know, maybe that's something we
3 ought to look at.

4 TFC JOSEPH DELEHANTY: And responsible gun
5 owners have no problem with that, gladly do
6 that.

7 ROBERT DUCIBELLA: Yeah, and I think I
8 am -- I won't speak. That's -- You've
9 confirmed something and that's what we're here
10 to do. Listen to you, take your expertise and
11 say, what did I just hear? Thanks very much.

12 DENIS MCCARTHY: I'd like to address you
13 as a sportsman.

14 TFC JOSEPH DELEHANTY: Okay.

15 DENIS MCCARTHY: You're the sportsman, I'm
16 not.

17 TFC JOSEPH DELEHANTY: Okay.

18 DENIS MCCARTHY: The misuse of the weapons
19 that you used for sport is a problem in our
20 communities, whether it's a handgun or a long
21 gun. You're familiar with the lawn game,
22 Jarts?

23 TFC JOSEPH DELEHANTY: Absolutely.

24 DENIS MCCARTHY: Jarts were taken off the
25 market because they were misused, people

1 getting clunked in the head and dying. Is
2 there -- Are there restrictions that the
3 sporting community would recognize as a way to
4 address the misuse of their sports weapons,
5 their devices of sport, similar -- so we don't
6 have to make them illegal as we did with Jarts,
7 that would make our community safer?

8 TFC JOSEPH DELEHANTY: I, I couldn't
9 answer that. I don't know what you could do
10 to -- for a sporting firearm if it's used in a
11 crime. I don't know how you could do that.

12 CHAIRMAN SCOTT JACKSON: Chief, there are
13 associations and you have acknowledged that you
14 are a sportsman and so the sports questions are
15 being fired at you but you're really here
16 wearing the badge, so what I would say is there
17 are associations that certainly have made
18 contact and we can ask that question because I
19 think it is, I think it's a fundamental
20 question. I do have one question that's
21 actually not about ammunition but it does, or
22 it may fall under your rubric here. Um, we
23 have seen videos from around the country of
24 criminals encased in body armor who are nearly
25 unstoppable, even with the fire power that you

1 have before you today. Is there any
2 prohibition on purchase and use of that type of
3 body armor?

4 TFC JOSEPH DELEHANTY: I don't believe so
5 because there are people that are in personal
6 protective companies that give protection to
7 executives and they are able to purchase that
8 equipment. So I don't know if there's anything
9 in Connecticut that prohibits that.

10 TROOPER BARBARA MATTSON: The only that
11 would prohibit somebody from acquiring body
12 armor would be a felony. A felony you would
13 not be eligible to lawfully to possess body
14 armor.

15 CHIEF BARBARA O'CONNOR: I think I have
16 two questions because it sounds like you belong
17 to a very exclusive sporting club. They are
18 not all that way. I mean, we know the Virginia
19 Tech shooter, killer, walked onto a sporting
20 club, placed his targets on the ground and
21 people watched him walking, shooting targets on
22 the ground which is really odd behavior. You
23 would recognize that right away that, look it,
24 this isn't right and one of the things we're
25 asking or being asked to look at is sort of the

1 mandatory reporting requirement and would it be
2 feasible to sort of make, you know, make some
3 regulation around these gun clubs and then make
4 some regulations around reporting, you know,
5 those sort of behaviors. I mean, do you think
6 that's possible?

7 TFC JOSEPH DELEHANTY: I think that's
8 absolutely possible. We already have range
9 officers that we cannot have a skeet tournament
10 without having a range officer present. He
11 oversees the entire tournament and I don't see
12 a problem with that at all.

13 CHIEF BARBARA O'CONNOR: But you would
14 also describe it as -- it's unregulated right
15 now, sporting clubs.

16 TFC JOSEPH DELEHANTY: Oh, absolutely.

17 CHIEF BARBARA O'CONNOR: So we need to
18 look at some regulations around sporting clubs
19 it seems to me. And then the second question I
20 have is specific to law enforcement response
21 sort of following up on the Mayor's question
22 because as I watched the response to Newtown on
23 the news like you all did and being a law
24 enforcement officer and knowing it's important
25 to equip people, that equipment is very

1 expensive for us and I guess my question is, is
2 every officer or trooper in Connecticut, is he
3 or she equipped with the appropriate equipment
4 to respond to an active shooter situation?

5 TFC JOSEPH DELEHANTY: My answer is yes.
6 We don't -- Not everybody has this, not
7 everybody has this, but we all have a handgun
8 and the active shooter, when they're involved,
9 they are in so much control that, you're not
10 gonna take me and you're not gonna shoot me, my
11 final control is for me to kill myself. So as
12 soon as the Newtown police officers got there
13 and he saw that they were there, that's what he
14 did and it's happened in just about every one.
15 In fact, I was doing the active shooter
16 training at the Academy when Virginia Tech
17 happened and everybody says, oh, see, this is
18 wrong, this is wrong. I said no, it's not
19 wrong. As soon as the police officers broke
20 in, because he did chain some of the doors
21 shut, as soon as they broke in, he killed
22 himself. So this is, this is -- You have
23 enough protection to do what you need to do.

24 CHIEF BARBARA O'CONNOR: Okay. Thank you.

25 ROBERT DUCIBELLA: You spend a lot of time

1 on the range and a lot of time training people
2 and I think there's been and I'm agnostic about
3 the subject so it's a generic question.
4 There's a notion and we hear it that perhaps
5 teachers or someone in the schools should carry
6 a firearm if they go through the requisite
7 training and certification. Um, I come from a
8 family of law enforcement, FBI and I know that
9 my father was deadly afraid of me having a
10 firearm because I would not constantly use it,
11 constantly be aware of it and constantly be
12 trained with it. What is your general
13 experience on the level of safety that
14 incompetence in the use of a handgun for
15 individuals if you were to compare law
16 enforcement as an example, who are constantly
17 around weaponry, constantly exposed to what a
18 weapon will do, constantly trained and
19 extraordinarily aware of the liability of a
20 round misfired, what is your notion about
21 whether somebody else who's out of the law
22 enforcement community, although they've been
23 through a certification course, is that person
24 likely to use that weapon with the same level
25 of efficacy and diligence or not?

1 TFC JOSEPH DELEHANTY: With the proper
2 training, absolutely, because you said it
3 yourself, your father was worried about you
4 because you weren't constantly aware that you
5 had a gun. If you're going to be carrying a
6 gun, it's a very huge responsibility. You
7 can't just put it in your drawer. If this is
8 my desk, I can't leave it here and then go get
9 a soda --

10 ROBERT DUCIBELLA: Right.

11 TFC JOSEPH DELEHANTY: And come back and
12 have my lunch. So if you have armed teachers,
13 they can't have, you know, something in the
14 desk. It has to be on your person. Just
15 owning a gun or having a gun doesn't do you any
16 good if you have no training with it.

17 ROBERT DUCIBELLA: Forgetting national
18 legislation, putting that aside, how many years
19 have you been doing what you're doing? A lot?

20 TFC JOSEPH DELEHANTY: I'm with the state
21 police thirty-four years.

22 ROBERT DUCIBELLA: Okay.

23 TFC JOSEPH DELEHANTY: I was on the
24 tactical team for eighteen.

25 ROBERT DUCIBELLA: Yeah.

1 TFC JOSEPH DELEHANTY: I've been at the
2 range now eighteen years.

3 ROBERT DUCIBELLA: So if I were to
4 approach you and say, I'm not a law enforcement
5 officer but I'm going to carry deadly force,
6 what would be the extent of training that you
7 would like me to have to be as competent as a
8 trooper?

9 TFC JOSEPH DELEHANTY: Well, we would go
10 over the safe storage of firearms so that you
11 wouldn't be leaving a loaded gun in your
12 underwear drawer or something and have a young
13 person or somebody unauthorized get it, things
14 of that nature. Safety is paramount.

15 ROBERT DUCIBELLA: How many hours? I'm
16 looking for dedication of effort because
17 teachers have a job to do and it's not to carry
18 a gun but there's this notion that we hear
19 about and I want to hear from somebody who
20 spent 34 years in the business, how many hours
21 a year do I need to spend so I don't feel as
22 though I'm less competent than one of you
23 guys?

24 TFC JOSEPH DELEHANTY: Well, I don't know
25 about hours or years but we train our recruits,

1 it's 127 hours.

2 ROBERT DUCIBELLA: Okay. That's the
3 number I'm looking for. This is not a one day
4 course --

5 TFC JOSEPH DELEHANTY: Absolutely not.

6 ROBERT DUCIBELLA: -- it's not a one week
7 course. This is extensive engagement in order
8 to carry a weapon that provides the opportunity
9 to take life.

10 TFC JOSEPH DELEHANTY: Correct.

11 ROBERT DUCIBELLA: And that's what you do
12 at the state level.

13 TFC JOSEPH DELEHANTY: Our lesson plan is
14 127 hours for a basic recruit.

15 ROBERT DUCIBELLA: Thank you very much.

16 CHAIRMAN SCOTT JACKSON: Thank you. I
17 think we have time for one more, if anyone has
18 any, any final questions? Troopers, thank you
19 for your time.

20 TFC JOSEPH DELEHANTY: Thank you.

21 CHAIRMAN SCOTT JACKSON: Next up we will
22 have the Connecticut Police Chiefs Association
23 and Trooper, are you staying for this
24 discussion as well regarding active shooters?
25 Okay.

1 BERNARD R. SULLIVAN: I just want to give
2 everybody one caveat here. Chief Kehoe wanted
3 to be here and speak to us but he cannot answer
4 any specific questions regarding the Newtown
5 incident because that's under the control of
6 the State's Attorney's Office but he did want
7 to take part in this panel. So please refrain
8 from asking him any specific questions
9 regarding that matter. Thank you.

10 MATTHEW REED: Good morning members of
11 this distinguished panel. My name is Matthew
12 Reed. I'm the Chief of Police of the South
13 Windsor Police Department but I am also the
14 Legislative co-chair of the Connecticut Police
15 Chiefs -- Connecticut Police Chiefs
16 Association. I just want to give a brief
17 introduction as to two speakers that are going
18 to speak before you, Chief Mike Kehoe from the
19 Newtown Police Department and Chief Marc
20 Montminy from the Manchester Police Department
21 are going to speak about responses to specific
22 incidents that occurred in their communities.
23 We'll also have a little conversation about
24 active shooter and by way of introduction here,
25 I just want to tell you very briefly, prior to

1 the Columbine shootings in 2001, police
2 response to some sort of a hostage standoff or
3 situation where you had somebody in a, in a
4 building that had a weapon, would generally to
5 arrive, secure the scene, call in the tactical
6 or SWAT teams, maintain a perimeter and then
7 once the tactical teams arrived and the hostage
8 or crisis negotiators arrived, they would then
9 work to resolve the situation. After what
10 happened in Columbine, the training paradigm
11 and the training doctrine changed to what we
12 call active shooter response and very briefly
13 what this response requires officers to do is
14 to -- When the officers arrive on the scene, to
15 immediately enter the premises and go towards
16 the direction of the shooting and stop the
17 shooting. And this means stepping over victims
18 and continuing to move through the facility in
19 an effort to stop the harm that's occurring.
20 So when there is conversation about active
21 shooter response, that's what active shooter
22 response is and that training doctrine has
23 become somewhat universal across the country
24 since 2001.

25 With that, I will turn the presentation

1 over to Chief Marc Montminy of the Manchester
2 Police Department for a description of what
3 happened at the Hartford Distributors incident
4 in their community. Chief Montminy?

5 CHIEF MARC MONTMINY: Thank you for having
6 me. Matt just took the first ten minutes of my
7 speech but I'm gonna, I'm gonna go over it just
8 one brief second with you. Columbine happened
9 in 1999. 13 people dead, 21 injured. Arriving
10 officers set up a perimeter as they were
11 instructed to do. SWAT team was called out.
12 SWAT team took 45 minutes to arrive and to, to
13 make entry. It took them three hours to search
14 the building and during that time, we know that
15 victims continued to be shot and some bled to
16 death. Once again, the shooter killed himself
17 when, when cornered by SWAT.

18 Something similar happens in 2009, New
19 York Immigration Center, April 3rd, 13 people
20 were killed after a gunman entered the
21 building, an immigration center building.
22 Arriving officers set up a perimeter. Took
23 SWAT 43 minutes to assemble. Took SWAT two
24 hours to go through the building. During that
25 time, people continued to die and the gunman

1 shoots and kills himself when confronted by the
2 police.

3 The research is clear. Shooters continue
4 to shoot until they're confronted. The quicker
5 the confrontation, the better. On average, one
6 person is killed every 15 seconds during a
7 spree and typically, the shooter either commits
8 suicide or confronts the police and is killed.
9 That's what's the research shows.

10 So pre-Columbine, police officers were
11 taught to establish a perimeter and wait for
12 heavily armed SWAT to arrive. Post-Columbine,
13 officers are now taught to make an entry as
14 quickly as they can and to ignore other
15 distractions and confront the shooter as
16 quickly as possible. This often means that
17 we're going to be bypassing wounded or
18 barricaded victims in order to confront the
19 shooter. Once police confront the shooter, the
20 shooter is forced to make a decision. That
21 decision is, they can surrender, they can take
22 cover, they can engage the police or they can
23 kill themselves. Those are the only choices
24 and any of those choices are preferable to the
25 shooter continuing to shoot.

1 Manchester was unfortunate to have this
2 experience in 2010. At the Hartford
3 Distributors building, an employee, gunman,
4 walked in and opened fire on his co-workers,
5 killing nine, injuring two others but this was
6 an important event not only for the Town of
7 Manchester but for law enforcement because this
8 is one of the first times the immediate entry
9 tactic was actually deployed. This is in 2010.
10 The police arrived in under three minutes and
11 were in the building shortly thereafter and we
12 know from the video surveillance that the
13 building had, that the gunman walked into the
14 lobby of the building after he had shot nine
15 people, actually, after he had shot eleven
16 people. He walked into the lobby of the
17 building, he looked out, he saw the police
18 arriving and he made a conscious decision to
19 return to the building, barricade himself in an
20 office and wait for the police. The police
21 made an immediate entry. They started to
22 search the building and when they arrived
23 outside his locked door, he killed himself.

24 The, the lesson learned for police through
25 this event is that we deployed the immediate

1 entry tactic. We made -- We confronted the
2 shooter as quickly as you can -- as we could
3 and what we expected to happen, happened. He
4 had the choice of those five options that I
5 gave you and he chose to barricade himself and
6 then he chose to kill himself rather than,
7 rather than confront the police and I maintain
8 that any of those options are, are, are better
9 than allowing the shooter to continue to shoot.
10 So law enforcement has changed. The
11 unfortunate situation in Manchester was an
12 example of that change and, you know, one of
13 the things that, that I will add is, no matter
14 what this commission decides to do, we can't be
15 in a situation where we're outgunned and we saw
16 some of that in, in our history.

17 I think somebody made mention to the
18 California bank robbery where the gunmen were,
19 were covered in armor and no police officer
20 within six square blocks had a weapon that
21 could penetrate it. That's not our reality
22 anymore. Our reality now is officers often
23 carry AR-15's or M-4 assault rifles in their
24 cruisers or they carry shotguns or they carry
25 some other devices in an effort to make sure

1 that no matter what happens, we're not
2 outgunned.

3 So, so that was our experience. We were
4 forced to enter that building as quickly as we
5 could in an effort to prevent further shooting
6 and this is the tactic that is taught to law
7 enforcement throughout the country. The goal
8 here in Connecticut in the not too distant past
9 has been to make sure that we're all on the
10 same page. We have to make sure that
11 surrounding towns are trained the same way we
12 are because when this event happens at your
13 town, I think the Chief will agree with me,
14 everybody's coming. Everybody's coming. From
15 the State Police to your surrounding towns to
16 towns that aren't surrounding, everybody's
17 going to come to try to help you in a situation
18 like this and in Manchester, what happened is
19 we put together at least three entry teams.
20 The first entry team was Manchester officers
21 but the second entry team was a group made up
22 of, of officers from other departments, some of
23 whom didn't even know each other. I spoke to
24 one of my officers shortly after the shooting
25 and I said, did you end up going inside? He

1 goes, yeah, I was on the second entry team.
2 And I said, who did you go in with? He goes, I
3 have no idea. It was a trooper, two guys from
4 South Windsor and a guy from Vernon and they
5 had no idea who they were but they all did
6 their job. They all knew what they had to do
7 and this is the kind of training that needs to
8 be, to be promulgated throughout law
9 enforcement and by and large, it is. I hope
10 that we never have another, another situation
11 where police surround the facility and wait 45
12 minutes for a SWAT team and, you know, we're,
13 we're hearing from Newtown that they entered as
14 quickly as they possibly could and my, my guess
15 is that they saved a lot of lives and with
16 that, if you have any questions or I'll turn it
17 over to the Chief so he can make his comments.

18 CHIEF MICHAEL KEHOE: Good morning and
19 thank you for inviting me to make a few
20 comments this morning. I would also like to
21 echo what my previous Chief said about, you
22 know, active shooter response and I start
23 always with the training. The training is so
24 critical to actually taking a dynamic event and
25 making it successful, even though in this

1 particular case in Newtown we had, you know,
2 extreme loss of life but without that training,
3 I know we would not have acted the same way we
4 did and that's training across the board as
5 Chief Montminy says.

6 I know that in our, in our community, in
7 our agency, when we think about active shooter
8 training and when we actually promulgated the
9 active shooter policy that we have and
10 instituted the training, everybody took the
11 training. That means the Chief of Police, the
12 second in command, third in command, fourth in
13 command, right down to the very first officer
14 that we have on our department. We have, we
15 have a 45-man officer department. We don't
16 know what we face when we have an active
17 shooter. We may have to have multiple entry
18 teams. We may only have ten officers on shift.
19 They may be in different parts of the
20 community. We also know that the calvary's
21 coming when that call goes out. So if we're
22 not all trained, then we can't get the most
23 amount of impact at one time when the initial
24 response is going to be so, so critical.

25 So on that date, on December 14th at

1 approximately 9:35 when we did get that 911
2 call about an active shooter in a school and we
3 all came to that location, okay, whether you
4 were a chief or a captain, lieutenant or from
5 any other agency, when you made your contact
6 teams, as Chief Montminy says, you went in.
7 And I was one of those first responding
8 officers. I was part of a contact team. If I
9 had not been trained, I would not have known
10 what to do. I would have not of known the
11 configurations we should of had as we made
12 entry into that building and that happened in
13 multiple entry points in Sandy Hook Elementary
14 School. And we know our arrival, just our
15 arrival, saved lives. When if we had to, we
16 would have taken action to immediately take
17 care of the threat or any threat that was
18 inside that building or outside the building
19 because as we know from our training and we
20 know from history and experience, just because
21 you have an active shooter inside the school
22 doesn't mean that you're not gonna face other
23 threats. Columbine showed you that and that's
24 what we based our new training on, that you
25 could have multiple threats or you could have

1 multiple diversionary tactics. You're going to
2 have to respond to a very dynamic, a very
3 dynamic scene when you do that and therefore,
4 you have to be prepared for everything.

5 So on this particular case on
6 December 14th, we had an active shooter call
7 but we also had a secondary active shooter
8 call, one that was on the outside of the
9 building. Now we had to, to -- We had to think
10 about and determine whether or not that was an
11 accurate report. It turns out in the end it
12 wasn't but we didn't know that when responding.

13 So our contact teams and there were two of
14 them initially, were mostly Newtown police
15 officers. We were quickly supplemented by
16 Connecticut State Police and other local law
17 enforcement as they also made contact teams.
18 Sandy Hook Elementary School is kind of a big
19 school. It's our largest elementary school in
20 our community; lots of places to hide and
21 again, we can't assume that just because we
22 found the, the shooter in, in the early parts
23 of the search of the building, that that was
24 the only shooter. We had to make sure that
25 that entire building was safe because our

1 secondary problem there was to evacuate over
2 five hundred, over five hundred individuals
3 from that school and we had to do it safely,
4 not knowing what we faced. Again, that
5 secondary shooter really was a critical part of
6 our thinking at that time. So we have to kind
7 of go on, you know, what our sight and sound
8 observations are at that time to say, gee, can
9 we do that? And that became a, you know, at
10 some point in time, we became very confident
11 that we could clear certain areas of the school
12 at one time and because they had great
13 procedures already in place at the Sandy Hook
14 Elementary School, they knew where to go.
15 Their procedures had called for any evacuation
16 to go to Sandy Hook Fire Department. They
17 already staged for us as, as we were exiting
18 our -- the classes out, the teachers out, the
19 faculty out, the staff out, they were already
20 staging at Sandy Hook Fire House for that
21 evacuation which was again, something you have
22 to think about as a law enforcement response.
23 You don't want to take them out into another
24 dangerous situation because you haven't secured
25 the perimeter of the building as you should

1 because we know from, again, from experience
2 and training, that again, diversionary tactics,
3 you may have one active shooter inside the
4 building, there may be another one waiting or
5 lying in wait. We can't assume that's not the
6 case, so we have to kind of respond in that, in
7 that manner and that's part of that training
8 that goes on statewide here and that's why I
9 felt very confident and when I read, when I
10 read our statements from our officers who
11 responded that day, many of them eventually
12 ended up getting -- coming to the scene and
13 getting in secondary responses with other
14 police departments and just like with
15 Manchester, they knew exactly what to do. They
16 had all been trained the same way. Okay?
17 That's a credit to local law enforcement, state
18 law enforcement and law enforcement in general
19 in the State of Connecticut because we're
20 thinking along the same lines and we're trying
21 to do the best we can to save as many lives as
22 possible because in this particular case, every
23 precious second meant a precious life. Every
24 precious second meant a precious life. We know
25 that and that's why response is so critical and

1 that's why everybody goes -- everybody has to
2 go because you never know what you're going to
3 face when you get there. Okay?

4 We, we hear often times about, you know,
5 self-deployment and there's a cautious tail to
6 that. You don't want too many officers on, you
7 don't want too many police officers on the
8 scene but when you're talking about a school
9 and when you're talking about young people
10 dying or possibly dying or could be dying, you
11 want as many officers there. You want as much
12 help as you can possibly get to again, to
13 answer those threats that may present
14 themselves at any time and that, that would go
15 for a, um, even, even a manufacturing building,
16 an office building. So our response, we know,
17 saved lives. Obviously, the response of those
18 teachers in those classrooms saved lives.
19 Response of those staff members who came out to
20 confront the gunman saved lives. They took
21 precious seconds. Everything took precious
22 seconds here. How he entered the building or
23 the time he took to enter the building, to the
24 time he, um, you know, confronted people, had
25 to look for things, had to look for, you know,

1 people he wanted to shoot. All those -- All
2 that took precious seconds and every time he
3 did -- every time he had to do that he was
4 confronted by something and saved lives.

5 So I, I would conclude with what Chief
6 Montminy said about, um, you know, police don't
7 like to be outgunned. There's no doubt about
8 it. We want to, we want to be able to do the
9 best we can but when we're outgunned, it's
10 very, very difficult to consider having a
11 successful outcome when you know you're going
12 to be outgunned. We're going to always
13 respond. We're going to always do the best we
14 can. You know, all our civil servants do that
15 no matter what discipline they're in. When I
16 know law enforcement likes to think that we're
17 going too have successful outcomes to the
18 extent we can because of not only training we
19 have but the equipment we have.

20 So if you have questions, I would be happy
21 to take those or my colleagues here. Thank
22 you.

23 CHAIRMAN JACKSON: Thank you for your
24 testimony.

25

CERTIFICATE

I hereby certify that the foregoing 115 pages are a complete and accurate transcription to the best of my ability of the electronic sound recording of the meeting of the Sandy Hook Advisory Commission (SHAC) held on March 1st, 2013 at 9:35 a.m. at the Legislative Office Building, Hartford, Connecticut.

Joanne Buck, Transcriber

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