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SANDY HOOK ADVISORY COMMISSION

March 15, 2013

9:45 a.m.

Legislative Office Building

Hartford, Connecticut

SCOTT JACKSON, Committee Chair

RON CHIVINSKI

ROBERT DUCIBELLA

TERRY EDELSTEIN

KATHLEEN FLAHERTY

ALICE FORRESTER

EZRA GRIFFITH

CHRIS LYDDY

DENIS MCCARTHY

BARBARA O'CONNOR

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Sandy Hook Advisory Commission

March 15, 2013

9:45 a.m.

LOB, Room 1A

I. Call to Order

II. Discussion of Interim Report

III. Review Items for Consideration

IV. Other Business

V. Adjournment

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P R O C E E D I N G S

MR. CHAIRMAN: It is 9:45, so why don't we get the meeting started. We do have a quorum.

For the purpose of those who are watching, why don't we introduce ourselves. Let's start from my right.

Kathy?

MS. FLAHERTY: Kathy Flaherty, staff attorney Statewide Legal Services and mental health advocate.

MS. FORRESTER: Alice Forrester, executive director of Clifford Beers Clinic in New Haven.

MS. O'CONNOR: Barbara O'Connor, chief of police, University of Connecticut.

MR. GRIFFITH: Ezra Griffith, the department of psychiatry at the Yale School of Medicine.

MR. CHIVINSKI: Ron Chivinski, teacher, Newtown Middle School, second vice president, AFT Connecticut.

THE CHAIRMAN: Scott Jackson, Mayor, Town of Hamden.

MR. SULLIVAN: Bernie Sullivan, retired police chief, City of Hartford, former commissioner of public safety, State of Connecticut.

MS. EDELSTEIN: I'm Terry Edelstein, Governor Malloy's nonprofit liaison.

MR. LYDDY: Christopher Lyddy, I'm the former

1 state representative for the Town of Newtown, social
2 worker and program manager with Advanced Trauma
3 Solutions in Farmington.

4 MR. MCCARTHY: Denis McCarthy, fire chief, City
5 of Norwalk.

6 MR. SCHWARTZ: Harold Schwartz, psychiatrist
7 and chief at the Institute of Living and vice president
8 of behavioral health at Hartford Hospital.

9 MR. CHAIRMAN: Thank you. We will come to the
10 next item on our agenda, which is a review of our draft
11 items for consideration.

12 The governor's staff has put together some
13 additional information to respond to some questions that
14 the panel had, and those are on your desktop. So I'd
15 like you to make sure you've had a chance to review
16 those.

17 Also in terms of the folks who have identified
18 what may be priorities on this list for them, the items
19 that were identified as significant by more than half of
20 respondents are mandatory background checks on the sale
21 or transfer of any weapon, including long guns and
22 private sales; a ban on any magazine or
23 ammunition-feeding device in excess of 10 rounds on the
24 guns and ammunition section.

25 On the safe school environment, the creation of

1 a -- an all-hazards threat and risk-assessment security
2 recommendations tool and the requirement of a creation
3 of a safe school plan. Those are the items that
4 received significant support.

5 So why don't we go back into our discussion of
6 these items. We've had a week to think about it, to do
7 a little additional research on our parts, as well as
8 get this additional information from the governor's
9 office. So why don't we go back through these items and
10 confirm that these are items that we'd like to move
11 forward for consideration.

12 Also one overarching question is whether or not
13 we want to submit these items as recommendations -- an
14 important word -- or items for consideration. So we
15 should at the end discuss that as well.

16 So let's start with the guns and ammunition
17 section, mandatory background checks on the sale or
18 transfer of any weapon discussion.

19 Are we still confident with this one? Is there
20 any specific language that we would like to see changed,
21 modified, or reviewed prior to submission to the
22 governor 's office?

23 Mandatory registration, including a certificate
24 of registration for any weapon to be issued subsequent
25 to the completion of a background check. This language

1 as it exists would include weapons traditionally used
2 for hunting.

3 Any discussion on this item? Mr. Chivinski.

4 MR. CHIVINSKI: After much soul-searching and
5 restless nights, I can no longer support a full
6 registration of all weapons in the state of Connecticut.

7 Specifically what has caused me great concern
8 is the registration of all shotguns and rifles that have
9 never -- it's never been called for their registration.

10 I think it's going to send a wrong message to
11 our gun-owning community. I don't think we're here
12 about that.

13 I've gone through the research. I've gone
14 through the recommendations that have been presented to
15 us. I've looked at what President Obama has had to say,
16 Governor Malloy, and the book that was bought for this
17 commission.

18 I could see no consensus out there that a
19 registration on all weapons is going to move us forward.
20 I think we're here about certain types of ammo, large
21 magazine clips, and school security.

22 On March 1st when the guns were paraded in here
23 before us, there was on that table, in my mind, a whole
24 lot of crazy. And that's what I'm against. It's just
25 really not in my heart and soul at this time.

1 MR. SULLIVAN: There are two reasons I strongly
2 support this, the first being that I think police
3 officers when they're dispatched to locations have a
4 right to know whether there are firearms in the house or
5 not because a firearm present increases the risk to the
6 officers. In the best of homes, we can have domestic
7 violence cases, et cetera, et cetera.

8 Secondly, in the event a criminal event occurs
9 and a gun is found, it's easier to trace the record back
10 to a registry if it has been properly registered to the
11 last owner.

12 If we don't register all weapons, you have a
13 scenario where myself, maybe a grandfather can say to my
14 grandson: Here is my gun. Go enjoy it. Play with it.

15 I pass away. 20 years from now he's lost the
16 gun or had it stolen, whatever. It ends up at a crime.
17 It traces back to dead grandpa, and it doesn't really
18 help the police investigation at all.

19 I think for those two reasons, and primarily
20 the first reason, that police officers I believe have a
21 right to know if there are firearms in the house or
22 business, or whatever, when they are dispatched to a
23 call to create a better safety environment for them.

24 MS. FORRESTER: I have a question. And when I
25 heard the discussion, I understood that if it was

1 registered then it could be confiscated if it was not in
2 the belonging of the person who it was registered to.
3 Was that also part of the added benefit of having it
4 registered?

5 MR. SULLIVAN: Well, if it's properly
6 registered, if the person gave it to somebody, it would
7 have to be transferred to the new person. If it was
8 determined to be in somebody's possession, not property
9 transferred, that would be a violation. And I think
10 most likely it would have been stolen or something like
11 that, but it would definitely be a violation.

12 MR. MCCARTHY: The reason that I'm interested
13 in moving this item forward is its connection to the
14 sale of ammunition. And I think it becomes increasingly
15 difficult or impossible to protect our communities by
16 controlling ammunition for illegal weapons or weapons,
17 as Bernie mentioned, that may have been passed on that
18 don't become registered that you could go out and buy
19 ammunition for guns that you shouldn't have or aren't
20 legal to own. And I think that the two are very much
21 connected.

22 MR. SCHWARTZ: I fully support the broader --
23 what I hope will be a recommendation for registration of
24 all firearms.

25 And I would point out that if one of our goals

1 is the reduction of unnecessary firearm deaths, that
2 60 percent of firearm deaths are suicides and that
3 suicides occur with pistols, with rifles, and perhaps
4 with semiautomatic weapons. Actually, I'm not sure of
5 the degree to which they may be used in suicide. So I
6 would hope that our recommendation would include all
7 firearms.

8 MS. O'CONNOR: Yeah. I just want to ask for
9 clarification. I think I know the distinction, but I'm
10 not sure the panel does, between permitting and
11 registration.

12 So Bernie, do you want to clarify that for us?

13 MR. SULLIVAN: Yeah. The permit would be
14 issued for a handgun, the permit to carry, which is a
15 separate and distinct process.

16 The registration of the weapon, whether it's a
17 handgun or a long gun, would be simply to say: I own
18 this and properly register it with the Department of
19 Public Safety so that it's in a registry. It doesn't
20 necessarily require a permit to carry that gun hunting.
21 You could still follow all the standard hunting laws in
22 Connecticut. The permit to carry is separate and
23 distinct from the state registration.

24 MS. O'CONNOR: So to follow up on that, I
25 legally own a shotgun in the state of Connecticut. It's

1 in my home. If this were to pass, I would now need to
2 register it. And then I would not need a permit to then
3 go out and buy my 12-gauge ammunition, but I would need
4 my registration, as we're having this discussion, to
5 purchase my 12-gauge rounds. Correct?

6 MR. SULLIVAN: If it was put together
7 correctly, yes. You would register the weapon, you get
8 a certificate, and then you'd only be allowed to
9 purchase ammunition for that weapon which is registered.
10 So you wouldn't be able to have straw buyers of
11 ammunition for other parties.

12 MS. O'CONNOR: So given that distinction, I
13 think it's important -- regardless of do we charge
14 citizens to register their handguns -- I don't think
15 that that's really within our purview to have that
16 discussion.

17 But given the things that Bernie mentions, the
18 law enforcement standpoint and responding to a call,
19 responding to a domestic violence situation, there's
20 merit to supporting this. I think there's merit to
21 supporting it in terms of, you know, is there
22 opportunities to save lives in terms of what Hank was
23 mentioning as well.

24 So I've given it a lot of thought, too.
25 There's a lot of obviously dissenting opinions, but I

1 think at the end goal if we want to try to save lives
2 and keep guns out of the hands of people that don't need
3 them, I think I would support it at least advancing at
4 this point.

5 THE CHAIRMAN: An analysis of the data
6 certainly indicates that the overwhelming majority of
7 gun violence is handgun related, not related to long
8 guns or hunting types of weapons.

9 That being said -- and I think Mr. Chivinski
10 makes some very credible arguments.

11 That being said, I agree with Mr. Sullivan and
12 with Chief McCarthy that to create the broader web of
13 safe zones specifically for our law enforcement
14 officers, understanding what may be in a home during a
15 response is critical.

16 And linking ammunition sales to registered
17 weapons is a way that we can start to seize a little bit
18 more control of all types of gun violence, not just
19 those like the tragedy at Sandy Hook but also the type
20 of daily violence that we see in way too many of our
21 communities on a daily basis.

22 I would also endorse moving this item on. This
23 is not -- This body is not a body of unanimity. It is
24 not required. It is a consensus-based body.

25 Is there a consensus to move this item on?

1 Thank you.

2 Item 3 is a ban on any magazine or
3 ammunition-feeding device in excess of 10 rounds. Oh,
4 I'm sorry. There are actually two different lists. And
5 yes, I should go back through the list.

6 Item 3. Limiting the purchase of firearms to
7 one per month, was an item that did not gain consensus
8 last week. Do we want to revisit that item or leave it
9 off the list? We can leave it off.

10 4. A ban on any magazine or ammunition-feeding
11 device in excess of 10 rounds. This was again one of
12 the items that was identified as a priority by those who
13 identified priorities.

14 Discussion on this item?

15 Item 5. Ban on the sale of armor-piercing and
16 incendiary ammunition. We do have some additional
17 materials indicating that such sale or transfer does
18 constitute a Class D felony except that for a first time
19 violation, which is a Class A misdemeanor.

20 It does not appear by the statutory research,
21 at least to this point, that possession of such
22 ammunition is also a crime of any variety.

23 How does the panel want to proceed with this
24 item? The language as identified on the draft items is
25 already contrary to law. But do we want to suggest

1 changes to the law that's in front of you under Item 5
2 and in the governor's page here?

3 Ms. Flaherty?

4 MS. FLAHERTY: I don't know why somebody should
5 be possessing it if they're not law enforcement. So I
6 would suggest that what we should add is they should
7 consider adding possession.

8 But a ban on sale is already in the law, so I
9 would suggest that we consider changing our
10 recommendation, consideration, whatever we ultimately
11 decide at the end of the day, to be something about --
12 statement about possession of those items.

13 MR. SULLIVAN: The only thing I would change is
14 specify .50 caliber. I would take out the .50 caliber
15 and just make it armor piercing. That's it. Because it
16 wouldn't take too much to invent a .52 caliber bullet
17 tomorrow and a .52 gun and have it be armor-piercing
18 ammunition. That would no longer be prohibitive.

19 MS. FLAHERTY: I agree with that. I hadn't
20 even noticed that.

21 THE CHAIRMAN: Any other thoughts on this item?

22 Mr. Chivinski?

23 MR. CHIVINSKI: I think we need to do whatever
24 it takes with the law and changing the language to make
25 it so none of this appears -- none of these types of

1 ammunition appears in our state of Connecticut. It
2 shouldn't be legal in any way, state, or form, with the
3 exception of law enforcement.

4 THE CHAIRMAN: So we have recommendations to
5 add possession. We have recommendations to review the
6 limiting based on caliber.

7 There is also the first-time violation as a
8 Class A misdemeanor as opposed to a Class D felony. I
9 might recommend review of that as well.

10 Do we have consensus on those three items? We
11 appear to. Okay.

12 Item 6 is ammunition sales limited to permit
13 holders and only for registered weapons. Discussion on
14 that? Seeing none --

15 Oh, Dr. Griffith?

16 MR. GRIFFITH: Can somebody explain it because
17 I'm not quite sure? I mean, if your weapon is
18 registered, wouldn't you normally -- I'm not sure the
19 distinction. Somebody is trying to make a distinction
20 here. It's not clear to me what the distinction is.

21 MR. SULLIVAN: Right now you can go to a gun
22 store and you can buy whatever caliber ammunition you
23 want. This would say you can only buy ammunition that
24 would go with the gun that you have registered. So if
25 you registered a 12-gauge shotgun, you could only buy

1 ammunition for that 12-gauge shotgun.

2 MR. GRIFFITH: What does that have to do with
3 permit holders?

4 MR. SULLIVAN: Nothing. It is a separate
5 distinction. The registration, as I explained before,
6 is separate from permit to carry. Permit to carry is a
7 separate issue. This is just any gun has to be
8 registered and you can only buy ammunition for the gun
9 or guns that you have registered. You clearly
10 registered more than one gun.

11 MR. GRIFFITH: Right. Why is permit holders in
12 there? That's what --

13 MR. SULLIVAN: It probably shouldn't say
14 "permit holders." It should probably say --

15 MR. GRIFFITH: That's why I'm not
16 understanding.

17 MR. SULLIVAN: It says "permitted," not "permit
18 holders." That's probably a fine distinction. It
19 should probably say -- "registered individuals" would be
20 a better word to use. It says "sale of ammunition to
21 permitted individuals," meaning those who have
22 registered the guns. But I understand the need for
23 clarification.

24 So I would take the word "permit" out and just
25 say to individuals allowing -- comma, allowing the

1 purchase of ammunition for registered firearms only.

2 MS. O'CONNOR: Yeah. I think, again, it goes
3 back to my original trying to get clarification for
4 folks. I see the registration, as an example, for my
5 legally owned 12-gauge shotgun. My permit, my pistol
6 permit or my license to carry a firearm is related to
7 handguns. Correct?

8 So given that distinction, so if I own
9 a .357 magnum, if I go to the store to buy .357 magnum
10 ammunition, I'm going to produce my pistol permit, for
11 lack -- my permit to buy that ammunition. If I own a
12 12-gauge shotgun, I'm going to produce my registration
13 for that 12-gauge shotgun to buy that ammunition.

14 Correct?

15 MR. SULLIVAN: Yeah. Or they could opt to give
16 you a registration certificate for the other gun as
17 well. Because you can have a handgun in your house
18 without a permit.

19 MR. GRIFFITH: That's my point.

20 MR. SULLIVAN: You can register any gun. It
21 does not allow you to carry. So the distinction really
22 is if you want to carry a handgun, you have to get a
23 separate permit. But every gun has to be registered.

24 MR. GRIFFITH: So you would be buying -- you
25 can only buy something that is registered. You can only

1 buy for something that is registered?

2 MR. SULLIVAN: Exactly.

3 MR. GRIFFITH: So permit holder is really --

4 MS. O'CONNOR: Redundant.

5 MR. SULLIVAN: The buying of ammunition for
6 permits is irrelevant.

7 MR. GRIFFITH: That's what I was trying to get
8 clear.

9 THE CHAIRMAN: Miss Edelstein?

10 MS. EDELSTEIN: I do have a question, though,
11 going to the permit basis. I thought we had
12 discussed -- I'm just not seeing it on this list -- a
13 requirement to expand the permit requirement to all
14 guns, all types of weapons. Maybe we need just a
15 primer. Why would it be that only -- the permits are
16 only required in certain circumstances and not only
17 circumstances?

18 MR. SULLIVAN: You're allowed, by law, to keep
19 any gun in your house as long as it is a legal weapon.
20 You can't keep a machine gun, obviously. You can buy a
21 handgun, you can buy a rifle, you can buy a shotgun,
22 keep it in your home. You do not need a permit.

23 If you want to carry a handgun outside of the
24 home, then you must get a permit. If you want to go
25 hunting with a rifle outside your home, you don't need a

1 permit for that. You need a hunting license. That's a
2 different issue. So you would not give a permit to
3 carry all weapons. The permit is only to carry
4 handguns.

5 The registration is for all guns. They all
6 have to be registered. But if you want to then carry a
7 handgun on top of owning it, you must get a permit.

8 MS. EDELSTEIN: Why wouldn't we want to
9 recommend expanding the permit requirement and extending
10 it to other types of guns?

11 MR. SULLIVAN: Because then you really prohibit
12 the legal and primarily safe issue of people going
13 hunting. People go out hunting in the state of
14 Connecticut, the gun would have to be registered under
15 the new system, but we don't require permits.

16 I don't think that we even considered that
17 because I don't think there is any history that shows us
18 that those are the weapons that are causing the problems
19 that we're dealing with in our discussions here.

20 We're talking about the unfortunate incident of
21 Newtown, of the 20 little children, which I hope we
22 remember all day long as we have this discussion, and
23 we're also talking about the people that get killed on
24 our streets every year. The City of Hartford loses 25
25 people. That's what we're talking about.

1 We're not trying to stop people from hunting.
2 You can't go shoot Bambi with a 30-round magazine
3 because you're going to make Swiss cheese out of Bambi.
4 There's already regulations in Connecticut you can only
5 shoot a deer with a shotgun.

6 Certain guns are more dangerous than others.
7 If you want to carry a handgun, you must get a permit
8 for it because that's more dangerous because of its high
9 concealability. I don't have one with me, but you can
10 wear a handgun and nobody knows you have it. Chief
11 O'Connor is in civilian clothes today. She's go her
12 handgun on. You'd never even know it. You should.

13 That's the distinction we're trying to set. We
14 don't want to bother hunters or people that are
15 legitimate.

16 MR. GRIFFITH: Just seeking clarification about
17 that, then, so a hunter could go out with a weapon that
18 is registered to someone else. Is that correct?

19 MR. SULLIVAN: That's an interesting question.
20 That's probably something we didn't cover and we may
21 have to add that. But yeah, he could, as long as the
22 gun is legally registered.

23 And I'm not so sure we want to get into that
24 because friends go hunting a lot, twos and threes. And
25 if they exchange weapons while they're out hunting, I

1 don't know that we want to be that stringent.

2 As long as the gun is legally registered at the
3 time to someone, but that's a matter of discussion
4 beyond what we've talked about here.

5 MR. SCHWARTZ: So I guess the question I would
6 ask or highlight -- I'm not suggesting a viewpoint about
7 it, just to put it out -- is that an individual could be
8 on the street with a firearm, a rifle, that is not
9 connected through any kind of registering or permitting
10 system to him or her? The gun might belong to someone
11 else. A gun might belong to his mother, and the person
12 could be out either hunting or on the streets with it,
13 with no legal traceable connection. Is that correct?

14 MR. SULLIVAN: Well, the gun would be traceable
15 to the registered owner.

16 MR. SCHWARTZ: But not to the person?

17 MR. SULLIVAN: Right. And I'll be honest, it
18 is not something I thought about because it's not an
19 area I looked at in terms of the outcomes that we're
20 trying to prevent. We're trying to prevent
21 outcomes primarily that somebody can fire a lot of
22 bullets and kill a lot of people easily and efficiently.

23 I didn't think of that. It might be something
24 we want to consider. But I'm not so sure we want to get
25 that deep into it because the chance of somebody -- once

1 all weapons are registered, then even if I'm carrying my
2 mother's shotgun, it's going to be registered to my
3 mother so it's going to be easily traceable to her.

4 If she passes away, I can't have that gun any
5 more because it has to be transferred to me and then it
6 gets registered to me.

7 I'm not sure we want to get into that depth on
8 long guns, but it may be. It's up to the commission. I
9 didn't take it that heavily into consideration because
10 it didn't tie into our objectives.

11 MR. SCHWARTZ: I guess I would just point out
12 that the incident that has just played out and was in
13 the newspaper this morning of a man who I believe
14 killed, murdered four people and wounded two others
15 before being killed in a shoot-out with the police,
16 murdered those people with a shotgun, if I'm not
17 mistaken.

18 MR. SULLIVAN: The body may decide it's worthy
19 of consideration and add language to prohibit anybody to
20 use a weapon that's not registered to them. You can put
21 that language in. That's up to the body.

22 MR. CHIVINSKI: Having grown up in Pennsylvania
23 and having not hunted in quite some time, when I went
24 through my hunter safety course and began hunting, it
25 was at a very relatively young age. You're talking 13,

1 14 years old. I don't see how you're going to register
2 guns to minors. It would be registered to the adult in
3 that home.

4 Again, we decided to move forward with the
5 registration. I made my positions known. I don't
6 believe that's the problem here. I believe
7 military-style, semiautomatic weaponry is the problem.
8 That's crazy. Armor-piercing bullets, crazy.
9 Traditional hunting weapons I just don't see as the
10 issue.

11 MR. GRIFFITH: But I just wanted to sort of
12 restate this to be sure I'm clear in my head. The
13 registration, Bernie, doesn't really inhibit in any way
14 the business of hunting, if I follow it.

15 Registration, all that does is makes it
16 registerable. That's all. I just want to be sure I get
17 that. I mean, is that right or am I missing something?

18 MR. CHIVINSKI: When I scanned the states in
19 the United States for registration of, I guess you would
20 call it, long guns, the only places I found -- and I
21 could be wrong -- that had that type of registration
22 system were New York City, Washington, D.C., Chicago,
23 and I believe Hawaii. I think it's a significant step.

24 MR. SULLIVAN: To answer your question, it does
25 not inhibit hunting. I look at it like registering a

1 car. That's probably the best analogy. The car is
2 mine. My brother drives the car. If he has a problem
3 when he drives the car, it comes back to me. They trace
4 it to me. Maybe that's a simplistic way to look at it.
5 At least they can trace it to a registered owner who
6 then has to explain, where was my car today, where was
7 my gun today. It doesn't stop anybody from hunting.

8 MS. EDELSTEIN: Just a quick clarification back
9 on the permitting, isn't the driver's license akin to a
10 permit? So your brother can drive your car even if it's
11 registered to you because he has a driver's license,
12 which would be akin to having a permit for a gun.

13 MR. SULLIVAN: Yeah. In Connecticut he
14 couldn't use my gun to go hunting unless he had his own
15 driver's license. But he could walk down the street
16 with it. And that's something that the panel might want
17 to add.

18 I don't personally -- from looking at all the
19 research that we have, I don't think that that's a real
20 high-level issue.

21 I think the more important issue is that
22 firearms are registered. So at least the police, A,
23 know when they go to a location where there is a
24 probability of a firearm being there.

25 B, in the event a firearm is discovered at the

1 scene of a crime, it could be traced back to a rightful
2 owner and the investigation can be conducted
3 accordingly.

4 If the commission wants to go further, that's
5 not my call. But I think that registration is an
6 important basic step. I think that's the important
7 thing. And then maybe other things happen after the
8 fact or we add on. But I think registration is very
9 important just by itself.

10 MS. FORRESTER: I just want to have a
11 clarification on the background check. It would occur
12 at the registration and also in the permit?

13 MR. SULLIVAN: It would be the same system you
14 use now when you go to a store and get a handgun. You
15 have to register the long gun the same way, and then it
16 would be run through the system that the state police
17 use. Emergency services and public protection. The
18 same system of background checks.

19 THE CHAIRMAN: There are millions of weapons in
20 the state of Connecticut right now, firearms, most of
21 them lawfully held, stored safely, and utilized in
22 appropriate fashions, including hunting and sports
23 shooting.

24 Those activities are frequently done as part of
25 a group. And as part of that group ethic, there is the

1 trading of firearms: Oh, let me see how that one works.
2 Let me try that one out.

3 I would not endorse moving ahead with anything
4 that indicated that only the registrant of a firearm
5 could utilize that firearm. I just think there are too
6 many circumstances under which it really impinges upon
7 the way that people have lived their lives for hundreds
8 of years.

9 So back to the -- back to the item, which is
10 the ammunition sales for registered firearms eliminating
11 the confusion of the permit holders there.

12 Are we -- Chief?

13 MS. O'CONNOR: I just don't see the harm of
14 keeping both in as a requirement. I think it just sends
15 a clear message to be able to purchase ammunition. You
16 know, there's a higher bar. We're sort of setting --
17 Right now, there is no bar. You can go in and buy it.
18 We're sort of setting a higher bar.

19 I'm not opposed to keeping both in there for
20 that purpose, I guess. But if it's redundant, I can
21 live without it.

22 MR. GRIFFITH: Could you clarify, please?

23 THE CHAIRMAN: Because not all weapons require
24 permits, the language "permit holders" and "only for
25 registered firearms" is a little bit confusing.

1 So the thought was we'll eliminate the permit
2 holders. To go to what Chief O'Connor just indicated,
3 perhaps the solution is to say "permit holders or"
4 instead of the "and."

5 Ms. Flaherty?

6 MS. FLAHERTY: The only suggestion I would say
7 where you wouldn't want to say the "or," though, is that
8 people then theoretically might be buying -- might be
9 doing this -- not that people do, but you might be
10 bringing up that straw buyer question because you really
11 should only be buying ammunition for a weapon that you
12 have.

13 So I think we really -- I think that probably
14 was the reason you had the "and," had both things in
15 there and had the "and," because you'd either be buying
16 ammunition for a weapon that you own, but some weapons
17 don't require, you know, a license or whatever or don't
18 require the permit. So that way you're covering all
19 situations.

20 Once all the weapons are registered, some
21 things you might not require a permit for. But this way
22 we cover all the bases. We can let the legislature
23 figure out exactly how they need to write that statute
24 to cover everything.

25 MR. SULLIVAN: I don't disagree with what she

1 says about that because on a permit they don't tell you
2 what kind of gun you have. So it really doesn't limit
3 the type of ammunition by the permit. If you want it,
4 that's fine. I think the registration is the important
5 part.

6 THE CHAIRMAN: Okay. So we'll work on the
7 language on that with the understanding that it's got to
8 be clear, what the intent is, and recommend certain
9 specific wording based upon that.

10 Item 7. Prohibit the sale of any firearm
11 capable of firing more than 10 rounds of ammunition
12 without reloading. This is a change in definition
13 specifically regarding assault weapons.

14 Mr. Sullivan, do you want to walk us through
15 this one?

16 MR. SULLIVAN: Yeah. I mean, historically
17 assault weapons have been defined by the way they look,
18 not by the way they function.

19 So when you passed the previous assault weapons
20 ban, they could tweak the way the weapon looked and it
21 would no longer be covered under that ban for assault
22 weapons, like take off the banned attachment or some
23 cosmetic thing.

24 I believe that if we're serious about banning
25 assault weapons, A, it shouldn't just cover long guns.

1 It should also cover handguns because the weapons of
2 choice in the urban environment are primarily the
3 9-millimeter Berettas, Sig Sauer, whatever you want to
4 call them, that have high-capacity magazines that can
5 fire 17 or 18 bullets without reloading because of the
6 magazine.

7 The gun manufacturers have managed in the past
8 to find a way around anything that's put out there by
9 the description of the way something looks to reinvent
10 it.

11 I just think that -- And knowing that whatever
12 we recommend at some point will be negotiated down the
13 road because all we can do is recommend. And it will go
14 to the governor. It goes to the legislature. There
15 will be legal reviews and financial reviews and all
16 that.

17 So I just personally -- and it's me -- I think
18 we should take a hard stand on firearms in this country.
19 And it is a hard stand. And I admit it.

20 But when you look at the number of guns that
21 are in this country as compared to gun ownership in
22 other countries and we hear the famous phrase "guns
23 don't kill people, people do," well, there's -- I really
24 think we need to get the gun culture in our society
25 changed. It's long overdue.

1 THE CHAIRMAN: Before I go on, I do want to
2 point out on page 2 of the handout you received this
3 morning there are two -- there's language as to how
4 other states define "assault weapon." You see the
5 Maryland definition as well as -- or a proposed Maryland
6 definition and California definition to give some
7 context as to how they're different from this proposal.

8 Dr. Griffith?

9 MR. GRIFFITH: I'll try to pursue my own
10 private education on this matter at the expense of the
11 commission.

12 So help me understand the lecture we had
13 before. You're talking about can shoot 10 rounds. So
14 how many methods are there for getting the bullets into
15 the weapon? The weapon itself can hold more than 10
16 without talking about -- I guess I must have -- I
17 thought you needed a clip or you needed a magazine.

18 So just clarify that one simple point for me.

19 MR. SULLIVAN: There's also what's known as
20 tube feeding. The Winchester .30-30 is an example, and
21 there are shotguns that feed through a tubular mechanism
22 that's not called a magazine. There's no doubt in my
23 mind that it wouldn't take too much of a genius in a gun
24 shop to fix a tubular magazine -- I think the
25 Winchester 33 holds, what, 15? Don't hold me to that.

1 It's a tubular feed. It's not a magazine. It's not a
2 clip. It's a tubular feed.

3 MR. GRIFFITH: It's a tubular feed, but it's
4 not really in the stock of the weapon itself.

5 MR. SULLIVAN: It's right along the barrel.
6 Yes, it is. It's there. The bullets are there. You
7 don't have to put more bullets.

8 MR. GRIFFITH: I understand.
9 Can you disengage that from the weapon?

10 MR. SULLIVAN: No.

11 MR. GRIFFITH: So that's part of the weapon
12 itself?

13 MR. SULLIVAN: Right.

14 MR. GRIFFITH: So that's what you're aiming at
15 there?

16 MR. SULLIVAN: Right. And in any future
17 invention somebody might come up with to get around the
18 law by saying, well, it doesn't look that way, so I can
19 do it this way. A tubular feed is just an example of
20 what's out there now.

21 MR. GRIFFITH: The point I'm trying to make
22 clear in my head is that we're trying a bifurcated
23 approach here.

24 For those that require a clip or a magazine,
25 you want to make sure the magazine also doesn't carry

1 more than 10. Right?

2 MR. SULLIVAN: Right. We have both issues.

3 MR. GRIFFITH: Right. That's what I'm saying.
4 I'm just trying to make sure that we're trying to cover
5 all the holes.

6 MR. SULLIVAN: Yes.

7 MR. GRIFFITH: So for those that require a clip
8 or a magazine, you don't want the clip or the magazine
9 to be feeding more than 10?

10 MR. SULLIVAN: Correct.

11 MR. GRIFFITH: For those that have a built-in
12 mechanism, that's what this is for, the ones with the
13 built-in mechanism, that you want it less than -- you
14 want it 10 or less?

15 MR. SULLIVAN: It's actually a little stronger
16 than that. What I'm suggesting is the weapon should be
17 fitted so that a magazine wouldn't fit in that weapon
18 that would hold more than 10 rounds.

19 We can tell you you can't use a magazine with
20 more than 10. That doesn't mean somebody is not going
21 to take a magazine with 30 and put it in there. I just
22 think that the gun manufacturers are probably smart
23 enough where they can adapt a weapon and a new type of
24 magazine that fits it so that we don't have the issue
25 any more of being able to put anything in there other

1 than 10 rounds, whether it's a magazine, tube feed,
2 whatever.

3 MS. O'CONNOR: So I just want to clarify what
4 this means. I get the fact that we want to say 10
5 rounds, that's it.

6 So if I currently own a Glock .40 capable of
7 carrying more than 10 in its current magazine, as I
8 interpret this, that gun would become illegal.

9 MR. SULLIVAN: Yes, it would.

10 MS. O'CONNOR: And that's where I just think
11 it's a little too far-reaching. We're going to tell
12 thousands of citizens in the state of Connecticut who
13 currently own -- again, I'll use myself as an example.
14 I own a Glock .40 capable of carrying more than 10
15 rounds. I can live with as a citizen in the state of
16 Connecticut that you're now going to tell me you can
17 only put 10 and the magazine has to be adjusted and
18 that's it.

19 So to me, it's just too far-reaching. In
20 effect by saying 10 rounds, that's it, then I can keep
21 my current gun that I own legally. It can only have 10
22 rounds. That's the only kind of magazine that can go
23 into it versus the current 16, 17, whatever they fit.

24 And that's what I struggle with, Bernie, is to
25 say I legally own something that carries more. You're

1 telling me I can only have 10. Okay. Great. I can
2 live with that.

3 Now you're going to tell me that my gun that I
4 purchased legally, not ever thinking it was a assault
5 weapon, is going to be retroactively classified as an
6 assault weapon and now I can't legally possess it.
7 That's what I struggle with with this definition. And I
8 think most people don't understand that.

9 I think we get to the point we need to be at by
10 saying 10 rounds, that's it. I get the fact that the
11 whole -- in the current legislation, the proposal about
12 defining "assault weapon" is very complicated. And if
13 you say you can't have a pistol grip, then they slightly
14 modify it and call it something else and now that gun
15 becomes legal. I understand our struggle and our
16 conversation. I just think it goes a little bit too
17 far.

18 And what am I to do with my Glock if this were
19 to pass and become law? I can't leave my home with it,
20 is what you're saying. I can own it in my home or I
21 couldn't even own it in my home?

22 MR. SULLIVAN: There would probably be a grace
23 period where you could sell it out of state. I'm taking
24 a very hard position because I use the word "need." And
25 we heard from Dr. Campbell about the danger of guns in

1 the home.

2 We know that even less capacity guns are
3 dangerous. Having a gun in the home is worse than not
4 having a gun, by all the research they've done.

5 So my feeling is this way: If you don't need
6 that, then what's the problem with it becoming illegal?
7 We differ. And that's fine. I respect that.

8 You bought it when it was legal. There are a
9 lot of things -- Marijuana has become legal in some
10 aspects. You bought it when it was illegal, it was
11 illegal. That's it.

12 I just think we need to take a very hard
13 position on guns. And we need to think about those 20
14 kids and those school teachers every time we debate
15 these issues because that's what we're thinking about.

16 Now, can I have a bigger gun in my home that
17 makes me feel different about protecting myself when I
18 know in reality it's not going to help me. I just feel
19 very strongly about it.

20 MS. O'CONNOR: I respect that, although the
21 logic is reversed because marijuana was always illegal
22 and then became legal versus a gun that's legal and now
23 becomes illegal.

24 Logically, if that's the stance, Bernie, which
25 I can respect, then logically it seems to me that if

1 that's our stance, then all guns should become illegal.

2 I think we cover what we need to cover on those
3 issues by saying 10 rounds. That's it. And oh, by the
4 way, you have it in your home regardless of the age of
5 the people in the home. You got to have a locking
6 mechanism, which will get to the point. And that was
7 the MD's recommendation, as I recall. You're going to
8 have these guns in the home, they have to be locked.
9 And that's going to prevent, in my opinion, those two
10 issues we seek to solve.

11 MR. SCHWARTZ: Given that we don't want police
12 officers to be outgunned by people who are carrying
13 illegal weapons, which I think we can anticipate surely
14 will continue to happen, would police officers be
15 exempted from the ban on possessing the type of weapon
16 that Barbara was referring to?

17 MR. SULLIVAN: Police and military would be
18 exempt.

19 MS. O'CONNOR: I'm not raising this issue as
20 Barbara O'Connor, chief of police. Citizen -- I'm
21 raising it for the citizens who currently possess legal
22 guns. My personal opinion aside. I just use that as an
23 example.

24 So when I raise the issue, I'm not raising it
25 as a police officer. I'm raising it as what would the

1 citizens think.

2 MR. MCCARTHY: In that regard, Chief, for your
3 Glock .40, is it capable of accepting a magazine limited
4 to 10 rounds?

5 MS. O'CONNOR: I think it could be.

6 MR. MCCARTHY: So if it is, we are not making
7 your weapon illegal. We're making the magazine
8 incapable of holding more than 10 rounds. So we're not
9 disenfranchising gun owners who at their expense
10 purchased a gun legally. What we're saying is that from
11 this point forward, they can only purchase and own a
12 magazine capable of holding 10 rounds.

13 So I think the impact, although it might be
14 emotional, is fairly limited on existing gun owners.

15 THE CHAIRMAN: The way that I read this, Chief,
16 it does make that weapon -- it's prohibit the sale of
17 any firearm capable of firing more than 10 rounds of
18 ammunition without reloading. So the magazines are
19 addressed earlier, but this addresses the weapon itself.

20 MR. SCHWARTZ: But it doesn't address ongoing
21 possession of weapons that are currently held. I mean,
22 it would seem to me it would have to say "prohibit the
23 sale and possession of any firearm capable of firing
24 more than 10 rounds."

25 What about Barbara, if she's just a citizen,

1 not a police officer, has this Glock with a capacity for
2 40 rounds? If we're just prohibiting the sale, she
3 could keep that weapon, could she not?

4 THE CHAIRMAN: There is a larger issue of
5 grandfathering that we need to address as a more
6 comprehensive question at the end along with the
7 recommendations versus suggestions.

8 But it does -- I think you're right. If you
9 strictly read the words on the page, I believe you're
10 right.

11 MR. GRIFFITH: I think we would want to say
12 "sale and possession" if we were pursuing the point that
13 Bernie was making.

14 MS. EDELSTEIN: I agree. I think we had looked
15 at some drafts that talked about sale and possession and
16 sale and ownership of guns, and it ties to the
17 registration as well. That would be the key to
18 enforcement.

19 MR. MCCARTHY: Whether they're long guns,
20 assault rifles, handguns, I don't think when we
21 discussed this we were attempting to make the weapon
22 illegal to possess. We were -- The discussion that I
23 recall was based solely on its ability to fire without
24 reloading and putting some limit on that.

25 So we would run into a challenge, as this

1 discussion is suggesting, of making whole classes of
2 weapons illegal. And I don't think that that was the
3 intent. I think the intent was limit of 10 rounds.

4 There are a number of weapons that you could
5 buy magazines and states where those magazines would
6 still be legal. And that certainly is a loophole.

7 But in the state of Connecticut, it would be
8 illegal to buy and possess magazines capable of 10
9 rounds regardless of whether they -- whether the weapon
10 itself was capable of holding a magazine of a higher
11 capacity.

12 MR. SULLIVAN: To be honest with you, it was my
13 intent to make it illegal to possess a weapon that was
14 capable of firing more than 10 rounds without reloading.
15 The magazine issue was a separate issue. That was my
16 intent. That doesn't mean the body has to agree with
17 it, but it was my intent.

18 MR. CHIVINSKI: I'll go back to my idea of
19 crazy. I'm against crazy. I'm against owning a
20 chimpanzee, a lion, or a tiger in the home because it's
21 crazy. I'm also against owning a nuclear weapon, a
22 missile launcher, or any other weapon of mass
23 destruction because it's nuts.

24 On March 1st when they came in and laid out a
25 whole bunch of guns, I saw a whole bunch of crazy.

1 Specifically when they took out the Glock and showed you
2 could put in a 30-round clip and then an extended
3 40-round clip, that was just unbelievable to me.

4 But owning the gun, call it a Glock, that could
5 accept 10 rounds, that doesn't seem crazy. And there
6 are plenty out there of our citizens that do now -- that
7 do own that.

8 I think we could move forward with consensus if
9 we want to send a clear message. And it's being called
10 from in a lot of different places out there for limiting
11 it to 10 rounds. But to say that it can't accept
12 something more, I don't think we're there.

13 THE CHAIRMAN: One of the things that spurred
14 this particular item was looking at a different type of
15 a definition of "assault weapon." I think we need to
16 keep that in consideration.

17 If we don't want to move on this item as
18 written, do we want to analyze a different definition of
19 "assault weapon"?

20 Now, we know what the challenge has been in
21 defining it by form rather than function. It's my
22 opinion that this language is too broad; however, I do
23 not want to leave this item without going back to its
24 impetus, which was this notion of assault weapon.

25 So can we talk a little about assault weapons

1 and, to borrow my phrase, Mr. Chivinski's phrase, what
2 is crazy.

3 MR. CHIVINSKI: Thank you. Well, we have in
4 front of us language from Maryland and California
5 regarding this. Going back to what was in front of us
6 on March 1st and what bothered me was that you could
7 have two of this and one of that and three of this and
8 four of that. And that is defined as an assault weapon.
9 But then the manufacturers go and make small tweaks, if
10 it looks like a duck and walks like a duck and acts like
11 a duck.

12 I think the intent should be to limit those
13 types of weapons as much as reasonably possible. So I
14 think we should take a hard look here at some of the
15 language put before us.

16 MS. FLAHERTY: Can I just really ask that we
17 try to refrain from using words like "nuts" and "crazy"
18 to discuss things that are bad ideas? I'd appreciate
19 that.

20 And I definitely think that we need to look
21 very carefully at the definitions that are currently
22 being used in Connecticut to define assault weapons and
23 look at language that's been used in other states.
24 Because the menu option in Connecticut which gets
25 tweaked -- where designs can just get tweaked by

1 manufacturers to get in compliance with the law so a gun
2 can become legal that looks really exactly like an
3 illegal gun and does the same thing functionally in
4 terms of legality is, I would imagine, incredibly
5 frustrating for law enforcement, if not all of us.

6 And you know, I too think that as described
7 it's -- what we have here might be too broad in terms of
8 what it captures. But we're also just putting forward a
9 recommendation which other people might have to work
10 with as they go forward.

11 And I think it might be very important for us
12 to take a really strong stance. I was talking with the
13 chief before we met. And if you look at a car, cars are
14 manufactured that can go 90 miles an hour, 160 miles an
15 hour. If you look at that, technically does that make
16 every car illegal? No, it doesn't, but they're capable
17 of going that.

18 So I don't really think that using that
19 argument -- that's an argument that might -- they might
20 try to use. So I don't really think that that's
21 saying -- taking that approach really makes every gun
22 illegal. We're just saying it's capable of taking that
23 because we think that guns should not -- these kind of
24 guns should not be used because they're a bad idea.

25 MS. FORRESTER: Thank you. I guess the memory

1 of the chief from Newtown who said every barrier, every
2 second counted, is what I keep in mind in thinking about
3 this. And I'm certainly not educated around guns.

4 I have a clarification question. If your gun
5 has the capability of shooting 30 rounds, could there be
6 an adaptation that could be made that would make it just
7 10 rounds to be shot? I mean, I understand you could
8 only put 10 bullets in would be one way. Correct?

9 But is there an invention that could be made
10 that would limit a gun that is capable of more that
11 would be required, if it was owned in the state of
12 Connecticut, to be adapted?

13 MR. SULLIVAN: First of all, I'm sure the gun
14 manufacturers who have been clever enough to make
15 attachments, et cetera, to make it look different so
16 it's not an assault weapon any more can probably come up
17 with some kind of thing that they could insert into the
18 feeding portion of the gun to solve that problem. I
19 don't want to beat a dead horse.

20 There are two things I want people to bear in
21 mind as we debate this issue, consider it, whatever
22 words we want to use, that: One, the need. What do
23 people need to have in firearms?

24 And second, when we say "assault," what does
25 that word mean when you say assault weapon and define it

1 as being different from another weapon?

2 In my mind, the "assault" moniker means it is a
3 weapon of firing a lot of bullets very quickly because
4 they're supposed to be used by the military or the
5 police when they're trying to overcome an objective.

6 We know that in police shootings, trained
7 professional police officers where they're shooting at
8 moving targets probably have a hit rate of 20 percent
9 and a miss rate of 80 percent.

10 My whole thing here is the more bullets that
11 somebody can shoot, the more danger there is to our
12 society. Now, how we define it, how we wrestle with
13 that bear, we have to. But I don't think we can walk
14 away from that because as long as there are weapons out
15 that that can fire that many bullets that fast, it just
16 means there is that much more danger to our society.

17 MS. EDELSTEIN: I wonder if we can break the
18 Item 7 into two sentences or two different points. So
19 one is prohibit the sale and ownership of -- of more
20 than -- any magazine or clip, I guess, with more than 10
21 rounds of ammunition. And then the other is the
22 language about prohibit the ownership or sale of any
23 firearm.

24 So we're distinguishing the purchase of the
25 ammunition and distinguishing the sale and ownership of

1 the guns just because we've got two conversations going
2 here.

3 And I think we would have some kind of
4 uniformity or unanimity about purchasing ammunition in a
5 stock of more than 10. But the gun seems to be the
6 debate issue here.

7 THE CHAIRMAN: Well, it seems like -- are you
8 talking about the magazines or the ammunition in a
9 different way than is in Item Number 4?

10 Dr. Schwartz?

11 MR. SCHWARTZ: Back to Bernie's last comment, I
12 don't think that you're beating a dead horse. I agree
13 that -- I don't see why anyone needs a weapon that can
14 fire more than 10 rounds in rapid succession.

15 I understand the approach of trying to get at
16 it through the definition of assault weapon, but we keep
17 hearing that anyplace and anytime that that's been
18 tried, weapons manufacturers are able to make
19 adaptations that get around any static definition of an
20 assault weapon.

21 I guess I would argue that if we have weapons
22 that can take more than 10 rounds, they will be used.
23 Even if we recommend a statute that would limit their
24 use to 10 rounds, they will be used. They will be used
25 in the most horrific instances. They'll be used in

1 street crimes.

2 But if we ban the possession of such weapons,
3 over time the presence of such weapons in Connecticut
4 will diminish. Even if that's not the case throughout
5 the country, it will diminish. And I think that the
6 public safety issues are paramount.

7 I understand the imposition on gun owners who
8 would have to ultimately sell these weapons or dispose
9 of them in some way, but in the face of what I consider
10 to be the larger public safety issues, I think that's
11 the direction I'd like to see us go.

12 MR. CHIVINSKI: Reviewing the California
13 language in front of us, it's clear under 12 276.1A and
14 the one beneath it that it takes it down to the capacity
15 to accept a detachable magazine in just any one of the
16 following.

17 Correct me if I'm wrong, but current language
18 is any two of the following. And that's one of the
19 biggest go-arounds that we have. Correct?

20 MR. SULLIVAN: Just briefly, in my mind, I
21 don't have any go-around because all this is talking
22 about is cosmetics. I think cosmetics should have no
23 bearing on how we define an assault weapon. Whether
24 it's one or less, it still fires the same number of
25 bullets in the same amount of time. That's what, to me,

1 defines an assault weapon.

2 MS. FORRESTER: The recommendations are
3 relatively technical. And I was wondering if maybe we
4 could consider having a -- maybe a recommendation that
5 might be more philosophical also.

6 Right now we're sort of addressing magazine
7 numbers. And I think that that's important. But I
8 wonder if maybe we could consider having language around
9 the philosophy of -- maybe a consensus agreement on the
10 philosophy of assault weapons.

11 I don't know. It just seems to me that the
12 legislation has a very -- what becomes rather than a
13 discussion around the need that Bernie is suggesting, it
14 becomes sort of is it 10? is it 15? does it have a
15 bayonet? does it not? And it becomes -- the adjustments
16 in the legislation become very philosophical -- very
17 technical. And I just wondered if we can make a strong
18 recommendation from a more generalized way and then add
19 other recommendations.

20 And I'm sorry if this is a vague communication,
21 but I . . .

22 THE CHAIRMAN: Do you have any thoughts as to
23 what that philosophical statement might be?

24 MS. FORRESTER: No, but I'll think about it and
25 I'll get back.

1 MR. GRIFFITH: I'm back to trying to keep my
2 simplicity honed, so I follow.

3 We've already dealt -- we've already dealt in
4 Number 4, Bernie, with the issue of the magazine.
5 Right? So we don't need to keep bringing that back into
6 the conversation, if I follow procedurally what we've
7 done so far.

8 MR. SULLIVAN: Right. The idea of the gun is
9 separate.

10 MR. GRIFFITH: Right. So now we're talking
11 just about the gun. And let me rehearse this again.
12 You're saying all the language, for example, under the
13 California statute gets us away from understanding the
14 most basic thing that you're trying to reach.

15 And the basic thing that you're trying to reach
16 doesn't have anything at all to do with all of these
17 fashion elements relating to the weapon. It has to do
18 with the basic thing that has to do with the power of
19 the weapon to carry and shoot more than 10 bullets.

20 Am I right?

21 MR. SULLIVAN: Yes, that's correct. The
22 California thing is all the cosmetic stuff.

23 MR. GRIFFITH: That has nothing to do with the
24 power thing that you're trying to get at.

25 MR. SULLIVAN: Exactly.

1 MR. GRIFFITH: I'm trying to straighten it out.
2 All we're struggling with here now is this whole
3 business -- as I try to get straight in my head before,
4 we're talking about the capacity of the stock itself,
5 this weapon, to hold and fire more than 10 bullets?

6 MR. SULLIVAN: No. It could also -- we don't
7 want to be able to take a magazine and fire with it.
8 We're prohibiting the magazine, but we want the weapon
9 manufactured in such a way that after 10 rounds it won't
10 fire any more.

11 MR. GRIFFITH: But that's a basic modification
12 in the capacity of this thing you hold in your hand.
13 Right?

14 MR. SULLIVAN: Yes.

15 MR. GRIFFITH: Okay. So can you accept -- can
16 you accept that?

17 MS. O'CONNOR: Again, whether I accept it or
18 not is somewhat irrelevant. Again, my only concern is
19 the folks who purchased a handgun, a semiautomatic
20 handgun, that at the time they purchased it, it was a
21 completely legal -- what do most of them carry, Bernie,
22 16 in the magazine?

23 MR. SULLIVAN: One has only seven in the
24 magazine and one in the chamber, eight shots total.
25 They do have a smaller version. But a lot of them do

1 carry 16 to 18.

2 MS. O'CONNOR: So the average handgun,
3 semiautomatic pistol that people are buying, there's a
4 lot of them out there with 16-round magazines.

5 And when they purchased them, they didn't
6 purchase a semiautomatic -- I mean they didn't purchase
7 an assault weapon. They just purchased an average
8 semiautomatic handgun. And we're going to tell those
9 folks that those guns are now illegal.

10 If as a commission we're okay with that, I'm
11 fine with that. I'm just saying, to me, I struggle with
12 that a little bit.

13 And quite frankly, I'll go back to my point,
14 maybe it's an issue of all handguns, 10 rounds, 15
15 round, 16 rounds. It's an issue of handguns, whether
16 they carry one bullet or 16, which is the doctor's
17 point. And maybe they should be eliminated completely,
18 but we won't make that recommendation because it's too
19 far sweeping.

20 So all I'm suggesting is where is that bar?
21 And if we want to settle with 10, then there's going to
22 be lots of people in the state of Connecticut that are
23 going to have to deal with these weapons they purchased.

24 And I think most of the folks on this panel
25 don't understand, as you struggle, Doctor, with

1 understanding, you know, what that means.

2 And I just think that that's something we have
3 to consider as we go about our deliberations is all I'm
4 suggesting ultimately.

5 MR. GRIFFITH: If I follow, nevertheless, the
6 thesis that you're putting forward, Bernie, you're
7 saying somebody is going to suffer in this deal.

8 MS. O'CONNOR: Yeah, I think so.

9 MR. GRIFFITH: So where you're drawing the
10 line, we're not saying do away with all guns. So we
11 will be avoiding that fight. But you're saying we've
12 got to fix it on this whole issue of the volume capacity
13 of the basic weapon itself, in addition to fixing a
14 limitation on the capacity of the magazine and the
15 clips. Is that right?

16 MR. SULLIVAN: That's exactly what I'm saying.

17 THE CHAIRMAN: It seems that we have some
18 fundamental questions as to how to proceed here.

19 We have this issue of firearms, be they
20 handguns, be they long guns, be they so-called assault
21 weapons. We have this issue specifically as it relates
22 to assault weapons whereby cosmetic changes invalidate
23 in large measure many of the assault weapon definitions
24 that have been established.

25 So I would actually like to take

1 Miss Edelstein's advice and break this into some more
2 manageable parts.

3 And so the first part is, do we care to break
4 assault weapons out from this larger universe of
5 firearms? Is it the consensus of the panel that we need
6 to do something with assault weapons as a separate
7 subject?

8 Chief?

9 MR. MCCARTHY: I think our attempt is to change
10 the culture and reduce the lethality of weapons and to
11 break the chain at some point and reset that bar at 10.
12 And I don't think it makes a difference whether that's a
13 long gun or a handgun.

14 And in my opinion, and as we've heard and
15 talked about in our city streets, the handguns that have
16 that capacity pose a greater risk every day than some of
17 the more rare but more noteworthy events using assault
18 weapons.

19 So I would not recommend or advocate changing
20 our approach that we treat it as a lethality issue and
21 not a style issue.

22 MS. FLAHERTY: I think that would be the
23 philosophy statement that I was suggesting as a
24 recommendation. Something very simple like "It is the
25 commission's opinion to change the culture and reduce

1 the lethality of weapons" as a statement.

2 MS. EDELSTEIN: Well, in the draft we're
3 looking at, the term "any firearm" really encompasses
4 all different kinds of weapons, and it does take us out
5 of that cosmetic variation.

6 So I would support maybe the philosophy but as
7 well as talking about specifically any firearm as we're
8 describing, our message or decision here.

9 THE CHAIRMAN: So moving forward on this item,
10 understanding that or identifying that it appears to be
11 the consensus of the panel that hyperfocus on a style of
12 weapon is inadequate and that we're, in fact, looking
13 more at culture and issues of lethality, are we prepared
14 to move forward on this item as it exists?

15 Again, I'll reiterate that my personal belief
16 is that it is too broad; however, this is a
17 consensus-based organization. And is there consensus to
18 move forward on this item as written?

19 MR. GRIFFITH: With all respect to the chair,
20 can you explain to us, then, why it's too broad?
21 Because I thought we -- at least I tried to capture in
22 my mind what the basic themes and the argumentations
23 were. You're adding something else, I think.

24 THE CHAIRMAN: What we heard from Connecticut
25 State Police is there are on the order of 1.4 million

1 registered firearms in the state of Connecticut.

2 Now, since you don't have to register most
3 hunting weapons, the large proportion of that
4 1.4 million are handguns that were legally purchased, in
5 most regards, or held safely, securely, and in
6 reasonable hands.

7 What this statement says is despite the fact
8 that you have managed your firearm in a safe and
9 reasonable fashion, it is no longer legal.

10 Now, we haven't gotten into the issue of
11 grandfathering. That is clear. But that's -- I think
12 that's -- for me, it's a little bit too far.

13 MR. GRIFFITH: All we've done is say if it's
14 going to fire more than 10, not permissible.

15 THE CHAIRMAN: If it can fire more than 10.
16 And most of those can fire more than 10.

17 MR. GRIFFITH: In that case, it's not
18 acceptable. I think that's the basic argument.

19 You think -- You think even that's too broad?

20 THE CHAIRMAN: I do.

21 MS. EDELSTEIN: Just to look at parsing one
22 more time, the language we have in front of us says,
23 "Permit the sale of any firearm capable of." That's one
24 statement.

25 Some of us have also advocated for "prohibit

1 the sale and ownership of," but can we at least start
2 with "prohibit the sale" and see where we stand?

3 You can talk about grandfathering as a separate
4 item, but then also give us an opportunity to weigh in
5 on the "prohibit the sale and ownership" as a separate
6 statement. That would be my recommendation.

7 MR. MCCARTHY: Given your reservations
8 regarding the -- how broad this recommendation could be,
9 I think the issue of grandfathering is one that we may
10 want to deal with at the same time.

11 And because we know that weapons last forever,
12 theoretically, there are weapons that are out there from
13 many wars ago and many centuries ago. So once they are
14 in circulation, they don't disappear. We could as part
15 of the grandfathering consider allowing ownership for
16 the current registered owner and prohibit sale or
17 transfer.

18 And so this would be a -- it would deal with
19 the issue of the investment that has been made. And I
20 think once we do that, we have to then decide this
21 possession and ownership only apply to handguns and not
22 assault weapons, as previously described, and do we
23 allow them to stay out there in society.

24 I think the issue of grandfathering becomes
25 more difficult than a straightforward would allow them

1 to exist. Because then we have to decide which ones we
2 would allow to exist.

3 But in deference to the chief's comments about
4 legally own for self-defense weapons and an option that
5 a gun purchaser makes is, oh, I can buy one that's
6 capable of accepting an 18-round magazine and make that
7 decision as we do when we buy cars and other things and
8 we buy options.

9 It may just be an option question that's being
10 made by a responsible gun purchaser. And I think that
11 we could have that discussion about grandfathering of
12 some of those weapons.

13 I would think an appropriate balance would be
14 to limit the sale or transfer of those so that it
15 doesn't disenfranchise current owners.

16 MR. SCHWARTZ: I think I would suggest that we
17 probably have a consensus on the issue of the sale of
18 any such weapons. We ought to establish that and
19 proceed to the discussion of possession/grandfathering,
20 considering the suggestion that the chief has made
21 versus a uniform ban on possession. But I think the
22 consensus on sale is established.

23 THE CHAIRMAN: I agree. There does seem to be
24 consensus on sale. Is that accurate?

25 Okay. So we do have prohibition on sale or

1 transfer. Now to the issue of possession.

2 Do we have consensus on the issue of
3 possession?

4 I believe that possession is too broad. That's
5 my position. However, again, it is a consensus-based
6 organization, so what say you?

7 MR. CHIVINSKI: I concur.

8 MR. GRIFFITH: I think we're trying to find a
9 way to consensus. Can you define a little bit more
10 narrowly the issue of possession, ownership, so we can
11 get a consensus and move ahead?

12 I assume you're not saying -- I assume you're
13 not saying that if the individual never had a weapon
14 before, now goes out of town and finds a way to buy the
15 weapon and brings it back into the state, that that's
16 okay.

17 I'm talking here to the mayor.

18 THE CHAIRMAN: That is correct. If you are a
19 legally registered/ permitted holder of that firearm.

20 MR. GRIFFITH: Currently?

21 THE CHAIRMAN: Currently. You can maintain
22 that.

23 MR. GRIFFITH: So you're excluding any other
24 subterfuge forms of new ownership?

25 THE CHAIRMAN: I am.

1 MR. GRIFFITH: Then I think we've made
2 progress.

3 MR. LYDDY: I've been probably recognizably
4 sitting quietly. And my heart is telling me one thing,
5 but we don't legislate based on our heart and our
6 feelings and our emotions in this building.

7 When we look at the statutes, we don't see a
8 whole lot of compassion all the time. So I'm trying to
9 sit here and think logically about what it is we're
10 doing.

11 And I am reminded of just three months ago what
12 happened. You know, I think this body has been charged
13 and given the great responsibility, perhaps even a great
14 opportunity, to take a stand on a large issue, an
15 incredible issue that we as a society have grappled
16 with.

17 And while, you know, we could pass whatever
18 recommendations on, there's also the person that's doing
19 the assault.

20 So we have assault weapons. Sure. But we also
21 have to focus on a parallel process of looking at who
22 these people that possess these weapons are and who are
23 assaulting others are.

24 And so I guess, you know, I'm on the side of
25 let's take a stand and let's give a damn about those

1 lives that have been lost.

2 And you know what? Those legally --
3 legal-abiding gun owners I do feel bad for if we pass
4 this recommendation. But when I try to measure the cost
5 and benefit of such a recommendation, I'm going to err
6 on the side of the safety of those children and those
7 people who are the targets.

8 So you know, I know it's broad, but I say let's
9 get -- my heart would say let's just get rid of them
10 all. Right? But that's not logical.

11 So I think this. And albeit broad, I'd be
12 supportive of this measure that we're looking at.

13 THE CHAIRMAN: So it seems that everyone has
14 said their peace on this one.

15 How about a show of hands moving forward with
16 prohibiting the possession. Who would be in support of
17 prohibiting the possession of these weapons capable of
18 firing more than 10 rounds?

19 That appears to be consensus.

20 Moving forward, we have all firearms in a home
21 shall be stored in a locked container featuring a
22 tamper-resistant mechanical lock or other type of safety
23 device. We've been massaging that language a little bit
24 to be a little bit more specific.

25 Move forward on this one?

1 Nonresident seeking to purchase a firearm or
2 ammunition in Connecticut must obtain a certificate of
3 eligibility. This is if you live in Longmeadow,
4 Massachusetts, and the nearest shop happens to be in
5 Connecticut, what set of rules do you abide by.

6 I believe there's some -- in the handout, there
7 is some language regarding certificates of eligibility.

8 Mr. Sullivan?

9 MR. SULLIVAN: Just a point of clarification.
10 In looking at the handout, it refers to the Connecticut
11 pistol permit application. So I'm not clear whether
12 that covers people that want to buy a long gun from out
13 of state.

14 THE CHAIRMAN: Well, the principle here is that
15 we don't want people coming to Connecticut or -- Let me
16 rephrase that.

17 Should there be a singular standard not only
18 for those who live here but for those who come here?

19 And we haven't heard from the industry yet.
20 I'm sure that the industry has some concerns about this
21 item and how it might be managed. I think it's fair. I
22 think it's fair.

23 What does the commission think?

24 MS. EDELSTEIN: In the short form of what we've
25 got, short of the formal language for changing the

1 legislation, if we just said nonresident seeking to
2 purchase any firearm, then at least that gives our
3 general sense, and then legislative changes come later
4 or legislation changes come later.

5 MS. FORRESTER: I just think it should be the
6 same standards. Whatever we write, it should just be
7 that whatever standards that we recommend for
8 Connecticut residents apply to nonresidents and however
9 we -- nobody should get different standards because
10 they're coming from out of state. We should just have
11 that.

12 MR. SULLIVAN: It actually says that. I think
13 the same is applicable to Connecticut residents on the
14 bigger document.

15 THE CHAIRMAN: Is there a consensus to move
16 forward with this one? With the understanding that
17 there may be some -- that the details of how it may work
18 will be left to legislation.

19 We have the governor's office through the
20 congressional delegation will seek to end the federal
21 ban on research into gun violence at the level of the
22 CDC.

23 Consensus on that one?

24 We have an obligation of gun clubs to report
25 reckless and negligent behavior with a firearm to desk

1 and local law enforcement. And I would also like to add
2 commissioner of public safety to that.

3 Consensus? Okay.

4 We have a prohibition on the sale or purchase
5 of ammunition via the Internet.

6 Chief?

7 MS. O'CONNOR: Do we have the prohibition to
8 purchase via the Internet firearms? So you -- We're
9 saying you can't buy your ammunition via the Internet.
10 Do we have a prohibition already in Connecticut that you
11 can't buy a long gun, shotgun, AK-47, my Glock, via the
12 Internet?

13 THE CHAIRMAN: I don't know.

14 Chief, what do you think?

15 MR. SULLIVAN: Yeah, I agree.

16 THE CHAIRMAN: We'll research that.

17 MR. SULLIVAN: Why don't you just add in the
18 language to prohibit purchase of firearms or ammunition?

19 THE CHAIRMAN: We can do that and then correct
20 as necessary.

21 MS. O'CONNOR: I've given the research issue
22 some thought. I think 10 is a good recommendation. But
23 I also wonder if we shouldn't say regardless of what the
24 federal government does, why don't we do something in
25 the state of Connecticut with our own academic

1 institutions and make a recommendation that we seek to
2 establish funds within the state of Connecticut to
3 research handgun violence and maybe even establish a
4 institute through multiple experts in our -- we have
5 great academic institutions in the state of Connecticut.
6 So regardless, again, what the feds say, let's do it
7 ourselves.

8 THE CHAIRMAN: I think that's an excellent
9 recommendation, Chief.

10 Do we have consensus on that?

11 MR. SULLIVAN: Absolutely.

12 THE CHAIRMAN: Recommendation 10-5.

13 MR. GRIFFITH: I'm just thinking about the
14 conflicts of interest around that.

15 MS. O'CONNOR: I have none.

16 MR. GRIFFITH: I don't know about that.

17 MR. SCHWARTZ: Ezra, we'll just abstain from
18 this one.

19 MS. O'CONNOR: We sort of in jest about it.
20 But seriously, quite frankly, there is no conflict
21 because we want to say research should be done on this
22 issue and it's not happening.

23 And so if the whole world is watching us, then
24 let's be the premiere state in the union on this issue
25 around research.

1 THE CHAIRMAN: Excellent language.

2 Appreciated.

3 MR. SCHWARTZ: I think it's a wonderful idea.

4 THE CHAIRMAN: We were on the obligation of gun
5 clubs to report reckless and negligent behavior. We're
6 ready to move forward on that one.

7 I'm sorry. Ammunition via Internet, ammunition
8 and firearms as required.

9 We have 13, the prohibition on the presence of
10 firearms in any household where any individual has been
11 deemed ineligible to possess. We actually pulled this
12 one off last week.

13 Do we want to leave that one off?

14 MR. SULLIVAN: Yes.

15 THE CHAIRMAN: We have a requirement for
16 promoters of gun shows to receive a permit from the
17 chief of police or chief elected official.

18 Okay. We'll move forward on that one.

19 15, the elimination of the --

20 MR. SULLIVAN: On the last one, we probably
21 need to put in because where it is not an organized
22 police department, it would go through them.

23 THE CHAIRMAN: Absolutely we will add DEPS to
24 that.

25 Items 15 and 16 are regarding the board of

1 firearms permit examiners. We pulled out of discussion
2 on that last week. Do we want to leave them out of
3 discussion?

4 Item 17. The State of Connecticut shall
5 determine a maximum amount of ammunition that may be
6 purchased at a single time.

7 Any discussion on that one?

8 Item 18. Firearm permits shall be subject to
9 renewal and a test of firearms handling capacity and
10 knowledge of applicable regulations.

11 There is some language in your handout
12 regarding the expiration of permits. This adds a little
13 bit more of a higher bar to that permit, particularly in
14 an environment where regulations may be changing.

15 Do we want to move forward with this one?

16 And 19, requirement for trigger locks with the
17 sale of any firearm. There's also language in your
18 handout on that one.

19 To read it from Chapter 529, "No person, firm,
20 or corporation shall sell, deliver, or otherwise
21 transfer any pistol or revolver other than at wholesale
22 unless such a pistol or revolver is equipped with a
23 reasonable trigger lock, gun lock, or gun-locking device
24 appropriate for such pistol or revolver, which lock or
25 device shall be constructed of materials sufficiently

1 strong to prevent it from being easily disabled and have
2 a locking mechanism accessible by key or by electronic
3 or other mechanical accessory specific to such lock or
4 device to prevent unauthorized removal."

5 Do we feel that this language is satisfactory?

6 MS. FLAHERTY: It seems like that only applies
7 to pistols or revolvers, which seems that that doesn't
8 apply to all guns. But I don't know. I'm asking.

9 It's Number 10 on the handout we just got
10 today.

11 THE CHAIRMAN: You can correct. You are
12 correct. It only references pistols and revolvers. Do
13 we want to extend that?

14 MR. SULLIVAN: Why not make it any firearm, to
15 be consistent?

16 THE CHAIRMAN: Okay. We will modify that item,
17 although I guess we don't have to, but we should
18 reference the existing statute. Okay.

19 And that concludes that section. Why don't we
20 take --

21 MS. O'CONNOR: Just to summarize so I'm not
22 confused, what have we eliminated? If you could read
23 those numbers off before we take a break.

24 THE CHAIRMAN: We have eliminated discussion
25 regarding the board of firearms permit examiners as well

1 as reconstituting the board of firearms permit
2 examiners, 15 and 16. A prohibition on the presence of
3 firearms in any household where any individual has been
4 deemed ineligible, 13.

5 There's actually something else that I have on
6 my list, which is limiting the purchase of firearms of
7 one per month, Number 3. Yes.

8 MR. SCHWARTZ: May I just ask what was the
9 issue, since I was not here with the board of firearms
10 permit examiners? What was the question at issue?

11 THE CHAIRMAN: The panel didn't feel we had
12 enough background information on the board on how it's
13 made up and some data from its decisions to make that
14 determination right now. Not to say it won't come back.

15 But certainly one of the specific
16 recommendations was the inclusion of a mental or
17 behavioral health professional on the panel and whether
18 or not that made sense.

19 So it will probably come back up in our
20 subsequent discussions regarding mental and behavioral
21 health.

22 So I -- Do folks want to -- Here is what's left
23 on the agenda today. What's left on the agenda today is
24 to go through the school safety and other
25 recommendations, although probably not at the same level

1 that we just did because a lot of those are cascading.

2 And then I would turn it over to Miss Edelstein
3 for a discussion on how we're going to proceed with
4 mental and behavioral health issues.

5 Do folks want to push right through to the end?
6 Take a break? What do you want to do? Short break but
7 then we'll push through the rest of the agenda?

8 Do you want to do a lunch break or a short
9 break? Okay. A short break. We'll push through and
10 then have lunch afterwards. Thank you.

11 So we'll reconvene at 11:30.

12 (Recess)

13 THE CHAIRMAN: All right. Why don't we
14 reconvene and go through the safe school environment
15 language.

16 What's Item 20 on your list, the threat and
17 risk assessment tool. This is a tool that would be
18 developed and available to all schools, daycares, and
19 institutes of higher learning, irrespective of their
20 internal capacity, to essentially to do a SWAT
21 analysis -- or strengths, weaknesses, opportunities and
22 threats analysis. They can start from a common ground.
23 This was one of those items that those who identified a
24 preference had a preference for.

25 So I assume that we'll be all set moving

1 forward with that.

2 Terry?

3 MS. EDELSTEIN: I did have a question. I
4 certainly support the recommendation. It was really a
5 question of whether this is a tool that's already in
6 place, is it a tool such as -- I didn't know if we were
7 recommending a very specific tool or the equivalent of a
8 tool.

9 THE CHAIRMAN: No. This was the development of
10 a tool. There is the FEMA 428 from one of our
11 presentations that's used to analyze certain existing
12 facilities that they're trying to adapt through BIA to
13 schools. That's one potential model, but there are
14 others as well. So we didn't specify a model or a
15 specific device.

16 Questions on that?

17 All right. We also put a timeline on that
18 tool, which is to be conducted at least every three to
19 five years, although more frequently if intelligence
20 indicates that it's appropriate.

21 Okay with that.

22 Require the development of an emergency
23 response plan. Now, part of this is mandating the input
24 of emergency responders, which is something that is not
25 always the case.

1 Are we okay with that one?

2 We require the schools to drill with this
3 emergency response plan within specific time frames.
4 There are already certain drilling requirements, fire
5 drills and emergency drills. We want to make sure that
6 there is a full drill on this because that is what
7 exposes both the good things and the bad things about
8 the plan.

9 Okay with that?

10 Require all higher learning centers to submit
11 their plan to DEMIS and require DEMIS approval. Right
12 now there's only a plan submission, and the plans are
13 very different. There's no uniformity. So that's to
14 add uniformity to those.

15 MS. O'CONNOR: Sorry. We kind of talked about
16 this last week, require all higher learning centers. I
17 don't know what that is.

18 THE CHAIRMAN: It's colleges, universities,
19 technical schools.

20 MS. O'CONNOR: So is that a specific
21 nomenclature in terms of that vernacular, or is it just
22 general language, I guess?

23 THE CHAIRMAN: That is not a term of art. That
24 is vernacular.

25 MS. FLAHERTY: Didn't we decide last week that

1 we were going to include the daycare centers in K to 12?
2 And I'm trying to recall.

3 THE CHAIRMAN: Where appropriate. And then we
4 got into a question of licensed versus home, just the
5 capacities in some regards.

6 For example, the tracer tool will be designed
7 to be used in daycare facilities as well. But there are
8 other circumstances when you're dealing with very small
9 children or adults where the certain aspects may not be
10 appropriate. Certain aspects of the drilling may not be
11 appropriate.

12 So this one --

13 MS. FLAHERTY: But I meant in terms of
14 submitting the plan. Because I think the statute
15 requires just the colleges to submit the plan but not
16 the lower grades, or is it just that the other schools
17 are submitting the plan? Because I think that was the
18 confusion. There are some people submitting a plan to a
19 different agency.

20 THE CHAIRMAN: Yeah. Later on the K through
21 12s are then required to submit a larger document to the
22 State of Connecticut. Here, it's only on -- it's
23 actually DEMIS. That will come in later. But we can
24 discuss the daycare facilities at that point, whether or
25 not we want to incorporate those.

1 25 is a duplicate of 21. 26 is the creation of
2 a safe school planning committee and meeting
3 requirements. 27 is the consolidation of documents, the
4 tracer, the emergency response plan, security policies,
5 building plans, evacuation routes, et cetera, and
6 submitting that to a central location. That should
7 assist in any multijurisdictional responses.

8 Item 28 is a requirement to submit up-to-date
9 floor plans, schematics, and sight elements to emergency
10 responders. That is to ensure that if someone says that
11 there's a problem at the door by the gym, the responders
12 know where the gym is and can respond to the location.

13 Chief?

14 MS. O'CONNOR: I just want to add one thing
15 because I'm talking to -- it's an issue for us at UConn
16 Police and, if I remember, responders in municipalities
17 as well.

18 There's a problem in terms of technology and
19 the limits we place on the technology in the mobile data
20 computers. And those limitations I think need to be
21 explored.

22 So we make some recommendation about exploring
23 the technology uses and making them as effective as
24 possible for our first responders.

25 THE CHAIRMAN: In the larger document we're

1 looking to put together, there was discussion of
2 digitizing.

3 In my community as we speak today, our
4 engineering department and police department are
5 collaborating on updating it in a fashion that is fully
6 accessible on the mobile terminals.

7 MS. O'CONNOR: Folks probably don't understand
8 what that problem is. But from a policy -- the question
9 is, is it a policy that limits this or not? But our
10 computers in our police cars are somewhat forbidden to
11 go out and have multiple access to the Internet.

12 And if we're going to put these documents out
13 there, we don't want police officers to have to have two
14 terminals. And I think we just need to explore that at
15 the state level.

16 It's complicated without getting into too much
17 detail. I don't necessarily understand all the
18 technology associated with it. But what I do understand
19 is we place a lot of limits in the state of Connecticut
20 that some states might not place on what the MDT can do
21 and what it can access.

22 So it's sort of redundant if we're going to
23 say, Here is how you're going to run your license plates
24 and your driver's license and here is how you're going
25 to then access your floor plans and/or responding to the

1 school and getting access to the cameras so you have
2 real-time information as you're responding.

3 So I just think it would be important for this
4 commission not to get into the details but to make some
5 recommendation that we're exploring that option.

6 THE CHAIRMAN: We can -- as it relates to this
7 one, I'll work up some language to acknowledge the fact
8 that there may be challenges. But those challenges are
9 technical in nature and probably inappropriate to where
10 we want to go with having our emergency responders be
11 able to make the right decision the first time.

12 We have requirement to -- 29, I believe we
13 eliminated. Yes. Requirement to establish MOUs between
14 emergency responders, schools, and other relevant
15 parties, highlighting information-sharing protocols.
16 Last week we did remove this one.

17 Do we want to discuss it again or do we want to
18 leave it off? Off.

19 In large measure, these already exist.

20 30, require the establishment of a remote
21 location for parents and students in the event of an
22 emergency. That's a reunification. Good with that one.

23 31, school facilities shall evaluate cellphone
24 coverage and plan to address sufficiencies within the
25 confines of their policies regarding students' cellphone

1 use, of course.

2 32, enhanced WiFi shall be deployed and the
3 usage of IP-enabled cameras to support response capacity
4 shall be similarly enhanced. This is to give first
5 responders the potential to see inside the building
6 while they're in route or on-site.

7 33, create a blue ribbon panel designed of
8 security experts to establish within 12 months the
9 toolbox of recommendations for safe designs and retrofit
10 of schools to be included in the state's educational
11 specifications.

12 The state's ed spec is what drives school
13 construction and renovation projects that are
14 reimbursable by the State of Connecticut. This was an
15 item that there was a lot of support for.

16 Questions, comments on that?

17 MS. FORRESTER: I thought a lot about this
18 during the week. And I was wondering if there was a
19 way -- I know we haven't gotten to the actual safe
20 school conversation in the school regarding mental
21 health and bullying, but I'd be willing to leave it on
22 the table -- to let it go until we make those
23 recommendations.

24 But I think it would be very important for a
25 blue ribbon commission to take on the internal sort of

1 workings of the school and the school climate also.

2 So I don't know if we should add that language
3 in at this point or just keep in mind that if we're
4 going to call a commission together, I know it may be
5 just a commission of architectural folks, but I think we
6 should also consider that.

7 THE CHAIRMAN: I think you're absolutely right.
8 And I think that it will likely be another
9 recommendation coming out of the mental health working
10 group.

11 One of the -- I want to say specifically about
12 this one is: I and probably a lot of people around the
13 table have received significant contact from potential
14 vendors saying, "I have a product that's going to help."
15 And they may. And they're not necessarily coming out of
16 some financial interests, but this issue affected a lot
17 of people.

18 And anyone who had something, anything, that
19 they thought could help prevent it came forward. So
20 this is really an opportunity for some professionals to
21 vet a lot of those different ideas as well as come up
22 with some design strategies.

23 We saw, for example, the L-shaped classroom
24 from the architects, which is great in some regards and
25 potentially very harmful in another. So identifying

1 the -- sort of the cultural demographics of the space is
2 really what's going to determine whether or not it's
3 good or bad.

4 So having it available when you're sitting down
5 with design is something that's important, something to
6 consider. So the toolbox is not just the architectural
7 layout but also other types of devices that may be
8 useful in keeping our schools safe.

9 34 is related -- it's relating school projects
10 to directly -- references toolbox and expansion,
11 renovation, or new construction projects. They have to
12 demonstrate that they evaluated the school security
13 toolbox in order to receive funding.

14 35 is a requirement that school building
15 committee seek input and approval from emergency
16 responders. It's common in permitting. Engineering
17 signs off, the town planner signs off on these projects.
18 We want emergency responders signing off on these as
19 well.

20 36. Upon implementation of any new security
21 measure, all relevant staff shall be trained in its
22 operation and instructed in their role during an
23 emergency.

24 37. Require that the school facility serve the
25 EDO 50 incorporate security criteria. Again, this was a

1 submission to the State of Connecticut and another
2 effort to ensure that security is being highlighted by
3 school administrations.

4 38. Modify state construction grant
5 applications to include a new type of project SU for
6 security upgrades. This helps fund security upgrades
7 which are not currently as a standalone project eligible
8 for reimbursement.

9 39 is a requirement that SDE, State Department
10 of Education, establish a training course for educators
11 specifically designed to increase awareness of security
12 policies and programs.

13 The weakest link in any building are the people
14 in it. We have to make sure that our school staffs are
15 not taking shortcuts that then destroy all the web of
16 security that's been created through technology.

17 40. Require safe school planning committees to
18 confirm -- this one was taken off the table. These next
19 two deal with legal counsel. Compelling another step,
20 another local step to confirm through legal counsel that
21 everything is appropriate. We did not think that was
22 appropriate.

23 Do we want to leave that off? Okay.

24 42. Require a quality assurance program be
25 enacted at each school to ensure appropriate matters are

1 referred to local law enforcement.

2 43. Require background checks and drug
3 screening for all staff and volunteers of schools.
4 There is some item relating to drug testing in your
5 handout.

6 Ms. Forrester?

7 MS. FORRESTER: I didn't want to interrupt what
8 you're saying. I'm sure maybe you were going to say the
9 same thing.

10 We're required as an agency to do all
11 background checks, police and DCF checks. Some agencies
12 do require drug screening. It's quite an onerous
13 process in terms of time. Sometimes it takes three to
14 four weeks to be able to get some of the background
15 checks completed.

16 And I think it would be difficult if there were
17 some volunteers in the school who wanted to go on a
18 class trip. It would take quite a long time. And
19 there's also a cost associated with that.

20 THE CHAIRMAN: Someone else had -- anything on
21 this one?

22 Chief?

23 MS. MCCARTHY: This requirement does seem
24 overly broad and does not encourage parent involvement,
25 and I think it's counter to the environment that we're

1 trying to support.

2 I think that the issue of volunteers becomes
3 problematic and almost impossible for us to move forward
4 with. I would recommend that we reconsider the -- how
5 we treat volunteers, including parent volunteers, in the
6 school systems.

7 I don't know what the right answer is, but I
8 think that the way this is written, this seems to be too
9 difficult to achieve.

10 MR. SULLIVAN: I don't have any problem for
11 eliminating the drug testing as an issue. I do think we
12 should have background checks. We had an issue recently
13 where a volunteer fire person who had been arrested and
14 convicted and then recently got arrested again for
15 molesting underage people.

16 I don't see any problem with a background check
17 being done with anyone going into a school. I think a
18 background check is easy to do.

19 MR. SCHWARTZ: How long does it take to get a
20 background check?

21 THE CHAIRMAN: It depends on the depth of the
22 search. So there are a couple of different search
23 mechanisms that you could use, local versus national
24 versus a couple of different databases that you can
25 search. It all depends on your level.

1 MR. CHIVINSKI: Again, as I mentioned at our
2 last meeting, many, if not all, school districts are
3 currently employing background checks. I believe that
4 is -- even though I don't see language here -- because
5 of law.

6 Lists are sent out to us via e-mail usually on
7 a monthly basis of who is and who is not on that list.

8 Regarding Harry's question about how long they
9 take, considering our only school-sponsored overnight --
10 school-district-sponsored overnight field trip to
11 Washington, D.C., and Gettysburg, some of my parent
12 chaperones, it's going to take -- they were scheduled
13 two months out. One particular chaperone, they had to
14 go to a -- they had to schedule an appointment at a
15 neighboring police station.

16 So it takes time, but I agree it's necessary.
17 I'm not so sure about the drug testing.

18 MR. SCHWARTZ: So I'm thinking about the
19 classroom trip to a local museum that might be scheduled
20 just a couple of weeks out. Would this create a problem
21 for getting the kinds of parent volunteers you might
22 need for that?

23 THE CHAIRMAN: Taken as written, yes, it would.
24 But as important, there's the general -- as far as I'm
25 concerned, the general chilling effect.

1 The Number 1 indicator of academic success is
2 parental involvement. It's hard enough to get into your
3 son or daughter's school just to watch them to see how
4 they're doing now. My thought is this -- particularly
5 the volunteers and particularly the drug screening are
6 going too far.

7 I think that the person -- the FedEx delivery
8 person is in the schools a lot. What do we do with the
9 FedEx person? I think if we start trying to get blood
10 and hair from every person who walks through that school
11 door it's going to be a very difficult process.

12 I would propose that we leave in the language
13 regarding background checks and -- background checks for
14 staff and leave it at that.

15 Mr. Lyddy?

16 MR. LYDDY: Are we talking criminal background
17 checks or DCF checks or both?

18 THE CHAIRMAN: Again, there is a cost. What I
19 would -- This is one I would actually leave a little bit
20 broad, leave a little discretion to the school districts
21 but identify certain types of background searches that
22 we feel to be appropriate.

23 So we'll move forward with that one but with
24 modifications.

25 Require that every school create and make

1 available to students, staff, and guardians a code of
2 conduct. General current practice but codifying it
3 here.

4 Require that an antibullying
5 response-to-bullying component or require that an
6 antibullying/responsibility component be clearly
7 incorporated in the code of conduct. There is some
8 legislation to that effect in place already.

9 46 is a requirement for the creation of a
10 statewide toll free number where students may report
11 bullying threats. I believe we --

12 MS. FLAHERTY: I think we might have eliminated
13 that because the concern was that it might have taken
14 away from local efforts --

15 THE CHAIRMAN: Local quality efforts are really
16 valuable here. Yes, that one was removed.

17 Do we want to leave it off? Okay.

18 Require State Department of Education to
19 develop guidelines for clear communication of
20 information regarding threats to be securely transmitted
21 to school officials and law enforcement.

22 We took this one off because -- I think the
23 reason that we took it off was we weren't quite sure
24 what it meant. What are those clear channels? And
25 there are required reporting standards already.

1 48. Require that all classroom doors be able
2 to be locked by teachers from the inside while remaining
3 compliant with building, fire, and safety code and other
4 regulations.

5 There was a lot of interest in this one from
6 those who prioritized. We did make a modification to
7 Item Number 49, require that all school exterior doors
8 be equipped with locking hardware capable of initiating
9 a full-perimeter lockdown, the sort of centralized
10 electrified lockdown.

11 MS. O'CONNOR: I think we just specified last
12 week that we were referring to K through 12 on that one.
13 We clarified.

14 THE CHAIRMAN: I'll make sure of that,
15 K through 12.

16 50. Requiring a trusted access program to
17 visually identify staff, visitors, parents, et cetera,
18 and be able to clearly identify that they are supposed
19 to be on school grounds.

20 51. The State of Connecticut should require
21 training of appropriate school officials and any
22 legislative or regulatory changes of school security.

23 52. State of Connecticut should assign a
24 full-time emergency planner to school facility emergency
25 planning. That is to assist districts that need help in

1 developing their plans and reviewing their plans.

2 53 is a requirement that schools have referral
3 channels available for students with health, behavioral,
4 and gang drug issues. We removed this one.

5 Do we want to discuss it?

6 54. Seek through Connecticut's federal
7 delegation a refunding of the safe and drug-free schools
8 at USDOE. Seek through Connecticut's federal delegation
9 refunding of the readiness emergency management for
10 schools program.

11 56. Seek through Connecticut's federal
12 delegation funding for unified command structure
13 training.

14 We did not identify who specifically should
15 receive that training. Do we want to leave that broad?

16 I think each school should have the opportunity
17 to develop a list of the staff who are critical to this
18 process, so I'm fine with that.

19 We removed 57, requirement of an integrated
20 rapid visual screening techniques.

21 58 is require training of appropriate
22 school personnel and the national incident management
23 system standards.

24 And 59, the creation of an age-appropriate and
25 developmental -- developmentally appropriate curriculum

1 for safety and security and incorporate first responders
2 in the implementation of that curriculum.

3 We then have one additional item which is: The
4 state should establish best practices information for
5 management of donated supplies and materials.
6 Frequently this has turned into a problem in time of
7 major disaster.

8 So that goes through the items of consideration
9 which we'll be working through a firmer narrative that
10 incorporates some of the issues of culture specifically
11 that we discussed today.

12 Ms. Forrester, do you have a question?

13 MS. FORRESTER: I know we will probably discuss
14 how these are going to the governor in terms of
15 recommendations, but I would ask that -- there was some
16 explanation that the review was really on the physical
17 environment in this. And I think that's what you just
18 said. But to just reaffirm that we haven't done the
19 internal climate review of the schools.

20 THE CHAIRMAN: Thank you for your time on that.
21 Good quality of discussion.

22 We've had a chance to go through these
23 priorities or these recommendations or items of
24 consideration for a couple of weeks now with some time
25 to think about it. So thank you for your time and for

1 your diligence in that.

2 I'd like to turn it over to chief.

3 MR. MCCARTHY: Before you move on, we were
4 asked to make a preliminary report to the governor by
5 the 15th. Is it your intent to forward these in some
6 fashion to him to meet that deadline or shortly
7 thereafter?

8 THE CHAIRMAN: It is. These items with
9 contextual narrative will be presented to the governor
10 Monday morning.

11 All right. So I'd like to turn it over to
12 Terry Edelstein for some discussion of how we will be
13 approaching mental health and behavioral health.

14 MS. EDELSTEIN: Thank you, Mayor. I'm just
15 providing a broad overview. Those of us on the panel
16 who have a background and specific interest in mental
17 health have conferred quite extensively. And we've
18 outlined four full days of sessions relating to mental
19 health.

20 And we would encourage our panel to confirm
21 dates for events relatively quickly, partly for the sake
22 of our own calendars, and also so that we can confirm
23 with our proposed speakers.

24 And we will be covering a whole gamut of mental
25 health issues that we thought were important to bring

1 forward to the commission for your review and
2 consideration and discussion.

3 We did also recommend a fifth day that is a
4 broader topic than mental health. We've discussed it a
5 little bit today. It will need a lot more work to be
6 fleshed out.

7 But we're talking about safe schools not from
8 the architectural context that we heard before but from
9 the context of developing supportive school cultures,
10 fostering early intervention, many other topics subsumed
11 under that.

12 So just looking at what we've organized, we're
13 counting five proposed days. I know that, Mayor, you
14 were also talking about other aspects of our
15 presentations for the panel or the commission as a
16 whole, topics that we still need to consider.

17 So perhaps or I think it would be welcome to
18 the whole commission if within the next couple of days
19 we issue guidance on what our schedule is going to be
20 going forward.

21 I think those of us on the mental health panels
22 are very anxious to move forward and to make sure that
23 we're adhering to the governor's charge. He's given us
24 several specific charges relating to mental health.
25 We'd like to pick up some momentum now that we've got a

1 good background on the other issues.

2 So we've outlined dates going forward
3 continuously, with the exception of Good Friday, which
4 is I think the 29th, and then the first week in April
5 where one of our members is going to be out of town.

6 We get as far based on that kind of calendar
7 for all of us to May 3rd. And then I know that there
8 were other presentations not germane to mental health or
9 school culture that we wanted to talk about as well.

10 THE CHAIRMAN: Pending the wishes of the
11 commission, I would propose that we continue our Friday
12 meeting schedule with the exception of Good Friday on
13 which the building is closed.

14 The April 5th session, I'm looking at getting
15 some additional folks in for a different kind of a panel
16 there. But I appreciate the work that you've done and I
17 think that the schedule looks -- the schedule looks
18 good.

19 You know, this is a big issue. And we're going
20 to take as much time as we need to take with it. We
21 understand the challenges of the legislative deadlines.
22 We understand that people want to see things done. But
23 we also understand that we have a chance to do it the
24 right way, and we should take that chance.

25 I appreciate the schedule. I think the

1 schedule is fine.

2 Does anyone have any concerns about it?

3 MR. GRIFFITH: I don't have any concerns. I'm
4 just asking so I understand it clearly. So we would
5 meet next week, the 22nd? March 22nd? Is that when
6 you're going to start?

7 MS. EDELSTEIN: Assuming that our speakers are
8 able to join us, the 22nd and straight through May 3rd,
9 including another session that the mayor is talking
10 about on April 5th.

11 MR. GRIFFITH: So mental health then would go
12 back to -- would then continue on April 12th?

13 MS. EDELSTEIN: So just to review the dates,
14 March 22nd would be a mental health related panel. The
15 building is closed on March 29th. There would be a
16 different type of session on April 5th.

17 April 12th, April 19th -- April 12th and
18 April 19th and April 26th would relate to mental health
19 topics. And then May 3rd is our proposed date for a
20 safe schools discussion.

21 And much like the mayor's terminology on our
22 previous discussion of cascading recommendations, we've
23 structured our recommendations in a kind of cascading
24 format.

25 So the hope is that at the point that we

1 discuss safe schools we'll have a background in safety,
2 we'll have a background in architecture, we'll have a
3 background in mental health so that we can have a much
4 broader discussion of the topic.

5 THE CHAIRMAN: Thank you. Any questions about
6 how we're approaching this next phase?

7 MR. CHIVINSKI: Terry, you just mentioned we're
8 going to meet next Friday and that will kick off the
9 mental health session unless some speakers can't make
10 it. When would we know for certain?

11 MS. EDELSTEIN: We'll work on invitations
12 today. I would count on meeting. I would expect that
13 the mayor will be able to do some kind of substitution
14 if we need to just to keep our momentum.

15 And I might add one other detail that because
16 the legislature is also considering its recommendations
17 right now, all the work that we're doing and with our
18 momentum is very important.

19 So that means that our mental health
20 recommendations as well as those that we've already
21 discussed may be a part of the legislative process,
22 assuming the governor accepts our recommendations and
23 pursues them.

24 MR. MCCARTHY: Just for a better understanding,
25 what you're proposing is to have five full-day sessions

1 on mental health, which is more attention to this topic
2 than we have spent on any other topic.

3 And so I think it would be helpful for us not
4 in the mental health profession to understand with just
5 a little bit of detail what each of those sessions would
6 consist of. I think that would be helpful.

7 MS. EDELSTEIN: You know, I think that because
8 we've spent a considerable amount of time discussing
9 those as members of this panel, we went from thinking
10 that we needed two days to discuss topics to realizing
11 that we couldn't have a full discussion about, for
12 example, legal issues -- federal and state legal issues
13 relating to mental health without a discussion. It
14 might be an hour, it might be an hour and a half, it
15 might be two hours.

16 We also built in discussions among panel
17 members. We thought that we needed our own debriefing
18 so that those of us who weren't familiar with
19 terminology could discuss terminology.

20 Certainly if we find that everyone is dozing
21 off after the first day, we'll revisit what we're doing.
22 We think that based on the governor's three-part charge
23 to look at school safety, to look at guns, and to look
24 at mental health issues, this is fair and warranted.

25 We're talking about four days that are

1 specifically mental health topics. The school safety is
2 a more generic and all encompassing topic. And that's
3 really at the pleasure and consideration of the panel.

4 The mental health days are things that your
5 fellow panel members really spent a lot time debating
6 and discussing.

7 MR. MCCARTHY: And I thank you for that
8 explanation. I don't mean to criticize. Obviously
9 you've had the same questions about the appropriate
10 amount of time.

11 And I think that we all trust your judgment in
12 putting together the panels. It wasn't meant to be
13 critical but just to understand that you've gone through
14 the same process that's running through my mind right
15 now about the amount of time that we'll spend on this
16 issue. So thank you.

17 THE CHAIRMAN: But to give you some flavor of
18 the broad variety of topics being covered, it goes from
19 insurance access to care to connections between mental
20 health and violence. So it's really a very broad
21 selection of topics that will be covered over those
22 course of sessions.

23 Any other questions or comments?
24 Mr. Chivinski.

25 MR. CHIVINSKI: I think, Terry, you had

1 mentioned a week or two ago in passing that there would
2 eventually be a session on things like HIPAA and privacy
3 rights, et cetera.

4 Would that come up during these five sessions
5 or would that be an entirely different session after --
6 sometime in May?

7 MS. EDELSTEIN: My coplanners affirm that we
8 knew enough about HIPA since we all have experienced
9 HIPA through our healthcare organizations, but we are
10 recommending including discussion of state and federal
11 legislation.

12 There's some buzzwords in the field that affect
13 privacy standards and also affect the right to know due
14 diligence. So we want to make sure that we all have a
15 grounding on what the law is.

16 And we've identified some potential speakers
17 who could make it very enlightening, not to belabor the
18 topic but to inform us.

19 THE CHAIRMAN: Anything else? Any other
20 questions, comments, thoughts?

21 Dr. Schwartz?

22 MR. SCHWARTZ: Just some finishing-up
23 questions. Will we be copied on the interim report
24 that's going to the governor on Monday?

25 THE CHAIRMAN: Absolutely.

1 MR. SCHWARTZ: And secondly, I read in the
2 paper yesterday, I think it was, that prosecutors had
3 briefed Newtown officials and parents I believe on the
4 subject of the investigation of the shooting.

5 And I'm wondering -- of course, this is through
6 a newspaper report and I don't know directly the facts,
7 but I'm wondering if the investigation has gotten to the
8 point where a briefing could be given. Can we get back
9 to the issue of our being briefed?

10 THE CHAIRMAN: The office of policy and
11 management is working on that as we speak. Likely an
12 executive session will be made available to members of
13 the commission.

14 We're trying to understand what the parameters
15 are now. So off-line, one thing that I would ask that
16 members of the panel do is think for a moment and say,
17 "If I could ask three questions, what are those
18 questions?"

19 If you can forward those questions to me, I'll
20 work with the OPM staff and we can start to understand
21 what the parameters that they are able to discuss are
22 from those questions, and we will move forward with
23 developing a briefing program around those parameters.

24 Anything else?

25 Seeing none, thank you for your time, thank you

1 for your diligence. And I'll be working on putting this
2 into a format that makes sense for the governor and for
3 other readers. And I thank you for your time. We are
4 adjourned.

5 (Whereupon the proceedings were adjourned)

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I hereby certify that the foregoing 96 pages are a complete and accurate transcription, to the best of my ability, of the electronic sound recording of the March 15, 2013 Sandy Hook Advisory Commission hearing.

Michelle Keegan, RMR, RPR, CRR