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Testimony on Bill 36-0144

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Good day Honorable Senator Clifford Joseph, Chair of the Committee on Homeland Security, Justice, and Public Safety, esteemed members of the 36th Legislature of the Virgin Islands, committee members, non-committee members present, and the listening and viewing audience.

I am Tony Emanuel the Executive Director of the Office of Gun Violence Prevention and I am here to offer testimony in support of Bill 36-0144, an act amending title 14 Virgin Islands Code, chapter 113 to define and prohibit assault rifles, ban suppressors and silencers, and requiring safety training for licensed rifles and shotgun holders; prohibiting large-capacity magazines and preventing the illegal sales of firearms, firearm accessories and ammunition.

Having had experience in both the military and law enforcement I have an appreciation for efficiently designed firearms. I understand the interest in firearms from the perspective of sporting and as an enthusiast. Many of our citizens who lawfully possess these weapons are not where our problems exist and enjoy their constitutional right to bear arms and feel a degree of security of being prepared to defend their own home if necessary. With that in mind it is difficult for me to fully agree to issue a ban on some of these weapons. The age-old argument has and will always be what is the need for a citizen to own such a weapon. There can be compelling arguments on both sides, and I admittedly waver on this issue. I am a supporter of our constitution and the 2nd Amendment which grants us the right to bear arms. Fundamentally I believe in it. I also understand that not everyone should, or need access to a firearm, and some should never have access. Citizens often ask, "Should I get a gun for my safety?" I typically try to convince them that that is not the answer to personal safety. Banning weapons is an understood reaction. When faced with violence, senseless homicides, and citizens living in fear of hearing gunshots from heavy artillery on a regular basis it seems like a reasonable thing to do.

If I had to take a side, I would agree doing something is better than nothing. Unfortunately, banning things usually pushes illegal activity further underground than it already is. People that lawfully own these weapons get penalized by having to surrender their weapons, which in my experience will cause many to not to comply. I would offer a careful determination of which weapons should be banned and allow for lawful owners to be “grandfathered” as to not have to mandatorily surrender their lawfully owned firearms.

Certain weapons and alterations of weapons are a problem and I agree with the proposed legislation that similarly configured or altered weapons pose a distinct threat to law enforcement and the public, particularly due to their concealability, armor-piercing potential, magazine capacity, compatibility with suppressors, rifle scopes, and military-grade accessories and these weapons serve no legitimate civilian purpose for self-defense or sport and are commonly used in criminal activity. Accordingly, their possession and use present an unacceptable risk to public safety and must be prohibited.

I am in total support of the section that refers to Prohibition on Suppressors and Silencers and certain firearm accessories and Large-capacity magazines prohibited “large-capacity ammunition magazine” means any magazine, belt, box, drum, tube, or similar device which can hold more than ten rounds of ammunition. I have been a law enforcement instructor for over thirty years which included being a tactical firearms instructor. When officers are engaged in an active shooting incident reloading is the most vulnerable position to be in. When the assailant doesn’t have to reload, they have a clear advantage over the responding officer. I will always be supportive of any legislation that helps protect our officers.

Owning, possessing, even just carrying a firearm comes with incredible responsibility and from my training perspective I agree safety training should be required to own, possess, or carry a firearm. The section of the bill that refers to Safety Training Requirement for Possession of Rifles and Shotguns is an important measure that I am in full support of. In addition, I would suggest that any renewals should require attendance to current training to ensure abilities and refresh knowledge of the safe handling, loading, and storage of rifles, shotguns and handguns; firearm maintenance and secure transportation; lawful use of force and applicable local firearm laws; range safety and marksmanship fundamentals.

The weapon by itself is not the problem. The problem is when the weapon gets in the hands of a person that uses it inappropriately for illegal intent or to cause harm to others. I appreciate Senator Joseph presenting this bill and in support of most of the amendments presented. Thank you for allowing me to be part of the process.