

# Connecticut Sentencing Commission

## DRAFT Scope of Study

### Sentencing Outcomes for Firearm-Related Offenses in Connecticut

#### Focus

This project will compile statistics and describe the sentencing outcomes for firearm-related offenses in Connecticut.

#### Background

Throughout the United States, state gun laws vary considerably, and are independent of existing federal firearm laws. Connecticut gun laws are considered among the strictest in the nation. In 2013, in response to the Newtown school shooting in December 2012, sweeping changes were made to the state's gun laws further restricting the sale and possession of firearms.<sup>i</sup>

State gun laws (1) govern the commerce, possession, and use of firearms and ammunition and (2) define those crimes associated with the illegal possession and use of firearms. The laws:

- define conditions that prohibit a person from possessing firearms;
- authorize the commerce, possession, and use of firearms through permits and licenses;
- restrict carrying of concealed firearms and/or the use of firearms;
- prohibit certain design of firearms (e.g., assault weapons) to enhance public and personal safety; and
- establish sanctions for the illegal or improper commerce, possession, and use of firearms.

According to Connecticut State Police (CSP) records, 265,206 people have valid firearm permits and roughly 135,000 guns were sold in the state in 2016; up from 127,000 in 2012. There are 52,752 assault weapons and 60,706 machine guns currently registered.

Overall in Connecticut, crime rates including violent offenses and weapon charges have been declining for many years. In 2016 statewide, there were 77 homicides of which 48 (62%) involved a firearm, 2,709 robberies of which 897 (22%) involved a firearm, and 4,585 violent assaults of which 750 (16%) involved a firearm.<sup>ii</sup> In that same year, CSP reported 1,199 arrests of persons on various firearm charges; the majority (1,023) arrested persons were adults (18 and older) and 176 were juveniles under 18.

#### Areas of Analysis

This project will analyze data on arrests for and the dispositions and sentences imposed in firearm-related offenses for the years 2010 through 2017. The Sentencing Commission will obtain criminal record data from the Judicial Branch Court Operations Center on firearm-related offenses, dispositions and sentences. Data on firearm permits and licenses will be collected from the Connecticut State Police Special Licensing and Firearms Unit.

The Sentencing Commission report will:

- Summarize Connecticut's firearm laws.
- Describe the administrative process to license and permit the commerce, possession and use of firearms and ammunition.
- Provide statistics on firearm-related commerce violations and criminal offenses (arrests charges, dispositions, sentences, offender demographics, and location of violations and offenses).
- Track sentences (in a distribution analysis) imposed for convictions for firearm-related commerce violations and criminal offenses.

### **Areas Not Included for Review**

The focus of this project is on tracking the courts' sentencing trends for firearm-related commerce violations and criminal offenses. It will not include any of the following.

- Review of federal or state constitutional issues surrounding gun ownership.
- Assessment of the state's determinate sentencing structure or alternative sentencing models.
- Evaluation of the effectiveness or efficiency of the state's administrative processes to license and permit firearm commerce, possession or use.
- Analysis of a connection between the state's gun laws and a reduction in violence and/or firearm-related crime.
- Analysis of the rates of recidivism among persons convicted of firearm-related commerce violations and criminal offenses.
- Calculation of any economic costs associated with gun violence.

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<sup>i</sup> The 2013 legislation (Public Acts 13-3 and 13-220) broadened the scope of what the state classifies as assault weapons, to ban more than 150 gun models. The legislation also banned the sale of gun magazines with a capacity of more than 10 rounds. A permit is now required to buy any type of gun or ammunition. The state also has a registry of deadly weapon offenders and a universal background check system.

<sup>ii</sup> *Crime In Connecticut* report (2016). This annual report, issued by the Connecticut State Police, provides data on all reported violent and property crimes as defined by the federal Uniform Crime Report.