

**HB**

**351**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

F/W ✓

DATE. 4/27/94

FURTHER:

DATE TURNED INTO OFFICE: 5-1-94

The Finance Committee considered CS FOR HOUSE BILL NO. 351(FIN) am(efd add)

Permits for the carrying of a concealed handgun; providing for local option elections in municipalities and established villages to prohibit the possession of a concealed handgun under a permit; and relating to the possession of weapons; efd.

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ (FINANCE)
- or  adopt previous 5 CS CS HB 351 (JTA)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

- adopts \_\_\_\_\_ Letter of Intent
- further referral to the \_\_\_\_\_

- do pass
- do not pass
- no recommendation
- individual recommendations

**NEW FISCAL NOTES**

Department	Date	Zero	Fiscal
DRS	4/28/94		1,351.8 apt. 1,842.7 rev.

**PREVIOUS FISCAL NOTES**

Department	Date	Zero	Fiscal
DLaw	3/22/94	0	
Gov.	3/21/94		2.44

Appropriation No Fiscal Note

**DO PASS:**

Tim Kelly  
Best Sharp

**OTHER RECOMMENDATIONS:**

None No Recommendation

1. Donna Do Pass  
Co-Chair: Signature/Recommendation

2. Indifference - No Rec  
Co-Chair: Signature/Recommendation

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO: SCS CSHB351(STA)

*Published 5/2/94*

Revision Date: 4/28/94 Dept. Affected: Public Safety  
 Title: "An act relating to the issuance of BRU: Statewide/Alaska State Troopers  
permits for the carrying of a concealed weapon." Component: Records & ID/Attachments  
 Sponsor: Representative JAMES  
 Requestor: (H) Finance COMPONENT SERIAL NO. 1190, 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	663.9	397.2	328.4	328.4	328.4	450.7
TRAVEL	4.8	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	460.1	296.2	161.4	161.4	161.4	462.5
SUPPLIES	45.2	18.6	12.5	12.8	12.8	23.0
EQUIPMENT	177.8	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	1,351.8	717.0	507.6	507.6	507.6	941.2

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )	1,842.7	921.3	307.1	307.1	307.1	1,149.0
Revenue Code						

FINDING: (Thousands of Dollars)

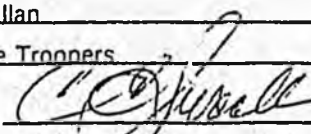
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	200.5	200.5	200.5	0.0
1005 GF/Program Receipts	1,351.8	717.0	307.1	307.1	307.1	941.2
1006 GF/MHTIA						
Other						
TOTAL	1,351.8	717.0	507.6	507.6	507.6	941.2

Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

POSITIONS:

FULL-TIME	9	9	6	6	6	8
PART-TIME	0	0	0	0	0	0
TEMPORARY	10	10	0	0	0	2

ANALYSIS: (Attach a separate page if necessary.)  
See attached analysis.

Prepared By: Francis C. Allan Phone: (907) 269-5691  
 Division: Alaska State Troopers Date: 04/28/94  
 Approved by Commissioner:  Date: \_\_\_\_\_  
 Agency: Richard L. Burton, Dept. of Public Safety

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The following analysis is based upon an estimated FY95 total population of 623,600, recently obtained from the Department of Labor, and the actual experience in the State of Washington by the Division of Licensing and in the State of Oregon by the Oregon State Police, Identification Services Section.

Assumptions utilized in the preparation of this fiscal note include that the implementation date for the program will be as close to the effective date of the bill of October 1, 1994 as possible. However, time to promulgate the regulations and develop the necessary administrative and operational procedures necessary to successfully implement the statute change may delay the opening of the program. Every effort will be made to accomplish the desired October 1st starting date.

**REVENUE:**

The following is an analysis of the number of permits and renewals that will be issued and the revenue that is anticipated to result. Revenue estimates are based upon information from Washington. It is anticipated that approximately 4% of the total population will request permits to carry concealed handguns (CCW) during the first twelve months that they become available, that .5% will do so each year thereafter and that 90% of permits issued will be renewed. Based on the effective date in the bill of October 1, 1994 following revenue is forecasted:

FY95:

623,600 X 4% new permits = 24,944  
X 9 mos. of 1st yr = 18,708 X \$98.50 = \$1,842,738

FY96:

623,600 X 4% new permits = 24,944  
X 3 mos of 1st yr = 6,236 x \$98.50 \$614,246  
623,600 X .5% new permits = 3,118  
X 12 mos of 2nd yr = 3,118 x \$98.50 \$307,123  
subtotal \$921,369

FY97:

623,600 X .5% new permits = 3,118 X \$98.50 = \$307,123

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FY98:

623,600 X .5% new permits = 3,118  
X \$98.50 = \$307,123

FY99:

623,600 X .5% new permits = 3,118  
X \$98.50 = \$307,123

FY00:

623,600 X .5% new permits = 3,118  
X \$98.50 = \$307,123  
Renewals 24,944 X 90% = 22,450  
X 9 mos = 16,838 x \$50.00 \$841,900  
subtotal \$1,149,023

EXPENDITURES:

CCW Unit

Sergeant - The new unit will require the oversight of an experienced State Trooper Sergeant, who will be responsible for developing, implementing and maintaining the program. This will involve setting up policy and procedures, preparing Standard Operating Procedures (SOP) for the unit, statewide implementation, overall supervising of the operation of personnel assigned, oversight list to be maintained for law enforcement. This position will oversee the suspension and revocation process, the investigation into the revocation and presentation to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 7/1/94.

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State Trooper - This position will follow up on discrepancies noted with information picked up in the checks made in the Alaska Public Safety Information Network (APSIN) and national checks regarding applicant backgrounds and criminal records. The Trooper will investigate conflicts between the application statements and criminal records, interview applicants when necessary and act as Officer In Charge (OIC) of the CCW Unit when the Sergeant is not available. This position will be needed by August 1, 1994 to assist in developing the program. After implementation the position will oversee the suspension and revocation process and the presentation of revocations to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 8/1/94.

Clerk IV - Initially this senior civilian position in the CCW Unit will assist the unit supervisor in developing and implementing the CCW program. This clerical position will help to develop the application form, the SOPs for the unit and attend to various clerical duties of the unit, including the processing of the more troublesome or complicated applications. The Clerk IV will also schedule administrative hearings to deal with denials and revocations. To help initiate the program the start date for this position will be 7/1/94.

Clerk Typist III - The clerk typist position will be needed to process applications, including performing APSIN checks, file completed applications and to issue the permits. The start date for this position will be 8/1/94.

Non-Permanent Clerk Typist III - Like the permanent Clerk Typist III, these positions will process applications. Ten will be needed during ten months of FY95 and two months of FY96, to handle the initial large volume of applications in a timely manner. Two will be needed again for six months in FY00 to handle the renewals of the same permits.

Other Costs - Certified postage costs will be incurred when the permits are mailed to the permittees. Costs have been estimated at \$2.29 + 10% for the proposed postage increase or \$2.50 per item. This expenditure will be incurred on each permit and is calculated for each year covered by this fiscal note based upon the projected number of permits expected each year.

HB 351 Criminal Records and Identification Processing Assumptions:

1. Projected original-applicant and renewal-applicant workload is per the attached excel spreadsheet.

Due to significant program receipt fluctuations from year to year, the department is requesting General Funds. Over time, the bill will be revenue neutral. In certain years, not enough revenue will be realized to support resources required to perform functions required by this bill.

2. A journey level AAFIS operator I can perform the fingerprint portion of 10,000 applicant checks per year.

Due to the effort in hiring and training required to recruit qualified AAFIS operators, the department proposes to keep these two positions filled continuously in spite of workload fluctuations. Backlogs will be inevitable given the projected workload peaks.

3. A journey level criminal records clerk can accommodate 6,000 applicants per year (procedures explained further on).
4. The Records and Identification Section will check available information sources as follows:

Original Applications - Alaska Public Safety Information Network APSIN and the National Crime Information Center NCIC;

Renewal Applications - Alaska Public Safety Information Network, no fingerprint based national check; NCIC requires a new set of fingerprints for each applicant check. The Judiciary CS for HB 351 does not require fingerprints for renewals. The state check will be done by comparing the thumbprint on the renewal application with the original fingerprint card submitted by the applicant. For federal purposes, a name based check similar to that used for Brady clearances will be conducted.

Under typical circumstances, a background check as referenced in 18.65.710 (7) will consist of an applicant check by the department in the same manner as performed for security guards, teachers and other employers. Fee regulations already in place for these purposes are contained in 13 AAC 25.400. APSIN and NCIC will permit the department to determine past conviction and outstanding warrant information.

The Department will be unable to verify other qualifying information specified in Section 18.65.705 due to laws denying the department access or difficulty in obtaining the information. As in the Brady Bill implementation, most categories of disqualifying information cannot be routinely verified. Some states are making progress toward providing specified information (at least 26 states have gun control laws) but this is a new issue for Alaska. Both old and new forms used by the federal Bureau of Alcohol, Tobacco and Firearms provide for applicant certification that statements made on the form are true and correct. Under federal law, if it is later determined that the buyer made false statements on the form, the buyer has committed a felony offense. A similar provision is included in the CS HB 351 (JUD), section 18.65.710 (6).

Unverified categories of information specified by Section 18.65.705 will generally include:

- (2) Federal firearms eligibility except under the concept of "REASONABLE EFFORT" provided for in the Brady bill;
- (3) Indictments, Information, Presentments;
- (4) Will check available convictions in APSIN but will not research arrests without disposition information. If a disqualifying arrest is present without a disposition, the applicant will be asked to provide a copy of the court disposition indicating the case was dismissed or the applicant was found not guilty;
- (5) The Department does not have access to mental illness information;
- (6) Unless adjudications for mentally incapacitated occur in a criminal case, the department does not have feasible access to this information;
- (8) The Department does not have feasible access to military discharge information;
- (9) The Department does not have feasible access to renounced U.S. Citizenship records;
- (10) Unless incident to arrest or by conviction, the department does not have access to records indicating use or addiction to a controlled substance;
- (11) The Department does not have access to alcohol treatment program records;
- (12) The Department does not have access to substance abuse treatment program records.

5. Criminal Records AFIS Operators 3 months and Clerks require 1 month hire in advance of production need for training purposes.

6. Because of capacity limitations of the Alaska Automated Fingerprint Identification System (AAFIS), fingerprint cards will be retained in hardcopy files for retention purposes but will not be registered in AAFIS for electronic searching to help identify subsequent cases where concealed weapons permit holders may have been involved in a crime. The effect of not having these records available for electronic searching will preclude identification of 2,400 (10%) of previously unknown criminal arrestees based upon past experience verifying arrest fingerprint cards submitted to DPS. Additionally, not having these records available for electronic searching will preclude 7% of latent identifications by comparison with fingerprints retained in AFIS from unsolved crimes. In FY 93, DPS and APD conducted 1,139 latent searches and identified 87 subjects who would not have otherwise been identified. Past discussions with licensing agencies discloses the need for reporting subsequent arrest and conviction information back to the licensing agency. This service is not currently in place. However, to the extent that applicant fingerprints are not on the AAFIS file, the ability to report criminal event information subsequent to granting of a license will not be reliably possible.

7. Condition and Capacity of the Alaska Automated Fingerprint Identification System - The system is presently 12 years old and has been declared contractually obsolete by the vendor. Maintenance costs are increasing approximately 5% a year without this bill. Use of the system will more than double (2nd shift) as a result of this bill requiring renegotiation for vendor maintenance which is expected to increase from \$170,000 to approximately \$220,000. As discussed in 6 above, the department will not register concealed weapons permittees in the system to avoid exceeding capacity in one year. The consequences of this decision are discussed in 6 above. AAFIS needs to be upgraded or replaced at a cost of approximately \$2 million. The department is not saddling HB 351 with the costs of replacing this system but takes this opportunity to inform the legislature that the system has been declared contractually obsolete and that maintenance costs are expected to increase from approximately \$170,000 annually to more than \$220,000.

AAFIS is the cornerstone for providing a complete, accurate, and timely criminal history database with the ability to remotely search fingerprint databases of nine western states comprising approximately 16 million records. AAFIS makes the automated detection of persons using aliases possible so that complete criminal history information is provided to authorized inquirers. AAFIS also provides the ability to search latent fingerprints from unsolved crimes against the automated database. The more fingerprint records in the system, the higher the probability of a match (see 6 above). The criminal history database is used by Alaska's \$300 million criminal justice system as follows:

Police use criminal history information to aid investigations. Courts and Corrections use criminal history information in making release, probation and parole decisions;

Alaska law provides for presumptive sentencing which assumes that repeat offenders receive progressively more severe sentencing as a deterrent to repeat criminal behavior;

Alaska law provides for the screening of day care workers, foster parents, school teachers, school bus drivers and various other occupations, certifications, permits and licenses which require the use of criminal history information to ensure that inappropriate persons are not employed or licensed.

Legislation continues to be enacted and proposed in addition to CS HB 351 (JUD) including the Brady Bill, National Child Protection Act, pending bills HB 3, HB 480, SB 54 all of which depend on timely, accurate, and complete fingerprint based criminal history record information.

#### FINGERPRINT BASED CRIMINAL HISTORY CHECK PROCEDURES

The processing of applicant fingerprint cards is a three stage approach which requires handling by the R&I clerical staff and AAFIS operations staff acting in tandem. R&I clerks receive, audit funds, name search and separate this work by status before sending to AAFIS; AAFIS operators block, prepare, submit, review and verify the work before returning to clerical staff; and clerical personnel update information in APSIN, merge records in APSIN, update information in tracking system, forward fingerprint cards to FBI, forward information to applicant and agency in event of criminal findings, and file fingerprint cards.

This is an over-simplification of the duties performed and, therefore, a more detailed description would follow to generate a better understanding of these procedures.

#### STAGE I

Applicant fingerprint cards are received by R&I clerical staff and are sorted to separate fees from the cards and cards are date stamped. Information from the cards and accompanied fees are entered into the tracking program. All monies are recorded, balanced, and a summary report is prepared and forwarded to Fiscal with the monies.

A name check is conducted on each fingerprint card through APSIN by name, DOB and SS#. The ID/LIC or SID # is recorded on all cards

where the number is available and the cards are separated into three categories for further processing: SEARCH, VERIFY, and NOT IN APSIN.

- SEARCH: These cards are sent to AAFIS operators for routine searches.
- VERIFY: These cards will have an SID # affixed and are handled through a shortened route by the AAFIS operators by direct data base access to verify same individual.
- NOT IN APSIN: These cards must be searched and returned to create SID # before entry into APSIN.

## STAGE II

Applicant fingerprint cards are received in the three categories indicated above by the AAFIS operators for search, verification and registration into AAFIS data base with somewhat different handling according to category.

SEARCH: Pattern interpretation (blocking) is completed on each fingerprint and/or proper notation if finger is bandaged or amputated. Cards are then sorted and sequenced through the Fingerprint Reader (FR) to digitize image of fingerprint and obtain Process Control Number (PCN) in order to retrieve images for search through data base. PCN is entered and all demographics are entered, core and axis are determined and set for all images (10) on each card, and a search of data base is initiated. If an identification is not affected, the information normally is registered at this step and becomes part of the AAFIS data base. As discussed above, concealed weapon permit holders will not initially be registered. If a tentative identification is made against a fingerprint card on file, these documents are verified by the operator as being identical and SID # is affixed to card which is then returned to clerical staff to update APSIN files and merge records if necessary. Submitting agency and applicant would be notified if connection is made to a criminal history.

VERIFY: An SID # has been affixed to these cards which allows AAFIS operators direct entry into data base to call-up or retrieve the image and ascertain the positive identity of the applicant as being the same. This information will be verified by examination of the hard copy of the fingerprints on file. Cards are returned to clerical staff for updating.

NOT IN APSIN: These cards are blocked and prepared in the same way as the SEARCH cards, however, they are submitted for tenprint inquiry. If these cards are identified, they are

processed as in the VERIFY instructions above. If they are not identified, they are created into APSIN and an SID # is established which allows entry into AAFIS data base. These cards then follow the procedures outlined in SEARCH category above.

REJECTIONS: If cards are of unacceptable quality, they will be rejected by the Fingerprint Reader. This can occur for a number of reasons, i.e. insufficient ink, smudged prints, etc. These fingerprints are circled, reason noted, and returned to applicant or submitting agency via clerical staff for re submission.

Note: a \$20 resubmission fee is authorized under 13 AAC 25.400 (b), but has not been implemented.

### STAGE III

All cards are returned to R&I clerical staff for additional handling and/or processing.

SEARCH: These cards will all be Master cards within the Alaska system and APSIN records will be updated on the personal information screen to include that a fingerprint card is on file for that individual. A criminal history screen is printed and attached to the card, an entry is made into tracking system indicating "State Complete" and forwarding coordinate fingerprint-card to the Federal Bureau of Investigation for searching and processing. When card is returned from the FBI, update the tracking system to reflect "FBI Complete". Compile any/all criminal history and determine which information meets dissemination criteria for release to applicant or requesting agency. All cards are filed for future reference.

VERIFY: These cards have a counterpart on file, the demographics updated and entry made into tracking system to indicate completion and forwarding of card to FBI as indicated in above paragraph. All other aspects as indicated in SEARCH apply.

NOT IN APSIN: These will be treated the same as the master cards indicated above. Updates are required in APSIN and tracking systems and cards forwarded to the FBI. All other steps outlined previously are applied as to dissemination of information. See SEARCH.

REJECTIONS: These cards, accompanied by a reject letter are returned to the applicant or requesting agency. The tracking system is updated to reflect the rejection and return of same. Monies are maintained and noted in tracking system awaiting re submission. When a re submission arrives, the process begins at step one except for the collection of fees.

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Personnel & supporting costs:

FY95	1 AAFIS Operator II
	1 AAFIS Operator I
	3 Clerk IV
FY96	1 AAFIS Operator II
	1 AAFIS Operator I
	3 Clerk IV
FY97	1 AAFIS Operator II
	1 AAFIS Operator I
FY98	1 AAFIS Operator II
	1 AAFIS Operator I
FY99	1 AAFIS Operator II
	1 AAFIS Operator I
FY00	1 AAFIS Operator II
	1 AAFIS Operator I
	2 Clerk IV

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FY95 and FY96 Costs

Based upon experience with handling Security Guard Licensing, approximately forty-five minutes to one hour will be required by an experienced clerk to process each permit application. Most of the initial applications are anticipated to be received during the start up period in FY95. In that year hours of effort will be needed. Because the initial start up year will require effort that will not continue at the same level, ten non-perm Clerk Typist IIIs will be needed in addition to the permanent positions. (24,944 applications at 1 hour each divided by 1,950 hours of available work time per position equals 12.8 (rounded down to a total of 12 clerical positions.)

Office and other equipment will only be needed in the first year (FY95) of operation.

Contractual Programming Support

APSIN	265 hours @ \$75.00	\$20,000
PC Application	200 hours @ \$75.00	<u>\$15,000</u>
	Initial	35,000
Data Storage and CPU Usage (on-going)		<u>\$5,000</u>
	Full First Year Cost	40,000

Administrative Hearings

Based upon the actual activity data from the State of Oregon, it appears that approximately 1% of the CCW applications will be denied and another 1% will later will be revoked. Approximately 25% of those actions will result in an administrative or judicial hearings based upon our experience with DWI cases. This will result in a cost of approximately \$3,000 per hearing based upon DPS experience with process services licensing administrative hearings.

FBI Fingerprint Fees

The FBI charges \$24 to process a national fingerprint check. These fees will be charged to the permit applicant and passed to the FBI.

Sergeant  
Anchorage  
Base Cost  
(PACS 12#094)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$53,742	
Benefits	<u>23,007</u>	
Total Personal Services		\$76,749

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
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CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCf Vehicle - Class 116 - Yearly		
Operating & Replacement costs per SEF	<u>6,900</u>	
Total Contractual		12,590

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 116	18,415	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Micro computer work station	5,000	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		29,325

TOTAL COST		<u>123,905</u>
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State Trooper  
Anchorage  
Base Cost  
(PACS 12#143)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$47,148	
Benefits	<u>20,755</u>	
Total Personal Services		\$67,903

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
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CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCF Vehicle - Class 115 - Yearly Operating & Replacement costs per SEF	<u>12,960</u>	
Total Contractual		18,650

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 115	21,000	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Micro computer work station	5,000	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		31,910

TOTAL COST

123,704

Clerk Typist III  
Base Cost  
(PACS 12#095)

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>11,743</u>	
Total Personal Services		\$33,931

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

TOTAL COST		<u>\$48,396</u>
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Non Perm  
Clerk Typist III  
Base Cost  
(PACS 12#103, #104, #105, #106, #107,  
#108, #109, #110, #111, #112)

PERSONAL SERVICES

Salary - Clerk. III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>8,377</u>	
Total Personal Services		\$30,565

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		5,325

TOTAL COST		<u>\$45,030</u>
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Clerk IV  
Base Cost  
(PACS 12#102, #167, #168, and #169)

PERSONAL SERVICES

Salary - Clerk IV - Range 9, Step A, no overtime	\$23,556	
Benefits	<u>12,149</u>	
Total Personal Services		\$35,705

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	600	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,640

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,200	
Copier paper	750	
File folders, lamination supplies, etc.	<u>500</u>	
Total Supplies & Materials		2,950

EQUIPMENT

Desk and Chair, 2 side chairs	1,250	
Bookcases (2) and file cabinets (5)	1,500	
Computer table	600	
Typewriter	400	
Facsimile machine	3,200	
Micro computer work station	5,000	
Laminator	<u>500</u>	
Total Equipment		12,450

TOTAL COST		<u>\$56,745</u>
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AAFIS OPERATOR II  
Base Cost  
Anchorage  
(PACS 12#098)

PERSONAL SERVICES

Salary - AAFIS Operator II, Range 18, Step A, 60 hrs overtime	\$44,314	
Benefits	<u>18,301</u>	
Total Personal Services		\$62,616

CONTRACTUAL

Telephone/Postage, \$100 per month	1,200	
Maintenance on office equipment	500	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,660

SUPPLIES & MATERIALS

Computer paper	500	
Fingerprint cards and supplies	1,000	
Copier paper, stationary, office supplies	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk and Chair	725	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

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TOTAL COST		\$77,201
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FY95

Costs

	Sgt. x1 x12 Months	Trooper x1 x11 Months	CT III x1 x11 Months	NorPerm CTIII x 10 x10 Months	CK IV x1 x12 Months	OTHER Con (1)	AFIS OP I x1 x12 Months	AFIC OP II x1 x12 Months	CK IV x3 x10 Months	TOTAL
Personal Services	76.7	62.2	31.1	254.7	35.7	0.0	51.6	62.6	89.3	663.9
Travel	2.5	2.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.8
Contractual	12.6	17.1	5.0	46.1	5.6	348.2	5.7	5.7	14.1	460.1
Supplies	2.8	2.7	2.6	21.6	2.9	0.0	2.6	2.6	7.4	45.2
Equipment	29.3	26.9	6.3	52.7	12.5	0.0	6.3	6.3	37.5	177.8
<b>TOTAL</b>	<b>123.9</b>	<b>111.2</b>	<b>45.0</b>	<b>375.1</b>	<b>56.7</b>	<b>348.2</b>	<b>66.2</b>	<b>77.2</b>	<b>148.3</b>	<b>1,351.8</b>

(1) Startup contractual programming support.	40,000.0
Certified Postage \$2.50 x 6,236 permits.	15,590.0
Administrative hearing costs.	280,620.0
Fingerprint System Maintenance.	12,000.0
<b>Total Contracted</b>	<b>348,210.0</b>

FY96  
Costs

	Sgt. x1	Trooper x1	CK IV x1	CT III x1	NonPerm CT III x10 (1)	Can. (2)	AFIS OP II x1	AFIS OP I x1	CK IV x3 (4)	TOTAL
Personal Services	76.7	67.9	35.7	33.9	50.9	0.0	62.6	51.6	17.9	397.2
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.6	5.5	9.2	230.4	5.7	5.7	2.8	296.2
Supplies (3)	1.0	1.0	3.0	2.6	4.3	0.0	2.6	2.6	1.5	18.6
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<u>92.8</u>	<u>90.1</u>	<u>44.3</u>	<u>42.0</u>	<u>64.4</u>	<u>230.4</u>	<u>70.9</u>	<u>59.9</u>	<u>22.2</u>	<u>717.0</u>

(1) Needed for two months.

(2) Other costs include:

Computer space storage	5,000.0
Administrative hearing costs.	128,632.5
Postage, \$2.50 x 19,488 =	48,720.0
 Fingerprint System Maintenance	 48,000.0
<b>Total Contracted</b>	<u>230,352.5</u>

(3) Replacement supplies only.

(4) Needed for two months.

FY97  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	46,770.0
Postage \$2.50 x 3,118	7,795.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>107,565.0</b>

(2) Replacement supplies only.

FY98  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.3</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	46,770.0
Postage \$2.50 x 3,118	7,795.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>107,565.0</b>

(2) Replacement supplies only.

FY99  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OPII x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	46,770.0
Postage \$2.50 x 3,118	7,795.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>107,565.0</b>

(2) Replacement supplies only.

FY00  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP 1 x1	CK IV x2	Non Perm x2 x 10 Months	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	71.4	50.9	450.7
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	388.2	5.7	5.7	11.3	9.2	462.5
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	5.9	4.3	23.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>388.2</b>	<b>70.9</b>	<b>59.9</b>	<b>88.6</b>	<b>64.4</b>	<b>941.2</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	299,340.0
Postage \$2.50 x 14,342	35,855.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>388,195.0</b>

(2) Replacement supplies only.

SCS CSHB351 (STA)  
Permit and Renewal Projection

ORIGINAL APPLICATIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
9 MOS/25% OF 24,944	18708					
3 MOS/75% OF 24,944		6236				
<hr/>						
NEW APPLICATIONS						
.5% NEW X 623600 X .75% (9MOS)		2340				
.5% NEW X 623600			3118	3118	3118	3118
<hr/>						
RENEWALS						
90% X 24944 X 75%						16838
<hr/>						
TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR	18708	8576	3118	3118	3118	19956
<hr/>						
Total number of administrative hearings.	94	43	16	16	16	100
Total cost of administrative hearings. (Hearings x \$3,000)	280,620.0	128,632.5	46,770.0	46,770.0	46,770.0	299,340.0



SCS CSHB 351 (STA)

5 Year Renewal	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
<b>ORIGINAL APPLICATIONS</b>						
9 MOS/75% OF 24,944	18708					
3 MOS/25% OF 24944		6236				
<b>NEW APPLICATIONS</b>						
.5% NEW X 623600 X .75%		2340				
.5% NEW X 623600			3118	3118	3118	3118
<b>RENEWALS</b>						
90% X 24944 X 75%						16838
<b>TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR</b>	<b>18708</b>	<b>8576</b>	<b>3118</b>	<b>3118</b>	<b>3118</b>	<b>19955</b>
<b>GF/PGM Receipt Calculation</b>						
Original Applications AST Permit Fee @ \$63.50 + APSIN Check @ \$35	\$1,842,738	\$844,736	\$307,123	\$307,123	\$307,123	\$307,123
Renewal Application AST Renewal Fee @ \$25.00 + APSIN Name Check @ \$25						\$841,900
<b>GF/PGM Receipts by Fiscal Year</b>	<b>\$1,842,738</b>	<b>\$844,736</b>	<b>\$307,123</b>	<b>\$307,123</b>	<b>\$307,123</b>	<b>\$1,149,023</b>

### Anticipated Costs to Applicants for obtaining Concealed Weapons Permits

Cost Category	Original Application	Renewal Application	DPS Fund Source
Training	\$130.00	\$130.00	NO
Rolled Print	\$30.00		NO
Trpr Permit Fee	\$63.50	\$25.00	Yes GF/PGM
State Fingerprint Based Criminal History Check	\$35.00		Yes GF/PGM
National Fingerprint Based Criminal History Check	\$24.00		NO
State Thumbprint Verified Criminal History Check+ National Name Based Criminal History Check		\$25.00	Yes GF/PGM
<b>Total Anticipated Costs To Applicant</b>	<b>\$282.50</b>	<b>\$180.00</b>	

FISCAL NOTE

No. 3

Bill Version: CSHB 351 (JUD)

(H) Publish Date: 3/25/94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date: March 22, 1994  
Title: "...permits for carrying of a concealed handgun; providing for local option elections..."  
Sponsor: Representative James  
Requestor: House Judiciary Committee

Department Affected: Department of Law  
BRU: Prosecution  
Component: All  
COMPONENT SERIAL NO. 0085-0090

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING:

1002 Federal						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)  
Please see the attached analysis.

Changes in SenCSHB 351 (STA) have no fiscal impact. This fiscal note is appropriate.  
4-27-94 *[Signature]*

*[Signature: Richard I. Peo]*

Prepared by: Richard I. Peo es, Director  
Division: Administrative Services Division  
Approved by Commissioner: Bruce M. Botelho, Attorney General  
Agency: Department of Law

Phone: 465-3672  
Date: March 22, 1994  
Date: March 22, 1994

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FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 351 (JUD)

ANALYSIS CONTINUATION:

This bill amends AS 18.65 to allow persons 21 years of age and older to carry concealed handguns under comprehensive permitting regulations to be administered by the Department of Public Safety. The bill lists thirteen requirements that a person must satisfy before a concealed handgun permit can be issued, including handgun proficiency training, absence of a controlled substance or alcohol dependence, absence of mental illness, lack of a criminal record, and a minimum 90-day residence. The bill also provides that, under certain circumstances, the Department of Public Safety may deny, suspend, or revoke a concealed handgun permit, and the bill provides that a person may seek judicial review of a decision to deny, suspend or revoke a permit. As the legal representative of the Department of Public Safety, the Department of Law will be involved in this process to the extent that persons seek judicial review. Although there may be some impact, at this stage we cannot say that permit appeals will be extensive enough to require fiscal note funds and none have been requested.

MAR-31-94 THU 13:17  
MAR-31-94 THU 12:54

AK DIVISION OF ELECTIONS  
REG : DIV OF ELECTIONS

FAX NO. 90746  
FAX NO. 52214

No. 4  
Bill Version: CSHB 351(FIN)  
(H) Publish Date: 4/12/94

FISCAL NOTE

BILL

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Data: \_\_\_\_\_ Department Affected: Office of the Governor  
Title: An Act relating to the issuance of BRU: Division of Elections  
permits for the carrying of a concealed weapon Component: General and Primary Elections  
Sponsor: Representative(s) James, Bunde, Olberg, Sanders  
Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.44	2.44	2.44	2.44	2.44	2.44
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	2.44	2.44	2.44	2.44	2.44	2.44

CAPITAL	0	0	0	0	0	0
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REVENUE						
---------	--	--	--	--	--	--

FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	2.44	2.44	2.44	2.44	2.44	2.44
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	2.44	2.44	2.44	2.44	2.44	2.44

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY94) impact: 0

ANALYSIS: (Attach a separate page if necessary.) See Attached

Prepared by: Joseph L. Swanson, Director  
Division: Division of Elections

Phone: 465-4811

Date: 3/31/94

Approved by Commissioner: Lt. Governor John B. Coghill  
Agency: Office of the Lt. Governor

Date: 3/31/94

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Rev 12/93

Page 1 of 3

Changes in CSHB 351 (STA)  
reflect NO FISCAL CHANGE from the original  
fiscal note. This fiscal note is appropriate.

4/22/94  
date

[Signature]  
Comte Aide (initial)

COMMITTEE COPY

MAR-31-94 THU 13:17  
MAR-31-94 THU 12:54

AK DIVISION OF ELECTIONS  
REG I DIV OF ELECTIONS

FAX NO. 9074653203  
FAX NO. 522146

P.03  
P.02/03

COST FOR BY-MAIL ELECTIONS FOR HB351

The following is a cost estimate for by-mail elections for municipality. Cost estimates are based on 500 voters as we order ballots in pads of 25 and allowing for additional registration. Currently there are 500 registered voters in these five municipalities.

Personnel:	Estimated Cost:
Absentee Voting Official available in each city 15 days before the election. (Flat fee of \$50.00 for each city)	Total \$50.00
1 hours for person to post 40/10 Posters (Total \$8.00 Per Hour)	Total \$40.00
District Absentee Review Board... 1 City (None will take approx. 2 days for 4 cities) (Four board members are needed) \$10.00 Per Hour	Total \$40.00
District Absentee Review Board... 1 City (Four board members at (\$10.00 Per Hour for 1 Hr)	Total \$40.00
State Review Board (four board members) \$12.50 Per Hour for 4 days	Total \$50.00
<b>Total Cost for Personnel:</b>	<b><u>Total \$220.00</u></b>

Outreach/Advertising:	Estimated Cost:
2 - 40/10 Posters per city (Approx. \$2.00 per poster)	Total \$ 4.00
Printing Advance Flyer (approx. 500 voters) (.15 a copy x 500)	Total \$75.00
Newspaper, radio or RATNET advertisement (Newspaper Display Ad is 4" x 4" at \$112.00 ea.)	Total \$560.00
General Instructions to voters to be included with the ballot. (Based on 500 card at \$1.00 ea.)	Total \$500.00
<b>Total Cost for Advertising:</b>	<b><u>Total \$1139.00</u></b>

Ballots:	
Ballots for all registered voters (Ballots ordered in pad of 25, 500 at \$.74 ea)	Total \$370.00

MAR-31-94 THU 13:18  
MAR-31-94 THU 12:55

AK DIVISION OF ELECTIONS  
REG 1. DIV OF ELECTIONS

FAX NO. 9074653203  
FAX NO. 52214L

P.04  
P.03/03

Cost for by-mail elections  
Page 2

Ballots for each regional offices to act as absentee voting officials. 25 ballots for each election, which can be distributed, 5 to each area. (\$.74 x 25) Total \$18.50

Sample ballots for all elections (Approx. 175 at \$1.00 ea) Total \$175.00

Total cost for ballots: Total \$767.00

Postage:

Postage for mailing Advance Flyer (mail first class, \$.29 x 500) or to number of registered voters at time sent Total \$145.00

Mailing ballots to all registered voters, (based on 500 x \$.29) Mailed first class Total \$145.00

Shipping charged for sending ballots and materials to the city. (Alaska Airlines Goldstreak) \$25.00 a box Total \$ 25.00

Total Cost for Postage/shipping Total \$315.00

Grand Total \$2441.00

MAR-31-94 THU 13:17  
MAR-31-94 THU 12:54

AK DIVISION OF ELECTIONS  
REG I DIV OF ELECTIONS

FAX NO. 9074653203  
FAX NO. 522146

P. 03  
P. 02/03

COST FOR BY-MAIL ELECTIONS FOR HB351

The following is a cost estimate for by-mail elections for municipality. Cost estimates are based on 500 voters as we order ballots in pads of 25 and allowing for additional registration. Currently there are 500 registered voters in these five municipalities.

Personnel:	Estimated Cost:
Absentee Voting Official available in each city 15 days before the election. (Flat fee of \$50.00 for each city)	Total \$50.00
1 hours for person to post 40/10 Posters (Total \$8.00 Per Hour)	Total \$40.00
District Absentee Review Board... 1 City (None will take approx. 2 days for 4 cities) (Four board members are needed) \$10.00 Per Hour	Total \$40.00
District Absentee Review Board...1 City (Four board members at (\$10.00 Per Hour for 1 Hr)	Total \$40.00
State Review Board (four board members) \$12.50 Per Hour for 4 days	Total \$50.00
<b>Total Cost for Personnel:</b>	<b><u>Total \$220.00</u></b>
<b>Outreach/Advertising:</b>	<b>Estimated Cost:</b>
2 - 40/10 Posters per city (Approx. \$2.00 per poster)	Total \$ 4.00
Printing Advance Flyer (approx. 500 voters) (.15 a copy x 500)	Total \$75.00
Newspaper, radio or RATNET advertisement (Newspaper Display Ad is 4" x 4" at \$112.00 ea.)	Total \$560.00
General Instructions to voters to be included with the ballot. (Based on 500 card at \$1.00 ea.)	Total \$500.00
<b>Total Cost for Advertising:</b>	<b><u>Total \$1139.00</u></b>
<b>Ballots:</b>	
Ballots for all registered voters (Ballots ordered in pad of 25, 500 at \$.74 ea)	Total \$370.00

MAR-31-94 THU 13:17  
MAR-31-94 THU 12:54

AK DIVISION OF ELECTIONS  
REG I DIV OF ELECTIONS

FAX NO. 9074653203  
FAX NO. 522146

P. 03  
P. 02/03

COST FOR BY-MAIL ELECTIONS FOR HB351

The following is a cost estimate for by-mail elections for municipality. Cost estimates are based on 500 voters as we order ballots in pads of 25 and allowing for additional registration. Currently there are 500 registered voters in these five municipalities.

**Personnel:**

**Estimated Cost:**

Absentee Voting Official available in each city 15 days before the election. (Flat fee of \$50.00 for each city)	Total	\$50.00
1 hours for person to post 40/10 Posters (Total \$8.00 Per Hour)	Total	\$40.00
District Absentee Review Board... 1 City (None will take approx. 2 days for 4 cities) (Four board members are needed) \$10.00 Per Hour	Total	\$40.00
District Absentee Review Board...1 City (Four board members at (\$10.00 Per Hour for 1 Hr)	Total	\$40.00
State Review Board (four board members) \$12.50 Per Hour for 4 days	Total	\$50.00
<b>Total Cost for Personnel:</b>	<b>Total</b>	<b>\$220.00</b>

**Outreach/Advertising:**

**Estimated Cost:**

2 - 40/10 Posters per city (Approx. \$2.00 per poster)	Total	\$ 4.00
Printing Advance Flyer (approx. 500 voters) (.15 a copy x 500)	Total	\$75.00
Newspaper, radio or RATNET advertisement (Newspaper Display Ad is 4" x 4" at \$112.00 ea.)	Total	\$560.00
General Instructions to voters to be included with the ballot. (Based on 500 card at \$1.00 ea.)	Total	\$500.00
<b>Total Cost for Advertising:</b>	<b>Total</b>	<b>\$1139.00</b>

**Ballots:**

Ballots for all registered voters (Ballots ordered in pad of 25, 500 at \$.74 ea)	Total	\$370.00
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MAR-31-94 THU 13:18  
MAR-31-94 THU 12:55

AK DIVISION OF ELECTIONS  
REG 1. DIV OF ELECTIONS

FAX NO. 9074653203  
FAX NO. 522146

P.04  
P.03/03

Cost for by-mail elections  
Page 2

Ballots for each regional offices to act as absentee  
voting officials. 25 ballots for each election, which  
can be distributed, 5 to each area. (\$.74 x 25) Total \$18.50

Sample ballots for all elections  
(Approx. 175 at \$1.00 ea) Total \$175.00

Total cost for ballots: Total \$767.00

Postage:

Postage for mailing Advance Flyer  
(mail first class, \$.29 x 500) or to number of  
registered voters at time sent Total \$145.00

Mailing ballots to all registered voters,  
(based on 500 x \$.29) Mailed first class Total \$145.00

Shipping charged for sending ballots and materials  
to the city. (Alaska Airlines Goldstreak)  
\$25.00 a box Total \$ 25.00

Total Cost for Postage/shipping Total \$315.00

Grand Total \$2441.00

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## Are We 'a Nation of Cowards'?

**J**EFFREY SNYDER'S FEELING IS EITHER PERFECT OR PROBABLY awful. Just as there seems to be a coalescing consensus that the keys to controlling violent crime are more police and fewer guns, along comes Snyder to trouble the conscience of anyone who thinks so. In his essay "A Nation of Cowards" in *The Public Interest* quarterly, he argues, with a potent blend of philosophy and fact, as follows:

"Crime is rampant because the law-abiding, each of us, condone it, excuse it, permit it, submit to it. We permit and encourage it because we do not fight back immediately, then and there, where it happens . . . The defect is there, in our character. We are a nation of cowards and shirkers."

Strong words, those, but not stronger than his argument, the gravamen of which is that the crime problem cannot be addressed without confronting the moral responsibility of the intended victim. Taking responsibility for one's life, family and community requires fighting back when threatened with violence. How? By possessing and mastering the means of resistance. He means an "equalizer"—a handgun. A responsible citizen, he says, "will be trained in the use of his weapon, and will defend himself when faced with lethal violence."

Before examining his argument for an armed citizenry, consider the freshest evidence of the nation's quickened concern about crime.

On Election Day voters in liberal Washington state gave emphatic (76 percent) approval to the "three strikes and you're out" initiative which mandates life imprisonment without parole for people convicted of three major felonies. California, although taxophobic, nevertheless voted to make permanent an existing tax to provide \$1.5 billion for public safety—more police and firemen. (Arson has made fire a threat of California's safety about crime.) Fiscally conservative Texas endorsed a \$1 billion bond issue to build more prisons and mental health facilities.

The day after the elections the House of Representatives, with a smattering mixture of posturing and false advertising, passed yet another crime bill, this one purporting to subsidize the hiring of 50,000 police officers. It probably would fund fewer. The Senate promptly pumped up the money. For 40 years Congress has passed a crime bill in every two-year session, except the last one. The criminal class has not been impressed.

The day after the elections the president held a ceremony to push the bill that would require a five-day waiting period for the purchase of a gun. The attention given to this "Brady bill" seems disproportionate, given that 93 percent of the guns obtained by violent criminals are not obtained through lawful transactions that are the focus of most gun control legislation.

More interesting, the day after the elections Sen. Pat Moynihan proposed whopping tax increases on various kinds of handgun ammunition. He even favors a 10,000 percent tax on the Winchester 9-mm hollow-tipped Black Talon cartridge. ("Penetrates soft tissue like a throwing star—very nasty," boasts an advertisement.) That tax would make 20 cartridges cost about \$1,500. In large

portions of Moynihan's New York City people are slain by stray—that's right, stray—bullets. Moynihan says: Guns do not kill people, bullets do. We have a 200-year supply of guns and a four-year supply of ammunition, so concentrate on the latter.

Snyder, an attorney in Washington, where the mayor begs for military help against crime, demurs, comprehensively. America, he says, is wrongly called an "armed society." He thinks we would be better off if we were. Most of the guns owned by law-abiding citizens are kept at home, but 7 percent of violent crimes occur outside the home. The constantly armed portion of the community consists primarily of the police and violent criminals. Multiplying the former cannot make us safe from the latter.

**Self-respect:** It is, says Snyder, foolish and erroneous to expect police to perform as personal bodyguards. The existence of police does not relieve individuals of all responsibility for self-protection. That judgment has both prudential and moral dimensions. Gun owners like to say, "Call for a cop, call for an ambulance and call for a pizza. See which comes first." The Department of Justice reports that in 1991, for all crimes of violence, only 28 percent of calls to the police were responded to within five minutes. And it is now more likely that an American will be injured by violent crime than that he will be injured in an auto accident.

Feminists, says Snyder, rightly insist that rape is not about sex but about domination. What is at issue

in crime is not just property but dignity. Crime, he says, always violates the victim's dignity, which can hardly be said to exist if the victim does not deem it worth fighting for. Crime is "an act of enslavement" and a personal readiness to resist it should be regarded as a prerequisite of self-respect, properly understood. He notes that "self-respect," which implies standards by which one judges oneself, has been supplanted in public discourse by the locution "self-esteem," which simply means having warm feelings about oneself. Repeating the shibboleths of the gun control movement makes many people feel good about themselves. Snyder's argument should disturb their peace.

Which gun control advocacy is directed against normal citizens, who are depicted as at best benighted and at worst barbaric. Gun owners are routinely characterized as uneducated, intolerant, possibly paranoid rednecks—people urgently in need of re-education and "consciousness-raising" from the liberal agenda. In Mario Cuomo's depiction, gun owners are "hunters who drink beer, don't vote and lie to their wives about where they were all weekend." (Cuomo quickly recanted this. Gun owners do vote.) Actually, the gun-owning population is pretty much like the general population because approximately one of every two households has a gun.

Now, Snyder is right that the gun control movement often radiates distrust of average citizens, whose supposed mental and moral deficiencies are such that "only lack of immediate access to guns prevents the blood from flowing in the streets." Nevertheless, it is reasonable to wonder whether a nation whose citizens cannot

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EXAMINING  
THE  
ARGUMENT  
FOR AN ARMED  
CITIZENRY

*Continued from page 91*

program, their VCRs and who increasingly will not respect stoplights (surely you have noticed the increasing lawlessness of drivers) is a nation whose citizens are insufficiently dexterous and too aggressive to be safely armed.

Snyder says the idea that only the police are qualified to use firearms is akin to saying that "only concert pianists may play the piano and only professional athletes may play sports." The flaw in Snyder's analogy is that if you play the piano skillfully, you neither kill nor wound anyone. However, Snyder has evidence more powerful than his analogy.

In 13 states citizens who wish to carry arms may do so, having met certain requirements. Consider Florida, which in 1987 enacted a concealed-carry law guaranteeing a gun permit to any resident who is at least 21, has no record of crime, mental illness or drug or alcohol abuse, and who has completed a firearms safety course. Florida's homicide rate fell following the enactment of this law, as did the rate in Oregon after the enactment of a similar law. Through June 1993, there had been 160,823 permits issued in Florida. Only 520, or 0.33 percent, of the applicants have been denied permits. This indicates that the law is serving the law abiding. Only 16 permits, less than 1/100th of 1 percent, have been rescinded because of the commission, after issuance, of a crime involving a firearm.

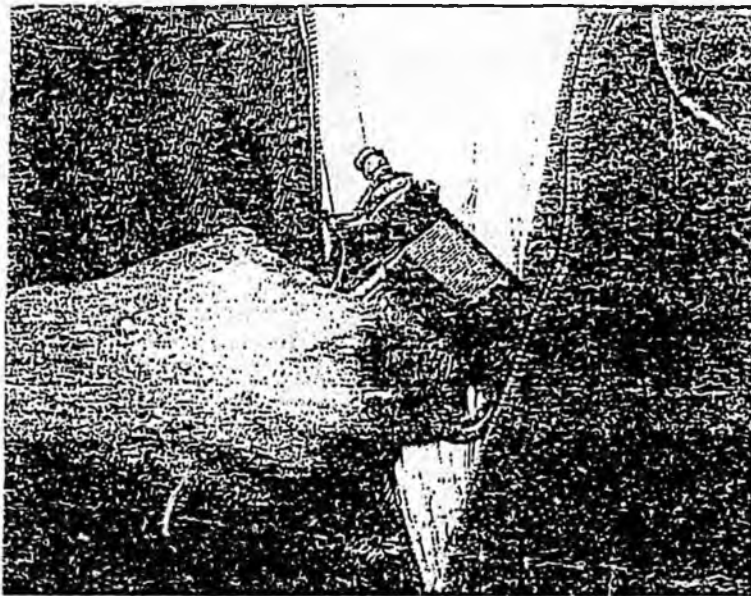
Ninety percent of violent crimes are committed by persons not carrying handguns. This is one reason why the mere brandishing of a gun by a potential victim of violence often is a sufficient response to a would-be attacker. In most cases where a gun is used in self-defense,

it is not fired. Can the average citizen be trusted to judge accurately when he or she is in jeopardy?

Snyder answers that: "rape, robbery and attempted murder are not typically actions rife with ambiguity or subtlety." Furthermore:

"Florida State University criminologist Gary Kleck, using surveys and other data, has determined that armed citizens defend their lives or property with firearms against criminals approximately 1 million times a year. In 98 percent of these instances, the citizen merely brandishes the weapon or fires a warning shot. Only in 2 percent of the cases do citizens actually shoot their assailants. In defending themselves with their firearms, armed citizens kill 2,000 to 3,000 criminals each year, three times the number killed by the police. A nationwide study by Don Kates, the constitutional lawyer and criminologist, found that only 2 percent of civilian shootings involved an innocent person mistakenly identified as a criminal. The 'error rate' for the police, however, was 11 percent, more than five times as high."

Concerning what we may call "the running of red lights syndrome" in contemporary America, I put the point to Snyder and he fired back a fax:



RON LEVY—GAMMA-LIAISON

Equalizer: Is this a citizen taking his responsibility seriously?

**'CRIME IS  
RAMPANT  
BECAUSE THE  
LAW-ABIDING  
SUBMIT TO IT'**

"Regarding your observation about our society's general level of aggressiveness and disregard for rules, you may wish to consider Robert Heinlein's famous dictum that 'An armed society is a polite society.' Knowing that one's fellow citizens are armed, greater care is naturally taken not to give offense. The proposition is, of course, difficult to prove, but you can find some support for it in English literature. Observe the polite formality with which strangers address each other in *Tom Jones*, for example, or with comical exaggeration in Dickens's *Pickwick Papers*. While no doubt attributable in part to England's class structure and the education received by the aristocracy, I would hesitate to say that it had nothing to do with the fact that gentlemen generally were armed."

Or as is famously said in American literature, by the hero of Owen Wister's "The Virginian," "When you call me that, smile!" Such was politeness in the armed society of 19th-century Wyoming.

Finally, there is the matter of the Second Amendment. This Republic's Founders constitutionalized, which means they made

fundamental, the right to possess firearms, and they did not do so unreflectively. They placed that right second in the Bill of Rights, yielding precedence only to rights pertaining to speech, worship and association, and they did that for philosophically serious reasons. The philosophy of classical republicanism recognizes a crucial relationship between personal liberty and possession of arms by a people prepared to use them. Snyder believes that the Second Amendment is as much a product of this philosophy as of the Revolutionary War experience or the exigencies of frontier life: "To own firearms is to affirm that freedom is not a gift from government . . . As the

Founding Fathers knew well, a government that does not trust its honest, law-abiding, taxpaying citizens with the means of self-defense is not itself worthy of trust."

Yes, and yet . . . no society can be called successful where violence is so prevalent and random that lawful citizens must go about prepared to dispense violence in self-defense. No one wants to live, raise children and grow old in such a society. But government is constituted to provide, first and foremost,

domestic tranquillity sufficient to make unnecessary the sort of personal measures that Snyder recommends. If such measures are becoming necessary, do not blame Snyder.

Snyder writes that "the association of personal disarmament with civilized behavior is one of the great unexamined beliefs of our time." Not anymore it isn't. His searching examination of it may not compel your assent—I remain unpersuaded—but it must shake some soothing assumptions regarding crime and civic responsibilities. I am among those whom Snyder faults, civilly but firmly, for insufficient rigor in reasoning about these matters. I find being reproved by him a bracing experience because it enlarges my understanding while subtracting from my certainties. I salute him and thank him.

★ THE RIGHT TO KEEP AND BEAR ARMS ★

# PRO-GUN LAWS— THEY WORK!

*Now that the law-abiding citizens of several states legally have the right to defend themselves, even anti-gun officials have admitted that they are safer states to live in than before the passage of a concealed weapons carry law.*

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A 33-year-old Miami cab driver was among the first to apply for and receive a concealed weapons license under the new concealed weapons licensing reform law that went into effect in Florida on October 1, 1987.

A few short months after receiving his license, Miami police reported that on March 5, 1988, he became the first license holder to be involved in a shooting.

Forced to defend himself, the driver shot and killed a robber who pointed a firearm at him, demanded money, then after taking the money told the moonlighting cab driver he was going to kill him.

The robber, a 29-year-old, ex-convict with a history of attempting to kill police officers, tried to fire a Smith & Wesson 9mm semi-automatic handgun at the cabby at point-blank range. But he had forgotten to disengage the safety. In those few split seconds when the robber was distracted the cab driver pulled and fired his own gun—a Colt .45-caliber semi-automatic handgun—mortally wounding the attacker. Pronounced

**"The bottom line is that Florida is a safer place to live because of the law...."**

dead at the hospital, the robber still had the cabby's wallet in his pocket.

The ex-convict's past included arrests for armed robbery, gun violations and attempted first-degree murder of a police officer. In 1981, he shot out the windshield of a Hialeah patrol car, which then crashed. He also shot at Miami Spring police during a chase. He was sentenced to 12 years in prison, but seven years later he was on the street pulling the trigger on a law-abiding cab driver.

By Marion P. Hammer

The criminal justice system failed to protect the cabby by not keeping this violent criminal in prison to serve out his time. But Florida's new concealed weapons licensing law made it possible for him to protect his own life. As reported in a newspaper following



*Marion P. Hammer has served as executive director for United Sportsmen of Florida for the past 12 years and is also a member of the NRA Board of Directors.*

the incident, the cab driver "used the weapon correctly to defend himself. Without the law in effect, he would be a dead man this morning."

While this incident was reported to be the first involving a concealed carry permit holder, it has not been the last justifiable self-defense shooting involving law-abiding license holders. No one likes to see headlines filled with bloodshed, but all sane and reasonable Americans must surely applaud when a terrible crime is thwarted and an innocent citizen saved. In this case a quiet, hard-working and honest cab driver prevented his own death at the

hands of a criminal with a history of brutal violence.

The Miami police sergeant on the scene told reporters that the incident "sends a message to the rest of the robbers out there." I think the incident also sent a message to those who worked against the passage of the

**"The issue is, and has always been, one of the right of self-defense."**

concealed carry reform law.

The media have always been quick to report the emotional, inflammatory hysterics of the anti-gunners any time the subject of firearms emerges, and slow to report positive results of firearms ownership. During the fight for passage of the licensing reform legislation, it was commonplace to read and hear a steady media drumbeat about Dodge City, frontier-style justice, the O.K. Corral for guns, an invitation to a Wild West mentality, blood on the hands of those who vote for passage, etc. Some editorials, like the Suntatter's, got a little more creative, declaring: "...a state law that welcomes virtually everyone to pack a rod would increase lawlessness—and death. Forget that a pistol-packing citizenry will mean richer trigger fingers...Forget that South Florida's climate of smoldering fear would flash like napalm when every stranger totes a piece, and every mental snap in traffic could lead to the crack of gunfire."

Now, four years after implementing the concealed carry reforms in Florida, the critics and doomsayers have been forced to recant their hysterical predictions. They have been forced to abandon the parade of horrors they contrived in the heat of debate.

Those of us who labored for seven

years to reform the nightmarish patchwork of concealed weapons ordinances found in Florida's counties are proud to point to its record of success. The new concealed carry permit law is working well.

Before passage of the reform law, our hodgepodge of law, either disregarded the Constitution's Second Amendment, were interpreted locally or were left up to bureaucratic whim. There was no uniform procedure in Florida's 67 counties and citizens were subject to varying criteria depending upon where they lived.

Now this very basic right no longer vacillates according to local politics or the authority of a powerful few. We now have a state agency that handles applications and issues licenses based on statewide statutory criteria, and the license is valid statewide—not just in a particular county as in the past.

A year after the law took effect, Willis Booth, executive director of the Florida Chiefs Association, told the press, "The minute the bill was passed, we asked our chiefs in the state to be particularly alert for any cases in their jurisdiction that would give us knowledge of the fact that there was some abuse. At this point, it would appear the law is working very well. There are no horror stories that can be attributed to the passage of the law."

John Fuller, general counsel for the Florida Sheriff's Association, agreed. "I haven't seen where we have had any instance of persons with permits causing violent crimes, and I'm constantly on the lookout," he said.

A Florida Department of Law Enforcement spokesman has told reporters that the new law hasn't affected firearms violence in Florida, indicating that any increase in crime is attributed to the growing drug problem, not the concealed firearms law.

Even Robert Creighton, agent in charge of the U.S. Bureau of Alcohol, Tobacco and Firearms (BATF) in Florida, acknowledged that the popular concealed weapons permits aren't a factor in crime, adding, "The criminal element has no permits."

Anti-gun groups and the media predicted an outbreak of shootings in the Sunshine State. But, since passage nearly four years ago, this fair and more uniform concealed carry law simply hasn't shaken the foundations of the Florida legal system or created "an Old Wild West," "O.K. Corral" or "GUNshine State," as doomsayers predicted.

But the media have been unenthusiastic about reporting the success of the law and rarely report incidents when license holders defend themselves with a firearm, or simply bury a very short report somewhere in the back of the paper. Nonetheless many Floridians are alive and well today because we stuck with it for seven years and passed a law that they credit with saving their lives.

Take the case of a Miami attorney who believes he and his wife are alive today because of passage of the law. He and his wife returned home from a basketball game late on the evening of February 24, 1991. After opening the door for his wife to enter the home he turned around in the garage to get a leash to walk his dog. He was confronted by two attackers standing in his garage, wearing ski masks and carrying guns. He ducked behind the door as one attacker fired a shot, pulled his .45-caliber semi-automatic handgun and opened fire through the doorway. The attackers ran from the garage and fled in a waiting vehicle driven by a third person.

The attorney said if the concealed weapons law had not passed he would not have been armed, and surely would not be alive to read the brief 2-inch-long story—buried inside the newspaper—reporting the incident.

Clearly, the law has worked as we said it would, proving what those of us who supported it said all along. Statistics from the Florida Department of State—the agency handling applications and issuing licenses—are graphically clear. They prove that applicants are conscientious citizens concerned about and taking responsibility for their personal safety. The issue is, and has always been, one of the right of self-defense. Law-abiding Florida citizens do not wish to harm anyone. Yet neither do they feel they should suffer harm at the hands of

the lawless. It is patently obvious from the accompanying chart that license holders are everyday, law-abiding people who simply want to be able to protect themselves and their families should the need arise.

That should come as no surprise. A study conducted by the St. Louis University School of Law found that armed citizens were exceedingly responsible in carrying handguns on the street. The study found that while police were successful in shooting or driving off criminals 68 percent of the time, private citizens succeeded in 83 percent of their encounters. Most importantly, while 11 percent of the individuals involved in police shootings were later found to be innocents misidentified as criminals, only 2 percent of those in civilian shootings were so misidentified. In light of the fact that in urban areas private citizens encounter and kill up to three times as



David Register, Director, Div. of Licensing, Florida Dept. of State (left), and Florida Sec. of State Jim Smith (right) present "Concealed Weapons License Number 1" to Marion P. Hammer under Florida's new concealed weapons licensing law. Ms. Hammer, representing the NRA and Unified Sportsmen of Florida, helped write and pass the self-defense legislation.

many criminals as do law enforcement authorities, the track record of the private citizen is very impressive indeed. Florida's experience simply proves it once again.

Law-abiding Floridians who choose to protect themselves by carrying a concealed firearm may apply for a license—and receive it—if they meet the standardized criteria. State law mandates that a license be issued within 90 days from receipt of a completed application if the applicant is 21 years of age or older, has been a resident of Florida for six months, has no criminal record, can document knowledge or training in the safe use

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**FLORIDA CONCEALED WEAPONS LICENSING STATISTICS TO DATE**

Applications received:	104,249
Applications denied:	743
Denied for incomplete application:	301
Denied for criminal history:	442
Licenses revoked for offenses after licensure:	61
Revoked for offense/firearm present:	10
Revoked for other reasons:	51

\*Majority of offenses were nonviolent crimes such as DUIs, worthless checks and controlled-substance convictions.

\*\*DUIs, reckless driving included.

NOTE: This chart contains official statistical data from the Florida Department of State, Division of Licensing.

and handling of a firearm, has no record of alcohol or drug abuse, no record of mental illness or mental incompetency, no physical infirmity that would prevent safe handling of a firearm and desires to carry a concealed firearm for lawful self-defense.

The state must issue the license or prove the individual is disqualified based solely on the statutory criteria. There is no arbitrary or subjective discretion by anyone, and rule-making authority that could alter the intent of the law is specifically prohibited.


Three years after passage, in November 1990, the press revisited the issue in an interview with State Representative Ron Silver. Silver, an ardent supporter of Handgun Control, Inc., and the organization's chairwoman, Sarah Brady, told the press, "There are lots of people, including myself, who thought things

would be a lot worse as far as that particular situation [people being licensed to carry firearms for protection] is concerned. I'm happy to say they're not."

Silver also said that Florida has a long way to go to rid itself of its Wild West reputation and the "GUNshine State" label that he and HCI helped create with their emotional predictions of misuse and abuse. He added, "All of us are trying to do away with that image."

The bottom line is that Florida is a safer place to live because of the law, as Silver admitted. So it's time for the anti-gun organizations to back off. The statistics are in. The proof supports our position. The law is working very well. And decent people are alive today as a result of its passage.

Other states (Idaho, Mississippi, Montana and Oregon) have already

used the Florida concealed weapons licensing law as a model and have passed similar legislation. Perhaps it's time for your state to do the same. 

*Besides being a mother of three and a grandmother, Ms. Hammer has been active both as a sportswoman and as a political force working on behalf of firearms rights. Currently, she is a National Rifle Association board member and holds a seat on the NRA Legislative Policies Committee and the NRA Membership Committee and is chairperson of the NRA Ethics Committee. As a strong supporter of the NRA/ILA, she has been a media spokesperson on behalf of our 2nd Amendment rights, giving over 700 interviews in the past four years for national television, radio and the print media. For the past 12 years, Marion P. Hammer has held the post of Executive Director of United Sportsmen of Florida, 206 S. Monroe St., Suite 5, P.O. Box 6565, Tallahassee, FL 32314.*

*Permission to reprint granted to NRA Institute for Legislative Action by Guns and Ammo, pp. 22-23, and 92, November, 1991 issue.*

# Know the Facts!



From waiting periods and registration schemes to state and federal firearms laws, brochures available free from the NRA Institute for Legislative Action provide timely, accurate information concerning every aspect of the firearms issue. For the information you need, write:

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NRA Institute for  
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1600 Rhode Island Avenue, NW  
Washington, DC 20036

# ARMED CITIZENS & CRIME CONTROL

BY PAUL H. BLACKMAN, Ph.D.



ONE of the most popular features in the *American Hunter* is "The Armed Citizen" column, a listing of a tiny fraction of the incidents in which citizens use their privately owned firearms for protection. Only those incidents reported to the police, and covered in local newspapers, are highlighted in the column.

How widespread is the use of firearms by citizens for their self-defense? Data from diverse studies indicate that firearms—particularly, handguns—are used for protection in hundreds of thousands of incidents each year. Now, after years of research, a criminologist from Florida State University has published the most thorough estimates on the prevalence of defensive use of guns by Americans. The study—"Crime Control Through the Private Use of Armed Force" by Professor Gary Kleck—was published as the lead article in the February 1988 issue of *Social Problems*.

Dr. Kleck notes that although criminologists have long ignored the issue of guns for protection, they do study how "routine activities" may impact on crime and crime control. He notes that, with half of all American households and a quarter of retail businesses keeping firearms, "gun ownership must surely be considered a very routine aspect of American life and of obvious relevance to the activities of criminals." Nonetheless, Dr. Kleck adds, "victimology scholars have largely ignored victim gun ownership and use. [Yet] victim gun use may be one of the most serious risks a criminal faces."

Dr. Kleck's study focuses on: (1) the frequency and nature of private citizens' defensive uses of firearms against criminals; (2) the effectiveness versus risk of such actions; and (3) the potential deterrent impact on crime of defensive gun ownership and use.

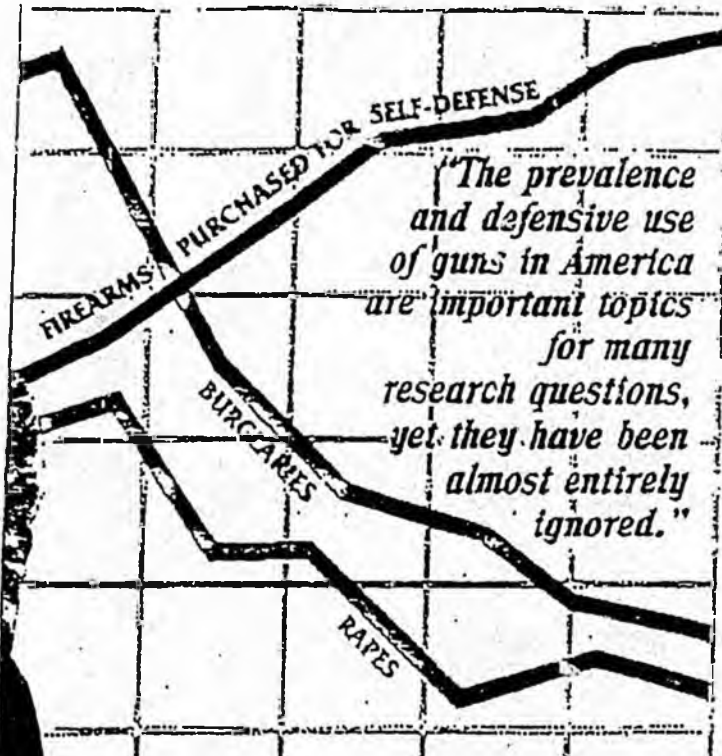
Primary sources for the study are national and state surveys on gun ownership and use, on victimization and protective measures taken, and on local studies on "jus-

tifiable" and "excusable" (self-defense) homicides. Dr. Kleck also weighs what he calls "quasi-experimental" cases of deterrence, such as the well-known example of Orlando, Florida, where women purchased firearms and attended safety classes on gun use in response to an increase in rapes. As a result, incidences of rape and burglary dropped dramatically.

Although several national surveys all suggest relatively small percentages of the nation's 60 million gun owners are using their firearms for protection, Dr. Kleck notes that the figures represent a "large number of actual uses." He estimates that "there were about 645,000 defensive uses of handguns against persons per year, excluding police or military uses." In addition, Dr. Kleck made projections on the uses of long guns, based on the numbers of households keeping long guns vs. handguns primarily for protection. Added together, Dr. Kleck estimates "that guns of all types are used for defensive purposes about one million times a year," and that "guns of all types are used substantially more often defensively than criminally." Most of these uses do not involve firing the gun, much less injuring the criminal.

"Although shootings of criminals represent a small fraction of defensive uses of guns, Americans shoot criminals with a frequency that must be regarded as remarkable by any standard," says Dr. Kleck. The criminologist notes that the FBI's so-called "justifiable homicide" data miss most killings of criminals by civilians because of technical reporting reasons. Using those data as suggestive and local studies as a means of estimating how many actually occur, Dr. Kleck estimates that annually, "gun-wielding civilians in self-defense or some other legally justified cause" kill between about 1,500 and 2,800 felons—or 2½ to seven times as many criminals as are shot dead by police.

Insofar as citizens protect themselves from criminals,



**EDITOR'S NOTE**

Dr. Gary Kleck is an associate professor at the Florida State University School of Criminology in Tallahassee. His research has focused on firearms for a dozen years, since he was a University of Illinois graduate student working with Professor David J. Bordua on patterns of firearms ownership, use and regulation in Illinois and on his dissertation, "Homicide, Capital Punishment, and Gun Ownership."

A specialist in research methodology, Dr. Kleck has authored or co-authored several articles on firearms and the "gun control" issue. His studies generally undermine the various assumptions of advocates of restrictive firearms laws and include a definitive academic rebuttal of the myth of the so-called "Saturday Night Special." He is currently working with Dr. Bordua on a study of private firearms ownership in the U.S.

Even though his research does not show restrictive firearms laws to be either necessary or beneficial, Dr. Kleck supports a "permissive" licensing system for all firearms on the assumption it would not interfere with private ownership. He is opposed to gun schemes directed exclusively at handguns, including licensing.

Attack, Injury and Crime Completion Rates in Robbery and Assault Incidents, by Self-Protection Method

Method of Self-Protection	Robbery				Assault		
	Percent Completed	Percent Detected	Percent Injured	Number Times Used <sup>(a)</sup>	Percent Injured	Percent Killed	Estimated Number Times Used <sup>(a)</sup>
Used gun	30.9%	25.2%	17.4%	89,005	23.2%	12.1%	386,023
Used knife	35.2	55.6	40.3	59,813	46.4	29.5	123,062
Used other weapon	28.9	41.5	22.0	104,700	41.4	25.1	454,570
Used physical force	50.1	75.6	50.8	1,653,880	82.8	52.1	6,538,823
Tried to get help or frighten offender	63.9	73.5	48.9	1,516,141	55.2	40.1	4,383,117
Threatened or reasoned with offender	53.7	48.1	30.7	955,298	40.0	24.7	5,743,008
Nonviolent resistance, including evasion	50.8	54.7	34.9	1,539,895	40.0	25.5	3,935,738
Other measures	48.5	47.3	26.5	284,423	36.1	20.7	1,451,103
Any self-protection	52.1	60.8	38.2	4,603,671	49.5	30.7	21,901,957
No self-protection	88.5	41.5	24.7	2,586,960	39.9	27.3	6,154,763
Total	65.4	53.7	33.2	7,290,631	47.2	29.9	27,956,719

Notes: (a) Separate frequencies in these columns do add to totals in "Any self-protection" row since a single crime incident can involve more than one self-protection method. Sources: Analysis of incident files of 1979-1985 National Crime Survey public use computer tapes (ICPSR, 1987b).

Robbery and assault victims who used firearms for protection were less likely to be attacked or injured than victims who responded in any other manner. Only 17% of those using guns to resist attempted robbery and 12% using guns to resist assault suffered any kind of injuries. 25% of robbery victims and 27% of assault victims who did not resist were injured anyway.

Dr. Kleck estimates "there were about 8,700-16,600 non-fatal, legally permissible woundings of criminals by gun-armed civilians" annually, and "the rest of the one million estimated defensive gun uses, over 98% involved neither killings nor woundings but rather warning shots fired or guns pointed or referred to."

National gun prohibitionists claim that firearms owned for protection are "generally useless and even dangerous to the victim . . ." Using victimization surveys commissioned by the U.S. Department of Justice, Dr. Kleck puts that contention to rest, finding that "for both robbery and assault, victims who used guns for protection were less likely either to be attacked or injured than victims who responded in any other way, including those who did not

resist at all. Only 12% of gun resisters in assault and 17% in robberies suffered any kind of injury. After gun resistance, the course of action least likely to be associated with injury is doing nothing at all, i.e., not resisting. However, passivity is not a completely safe course either since 25% of robbery victims and 27% of assault victims who did not resist were injured anyway."

Significantly, Dr. Kleck notes that the victimization surveys actually exaggerated the association of injury with gun-resistance since the surveys generally fail to ask whether the injury occurs after and because of resistance or whether the injury occurred first. In a supplemental questionnaire, however, it was found that most injuries to

# ice of The Times

## Concealed weapons 'white paper' full of baloney

By PAUL JENKINS

If you believed everything you read in a recent concealed weapons "White Paper" slapped together by the state departments of Law and Public Safety, you'd have to be dumber than a stump.

You would also have to believe law-abiding Alaskans are closet miscreants, and that House Bill 351 — a measure that would allow responsible citizens to carry concealed weapons — is the devil's work. You would have to believe the same tired drivel already disproved in other states.

Packed with some of the most inane reasoning I've ever encountered, the position paper's inescapable conclusions are these: If concealed weapons permits are allowed in Alaska, normally decent people will shoot cops and cab drivers, and, in their spare time, engage in gunfights, robberies and murders.

Utter, offensive trash and nonsense.

What the bill really is about is this: Giving law-abiding people the means to defend themselves in an increasingly violent world — if they choose to go through fingerprinting and a records check, pay a fee and take the necessary training.



Jenkins

It is not an indictment of the police or an invitation to vigilantism. It simply is an acknowledgment that the best cops in the world aren't worth squat when you desperately need them and they are busy elsewhere.

Instead of recognizing that and helping to craft legislation that might get somebody home safely, these people — the same ones supposedly looking out for our welfare — put out a half-baked paper to derail Rep. Jeannette James' HB351, now awaiting action in the House Rules Committee.

They would have you believe it's terrible, that it will return us to television's version of the Wild West.

But would it? Do normally law-abiding people who carry concealed weapons legally in other states turn into rampaging, blood-thirsty killers?

Florida has issued concealed weapons permits since Oct. 1, 1987. About 204,000 of the \$137 permits have been issued af-

these people have been involved in firearms-related crimes?

"I can't think of one, actually," says John Joyce, public information director for the Florida Department of Law Enforcement. "I can't recall one person carrying a weapon under a concealed weapon permit being involved in a crime."

But what about those who say gun permit holders are all wackos looking for shootouts? What about fender-bender slayings; fistfights escalating into macho shootings? What about mass chaos; the ritual eating of babies by gun-toting NRA crazies?

"There's an element in every state that wants people to believe that will happen," Joyce says. "As far as going out and committing crimes with weapons carried under the permits, that's something we've never seen."

The permits, he says, are not an issue with police because the people who carry them are not problem. And while the violent crime rate going up in Florida, "It's not a problem caused by people with concealed weapons permits," Joyce says.

Lou Summerford, supervisor of the Concealed Weapons Section of the Florida Department of State, says the permit holders "generally are upstanding people." His agency has revoked 358 permits since 1987 — or about one-thousandth of 1 percent of those issued.

They were revoked for a variety of reasons, he says, such as discovery of a

from the office of Representative Jeannette James

Florida's experience, and the experience of virtually every other state where concealed weapons permits are issued, may be anomalies, freaks of nature, cosmic weirdness. Or it may confirm the obvious truth: Normal, law-abiding people do not lust to kill cops, cab drivers, loved ones or anybody else — despite what some of Alaska's top cops and lawyers apparently want legislators to believe.

House Bill 351 should be passed, adopted by the Senate and signed into law by Gov. Walter Hickel. The governor already has given more than a lukewarm endorsement of the bill, so you have to wonder why his Law and Public Safety departments are trying to kill it.

"He has said they are free to express their concerns about it, but their position, as they expressed it in their white paper, is not his position," says John Manley, Hickel's press secretary. "He has said they can express their concern as professionals, but the governor's position is that if he gets a bill that he believes adequately addresses public safety concerns — and I don't mean the concerns of the Department of Public Safety — he won't have a problem with it."

This legislation may not turn the tide, and it is not likely to solve a crime problem the police themselves cannot control. Nobody ever said it would. But it will allow decent people to defend themselves.

And that's not a bad thing, considering the police — even if there were 100,000 of them — can't do it.

**Monte and Linda Parrish**

**P.O. Box 671852  
Chugiak, Alaska 99567  
907-688-9700**

To: Representative Jeannette James  
Juneau, AK  
% fax 465-2381

Reference: HB 351

Dear Ms James,

**Thank You!!** My husband and I just learned of the bill you introduced to create a legal way to carry a concealed weapon. In support of the legislation, I would like you to know about the following event;

One year ago, my husband and I were surprise assaulted by a person named Edward Scott Coleman. As it was, our being able to produce the handgun was the only thing that stopped his attack on us.

The assailant has a history of violence and trouble with the law, has threatened peoples lives, and is experienced at manipulating the system to minimize repercussions to himself. The irony is that because we had the firearm, we suffered some loss of credibility with one of the investigating officers. This was a factor that added to the assailant getting the charges against him, *dropped!*

To compound problems, by the nature of our existing law, the D.A.'s office was forced to consider charging us with carrying a concealed weapon.

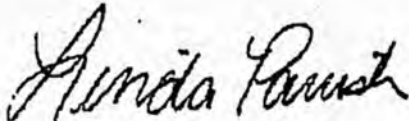
Even though the incident was sudden and terrorizing, we have some resolve in the fact that had it not been for our ability to produce a firearm at the time, it would have most surely ended in something tragic, rather than just the \$400.00 damage to our vehicle (which we have not been able to collect).

...By the way, the assailant is employed as a truck driver and currently resides in the Fairbanks area.

We feel compelled to carry a firearm because of bank deposits we transport from our business, and because of a violent rape that a family member was subjected to.

If you need to contact us for any reason during the day, our office number in Anchorage is 561-4820, fax is 562-2316. Feel free to circulate this communication as you wish.

Best Regards,



Linda Parrish



FREELON F. STANBERRY  
MAYOR

February 1, 1994

Representative Jeannette James  
State of Alaska Legislature  
State Capitol Building  
Room 501  
Juneau, Alaska 99801-1182

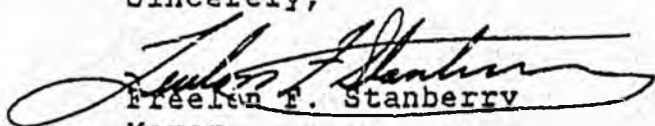
Dear Representative James,

I would like to thank you for introducing HB 351. We have long needed this bill and I am confident that our legislatures will do the right thing and pass this legislation.

I think it is needed more here in Alaska because of the many small towns like the City of Houston which does not have a police force and must depend on outside help which takes up to four hours to get in case of trouble. The carrying of a concealed weapon by law abiding citizens has already proven its self to be a deterrent to crime and not a problem to the police force in several small cities in the United States.

I also feel that in the case of the City of Houston if some of our citizens were allowed to carry a concealed weapon, they would be ready to identify drug dealers who we know are armed and dangerous. At this time they have no way of protecting themselves legally at all times. Thanks again and if I can be of any assistance please let me know.

Sincerely,



Freelon F. Stanberry

Mayor  
PO Box 236  
Houston, Alaska 99694  
w/ 348-5105 h/ 892-6198



*Daniel K. Schoonover, M.D., F.A.C.E.P.*  
*Emergency Medicine*

---

*and Dark Knob Station*  
*P.O. Box 10790*  
*Fairbanks, Alaska 99710*  
*(907) 451-3567*

February 2, 1994

The Honorable Jeannette James,

I am in strong support of HB 351.

Being a practicing emergency medicine physician I see the violence in Alaska in a different light than does the national media. What I see in our busy emergency department are the victims of violence, unable to defend themselves against the rising numbers of violent criminals. The police do the best they can, but in these times of decreasing budgets, staff and funds, they are unable to prevent these violent crimes and are only able to assist and investigate after the fact. This Bill will allow the law abiding citizens of Alaska the opportunity to adequately defend themselves and their families in an inconspicuous way.

We don't need to encourage a "wild west" attitude of guns worn openly on the hip, that's too disruptive to the everyday activities of most Alaskans, but 37 states already have a law allowing concealed carry and it's worked very well for them. In this state where law enforcement response can be measured in hours instead of minutes ( as witnessed with the murders at McCarthy, and Manley Hot Springs and the shoot out at Central ), our citizens need a viable option for their self defense.

On a more personal note, as a doctor my life has been threatened by drug abusers and violent criminals so many times that I keep an unlisted phone number and a post office box so no one can find my home. Obviously I can not carry a firearm in plain view as it would illicit a very undesirable response in my patients and coworkers, but I do need protection. More emergency medicine doctors have been murdered in the last several years than any other specialty in the United States. Please support this Bill with all your heart and energy and please don't hesitate to call on me to help you in any way.

Sincerely,

DAVE WAARVIK  
2355 O'Day Drive  
JUNEAU, ALASKA 99901  
(907) 789-0453

Tuesday, 2-1-94

To the honorable Jeannette James

I am writing in support of House bill 351 relating to Provisions for a permit to carry a concealed weapon.

I have been interested in firearms safety and proficiency issues for most of my adult life. I have about fifteen years experience in police work beginning in the late '50s with the U.S. Air force Air Police and with the Wisconsin state patrol and the Alaska State troopers. Also I am an active firearms and hunter safety instructor certified by NRA and ADF&G.

I have been following the issue of concealed weapons permits for the past few years and am convinced that there is no good reason for Alaska to continue to ignore the issue any longer. Some studies indicate that a significant part of the U.S. population periodically carries concealed weapons irrespective of the law and in response to a perceived need to be able to protect oneself. HB351 would provide a LEGAL mechanism for those who wish to invest the time money and effort to equip themselves with an effective means of self defense. What this is really is a matter of freedom of choice.

Col. Murphy AST the other day commented that the 88 million dollars spent on the drug enforcement effort in Alaska in the past few years does not appear to have any appreciable effect and perhaps it's time to reevaluate our approach.

Like the gun control approach to attacking crime, places like New York city and Washington D.C. have had an ever increasing violent crime rate despite ever more restrictions on the private ownership of firearms. It seems one should not be blaming gun owning citizens for crime any more than the police who are doing a good job in view of having to look at the same faces over and over as criminals circulate through the revolving door of the so called criminal justice system.

Granted, as the Wright/Rossi study found in most cases of armed robbery mounting an effective defense would not have been possible in any case. But in some cases it would and there is NO credible evidence that the committed, trained and licensed citizen lacks the judgement or restraint to respond to a threat appropriately. In the Florida experience since 1987 when over 160,000 Concealed weapons permits were issued over a six year period only 16 of them (0.01%) have been revoked because of weapons infractions. Unlike police who are required by law to place themselves in harms way and make snap judgements and are afforded the protection of the state against personal civil liability, The responsible civilian is under no obligation to persist in the face of danger and risks the wrath of both the civil and criminal legal process should he make an error in judgement. And should he err in judgement he, unlike the police officer, incurs no liability against the state, only himself.

Respectfully,

April 13, 1994

*from Representative  
Samuel James*

Dan P. Saunders  
PO Box 3554  
Palmer, Alaska 99645

Honorable Lt. Governor Jack Coghill  
Office of the Lt. Governor  
Capitol Building  
Juneau, Alaska

Dear Lt. Governor Coghill:

I am a retired law enforcement officer with a total of 38 years of honorable service as a commissioned state, federal, and metropolitan officer. These years of service consisted of undercover narcotics investigation, criminal investigations in four different states, and Special Agent-Investigator for the F.A.A. Security Division in Alaska. My last seven years of service was as a criminal fraud investigator for the Alaska Department of Commerce. I have been an Alaska resident since February, 1961.

During my years of interviewing and interrogating convicted burglars, rapists and occasional murderers, one thing became obvious from their first-hand testimony to me. These hoodlums all had the same worry--that of running into an armed law abiding citizen or homeowner. They had no fear of a police officer whatsoever, and they have even less fear today, but each in his own words said he would avoid any town or neighborhood where the

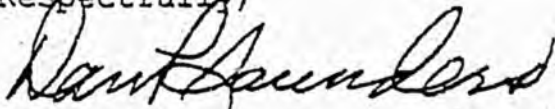
citizens were believed to be armed. THEY STILL HAVE THAT SAME  
FEAR TODAY!

There is something else in present day Alaska that bother  
me just as much. Our crime rate will never recede until our so-  
called prosecutors stop taking the "pansy" approach and accepting  
a guilty plea for reduced charges. Some of our Superior Court  
judges with who I am acquainted do a wonderful job in prosecuting  
felons, but their job would be a lot easier if the prosecutors  
would quit seeking TV coverage and start working on these felony  
cases as they are paid to do.

Please instruct the Department of Law in Juneau to stop  
wasting their time in complaining and generating "white papers,"  
and start cracking down on felons so that our wives, our  
children, and grandchildren won't have to cower in fear because  
they can't defend themselves. I am a grown man who has learned a  
lot about the mentality and thought process of those who rape,  
rob, and murder innocent people. This is not "jolly Olde England"  
or some republic in revolt, but is a land where our Bill of  
Rights guarantees us the right to defend ourselves.

Keep up the good work.

Respectfully,



Dan P. Saunders, ret.

Back-up

# FISCAL NOTE

No. 2

Bill Version: CSHB 351(JUD)

(H) Publish Date: 3/25/94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. \_\_\_\_\_

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An act relating to the issuance of BRU: Statewide/Alaska State Troopers  
permits for the carrying of a concealed weapon." Component: Records & ID/Detachments  
 Sponsor: Representative JAMES  
 Requestor: (H) Judiciary COMPONENT SERIAL NO. 1190, 799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	312.7	664.7	328.4	430.4	430.4	328.4
TRAVEL	3.3	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	118.5	401.1	138.0	182.8	182.8	145.0
SUPPLIES	20.8	41.2	12.8	21.3	21.3	12.8
EQUIPMENT	107.2	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>562.5</b>	<b>1,112.0</b>	<b>484.2</b>	<b>639.5</b>	<b>639.5</b>	<b>491.2</b>
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>	<b>567.5</b>	<b>1773.4</b>	<b>283.7</b>	<b>845.0</b>	<b>845.0</b>	<b>424.0</b>
<small>Revenue Code</small>						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF			200.5			67.2
1005 GF/Program Receipts	562.5	1,112.0	283.7	639.5	639.5	424.0
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>562.5</b>	<b>1,112.0</b>	<b>484.2</b>	<b>639.5</b>	<b>639.5</b>	<b>491.2</b>

Estimate of current year (FY 9-) impact: \$ \_\_\_\_\_

**POSITIONS:**

FULL-TIME	9	9	6	8	8	6
PART-TIME	0	0	0	0	0	0
TEMPORARY	10	10	0	2	2	0

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Changes in CSHB 351 (STA.)  
 reflect NO FISCAL CHANGE from the original  
 fiscal note. This fiscal note is appropriate.

4-27-94 date [Signature] Comte Aide (initial)

**COMMITTEE COPY**

Prepared By: Francis C. Allan Phone: (907) 269-5691  
 Division: Alaska State Troopers Date: 03/24/94  
 Approved by Commissioner: [Signature] Date: 3-24-94  
 Agency: Richard L. Burton, Dept. of Public Safety

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CSHB351(JUD) - Concealed Weapons  
Fiscal Impact  
Page 3

FY98:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 24,944 X 90% = 22,450		
X 6 mos = 11,225 x \$50	<u>561,250</u>	
subtotal		844,988

FY99:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 24,944 X 90% = 22,450		
X 6 mos = 11,225 x \$50	<u>561,240</u>	
subtotal		844,978

FY00:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 3,118 X 90% = 2,806		
X \$50 =	<u>140,300</u>	
subtotal		424,038

EXPENDITURES:

CCW Unit

Sergeant - The new unit will require the oversight of an experienced State Trooper Sergeant, who will be responsible for developing, implementing and maintaining the program. This will involve setting up policy and procedures, preparing Standard Operating Procedures (SOP) for the unit, statewide implementation, overall supervising of the operation of personnel assigned, oversight list to be maintained for law enforcement. This position will oversee the suspension and revocation process, the investigation into the revocation and presentation to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 7/1/94.

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 2  
Bill Version: CSHB 351 (JUD)  
BILL NO. 5 (H) Publish Date: 3/25/94

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
Title: "An act relating to the issuance of  
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Sponsor: Representative JAMES Component: Records & ID/Detachments  
Requestor: (H) Judiciary COMPONENT SERIAL NO. 1190, 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

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PERSONAL SERVICES	312.7	664.7	328.4	430.4	430.4	323.4
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MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>562.5</b>	<b>1,112.0</b>	<b>484.2</b>	<b>639.5</b>	<b>639.5</b>	<b>491.2</b>
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>	<b>567.5</b>	<b>1773.4</b>	<b>283.7</b>	<b>845.0</b>	<b>845.0</b>	<b>424.0</b>
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF			200.5			57.2
1005 GF Program Receipts	562.5	1,112.0	283.7	639.5	639.5	424.0
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>562.5</b>	<b>1,112.0</b>	<b>484.2</b>	<b>639.5</b>	<b>639.5</b>	<b>491.2</b>

Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

POSITIONS:

FULL-TIME	9	9	6	8	8	6
PART-TIME	0	0	0	0	0	0
TEMPORARY	10	10	0	2	2	0

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

**COMMITTEE COPY**

Changes in CSHB 351 (STA.)  
reflect NO FISCAL CHANGE from the original  
fiscal note. This fiscal note is appropriate.  
4-27-94 [Signature]  
date Comte Aide (initial)

Prepared By: Francis C. Allan Phone: (907) 269-5691  
Division: Alaska State Troopers Date: 03/24/94  
Approved by Commissioner: [Signature] Date: 3-24-94  
Agency: Richard L. Burton, Dept. of Public Safety

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CSHB35 (JUD) - Concealed Weapons  
Fiscal Impact  
Page 2

The following analysis is based upon an estimated FY95 total population of 623,600, recently obtained from the Department of Labor, and the actual experience in the State of Washington by the Division of Licensing and in the State of Oregon by the Oregon State Police, Identification Services Section.

Assumptions utilized in the preparation of this fiscal note include that the implementation date for the program will be April 1, 1995, in order to provide time to promulgate the regulations and develop the necessary administrative and operational procedures necessary to successfully implement the statute change.

**REVENUE:**

The following is an analysis of the number of permits and renewals that will be issued and the revenue that is anticipated to result. Revenue estimates are based upon information from Washington. It is anticipated that approximately 4% of the total population will request permits to carry concealed weapons (CCW) during the first twelve months that they become available, that .5% will do so each year thereafter and that 90% of permits issued will be renewed. Assuming that the earliest that the state could be prepared to issue permits is April 1, 1995 the following revenue is forecasted:

FY95:

623,600 X 4% new permits = 24,944  
X 3 mos. of 1st yr = 6,236 X \$91 = \$567,476

FY96:

623,600 X 4% new permits = 24,944  
X 9 mos of 1st yr = 18,708 x \$91 \$1,702,428  
623,600 X .5% new permits = 3,118  
X 3 mos of 2nd yr = 780 x \$91 70,980  
subtotal 1,773,408

FY97:

623,600 X .5% new permits = 3,118 X \$91 = 283,738

CSHB351(JUD) - Concealed Weapons  
Fiscal Impact  
Page 3

FY98:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 24,944 X 90% = 22,450		
X 6 mos = 11,225 x \$50	<u>561,250</u>	
	subtotal	844,988

FY99:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 24,944 X 90% = 22,450		
X 6 mos = 11,225 x \$50	<u>561,240</u>	
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FY00:

623,600 X .5% new permits = 3,118		
X \$91 =	\$ 283,738	
Renewals 3,118 X 90% = 2,806		
X \$50 =	<u>140,300</u>	
	subtotal	424,038

EXPENDITURES:

CCW Unit

Sergeant - The new unit will require the oversight of an experienced State Trooper Sergeant, who will be responsible for developing, implementing and maintaining the program. This will involve setting up policy and procedures, preparing Standard Operating Procedures (SOP) for the unit, statewide implementation, overall supervising of the operation of personnel assigned, oversight list to be maintained for law enforcement.. This position will oversee the suspension and revocation process, the investigation into the revocation and presentation to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 7/1/94.

CSHB351(JUD) - Concealed Weapons  
Fiscal Impact  
Page 4

State Trooper - This position will follow up on discrepancies noted with information picked up in the checks made in the Alaska Public Safety Information Network (APSIN) AND national checks regarding applicant backgrounds and criminal records. The Trooper will investigate conflicts between the application statements and criminal records, interview applicants when necessary and act as Officer In Charge (OIC) of the CCW Unit when the Sergeant is not available. This position will not be needed until March 1st 1995, when applications are being distributed to the field. This position will oversee the suspension and revocation process and the presentation of revocations to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 3/1/95.

Clerk IV - Initially this senior civilian position in the CCW Unit will assist the unit supervisor in developing and implementing the CCW program. This clerical position will help to develop the application form, the SOPs for the unit and attend to various clerical duties of the unit, including the processing of the more troublesome or complicated applications. The Clerk IV will also schedule administrative hearings to deal with denials and revocations. This position will be needed on 7/1/94 to help initiate the program.

Clerk Typist III - The clerk typist position will be needed to process applications, including performing APSIN checks, file completed applications and to issue the permits. This position will not be needed until April 1, 1995 when the program begins to process permits.

Non-Permanent Clerk Typist III - Like the permanent Clerk Typist III, these positions will process applications. Ten will be needed during three months of FY95 and 9 months of FY96, to handle the initial large volume of applications in a timely manner. Two will be needed again for six months each in FY98 and FY99 to handle the renewals of the same permits.

Other Costs - Certified postage costs will be incurred when the permits are mailed to the permittees. Costs have been estimated at \$2.29 + 10% for the proposed postage increase or \$2.50 per item. This expenditure will be incurred on each permit and is calculated for each year covered by this fiscal note based upon the projected number of permits expected each year.

HB 351 Criminal Records and Identification Processing Assumptions:

1. Projected original-applicant and renewal-applicant workload is per the attached excel spreadsheet.

Due to significant program receipt fluctuations from year to year, the department is requesting General Funds. Over time, the bill will be revenue neutral. In certain years, not enough revenue will be realized to support resources required to perform functions required by this bill.

2. A journey level AAFIS operator I can perform the fingerprint portion of 10,000 applicant checks per year.

Due to the effort in hiring and training required to recruit qualified AAFIS operators, the department proposes to keep these two positions filled continuously in spite of workload fluctuations. Backlogs will be inevitable given the projected workload peaks.

3. A journey level criminal records clerk can accommodate 6,000 applicants per year (procedures explained further on).

4. The Records and Identification Section will check available information sources as follows:

Original Applications - Alaska Public Safety Information Network APSIN and the National Crime Information Center NCIC;

Renewal Applications - Alaska Public Safety Information Network, no fingerprint based national check; NCIC requires a new set of fingerprints for each applicant check. The Judiciary CS for HB 351 does not require fingerprints for renewals. The state check will be done by comparing the thumbprint on the renewal application with the original fingerprint card submitted by the applicant. For federal purposes, a name based check similar to that used for Brady clearances will be conducted.

Under typical circumstances, a background check as referenced in 18.65.710 (7) will consist of an applicant check by the department in the same manner as performed for security guards, teachers and other employers. Fee regulations already in place for these purposes are contained in 13 AAC 25.400. APSIN and NCIC will permit the department to determine past conviction and outstanding warrant information.

The Department will be unable to verify other qualifying information specified in Section 18.65.705 due to laws denying the department access or difficulty in obtaining the information. As in the Brady Bill implementation, most categories of disqualifying information cannot be routinely verified. Some states are making progress toward providing specified information (at least 26 states have gun control law but this is a new issue for Alaska. Both old and new forms used by the federal Bureau of Alcohol, Tobacco and Firearms provide for applicant certification that statements made on the form are true and correct. Under federal law, if it is later determined that the buyer made false statements on the form, the buyer has committed a felony offense. A similar provision is included in the CS HB 351 (JUD), section 18.65.710 (6).

Unverified categories of information specified by Section 18.65.705 will generally include:

- (2) Federal firearms eligibility except under the concept of "REASONABLE EFFORT" provided for in the Brady bill;
- (3) Indictments, Information, Presentments;
- (4) Will check available convictions in APSIN but will not research arrests without disposition information. If a disqualifying arrest is present without a disposition, the applicant will be asked to provide a copy of the court disposition indicating the case was dismissed or the applicant was found not guilty;
- (5) The Department does not have access to mental illness information;
- (6) Unless adjudications for mentally incapacitated occur in a criminal case, the department does not have feasible access to this information;
- (8) The Department does not have feasible access to military discharge information;
- (9) The Department does not have feasible access to renounced U.S. Citizenship records;
- (10) Unless incident to arrest or by conviction, the department does not have access to records indicating use or addiction to a controlled substance;
- (11) The Department does not have access to alcohol treatment program records;
- (12) The Department does not have access to substance abuse treatment program records.

5. Criminal Records AFIS Operators 3 months and Clerks require 1 month hire in advance of production need for training purposes.

6. Because of capacity limitations of the Alaska Automated Fingerprint Identification System (AAFIS), fingerprint cards will be retained in hardcopy files for retention purposes but will not be registered in AAFIS for electronic searching to help identify subsequent cases where concealed weapons permit holders may have been involved in a crime. The effect of not having these records available for electronic searching will preclude identification of 2,400 (10%) of previously unknown criminal arrestees based upon past experience verifying arrest fingerprint cards submitted to DPS. Additionally, not having these records available for electronic searching will preclude 7% of latent identifications by comparison with fingerprints retained in AFIS from unsolved crimes. In FY 93, DPS and APD conducted 1,139 latent searches and identified 87 subjects who would not have otherwise been identified. Past discussions with licensing agencies discloses the need for reporting subsequent arrest and conviction information back to the licensing agency. This service is not currently in place. However, to the extent that applicant fingerprints are not on the AAFIS file, the ability to report criminal event information subsequent to granting of a license will not be reliably possible.

7. Condition and Capacity of the Alaska Automated Fingerprint Identification System - The system is presently 12 years old and has been declared contractually obsolete by the vendor. Maintenance costs are increasing approximately 5% a year without this bill. Use of the system will more than double (2nd shift) as a result of this bill requiring renegotiation for vendor maintenance which is expected to increase from \$170,000 to approximately \$220,000. As discussed in 6 above, the department will not register concealed weapons permittees in the system to avoid exceeding capacity in one year. The consequences of this decision are discussed in 6 above. AAFIS needs to be upgraded or replaced at a cost of approximately \$2 million. The department is not saddling HB 351 with the costs of replacing this system but takes this opportunity to inform the legislature that the system has been declared contractually obsolete and that maintenance costs are expected to increase from approximately \$170,000 annually to more than \$220,000.

AAFIS is the cornerstone for providing a complete, accurate, and timely criminal history database with the ability to remotely search fingerprint databases of nine western states comprising approximately 16 million records. AAFIS makes the automated detection of persons using aliases possible so that complete criminal history information is provided to authorized inquirers. AAFIS also provides the ability to search latent fingerprints from unsolved crimes against the automated database. The more fingerprint records in the system, the higher the probability of a match (see 6 above). The criminal history database is used by Alaska's \$300 million criminal justice system as follows:

Police use criminal history information to aid investigations. Courts and Corrections use criminal history information in making release, probation and parole decisions;

Alaska law provides for presumptive sentencing which assumes that repeat offenders receive progressively more severe sentencing as a deterrent to repeat criminal behavior;

Alaska law provides for the screening of day care workers, foster parents, school teachers, school bus drivers and various other occupations, certifications, permits and licenses which require the use of criminal history information to ensure that inappropriate persons are not employed or licensed.

Legislation continues to be enacted and proposed in addition to CS HB 351 (JUD) including the Brady Bill, National Child Protection Act, pending bills HB 3, HB 480, SB 54 all of which depend on timely, accurate, and complete fingerprint based criminal history record information.

#### FINGERPRINT BASED CRIMINAL HISTORY CHECK PROCEDURES

The processing of applicant fingerprint cards is a three stage approach which requires handling by the R&I clerical staff and AAFIS operations staff acting in tandem. R&I clerks receive, audit funds, name search and separate this work by status before sending to AAFIS; AAFIS operators block, prepare, submit, review and verify the work before returning to clerical staff; and clerical personnel update information in APSIN, merge records in APSIN, update information in tracking system, forward fingerprint cards to FBI, forward information to applicant and agency in event of criminal findings, and file fingerprint cards.

This is an over-simplification of the duties performed and, therefore, a more detailed description would follow to generate a better understanding of these procedures.

#### STAGE I

Applicant fingerprint cards are received by R&I clerical staff and are sorted to separate fees from the cards and cards are date stamped. Information from the cards and accompanied fees are entered into the tracking program. All monies are recorded, balanced, and a summary report is prepared and forwarded to Fiscal with the monies.

A name check is conducted on each fingerprint card through AFSIN by name, DOB and SS#. The ID/LIC or SID # is recorded on all cards.

where the number is available and the cards are separated into three categories for further processing: SEARCH, VERIFY, and NOT IN APSIN.

SEARCH: These cards are sent to AAFIS operators for routine searches.

VERIFY: These cards will have an SID # affixed and are handled through a shortened route by the AAFIS operators by direct data base access to verify same individual.

NOT IN APSIN: These cards must be searched and returned to create SID # before entry into APSIN.

#### STAGE II

Applicant fingerprint cards are received in the three categories indicated above by the AAFIS operators for search, verification and registration into AAFIS data base with somewhat different handling according to category.

SEARCH: Pattern interpretation (blocking) is completed on each fingerprint and/or proper notation if finger is bandaged or amputated. Cards are then sorted and sequenced through the Fingerprint Reader (FR) to digitize image of fingerprint and obtain Process Control Number (PCN) in order to retrieve images for search through data base. PCN is entered and all demographics are entered, core and axis are determined and set for all images (10) on each card, and a search of data base is initiated. If an identification is not affected, the information normally is registered at this step and becomes part of the AAFIS data base. As discussed above, concealed weapon permit holders will not initially be registered. If a tentative identification is made against a fingerprint card on file, these documents are verified by the operator as being identical and SID # is affixed to card which is then returned to clerical staff to update APSIN files and merge records if necessary. Submitting agency and applicant would be notified if connection is made to a criminal history.

VERIFY: An SID # has been affixed to these cards which allows AAFIS operators direct entry into data base to call-up or retrieve the image and ascertain the positive identity of the applicant as being the same. This information will be verified by examination of the hard copy of the fingerprints on file. Cards are returned to clerical staff for updating.

NOT IN APSIN: These cards are blocked and prepared in the same way as the SEARCH cards, however, they are submitted for tenprint inquiry. If these cards are identified, they are

processed as in the VERIFY instructions above. If they are not identified, they are created into APSIN and an SID # is established which allows entry into AAFIS data base. These cards then follow the procedures outlined in SEARCH category above.

REJECTIONS: If cards are of unacceptable quality, they will be rejected by the Fingerprint Reader. This can occur for a number of reasons, i.e. insufficient ink, smudged prints, etc. These fingerprints are circled, reason noted, and returned to applicant or submitting agency via clerical staff for re submission.

Note: a \$20 resubmission fee is authorized under 13 AAC 25.400 (b), but has not been implemented.

### STAGE III

All cards are returned to R&I clerical staff for additional handling and/or processing.

SEARCH: These cards will all be Master cards within the Alaska system and APSIN records will be updated on the personal information screen to include that a fingerprint card is on file for that individual. A criminal history screen is printed and attached to the card, an entry is made into tracking system indicating "State Complete" and forwarding coordinate fingerprint card to the Federal Bureau of Investigation for searching and processing. When card is returned from the FBI, update the tracking system to reflect "FBI Complete". Compile any/all criminal history and determine which information meets dissemination criteria for release to applicant or requesting agency. All cards are filed for future reference.

VERIFY: These cards have a counterpart on file, the demographics updated and entry made into tracking system to indicate completion and forwarding of card to FBI as indicated in above paragraph. All other aspects as indicated in SEARCH apply.

NOT IN APSIN: These will be treated the same as the master cards indicated above. Updates are required in APSIN and tracking systems and cards forwarded to the FBI. All other steps outlined previously are applied as to dissemination of information. See SEARCH.

REJECTIONS: These cards, accompanied by a reject letter are returned to the applicant or requesting agency. The tracking system is updated to reflect the rejection and return of same. Monies are maintained and noted in tracking system awaiting re submission. When a re submission arrives, the process begins at step one except for the collection of fees.

CSHB351(JUD) - Concealed Weapons  
Fiscal Impact  
Page 11

Personnel & supporting costs:

FY95	1 AAFIS Operator II 1 AAFIS Operator I 3 Clerk IV
FY96	1 AAFIS Operator II 1 AAFIS Operator I 3 Clerk. IV
FY97	1 AAFIS Operator II 1 AAFIS Operator I
FY98	1 AAFIS Operator II 1 AAFIS Operator I 2 Clerk IV
FY99	1 AAFIS Operator II 1 AAFIS Operator I 2 Clerk IV
FY00	As for FY97

**FY95 and FY96 Costs**

Based upon experience with handling Security Guard Licensing, approximately forty-five minutes to one hour will be required by an experienced clerk to process each permit application. During the startup period in FY95, some applications will be received, however most are anticipated to be received during FY96. In that year hours of effort will be needed. Because the initial startup year will require effort that will not continue at the same level, ten non-perm Clerk Typist IIIs will be needed in addition to the permanent positions. (24,944 applications at 1 hour each divided by 1,950 hours of available work time per position equals 12.8 (rounded down to a total of 12 clerical positions.)

Office and other equipment will only be needed in the first year (FY95) of operation.

**Contractual Programming Support**

APSIN	265 hours @ \$75.00	\$20,000
PC Application	200 hours @ \$75.00	<u>\$15,000</u>
	Initial	35,000
Data Storage and CPU Usage (on-going)		<u>\$5,000</u>
	Full First Year Cost	40,000

**Administrative Hearings**

Based upon the actual activity data from the State of Oregon, it appears that approximately 1% of the CCW applications will either be denied or later will be revoked. Further, approximately 25% of those actions will result in an administrative hearing based upon our experience with DWI cases. This will result in a cost of approximately \$3,000 per hearing based upon DPS experience with process services licensing administrative hearings. Based upon the expected first year volume of approximately 24,944 applications the resulting cost will be \$187,080 the first year of the program and, based upon approximately 3,125 applications in subsequent years, \$23,385.

**FBI Fingerprint Fees**

The FBI charges \$24 to process a national fingerprint check. These fees will be charged to the permit applicant and passed to the FBI.

Sergeant  
Anchorage  
Base Cost  
(PACS 12#094)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$53,742	
Benefits	<u>23,007</u>	
Total Personal Services		\$76,749

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
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CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCf Vehicle - Class 116 - Yearly		
Operating & Replacement costs per SEF	<u>6,900</u>	
Total Contractual		12,590

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 116	18,415	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		24,325

TOTAL COST		118,905
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ref - tc.392

State Trooper  
Anchorage  
Base Cost  
(PACS 12#143)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$47,148	
Benefits	<u>20,755</u>	
Total Personal Services		\$67,903

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
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CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCFF Vehicle - Class 115 - Yearly		
Operating & Replacement costs per SEF	<u>12,960</u>	
Total Contractual		18,650

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 115	21,000	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		<u>26,910</u>

TOTAL COST		118,704
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ref - tc.392

Clerk Typist III  
Base Cost  
(PACS 12#095)

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>11,743</u>	
Total Personal Services		\$33,931

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer with printer and software	<u>5,000</u>	
Total Equipment		6,325

TOTAL COST		<u>\$48,396</u>
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Clerk IV  
Base Cost  
(PACS 12#102, #167, #168, and #169)

PERSONAL SERVICES

Salary - Clerk IV - Range 9, Step A, no overtime	\$23,556	
Benefits	<u>12,149</u>	
Total Personal Services		\$35,705

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	600	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,640

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,200	
Copier paper	750	
File folders, lamination supplies, etc.	<u>500</u>	
Total Supplies & Materials		2,950

EQUIPMENT

Desk and Chair, 2 side chairs	1,250	
Bookcases (2) and file cabinets (5)	1,500	
Computer table	600	
Typewriter	400	
Micro computer with printer and software	5,000	
Laminator	<u>500</u>	
Total Equipment		9,250

TOTAL COST		<u>\$53,545</u>
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Non Perm  
 Clerk Typist III  
 Base Cost  
 (PACS 12#103, #104, #105, #106, #107,  
 #108, #109, #110, #111, #112)

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>8,377</u>	
Total Personal Services		\$30,565

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer with printer and software	<u>5,000</u>	
Total Equipment		<u>6,325</u>

		\$45,030
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AAFIS OPERATOR I  
Base Cost  
Anchorage  
(PACS 12#096)

PERSONAL SERVICES

Salary - AAFIS Operator I, Range 15, Step A, 60 hrs overtime	\$35,841	
Benefits	<u>15,790</u>	
Total Personal Services		\$51,631

CONTRACTUAL

Telephone/Postage, \$100 per month	1,200	
Maintenance on office equipment	500	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,660

SUPPLIES & MATERIALS

Computer paper	500	
Fingerprint cards and supplies	1,000	
Copier paper, stationary, office supplies	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk and Chair	725	
Computer table	600	
Micro computer with printer and software	<u>5,000</u>	
Total Equipment		6,325

TOTAL COST		<u>\$66,216</u>
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AAFIS OPERATOR II  
Base Cost  
Anchorage  
(PACS 12#098)

PERSONAL SERVICES

Salary - AAFIS Operator II, Range 18, Step A, 60 hrs overtime	\$44,314	
Benefits	<u>18,301</u>	
Total Personal Services		\$62,616

CONTRACTUAL

Telephone/Postage, \$100 per month	1,200	
Maintenance on office equipment	500	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,660

SUPPLIES & MATERIALS

Computer paper	500	
Fingerprint cards and supplies	1,000	
Copier paper, stationary, office supplies	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk and Chair	725	
Computer table	600	
Micro computer with printer and software	<u>5,000</u>	
Total Equipment		6,325

TOTAL COST		<u>\$77,201</u>
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FY95  
Costs

	Sgt. x1 x12 Months	Trooper x1 x4 Months	CT III x1 x3 Months	NonPerm CTIII x 10 x3 Months	CK IV x1 x12 Months	OTHER Con (1)	AFIS OPI x1 x9 Months	AFIC OP II x1 x6 Months	CK IV x3 x4 Months	TOTAL
Personal Services	76.7	22.6	8.5	76.4	35.7	0.0	25.8	31.3	35.7	312.7
Travel	2.5	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.3
Contractual	12.6	6.2	1.4	13.9	5.6	67.6	2.8	2.8	5.6	118.5
Supplies	2.8	2.3	0.7	6.5	2.9	0.0	1.3	1.3	3.0	20.8
Equipment	24.3	26.9	6.3	0.0	9.3	0.0	6.3	6.3	27.8	107.2
TOTAL	118.9	58.8	16.9	96.8	53.5	67.6	36.2	41.7	72.1	562.5

(1) Startup contractual programming support. 40,000.0

Certified Postage \$2.50 x 6,236 permils. 15,590.0

Fingerprint System Maintenance. 12,000.0

Total Contracted 67,590.0

FY96  
Costs

	Sgt. x1	Trooper x1	CK IV x1	CT III x1	NonPerm CT III x10 (1)	Con. (2)	AFIS OP II x1	AFIS OP I x1	CK IV x3	TOTAL
Personal Services	76.7	67.9	35.7	33.9	229.2	0.0	62.6	51.6	107.1	664.7
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.6	5.5	41.6	288.8	5.7	5.7	16.9	401.1
Supplies (3)	1.0	1.0	3.0	2.6	19.5	0.0	2.6	2.6	8.9	41.2
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	92.8	90.1	44.3	42.0	290.3	288.8	70.9	59.9	132.9	1,112.0

(1) Needed for nine months.

(2) Other costs include:

Computer space storage	5,000.0
Administrative hearing costs.	187,080.0
Postage, \$2.50 x 19,488 =	48,720.0
Fingerprint System Maintenance	48,000.0
Total Contracted	288,800.0

(3) Replacement supplies only.

FY97  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	84.2	5.7	5.7	138.0
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	92.8	90.1	42.0	44.3	84.2	70.9	59.9	484.2

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	23,385.0
Postage \$2.50 x 3,118	7,795.0
Fingerprint System Maintenance	48,000.0
Total Contractual	84,180.0

(2) Replacement supplies only.

FY98  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP I x1	CK IV x2	Non Perm x2 x 6 Months	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	71.4	30.6	430.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	112.2	5.7	5.7	11.3	5.5	182.8
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	5.9	2.6	21.3
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>112.2</b>	<b>70.9</b>	<b>59.9</b>	<b>88.6</b>	<b>38.7</b>	<b>639.5</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	23,385.0
Postage \$2.50 x 14,342	35,855.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>112,240.0</b>

(2) Replacement supplies only.

FY99  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Non-perm x2 CT III x6 Months	Other Con (1)	AFIS OP II x1	AFIS OP I x3	CK IV x2	TOTAL
Personal Services	76.7	67.9	33.9	35.7	30.6	0.0	62.6	51.6	71.4	430.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	5.5	112.2	5.7	5.7	11.3	182.8
Supplies (2)	1.0	1.0	2.6	3.0	2.6	0.0	2.6	2.6	5.9	21.3
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>38.7</b>	<b>112.2</b>	<b>70.9</b>	<b>59.9</b>	<b>88.6</b>	<b>639.5</b>

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	23,385.0
Postage \$2.50 x 14,342	35,855.0
Fingerprint System Maintenance	48,000.0
<b>Total Contractual</b>	<b>112,240.0</b>

(2) Replacement supplies only.

FY00  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	OTHER Con (1)	AFIS OP II x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	91.2	5.7	5.7	145.0
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	92.8	90.1	42.0	44.3	91.2	70.9	59.9	491.2

(1) Includes annual:

Computer space storage	5,000.0
Administrative hearing costs for denials and revocations	23,385.0
Postage \$2.50 x 5,924	14,810.0
Fingerprint System Maintenance	48,000.0
Total Contractual	91,195.0

(2) Replacement supplies only.



CSHB351 (JJD)  
Permit and Renewal Projection

ORIGINAL APPLICATIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
3 MOS/25% OF 24,944	6236					
9 MOS/75% OF 24944		18708				
NEW APPLICATIONS						
.5% NEW X 623600 X .25%(3MOS)		779.5				
.5% NEW X 623600			3118	3118	3118	3118
RENEWALS						
90% X 24944 X 50%(3MOS + 90 DAY PRIOR TO EXPIRATION REQUIREMENT )				11224.8		
90% X 24944 X 50%(6MOS REMAINING FROM 1ST YEAR APPLICANTS)					11224.8	
90% X 3118 FROM FY 97 NEW APPLICATIONS						2806.2
TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR	<u>6236</u>	<u>19487.5</u>	<u>3118</u>	<u>14342.8</u>	<u>14342.8</u>	<u>5924.2</u>

	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
ORIGINAL APPLICATIONS						
3 MOS/25% OF 24,944	6236					
90 MOS/75% OF 24944		18708				
NEW APPLICATIONS						
.5% NEW X 623600 X .25%(3MOS)		780				
.5% NEW X 623600			3118	3118	3118	3118
RENEWALS						
90% X 24944 X 50%(3MOS + 90 DAY PRIOR TO EXPIRATION REQUIREMENT )				11224.8		
90% X 24944 X 50%(6MOS REMAINING FROM 1ST YEAR APPLICANTS)					11224.8	
90% X 3118 FROM FY 97 NEW APPLICATIONS						2806.2
TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR	6236	19488	3118	14342.8	14342.8	5924.2
.../PGM Receipt Calculation						
Original Applications AST Permit Fee @ \$56+ APSIN Check @ \$35	\$567,476	\$1,773,408	\$283,738	\$283,738	\$283,738	\$283,738
Renewal Application AST Renewal Fee @ \$25 + APSIN Name Check @ \$25				\$561,240	\$561,240	\$140,310
GF/PGM Receipts by Fiscal Year	\$567,476	\$1,773,408	\$283,738	\$844,978	\$844,978	\$424,048

# FISCAL NOTE

**STATE OF ALASKA**  
**1994 LEGISLATIVE SESSION**

**BILL NO: SCS HB351 (STA) am S**

Revision Date: 5/5/94  
 Title: "An act relating to the issuance of permits for the carrying of a concealed weapon."  
 Sponsor: Representative JAMES  
 Requestor: Senate Rules

Dept. Affected: Public Safety  
 BRU: Statewide/Alaska State Troopers  
 Component: Records & ID/Detachments  
 COMPONENT SERIAL NO: 1190, 799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Personal Services	663.9	397.2	328.4	328.4	328.4	450.7
Travel	4.8	5.0	5.0	5.0	5.0	5.0
Contractual	460.1	296.1	161.4	161.4	161.4	462.5
Supplies	45.2	18.6	12.8	12.8	12.8	23.0
Equipment	177.8	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>1,351.8</b>	<b>716.9</b>	<b>507.6</b>	<b>507.6</b>	<b>507.6</b>	<b>941.2</b>

<b>CAPITAL EXPENDITURES</b>						
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CHANGE IN REVENUES ( )	1,842.7	844.6	307.1	307.1	307.1	1,275.2
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,351.8	716.9	507.6	507.6	507.6	941.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>1,351.8</b>	<b>716.9</b>	<b>507.6</b>	<b>507.6</b>	<b>507.6</b>	<b>941.2</b>

Estimate of current year (FY 94) impact: \$ \_\_\_\_\_

**POSITIONS:**

Full - Time	9	9	6	6	6	8
Part - Time	0	0	0	0	0	0
Temporary	10	10	0	0	0	2

ANALYSIS: (Attach a separate page if necessary.)

See Attached analysis.

Prepared By: Sgt. Dan Lowden & Francis C. Allen Phone: (907) 465-5505  
 Division: Alaska State Troopers Date: 5/5/94  
 Approved by Commissioner: [Signature] Date: 5/5/94  
 Agency: Richard L. Burton, Department of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further information call the Governor's Legislative Office

5/5/94

The following analysis is based upon an estimated FY95 total population of 623,600, recently obtained from the Department of Labor, and the actual experience in the State of Washington by the Division of Licensing and in the State of Oregon by the Oregon State Police, Identification Services Section.

Assumptions utilized in the preparation of this fiscal note include that the implementation date for the program will be as close to the effective date of the bill of October 1, 1994 as possible. However, time to promulgate the regulations and develop the necessary administrative and operational procedures necessary to successfully implement the statute change may delay the opening of the program. Every effort will be made to accomplish the desired October 1st starting date.

**REVENUE:**

The following is an analysis of the number of permits and renewals that will be issued and the revenue that is anticipated to result. Revenue estimates are based upon information from Washington. It is anticipated that approximately 4% of the total population will request permits to carry concealed handguns (CCW) during the first twelve months that they become available, that .5% will do so each year thereafter and that 90% of permits issued will be renewed. Based on the effective date in the bill of October 1, 1994 following revenue is forecasted:

**FY95:**

623,600 X 4% new permits = 24,944	
X 9 mos. of 1st yr. = 18,708 X \$98.50 =	\$1,842,738

**FY96:**

623,600 X 4% new permits = 24,944	
X 3 mos of 1st yr. = 6,236 x \$98.50 =	\$614,246
623,600 X .5% new permits = 3,118	
X 12 mos of 2nd yr. = 3,118 x \$98.50 =	\$307,123
FY year total	\$921,369

**FY97:**

623,600 X .5% new permits = 3,118 X \$98.50 =	\$307,123
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**FY98:**

623,600 X .5% new permits = 3,118 X \$98.50 =	\$307,123
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**FY99:**

623,600 X .5% new permits = 3,118 X \$98.50 = \$307,123

**FY00:**

623,600 X .5% new permits = 3,118 X \$98.50 = \$307,123

Renewals 24,944 X 90% = 22,450

X 9 mos = 16,838 x \$57.50 \$968,139

FY year total \$1,275,262

**EXPENDITURES:**

**CCW Unit**

**Sergeant** - The new unit will require the oversight of an experienced State Trooper Sergeant, who will be responsible for developing, implementing and maintaining the program. This will involve setting up policy and procedures, preparing Standard Operating Procedures (SOP) for the unit, statewide implementation, overall supervising of the operation of personnel assigned, oversight list to be maintained for law enforcement. This position will oversee the suspension and revocation process, the investigation into the revocation and presentation to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 7/1/94.

**State Trooper** - This position will follow up on discrepancies noted with information picked up in the checks made in the Alaska Public Safety Information Network (APSIN) and national checks regarding applicant backgrounds and criminal records. The Trooper will investigate conflicts between the application statements and criminal records, interview applicants when necessary and act as Officer In Charge (OIC) of the CCW Unit when the Sergeant is not available. This position will be needed by August 1, 1994 to assist in developing the program. After implementation the position will oversee the suspension and revocation process and the presentation of revocations to the hearing officer. In addition the position will also do criminal investigations of misuse of the permit (using information available from Oregon on revocations this would be approximately 1.1% or 120 per year. This does not include investigations that do not result in suspensions). Start date for this position will be 8/1/94.

**Clerk IV** - Initially this senior civilian position in the CCW Unit will assist the unit supervisor in developing and implementing the CCW program. This clerical position will help to develop the application form, the SOPs for the unit and attend to various clerical duties of the unit, including the processing of the more troublesome or complicated applications. The Clerk IV will also schedule administrative hearings to deal with denials and revocations. To help initiate the program the start date for this position will be 7/1/94.

**Clerk Typist III** - The clerk typist position will be needed to process applications, including performing APSIN checks, file completed applications and to issue the permits. The start date for this position will be 8/1/94.

**Non-Permanent Clerk Typist III** - Like the permanent Clerk Typist III, these positions will process applications. Ten will be needed during ten months of FY95 and two months of FY96, to handle the initial large volume of applications in a timely manner. Two will be needed again for six months in FY00 to handle the renewals of the same permits.

**Other Costs** - Certified postage costs will be incurred when the permits are mailed to the permittees. Costs have been estimated at \$2.29 + 10% for the proposed postage increase or \$2.50 per item. This expenditure will be incurred on each permit and is calculated for each year covered by this fiscal note based upon the projected number of permits expected each year.

**HB 351 Criminal Records and Identification Processing Assumptions:**

1. Projected original-applicant and renewal-applicant workload is per the attached excel spreadsheet.

Due to significant program receipt fluctuations from year to year, the department is requesting General Funds. Over time, the bill will be revenue neutral. In certain years, not enough revenue will be realized to support resources required to perform functions required by this bill.

2. A journey level AAFIS operator I can perform the fingerprint position of 10,000 applicant checks per year.

Due to the effort in hiring and training required to recruit qualified AAFIS operators, the department proposes to keep these two positions filled continuously in spite of workload fluctuations. Backlogs will be inevitable given the projected workload peaks.

3. A journey level criminal records clerk can accommodate 6,000 applicants per year (procedures explained further on).
4. The Records and Identification Section will check available information sources as follows:

Original Applications - Alaska Public Safety Information Network APSIN and the National Crime Information Center NCIC;

Renewal Applications - Alaska Public Safety Information Network, no fingerprint based national check; NCIC requires a new set of fingerprints for each applicant check. The Judiciary CS for HB 351 does not require fingerprints for renewals. The state check will be done by comparing the thumbprint on the renewal application with the original fingerprint card submitted by the applicant. For federal purposes, a name based check similar to that used for Brady clearances will be conducted.

Under typical circumstances, a background check as referenced in 18.65.710 (7) will consist of an applicant check by the department in the same manner as performed for security guards, teachers and other employers. Fee regulations already in place for these purposes are contained in 13 AAC 25.400. APSIN and NCIC will permit the department to determine past conviction and outstanding warrant information.

The Department will be unable to verify other qualifying information specified in Section 18.65.705 due to laws denying the department access or difficulty in obtaining the information. As in the Brady Bill implementation, most categories of disqualifying information cannot be routinely verified. Some states are making progress toward providing specified information (at least 26 states have gun control laws) but this is a new issue for Alaska. Both old and new forms used by the federal Bureau of Alcohol, Tobacco and Firearms provide for applicant certification that statements made on the form are true and correct. Under federal law, if it is later determined that the buyer made false statements on the form, the buyer has committed a felony offense. A similar provision is included in the CS HB 351 (JUD), section 18.65.710 (6).

Unverified categories of information specified by Section 18.65.705 will generally include:

- (2) Federal firearms eligibility except under the concept of "REASONABLE EFFORT" provided for in the Brady bill;
- (3) Indictments, Information, Presentments;
- (4) Will check available convictions in APSIN but will not research arrests without disposition information. If a disqualifying arrest is present without a disposition, the applicant will be asked to provide a copy of the court disposition indicating the case was dismissed or the applicant was found not guilty;
- (5) The Department does not have access to mental illness information;
- (6) Unless adjudications for mentally incapacitated occur in a criminal case, the department does not have feasible access to this information;
- (8) The Department does not have feasible access to military discharge information;
- (9) The Department does not have feasible access to renounced U.S. Citizenship records;
- (10) Unless incident to arrest or by conviction, the department does not have access to records indicating use or addiction to a controlled substance;
- (11) The Department does not have access to alcohol treatment program records;
- (12) The Department does not have access to substance abuse treatment program records.

5. Criminal Records AFIS Operators 3 months and Clerks require 1 month hire in advance of production need for training purposes.

6. Because of capacity limitations of the Alaska Automated Fingerprint Identification System (AAFIS), fingerprint cards will be retained in hardcopy files for retention purposes but will not be registered in AAFIS for electronic searching to help identify subsequent cases where concealed weapons permit holders may have been involved in a crime. The effect of not having these records available for electronic searching will preclude identification of 2,400 (10%) of previously unknown criminal arrestees based upon past experience verifying arrest fingerprint cards submitted to DPS. Additionally, not having these records available for electronic searching will preclude 7% of latent identifications by comparison with fingerprints retained in AFIS from unsolved crimes. In FY 93, DPS and APD conducted 1,139 latent searches and identified 87 subjects who would not have otherwise been identified. Past discussions with licensing agencies disclose the need for reporting subsequent arrest and conviction information back to the licensing agency. This service is not currently in place. However, to the extent that applicant fingerprints are not on the AAFIS file, the ability to report criminal event information subsequent to granting of a license will not be reliably possible.

7. Condition and Capacity of the Alaska Automated Fingerprint Identification System - The system is presently 12 years old and has been declared contractually obsolete by the vendor. Maintenance costs are increasing approximately 5% a year without this bill. Use of the system will more than double (2nd shift) as a result of this bill requiring renegotiation for vendor maintenance which is expected to increase from \$170,000 to approximately \$220,000. As discussed in 6 above, the department will not register concealed weapons permittees in the system to avoid exceeding capacity in one year. The consequences of this decision are discussed in 6 above. AAFIS needs to be upgraded or replaced at a cost of approximately \$2 million. The department is not saddling HB 351 with the costs of replacing this system but takes this opportunity to inform the legislature that the system has been declared contractually obsolete and that maintenance costs are expected to increase from approximately \$170,000 annually to more than \$220,000.

AAFIS is the cornerstone for providing a complete, accurate, and timely criminal history database with the ability to remotely search fingerprint databases of nine western states comprising approximately 16 million records. AAFIS makes the automated detection of persons using aliases possible so that complete criminal history information is provided to authorized inquirers. AAFIS also provides the ability to search latent fingerprints from unsolved crimes against the automated database. The more fingerprint records in the system, the higher the probability of a match (see 6 above). The criminal history database is used by Alaska's \$300 million criminal justice system as follows:

Police use criminal history information to aid investigations. Courts and Corrections use criminal history information in making release, probation and parole decisions;

Alaska law provides for presumptive sentencing which assumes that repeat offenders receive progressively more severe sentencing as a deterrent to repeat criminal behavior;

Alaska law provides for the screening of day care workers, foster parents, school teachers, school bus drivers and various other occupations, certifications, permits and licenses which require the use of criminal history information to ensure that inappropriate persons are not employed or licensed.

Legislation continues to be enacted and proposed in addition to CS HB 351 (JUD) including the Brady Bill, National Child Protection Act, pending bills HB 3, HB 480, SB 54 all of which depend on timely, accurate, and complete fingerprint based criminal history record information.

#### FINGERPRINT BASED CRIMINAL HISTORY CHECK PROCEDURES

The processing of applicant fingerprint cards is a three stage approach which requires handling by the R&I clerical staff and AAFIS operations staff acting in tandem. R&I clerks receive, audit funds, name search and separate this work by status before sending to AAFIS; AAFIS operators block, prepare, submit, review and verify the work before returning to clerical staff, and clerical personnel update information in APSIN, merge records in APSIN, update information in tracking system, forward fingerprint cards to FBI, forward information to applicant and agency in event of criminal findings, and file fingerprint cards.

This is an over-simplification of the duties performed and, therefore, a more detailed description would follow to generate a better understanding of these procedures.

#### STAGE I

Applicant fingerprint cards are received by R&I clerical staff and are sorted to separate fees from the cards and cards are date stamped. Information from the cards and accompanied fees are entered into the tracking program. All

A name check is conducted on each fingerprint card through APSIN by name, DOB and SS#. The ID/LIC or SID # is recorded on all cards

Where the number is available and the cards are separated into three categories for further processing: SEARCH, VERIFY, and NOT IN APSIN.

- SEARCH:** These cards are sent to AAFIS operators for routine searches.
- VERIFY:** These cards will have an SID # affixed and are handled through a shortened route by the AAFIS operators by direct data base access to verify same individual.
- NOT IN APSIN:** These cards must be searched and returned to create SID # before entry into APSIN.

## STAGE II

Applicant fingerprint cards are received in the three categories indicated above by the AAFIS operators for search, verification and registration into AAFIS data base with somewhat different handling according to category.

**SEARCH:** Pattern interpretation (blocking) is completed on each fingerprint and/or proper notation if finger is bandaged or amputated. Cards are then sorted and sequenced through the Fingerprint Reader (FR) to digitize image of fingerprint and obtain Process Control Number (PCN) in order to retrieve images for search through data base. PCN is entered and all demographics are entered, core and axis are determined and set for all images (10) on each card, and a search of data base is initiated. If an identification is not affected, the information normally is registered at this step and becomes part of the AAFIS data base. As discussed above, concealed weapon permit holders will not initially be registered. If a tentative identification is made against a fingerprint card on file, these documents are verified by the operator as being identical and SID # is affixed to card which is then returned to clerical staff to update APSIN files and merge records if necessary. Submitting agency and applicant would be notified if connection is made to a criminal history.

**VERIFY:** An SID # has been affixed to these cards which allows AAFIS operators direct entry into data base to call-up or retrieve the image and ascertain the positive identity of the applicant as being the same. This information will be verified by examination of the hard copy of the fingerprints on file. Cards are returned to clerical staff for updating.

**NOT IN APSIN:** These cards are blocked and prepared in the same way as the SEARCH cards, however, they are submitted for tenprint inquiry. If these cards are identified, they are

processed as in the VERIFY instructions above. If they are not identified, they are created into APSIN and an SID # is established which allows entry into AAFIS data base. These cards then follow the procedures outlined in SEARCH category above.

**REJECTIONS:** If cards are of unacceptable quality, they will be rejected by the Fingerprint Reader. This can occur for a number of reasons, i.e. insufficient ink, smudged prints, etc. These fingerprints are circled, reason noted, and returned to applicant or submitting agency via clerical staff for re submission.

Note: a \$20 resubmission fee is authorized under 13 AAC 25.400 (b), but has not been implemented.

### STAGE III

All cards are returned to R&I clerical staff for additional handling and/or processing.

**SEARCH:** These cards will all be Master cards within the Alaska system and APSIN records will be updated on the personal information screen to include that a fingerprint card is on file for that individual. A criminal history screen is printed and attached to the card, an entry is made into tracking system indicating "State Complete" and forwarding coordinate fingerprint card to the Federal Bureau of Investigation for searching and processing. When card is returned from the FBI, update the tracking system to reflect "FBI Complete". Compile any/all criminal history and determine which information meets dissemination criteria for release to applicant or requesting agency. All cards are filed for future reference.

**VERIFY:** These cards have a counterpart on file, the demographics updated and entry made into tracking system to indicate completion and forwarding of card to FBI as indicated in above paragraph. All other aspects as indicated in SEARCH apply.

**NOT IN APSIN:** These will be treated the same as the master cards indicated above. Updates are required in APSIN and tracking systems and cards forwarded to the FBI. All other steps outlined previously are applied as to dissemination of information. See SEARCH.

**REJECTIONS:** These cards, accompanied by a reject letter are returned to the applicant or requesting agency. The tracking system is updated to reflect the rejection and return of same. Monies are maintained and noted in tracking system awaiting re submission. When a re submission arrives, the process begins at step one except for the collection of fees.

#### Personnel & supporting costs:

FY95	1 AAFIS Operator II 1 AAFIS Operator I 3 Clerk IV
FY96	1 AAFIS Operator II 1 AAFIS Operator I 3 Clerk IV
FY97	1 AAFIS Operator II 1 AAFIS Operator I
FY98	1 AAFIS Operator II 1 AAFIS Operator I
FY99	1 AAFIS Operator II 1 AAFIS Operator I
FY00	1 AAFIS Operator II 1 AAFIS Operator I 2 Clerk IV

SCS CSHB351 (STA) am S- Concealed Weapons

Fiscal Impact

Page 9

**FY95 and FY96 Costs**

Based upon experience with handling Security Guard Licensing, approximately forty-five minutes to one hour will be required by an experienced clerk to process each permit application. Most of the initial applications are anticipated to be received during the start up period in FY95. In that year hours of effort will be needed. Because the initial start up year will require effort that will not continue at the same level, ten non-perm Clerk Typist IIIs will be needed in addition to the permanent positions. (24,944 applications at 1 hour each divided by 1,950 hours of available work time per position equals 12.8 (rounded down to a total of 12 clerical positions.)

Office and other equipment will only be needed in the first year (FY95) of operation.

**Contractual Programming Support**

AP SIN	265 hours @ \$75.00	\$20,000
PC Application	200 hours @ \$75.00	<u>\$15,000</u>
	Initial	\$35,000
Data Storage and CPU Usage (on-going)		<u>\$5,000</u>
	Full First Year Cost	40,000

**Administrative Hearings**

Based upon the actual activity data from the State of Oregon, it appears that approximately 1% of the CCW applications will be denied and another 1% will later will be revoked. Approximately 25% of those actions will result in an administrative or judicial hearings based upon our experience with DWI cases. This will result in a cost of approximately \$3,000 per hearing based upon DPS experience with process services licensing administrative hearings.

**FBI Fingerprint Fees**

The FBI charges \$24 to process a national fingerprint check. These fees will be charged to the permit applicant and passed to the FBI.

Sergeant  
 Anchorage  
 Base Cost  
 (PACS 12#094)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$53,742	
Benefits	<u>23,007</u>	
Total Personal Services		\$76,749

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
--	--	-------

CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCF Vehicle - Class 116 - Yearly Operating & Replacement costs per SEF	<u>6,900</u>	
Total Contractual		12,590

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 116	18,415	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Micro computer work station	5,000	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		29,325

**TOTAL COST** **123,905**

State Trooper  
Anchorage  
Base Cost  
(PACS 12#143)

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$47,148	
Benefits	<u>20,755</u>	
Total Personal Services		\$67,903

TRAVEL AND PER DIEM

Average - Investigations, training, etc.		2,500
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CONTRACTUAL

Telephone/Postage, \$75 per mo	900	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	350	
Office Space 200 sq. ft. @ \$1.65	3,960	
HWCF Vehicle - Class 115 - Yearly Operating & Replacement costs per SEF	<u>12,960</u>	
Total Contractual		18,650

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	2,091	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,741

EQUIPMENT

Vehicle - SEF Class 115	21,000	
Car radio	2,400	
Portable radio	1,628	
Office furniture - desk, chair, etc.	1,100	
Micro computer work station	5,000	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		31,910

**TOTAL COST** **123,704**

Clerk Typist III  
Base Cost  
(PACS 12#095)

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>11,743</u>	
Total Personal Services		\$33,931

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

**TOTAL COST** **\$48,396**

Clerk IV  
Base Cost  
(PACS 12#102, #167, #168, and #169)

PERSONAL SERVICES

Salary - Clerk IV - Range 9, Step A, no overtime	\$23,556	
Benefits	<u>12,149</u>	
Total Personal Services		\$35,705

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	600	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,640

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,200	
Copier paper	750	
File folders, lamination supplies, etc.	<u>500</u>	
Total Supplies & Materials		2,950

EQUIPMENT

Desk and Chair, 2 side chairs	1,250	
Bookcases (2) and file cabinets (5)	1,500	
Computer table	600	
Typewriter	400	
Facsimile machine	3,200	
Micro computer work station	5,000	
Laminator	<u>500</u>	
Total Equipment		12,450

**TOTAL COST** **\$56,745**

Non Perrn  
Clerk Typist III  
Base Cost  
(PACS 12#103, #104, #105, #106, #107,  
#108, #109, #110, #111, #112)

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, no overtime	\$22,188	
Benefits	<u>3,377</u>	
Total Personal Services		\$30,565

CONTRACTUAL

Telephone/Postage, \$90 per mo	1,080	
Repair and maintenance on micro computer	500	
Office space (200 sq. ft. @ \$1.65 x 12 mos =)	<u>3,960</u>	
Total Contractual		5,540

SUPPLIES & MATERIALS

Computer paper	500	
Forms	1,000	
Stationery, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

<b>TOTAL COST</b>		<b>\$45,030</b>
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AAFIS OPERATOR I  
Base Cost  
Anchorage  
(PACS 12#096)

PERSONAL SERVICES

Salary - AAFIS Operator I, Range 15, Step A, 60 hrs overtime	\$35,841	
Benefits	<u>15,790</u>	
Total Personal Services		\$51,631

CONTRACTUAL

Telephone/Postage, \$100 per month	1,200	
Maintenance on office equipment	500	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,660

SUPPLIES & MATERIALS

Computer paper	500	
Fingerprint cards and supplies	1,000	
Copier paper, stationary, office supplies	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk and Chair	725	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

<b>TOTAL COST</b>		<b>\$66,216</b>
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AAFIS OPERATOR II  
Base Cost  
Anchorage  
(PACS 12#098)

PERSONAL SERVICES

Salary - AAFIS Operator II, Range 18, Step A, 60 hrs overtime	\$44,314	
Benefits	<u>18,301</u>	
Total Personal Services		\$62,616

CONTRACTUAL

Telephone/Postage, \$100 per month	1,200	
Maintenance on office equipment	500	
Office space (200 sq. ft. @ \$1.65 X 12 mos =)	<u>3,960</u>	
Total Contractual		5,660

SUPPLIES & MATERIALS

Computer paper	500	
Fingerprint cards and supplies	1,000	
Copier paper, stationary, office supplies	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk and Chair	725	
Computer table	600	
Micro computer work station	<u>5,000</u>	
Total Equipment		6,325

**TOTAL COST** **\$77,201**

## SCS HB351 (STA) am S

FY95  
Costs

	Sgt. x1 <u>x12 Months</u>	Trooper x1 <u>x11 Months</u>	CT III x1 <u>x11 Months</u>	NonPerm CTIII x 10 <u>x10 Months</u>	CK IV x1 <u>x12 Months</u>	OTHER Con (1)	AFIS OP I x1 <u>x12 Months</u>	AFIC OP II x1 <u>x12 Months</u>	CK IV x3 <u>x10 Months</u>	<u>TOTAL</u>
Personal Services	76.7	62.2	31.1	254.7	35.7	0.0	51.6	62.6	89.3	663.9
Travel	2.5	2.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.8
Contractual	12.6	17.1	5.0	46.1	5.6	348.2	5.7	5.7	14.1	460.1
Supplies	2.8	2.7	2.6	21.6	2.9	0.0	2.6	2.6	7.4	45.2
Equipment	29.3	26.9	6.3	52.7	12.5	0.0	6.3	6.3	37.5	177.8
<b>TOTAL</b>	<u>123.9</u>	<u>111.2</u>	<u>45.0</u>	<u>375.1</u>	<u>56.7</u>	<u>348.2</u>	<u>66.2</u>	<u>77.2</u>	<u>148.3</u>	<u>1,351.8</u>

(1) Startup contractual programming support.	40,000
Certified Postage \$2.50 x 6,236 permits.	15,590
Administrative hearing costs.	280,620
Fingerprint System Maintenance.	<u>12,000</u>
<b>Total Contracted</b>	<b>348,210</b>

**SCS HB351 (STA) am S**

**FY96  
Costs**

	<u>Sgt. x1</u>	<u>Trooper x1</u>	<u>CK IV x1</u>	<u>CT III x1</u>	<u>NonPerm CT III x10 (1)</u>	<u>Con. (2)</u>	<u>AFIS OP II x1</u>	<u>AFIS OP I x1</u>	<u>CK IV x3 (4)</u>	<u>TOTAL</u>
Personal Services	76.7	67.9	35.7	33.9	50.9	0.0	62.6	51.6	17.9	397.2
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.6	5.5	9.2	230.3	5.7	5.7	2.8	296.1
Supplies (3)	1.0	1.0	3.0	2.6	4.3	0.0	2.6	2.6	1.5	18.6
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<u>92.8</u>	<u>90.1</u>	<u>44.3</u>	<u>42.0</u>	<u>64.4</u>	<u>230.3</u>	<u>70.9</u>	<u>59.9</u>	<u>22.2</u>	<u>716.9</u>

(1) Needed for two months.

(2) Other costs include:

Computer space storage	5,000
Administrative hearing costs.	128,618
Postage, \$2.50 x 19,488 =	48,720
 Fingerprint System Maintenance	 <u>48,000</u>
<b>Total Contracted</b>	<b>230,338</b>

(3) Replacement supplies only.

(4) Needed for two months.

**SCS HB351 (STA) am S**

**FY97  
Costs**

	<u>Sgt. x1</u>	<u>Trooper x1</u>	<u>CT III x1</u>	<u>CK IV x1</u>	<u>Other Con (1)</u>	<u>AFIS OP II x1</u>	<u>AFIS OP I x1</u>	<u>TOTAL</u>
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000
Administrative hearing costs for denials and revocations	46,770
Postage \$2.50 x 3,118	7,795
 Fingerprint System Maintenance	 48,000
Total Contractual	<u>107,565</u>

(2) Replacement supplies only.

**SCS HB351 (STA) am S**

FY98  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000
Administrative hearing costs for denials and revocations	46,770
Postage \$2.50 x 3,118	7,795
Fingerprint System Maintenance	48,000
<b>Total Contractual</b>	<b>107,565</b>

(2) Replacement supplies only.

**SCS HB351 (STA) am S**

FY99  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OPII x1	AFIS OP I x1	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	328.4
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	107.6	5.7	5.7	161.4
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	12.8
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>107.6</b>	<b>70.9</b>	<b>59.9</b>	<b>507.6</b>

(1) Includes annual:

Computer space storage	5,000
Administrative hearing costs for denials and revocations	46,770
Postage \$2.50 x 3,118	7,795
 Fingerprint System Maintenance	 48,000
Total Contractual	<u>107,565</u>

(2) Replacement supplies or . /.

**SCS HB351 (STA) am S**

FY00  
Costs

	Sgt. x1	Trooper x1	CT III x1	CK IV x1	Other Con (1)	AFIS OP II x1	AFIS OP 1 x1	CK IV x2	Non Perm x2 x 10 Months	TOTAL
Personal Services	76.7	67.9	33.9	35.7	0.0	62.6	51.6	71.4	50.9	450.7
Travel	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
Contractual	12.6	18.7	5.5	5.6	388.2	5.7	5.7	11.3	9.2	462.5
Supplies (2)	1.0	1.0	2.6	3.0	0.0	2.6	2.6	5.9	4.3	23.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>92.8</b>	<b>90.1</b>	<b>42.0</b>	<b>44.3</b>	<b>388.2</b>	<b>70.9</b>	<b>59.9</b>	<b>88.6</b>	<b>64.4</b>	<b>941.2</b>

(1) Includes annual:

Computer space storage	5,000
Administrative hearing costs for denials and revocations	299,328
Postage \$2.50 x 14,342	35,855
 Fingerprint System Maintenance	 48,000
<b>Total Contractual</b>	<b>388,183</b>

(2) Replacement supplies only.

# SCS HB351 (STA) am S

## Permit and Renewal Projection

ORIGINAL APPLICATIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
9 MOS/75% OF 24,944	18,708					
3 MOS/25% OF 24,944		6,236				
<b>NEW APPLICATIONS</b>						
.5% NEW X 623600 X .75% (9MOS)		2,339				
.5% NEW X 623600			3,118	3,118	3,118	3,118
<b>RENEWALS</b>						
90% X 24944 X 75%						16,837
<b>TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR</b>	<b>18,708</b>	<b>8,575</b>	<b>3,118</b>	<b>3,118</b>	<b>3,118</b>	<b>19,955</b>
<b>Total number of administrative hearings.</b>	94	43	16	16	16	100
<b>Total cost of administrative hearings. (Hearings x \$3,000)</b>	280,620	128,618	46,770	46,770	46,770	299,328



SCS HB351 (STA) am S

Year Renewal	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
<b>RIGINAL APPLICATIONS</b>						
MOS/75% OF 24,944	18,708					
MOS/25% OF 24,944		6,236				
<b>EW APPLICATIONS</b>						
3% NEW X 623600 X .75%		2,339				
3% NEW X 623600			3,118	3,118	3,118	3,118
<b>ENEWALS</b>						
0% X 24944 X 75%						16,837
<b>TOTAL APPLICATIONS AND RENEWALS PROJECTED BY FISCAL YEAR</b>	<b>18,708</b>	<b>8,575</b>	<b>3,118</b>	<b>3,118</b>	<b>3,118</b>	<b>19,955</b>
<b>F/PGM Receipt Calculation</b>						
Original Applications AST Permit Fee @ \$63.50 + APSIN Check @ \$35	1,842,738	844,588	307,123	307,123	307,123	307,123
Renewal Application AST Renewal Fee @ \$32.50 + APSIN Name Check @ \$25						968,139
<b>F/PGM Receipts by Fiscal Year</b>	<b>1,842,738</b>	<b>844,588</b>	<b>307,123</b>	<b>307,123</b>	<b>307,123</b>	<b>1,275,262</b>

### Anticipated Costs to Applicants for obtaining Concealed Weapons Permits

Cost Category	Original Application	Renewal Application	DPS Fund Source
Training	\$130.00	\$130.00	NO
Rolled Print	\$30.00		NO
DPS Permit Fee	\$63.50	\$32.50	Yes GF/PGM
State Fingerprint Based Criminal History Check	\$35.00		Yes GF/PGM
National Fingerprint Based Criminal History Check	\$24.00		NO
State Thumbprint Verified Criminal History Check + National Name Based Criminal History Check		\$25.00	Yes GF/PGM
<b>Total Anticipated Costs To Applicant</b>	<b>\$282.50</b>	<b>\$187.50</b>	

# Alaska State Legislature

REPRESENTATIVE  
JEANNETTE JAMES  
P O Box 56622  
North Pole, Alaska 99705  
(907) 488-0862

House District: 34



While in Juneau  
State Capitol  
Juneau, Alaska  
99801-1192  
(907) 465-3745

## House Of Representatives

The Pacific Institute for Public Policy, in February 1990, published a Policy Briefing entitled GUNS, MURDERS, AND THE CONSTITUTION; a Realistic Assessment of Gun Control, by Don B. Kates, Jr.

The author does an excellent job of addressing the issue of gun control laws, giving the pros and cons and comparing the actual facts with the assumptions of the various attitudes which are prevalent.

Two positions are attached here for your information:

1. Sagecraft Summarized
2. Police Protection vs Capacity to Defend Oneself

**POLICY BRIEFING-A**  
**REALISTIC ASSESSMENT**  
**OF GUN CONTROL**

## 1. Sagecraft Summarized

Let the sagecraft concept seem unduly harsh, I will briefly review five particularly insupportable anti-gun claims (they and others are further detailed in the body of this paper):

- a) *The claim that homicide is predominantly a matter of "ordinary law-abiding people" killing a relative or acquaintance because a loaded gun happened to be available during a moment of anger.*

This claim is contradicted by all national and local studies of homicide, which uniformly show that murderers are not "ordinary law-abiding people." Rather, murderers (like gun accident perpetrators) are highly aberrant individuals, characterized by felony records, alcohol and/or drug dependence, and life histories of irrational violence against people around them.<sup>10</sup>

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<sup>8</sup> Bruce-Briggs, above.

<sup>9</sup> Tonso, above, applying concepts based on F. Znaniecki, *The Social Role of the Man of Knowledge*, 72-74 (N.Y.: Harpers, 1968).

<sup>10</sup> Straus, "Domestic Violence and Homicide Antecedents," 62 *Bull. N.Y. Acad. Med.* 446 (1986); cf. Bruce-Briggs, "The Great American Gun War," 45 *The Public Interest* 37, 40 (1976):

The calculation of family homicides and accidents as costs of gun ownership is false. The great majority of these killings are among poor, restless, alcoholic, troubled people, usually with long criminal records. Applying the domestic homicide rate of these people to the presumably upstanding citizens whom they prey upon is seriously misleading.

See also Kates, "Firearms and Violence: Old Premises, Current Evidence," in T. Gurr (ed.), *1 Violence in America*, 203-204 (1989) (hereinafter cited as "Current Research"); Kleck, "Policy Lessons from Recent Gun Control Research," 49 *Law & Contemp. Probs.* 35 (1986) (hereinafter cited as "Policy Lessons") at 40-41, and studies there cited.

- b) *The claim that (though banning all guns may not be politically feasible) banning only handguns would save lives because gun attacks are more lethal than knife attacks.*

In a recent National Institute of Justice survey among about 2,000 incarcerated felons, well over 80 percent of those who had often misused handguns said that if handguns were unavailable they would turn to long guns (rifles or shotguns) instead.<sup>11</sup> Thus, a crucial issue in any handgun ban is that, while handgun wounds are 1.3 to 3 times more lethal than knife wounds, a rifle or shotgun wound kills 5 to 11.4 times more often than a handgun wound. Far from decreasing homicide, if a handgun ban caused only 30 percent of handgun attackers to turn to long guns, the homicide rate might nearly double; if 50 percent switched, homicides could more than triple.<sup>12</sup> Astoundingly, not one academic who argued that banning handguns would save lives (because knives are less deadly) even mentioned the necessary corollary that not controlling long guns would cost lives because rifles and shotguns are far more lethal.

- c) *The claim that comparing American statistics to those of selected gun-banning foreign countries proves that guns cause crime and that banning them reduces it.*

Differentials in international crime rates reflect basic socio-cultural and economic differences that have nothing to do with gun laws. First, Western Europe has not only far less gun violence but also less violence of all kinds *per capita*. Second, this difference between the United States and Western Europe was even greater before the latter's gun laws were adopted in the 1920s and 1930s. Third, those laws were adopted to control political violence—to which those countries have always been far more subject than the United States. Fourth, as American violence skyrocketed from the mid-1960s on, violence rates increased even more rapidly in the gun-banning countries (particularly gun violence). And fifth, in such equally crime-free countries as Switzerland, Israel, and New Zealand, there is even more gun availability than there is in the United States.<sup>13</sup>

- d) *The claim that guns are generally not useful and not used for self-defense.*

Gary Kleck recently has found that, while handguns are used in vast numbers of crimes annually, they are used even more often by good citizens to repel crime

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<sup>11</sup> J. Wright & P. Rossi, *Armed and Dangerous: A Survey of Felons and Their Firearms* 221, table 11.3 (N.Y.: Aldine, 1986) (hereinafter called NIJ Felon Survey).

<sup>12</sup> Policy Lessons at 48-50, Lizotte, "The Costs of Using Gun Control to Reduce Homicide," 62 *Bull. N.Y. Acad. Med.* 539, 541 (1986).

<sup>13</sup> See discussion in Current Evidence at pp. 200ff and below in this paper.

(approximately 581,000 crimes vs. about 645,000 defense uses annually).<sup>14</sup>

e) *The claim that there is no individual right to arms because the Second Amendment to the U.S. Constitution protects only the states' right to arm the militia.*

Though mere control is constitutional, wholesale prohibition and confiscation is not; the Constitution precludes laws barring responsible, law-abiding adults from choosing to own guns for self-defense. Sanford Levinson, a leading constitutional scholar (who personally opposes gun ownership), recently dismissed academic obliviousness to this clear fact in a paper fittingly entitled "The Embarrassing Second Amendment."<sup>15</sup>

## 1. Police Protection vs. the Capacity to Defend Oneself

Perhaps the single most common argument against freedom of choice is that personal self-defense has been rendered obsolete by the existence of a professional police force.<sup>69</sup> For decades, anti-gun officials in Chicago, San Francisco, New York and Washington, D.C., have admonished the citizenry that they don't need guns for self-defense because the police will defend them. This advice is mendacious: when those cities are sued for failure to provide police protection, those same officials send forth their city attorneys to invoke

[the] fundamental principle of American law that a government and its agents are under no general duty to provide public services, such as police protection, to any individual citizen.<sup>70</sup>

Even as a matter of theory (much less in fact), the police do NOT exist to protect the individual citizen. Rather their function is to deter crime in general by patrol activities and by apprehension after the crime has occurred. If circumstances permit, the police should and will protect a citizen in distress. But they are not legally duty bound even to do that nor to provide any direct protection--no matter how urgent a distress call they may receive. *A fortiori* the police have no duty to, and do not, protect citizens who are under death threat (e.g., women threatened by former boyfriends or husbands).

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<sup>68</sup> All discussion of gun-armed self-defense in this paper is directed to handguns because they are infinitely more efficacious for defense than rifles or shotguns. In contrast to the unwieldy long gun, the short-barrelled handgun is much easier to bring into play at close quarters and much harder for an assailant to wrest away. Consider the situation of a woman holding an intruder at bay while trying to dial the police. With a rifle, this is difficult and hazardous at best. Given only the two-inch barrel of a snub-nosed handgun to grasp, not even the strongest man can lever it from a woman's grip before she shoots him. M. Ayoub, *The Truth About Self-Protection* (N.Y.: Bantam, 1983) 332-33, 341-42, 345-55.

<sup>69</sup> Thus Ramsey Clark denounces precautionary gun ownership as an atavistic insult to American government: "A state in which a citizen needs a gun to protect himself from crime has failed to perform its first purpose"; it is "anarchy, not order under law--a jungle where each relies on himself for survival," R. Clark, *Crime in America* 88 (1971). For similar views, see also Wills, "Handguns that Kill," *Washington Star*, Jan. 18, 1981; "John Lennon's War," *Chicago Sun Times*, Dec. 12, 1980; and "Or Worldwide Gun Control" *Philadelphia Inquirer*, May 17, 1981; editorial: "Guns and the Civilizing Process," *Washington Post*, Sept. 26, 1972.

<sup>70</sup> *Warren v. District of Columbia*, 444 A.2d 1 (D.C. Ct. of Ap. 1981). For similar cases from New York and Chicago, see *Riss v. City of New York*, 22 N.Y. 2d 579, 293 N.Y.S.2d 897, 240 N.E. 2d 860 (N.Y. Ct. of Ap. 1958); *Keane v. City of Chicago*, 98 Ill. App.2d 460, 240 N.E.2d 321 (1968). See also the cases cited in the next two footnotes and *Bowers v. DeVito*, 686 F.2d 61 (7 Cir. 1982) (no federal constitutional requirement that state or local agencies provide sufficient police protection).

All illustrative case is *Morgan v. District of Columbia*, 468 A.2d 1506 (D.C. Ct. of Ap. 1985). Two of the victims were upstairs when they heard the other being attacked by men who had broken in downstairs. Half an hour having passed and their roommate's screams having ceased, they assumed the police must have arrived in response to their repeated phone calls. In fact, their calls had somehow been lost in the shuffle while the roommate was being beaten into silent acquiescence. When the roommates went downstairs to see to her, as the court's opinion graphically describes it, "For the next fourteen hours the women were held captive, raped, robbed, beaten, forced to commit sexual acts upon each other, and made to submit to the sexual demands" of their attackers.

Having set out these facts, the District of Columbia's highest court exonerated the District and its police, because it is "fundamental [in] American law" that the police do not exist to provide personal protection to individual citizens.<sup>71</sup> In addition to the case law I have cited, this principle has been expressly enunciated over and over again in statute law.<sup>72</sup>

The fundamental principle that the police have no duty to protect individuals derives equally from practical necessity and from legal history. Historically, there were no police, even in large American or English cities, before the mid-19th century. Citizens were not only expected to protect themselves (and each other), but also legally required in response to the hue and cry to chase down and apprehend criminals. The very idea of a police was anathema, American and English liberalism viewing any such force as a form of the dreaded "standing army."<sup>73</sup> This view yielded only grudgingly to the fact that citizens were unwilling to spend their leisure hours patrolling miles of city streets and were incapable even of chasing fleeing criminals down on crowded city streets—much less tracing and apprehending them or detecting surreptitious crimes.

Eventually, police forces were established to augment citizen self-protection by systematic patrol to deter crime and to detect and apprehend criminals if a crime should occur. Historically, there was no thought of the police displacing the citizen's right of self-protection. Nor, as a practical matter, is that displacement remotely

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<sup>71</sup> 444 A.2d at 6; see also *Morgan v. District of Columbia*, 468 A.2d 1506 (D.C. Ct. of Ap. 1985). To the same effect, see *Calogrides v. City of Mobile*, 475 So. 2d 560 (S.Ct. Ala. 1985); *Morris v. Musser*, 478 A.2d 937 (1984); *Davidson v. City of Westminster*, 32 C.3d 197, 185 Cal. Rptr. 252, 649 P.2d 894 (S. Ct. Cal. 1982); *Chapman v. City of Philadelphia*, 434 A.2d 753 (Sup. Ct. Penn. 1981); *Weurich v. Delia*, 155 N.J. Super. 324, 326, 382 A.2d 929, 930 (1978); *Sapp v. City of Tallahassee*, 348 So.2d 363 (Fla. Ct. of Ap. 1977); *Simpson's Food Fair v. Evansville*, 272 N.E. 2d 871 (Ind. Ct. of Ap.); *Silver v. City of Minneapolis*, 170 N.W.2d 206 (S. Ct. Minn. 1969); and the other authorities cited in the footnotes preceding and following this one.

<sup>72</sup> See Cal. Govt. Code §§ 821, 845, 846, and 85 Ill. Rev. Stat. 4-102, construed in *Stone v. State*, 106 Cal.3d 924, 165 Cal. Rptr. 339 (Cal. Ct. of Ap. 1980); and *Jamison v. City of Chicago*, 48 Ill. App. 567 (Ill. Ct. of Ap. 1977) respectively; see generally 18 *McQuillen on Municipal Corporations*, sec. 53.80.

<sup>73</sup> See generally 82 *Mich. L. Rev.* above at 214-16. and F. Morn, "Firearms Use and the Police: A Historic Evolution of American Values," in D. Kates (ed.), *Firearms and Violence* (1984).

feasible in light of the demands a high-crime society makes on the limited resources available to police it. Even if all 500,000 American police officers were assigned to patrol, they could not protect 240 million citizens from upwards of 10 million criminals who enjoy the luxury of deciding when and where to strike. But we have nothing like 500,000 patrol officers: to determine how many police are actually available for any one shift, we must divide the 500,000 by four (three shifts per day, plus officers who have days off, are on sick leave, etc.). The resulting number must be cut in half to account for officers assigned to investigations, juvenile, records, laboratory, traffic, etc., rather than patrol.<sup>74</sup>

Doubtless the deterrent effect of the police helps ensure that many Americans will never be so unfortunate as to live in circumstances requiring personal protection. But for those who do need such protection, police do not and cannot function as bodyguards for ordinary citizens (though in New York and other major cities police may perform bodyguard services for the mayor and other prominent officials). Consider just the number of New York City women who each year seek police help, reporting threats by ex-husbands, ex-boyfriends, etc. To bodyguard just those women would exhaust the resources of the nation's largest police department, leaving no officers available for street patrol, traffic control, crime detection, apprehension of perpetrators, responses to emergency calls and so forth.<sup>75</sup>

Given what New York courts have called "the crushing nature of the burden,"<sup>76</sup> the police cannot be expected to protect the individual citizen. Individuals remain responsible for their own personal safety, with police providing only an auxiliary general deterrent. The issue is whether those individuals should be free to choose gun ownership as a means of protecting themselves, their homes, and their families.

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<sup>74</sup> See the extended discussion in Bowman, "An Open Letter," *Police Marksman*, July-Aug. 1986.

<sup>75</sup> Silver and Kates, "Handgun Ownership, Self-Defense and the Independence of Women in a Violent, Sexist Society," in D. Kates (ed.), *Restriction Handguns* at 144-47. Prof. Leddy, formerly a N.Y. officer, cites personal experience:

The ability of the state to protect us from personal violence is limited by resources and personnel shortages [in addition to which] the state is usually unable to know that we need protection until it is too late. By the time that the police can be notified and then arrive at the scene, the violent criminal has ample opportunity to do serious harm. *I once waited 20 minutes for the New York City Police to respond to an "officer needs assistance" call which has their highest priority. On the other hand, a gun provides immediate protection. Even where the police are prompt and efficient, the gun is speedier.*

From "The Ownership and Carrying of Personal Firearms," forthcoming in *Int'l J. Victimol.* (Emphasis added). Cf. the Riss and Silver cases cited above, as well as *Wong v. City of Miami*, 237 So.2d 132 (Fla., 1970). All emphasize the need for judicial deference to administrators' allocation of scarce police resources as a reason for denying liability for failure to protect.

<sup>76</sup> *Wiener v. Metropolitan Transit Authority*, 433 N.E. 2d 124, 127, 55 N.Y. 2d 175, 498 N.Y.S. 2d 141 (N.Y. App. Div. 1982).

# Alaska State Legislature

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## SPONSOR STATEMENT

### HOUSE BILL NO. 351

#### "AN ACT RELATING TO THE ISSUANCE OF PERMITS FOR THE CARRYING OF A CONCEALED HANDGUN"

This bill is intended to insure that honest, law-abiding persons who qualify under the provisions of this act are not denied their right to choose to carry concealed handguns.

In his State of the State address at the opening of this Legislative session, Governor Hickel said that Alaskans are fed up with crime. One of his solutions was to fund more law enforcement agents, which will help, but generally a peace officer will become involved only after a law has been broken. Additional peace officers will act as a deterrent to crime only where they are visibly present, and they can't be on every corner all the time.

All being concerned, law-abiding, qualified citizens to carry concealed handguns will be an effective deterrent to crime; if law-breakers know that their potential victims are likely to be armed, and no longer defenseless, crime will decrease.

As we endeavor to carry out the wishes of our constituents, it is extremely important to note that this bill has the very strong support of a great majority of Alaskans.

HB 351

MEMO

TO: Kathryn Daughhete  
Fiscal Analyst  
Legislative Finance Division

FROM: Kathy Holmquist *ph*  
Senate Finance

DATE: May 27, 1994

RE: HB 351 - Permits for Carrying Concealed Weapons

Received a telephone call yesterday afternoon from Lee Ann Lucas at Dept. of Public Safety inquiring about the fiscal note for HB 351. I researched the packet of fiscal notes submitted to the conference committee and advised that it appeared the 4/28/94 note from the department showing GF/PR of \$1,351.8 was the basis for the \$1,000.0 provided in CCS HB 370--the FY 95 budget. Lee Ann said a 5/5/94 note was submitted by the department showing the \$1,351.8 as GF rather than GF/PR. I located the 5/5/94 note in a stack of fiscal notes that accumulated after the conference committee adjourned. Lee Ann indicated that the 5/5/94 note should have been the basis for budget funding. I explained that neither Carol nor I could have inserted the updated note into the conference fiscal note packet, without authorization from our co-chairs, since it was not reported out of either finance committee. Had we received the note prior to conclusion of conference, we would have made those reviewing the notes aware of the update as an extraneous item. However, since the note was located among the post-conference notes, it does not appear it was timely.

In response to your call, this morning, indicating the department made similar inquiries of you, I researched Senate Journal entries for HB 351 for possible changes in the fiscal note. Although six Senate floor amendments were offered for the bill, none related to the fiscal note. Fiscal note information in BASIS for both House and Senate action on the bill evidences only the 4/28/94 GF/PR note (published 5/2/94). As a double-check, I called John Bitney in Rep. Larson's Wasilla office. John confirmed that reduced funding of \$1,000.0 for HB 351 was based on estimated GF/PR. The reduction was effected because it appeared unlikely the full estimate of program receipts would be collected in the first year of the program.

APR 25 1994

**ALASKA****CIVIL LIBERTIES UNION**

An Affiliate of the American Civil Liberties Union

P. O. Box 201844 - 419 Barrow Street - Anchorage, AK 99520-1844

Phone: 907-258-0044 Fax: 907-258-0288

HB 351

**AkCLUF**

Board of Directors:

FACSIMILE TRANSMISSION - HARD COPY TO FOLLOW

**Officers**Mary C. Geddes,  
President

April 20, 1994

Nancy Groszek,  
Vice-PresidentThe Honorable Drue Pearce  
Alaska State Senate  
State Capitol - Room 508  
Juneau, AK 99811-1182Don Clocksin,  
SecretaryGail Gatton,  
TreasurerDear <sup>Drs</sup> Senator Pearce:**Anchorage**Lloy' A. Eggan  
Michael Irwin  
Suzanne La Pierre

I am writing on behalf of the Board of Directors and members of the Alaska Civil Liberties Union (AkCLU) regarding House Bill 351, Representative James' bill to permit Alaskans to carry concealed weapons. As you know, HB 351 passed the House on a vote of 33 to 7 on Monday of this week. That same evening, the Board of Directors voted to publicly express its concern that certain special interests are making statements regarding the parameters of the U. S. Constitution's "right to bear arms" that are not an accurate reflection of the intent and meaning of the Second Amendment.

**Fairbanks**

Bob Miller

**Juneau**Jennifer Bell  
Shirley Dean  
Liz Dodd  
Tina M. Eckles

The AkCLU has been getting a lot of calls on HB 351, asking us to both support and oppose the bill. However, what has become most clear from these conversations is the confusion that exists over what the Second Amendment to the U. S. Constitution really means. The national ACLU has for decades agreed that the Second Amendment *guarantees* only the rights of states to maintain militias. The ACLU has also urged caution, however, over gun control laws that, though well-intended, *might* infringe on other civil liberties.

**Kenai**

Jeff Jefferson

The AkCLU believes that the right of Alaska and other states and the federal government to regulate guns is *not* counter to the U. S. Constitution's Second Amendment. Indeed, it is important to be factual in this often emotional debate: the U. S. Supreme Court, in the four cases in which it has addressed this issue, has consistently held that the Second Amendment does not confer a blanket right of individual gun ownership. There can be no debate on this issue. The Supreme Court has flatly held that an individual's right to keep and bear arms is not a right granted by the Constitution.

**Ketchikan**

Connie Griffith

**Kotzebue**

Martha Stewart

**Nome**

H. Connor Thomas

**Valdez**

Dirk R. Nelson

The Alaska affiliate, like other ACLU affiliates across the country, believes that effective gun control -- especially of handguns and assault weapons -- is essential to curbing the escalating violence in our society. A bill to legalize carrying a concealed weapon, however well-crafted, will only further increase the climate of concern for personal safety that is eroding each Alaskan's sense of well-being.

Randall P. Burns  
Executive Director

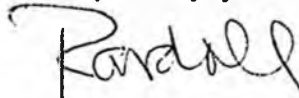
In Anchorage yesterday a large majority of residents voted to restrict guns from minors, a clear expression of the voters' concern for their safety and a belief in the benefit of gun control.

It is the AkCLU's particular concern that this loss of a feeling of personal safety is causing the public to clamor for more restrictive and repressive crime bills, bills that we believe time will show to have seriously eroded personal civil liberties and alarmingly increased police powers in the guise of protection.

The AkCLU *does not* oppose individual gun ownership, but the AkCLU is concerned that the proponents of HB 351 fail or refuse to recognize the role that guns play in the commission of crimes and that we, as a society, must start to take responsibility for that. The ability to carry a concealed weapon is not a constitutional right. We believe it appropriate for the AkCLU, whose focus is the protection of constitutionally guaranteed rights, to go on record refuting those who would claim gun control is unconstitutional.

Attached to this letter is a copy of some questions and answers on the Second Amendment developed by the Southern California ACLU affiliate. We urge you to read through the attached pages. At a time when the Alaska Legislature is passing bills that attack individual civil liberties in response to a perception that crime is on the rise, we believe that the Legislature should at least acknowledge the role that guns play in contributing to a fear-ridden society and recognize that responsible gun control is not contrary to the Second Amendment.

Respectfully yours,



Randall P. Burns  
Executive Director

cc: All Members, AkCLU Board of Directors

***The Second Amendment:*** "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."

**Q1: The Second Amendment says "the right of the people to keep and bear arms shall not be infringed." Doesn't it mean just that?**

A: There is more to the Second Amendment than just the last 14 words. Most of the debate on the Amendment has focused on its final phrase and entirely ignores the first phrase: "A well regulated Militia, being necessary to the security of a free State..." And to dissect the Amendment is to destroy its context. While some scholars have suggested that the Amendment gives individuals the constitutional right to bear arms, still others have argued for discarding the Amendment as irrelevant and out of date. However, the vast majority of constitutional experts agree that the right to keep and bear arms was intended to apply only to members of state-run, citizen militias.

**Q2: If it doesn't guarantee the right to own a gun, why was the Second Amendment included in the Bill of Rights?**

A: When James Madison proposed the Bill of Rights in the late 1780's, people were still suspicious of any centralized federal government. Just 10 years earlier, the British Army had been an occupying force in Colonial America -- enforcing arbitrary laws decreed from afar. After the Revolutionary War, the states insisted on the constitutional right to defend themselves in case the fledgling U. S. government became tyrannical like the British Crown. The states demanded the right to keep an armed "militia" as a form of insurance.

**Q3: What exactly is "a well regulated militia"?**

A: Militias in 1792 consisted of part-time citizen-soldiers organized by the individual states. Its members were civilians who kept arms, ammunition, and any other military equipment in their houses and barns -- there was no other way to muster a militia with sufficient speed. Over time, however, the state militias failed to develop as originally anticipated. States found it difficult to organize and finance their militias and, by the mid-1800's, they had effectively ceased to exist. Beginning in 1903, Congress began to pass legislation that would eventually transform state militias into what is now the National Guard. Today, the National Guard -- and Army Reserve -- are scarcely recognizable as descendants of the militias of the 1790's. The National Guard and Reserve forces, in fact, do not permit personnel to store military weapons at home. And many of today's weapons -- tanks, armored personnel carriers, airplanes, and the like -- hardly lend themselves to use by individuals.

**Q4: Does the Second Amendment in any way guarantee gun rights to individuals?**

A: No. The weight of historical and legal scholarship clearly shows the Second Amendment was intended to guarantee that states could maintain armed forces to resist the federal government. Most scholars overwhelmingly concur that the Second Amendment was never intended to guarantee gun ownership rights for individual personal use. Small arms ownership was common when the Bill of Rights was adopted, with many people owning single-shot firearms for hunting in what was then an overwhelming rural nation.

**Q5: Does the Second Amendment authorize Americans to possess and own any firearms they feel they may need?**

A: Clearly, no. The original intent of the Second Amendment was to protect the right of states to maintain state militias. Private gun ownership that is not necessary to the maintenance of militia is not protected by the Second Amendment.

**Q6: Does the Second Amendment allow government to limit -- even prohibit -- ownership of guns by individuals?**

A: Yes. Federal, state, and local governments can all regulate guns without violating the Second Amendment. State authorities have considerable powers to regulate guns. The federal government can also regulate firearm ownership, although some scholars believe that the federal power may not be as extensive as that of an individual state. California, for example, has limited the ability of local governments to regulate firearms. While the state has kept its broad regulatory authority, cities and counties can only prohibit guns from being carried in public places.

**Q7: How have the courts -- particularly the U. S. Supreme Court -- interpreted the Second Amendment?**

A: The Supreme Court has flatly held that the individual's right to keep and bear arms "is not a right granted by the Constitution." In the four cases in which the high court has addressed the issue, it has consistently held that the Second Amendment does not confer a blanket right of individual gun ownership. The most important Supreme Court Second Amendment case, *U. S. v. Miller*, was decided in 1939. It involved two men who illegally shipped a sawed-off shotgun from Oklahoma to Arkansas, then claimed the Second Amendment prohibited the federal government from prosecuting them. The court emphatically disagreed, ruling that the Second Amendment had the "obvious purpose" of creating state militias, not of authorizing individual gun ownership. In two earlier rulings, in 1876 and 1886, the Supreme Court held that the Second Amendment affected only the federal government's power to regulate gun ownership and had no effect on state gun control powers. Those cases, *Presser v. U. S.* and *U. S. v. Cruikshank*, formed the basis for the continuing legal decisions that the Second Amendment is not an impediment to rational gun control. In another case that the Supreme Court declined to review, a federal appeals court in Illinois ruled in 1983 that the Second Amendment could not prevent a municipal government from banning handgun possession. In the case, *Quilici v. Village of Morton Grove*, the appeals court held that contemporary handguns couldn't be considered as weapons relevant to a collective militia.

**Q8: The National Rifle Association (NRA) says the Second Amendment guarantees our right to keep and bear arms. Has the NRA got it wrong?**

A: Like any powerful special interest, the NRA works to secure its financial well being. It insists on a view of the Second Amendment that defies virtually all court decisions and contradicts findings of most legal scholars. In so doing, the NRA actively perpetuates a seemingly endless cycle of gun-related fatalities. The NRA intimidates politicians because it is very well financed and, like any wealthy single-issue special interest, can muster considerable pressure and scare tactics against legislators who oppose it. For decades, the NRA has effectively promulgated its message. Other voices have recently begun to be heard, however, including the public health community, civil rights and civil liberties organizations, and groups committed to women's, children's, and family rights. The NRA implies that the Bill of Rights forces us to accept unlimited gun ownership and to tolerate the human tragedies that guns cause in our society. That simply isn't true.

HB 351

Post-It™ brand fax transmittal memo 7671		# of pages	6
To	Hon. Steve Frank		
From	Jerry Jernigan		
Co.	S. Fin. Com.		
Dept.			
Fax #	465-2187		
Phone #	823-5274		
Fax #			

April 15, 1994

P.O. Box 895  
Tok, Alaska 99780

Phone 907 883 5074  
Fax 907 883 5878

REF: HB 351

I urge you to help keep HB 351 clean and simple and to vote yes for passage.

The people of Alaska need protection from the criminal element, especially the violent criminal.

I wish to share with you the attached pro-gun news articles that are taken from other than the mainstream press. Very few citizens have had an opportunity to read them.

Passage of HB 351 as I understand it read 1-2 weeks ago can very well help provide the citizen with added protection and become benchmark legislation that sets an example for other states (and our Federal Government) desiring to protect their citizens from the violent criminal.

Please make it possible for us, the people, to be able to protect each other by the passage of Hb 351. After all, the police have told us that they are unable to protect us, they can only respond after-the-fact.

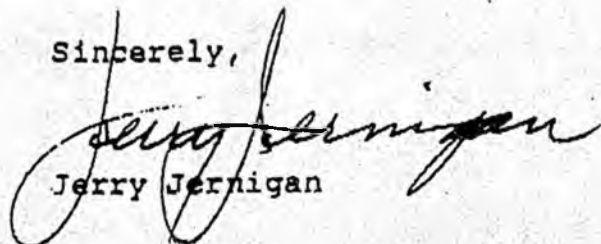
Yes errors will be made, innocent people will be hurt however I can not help but feel that a lot more innocent people will be protected and even be saved from serious injury or death. That is as it should be. The laws of our society should be for the benefit of the majority is that society.

As problems arise and oportunities for improvements are presented then this law can be ammended and others can be passed.

I trust that you feel as I do that its time government step forward and make it possible for the people to have the protection they need and deserve.

Passage of HB 351 will go a long way in providing this protection.

Sincerely,

  
Jerry Jernigan



# NAFTA Deals Promote National Cynicism

WASHINGTON (UPI)—A consumer group said Wednesday that President Clinton made 21 deals with House members that cost taxpayers billions of dollars in pork projects to gain votes needed to pass the North American Free Trade Agreement last month.

Public Citizen said in a report released Wednesday that the "dealmaking frenzies" increase public cynicism about the political process.

"The dealmaking over NAFTA was a slap in the face of every citizen who made the public spirited effort to express to Congress a view on the dangers of the trade deal," said Public Citizen President Joan Claybrook.

The Ralph Nader-founded organization said the deals were

beyond "business as usual" and raised questions on whether the trade agreement with Mexico and Canada is worth its merit or whether it was purchased with special deals.

Among the agreements Public Citizen said were made in exchange for NAFTA votes were:

• A highway project in California linking the Golden State and Antelope Valley freeways, made on behalf of Rep. Howard "Buck" McKeon, R-Calif.

• A government-funded laboratory to explore uses for plutonium, made on behalf of Rep. Bill Sarpalino, R-Texas.

• Concessions to the textile industry, made on behalf of the Congressional Textile Caucus.

• A provision that would retroactively wipe out tariffs amount-

ing to \$17 million on Canadian-made Honda Civics. The group called it "the arbitrary deal" because no member of Congress could be associated to it.

• Fund-raisers and appearances by the president and his aides.



Consumer activist and advocate, Ralph Nader in Washington, D.C.

# Opinion: Banning Guns Is Not the Answer, More Americans Should Carry Guns

By MARTIN ANDERSON  
Special Columnist

The recent killing of six people on a Long Island commuter train by a man with a .38-caliber pistol has touched off a cascade of cries to "do something" about violence in America. Usually, some of the solutions offered to the problem would increase the violence.

Behind many of these proposals is the unspoken wish for: of the liberal's most cherished ideals—a gun-free society. They have proposed steps that are partly intended to one day disarm the general public.

But lost in this emotional blurriness and the water of "belated, accomplish-nothing" is any serious discussion why some 60 million Americans—virtually all of them tax-paying, God-fearing and law-abiding—own guns and what, if anything, can really be done to

reduce the danger of innocent people being shot.

The founders of this country did not lety add the Bill of Rights to the Constitution. Right after guaranteeing freedom of religion, freedom of speech and freedom of the press, and just before guaranteeing that Americans would be secure in their persons, houses, papers and effects against unreasonable searches and seizures, they added these words:

"A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

In 1791 the "militia" included every able-bodied man in the country. When the drafters of our constitution included the right to carry arms, they weren't thinking about hunters or target shooters or gun collectors. No, they were concerned about self-defense and the power of the state to oppress its citizens by force.

In 1993 any concern about a

powerful state oppressing U.S. citizens seems far away. But is it?

Now will argue the point that truly effective gun control—which would require national registration, licensing and seizures of houses and automobiles—would primarily affect those gun owners who do not abuse guns and use them chiefly for self-defense. No one will argue that a person innocent of robbery or murder would willingly obey any gun registration law.

The result would only increase the concentration of guns in the hands of two groups—criminals and the police—and the relative power of those two groups, vis-a-vis the rest of us, would increase.

What can we do to help prevent the kind of carnage that took place on that train? Remember, the killer was a 35-year-old college student with no criminal record. Not a single one of the solutions now on the table would have deterred him in the slightest.

Instead of trying futilely to disarm the criminals among us, perhaps we should increase the number of responsible armed citizens. Imagine what might have happened if an off-duty New York City policeman had been on that Long Island Railroad commuter train wearing his gun, which he is allowed and often required to carry. Would he have used it to take out the damaged gunman before he inflicted so much damage? Probably yes.

One sensible comment that President Clinton made on this tragedy was that when he was a boy, "one of the first things I was told was that you have to learn how to use a gun safely and responsibly."

Hmmmm. Maybe instead of fustling around with waiting periods, limiting the number of bullets in clips to 10 and registering gun serial numbers in a national computer bank, we should set up training programs across the country to increase the number of men and

women who could perform the function of off-duty policemen.

These "special deputies" would be subject to the same extensive background checks as policemen. Let these men and women, who can pass the same competency tests for gun handling that are required of policemen receive a license to carry a concealed weapon.

Joycelyn Elders, the surgeon general of the United States, thinks we should study legalizing drugs to reduce violence. All right, let's study it. But perhaps we should also study whether the more effective way to reduce violent crime in America would be to decriminalize the carrying of a self-defense weapon in public.

—Martin Anderson, a senior advisor on the President's Council on Policy Advisory Board during the Reagan Administration, is now a senior fellow at the Hoover Institution, a Stanford University

For the People Will Not Cease Discussion of Our Constitutional Rights

Larry Pratt

# Guns Don't Cause Crime, They Lower It

By LARRY PRATT  
Special to For the People

When a lone gunman killed six people on a Long Island commuter train in December, he was the only person on the train with a gun. All the victims were unarmed. By law.

It is almost impossible for decent people to get a permit to carry a firearm in New York City and Long Island. This is typical of your high crime jurisdictions. These criminals are not stupid, they tend to be more vicious in areas where their working environment has been made safer by law.

Officials in these jurisdictions have an odd view of public safety. They think it is permissible for the police to kill a criminal in self-defense, but it's not O.K. for the general public to do the same. They think the police are capable of defending the public. Yet we know that that is not the way it works in practice — call for a cop, call for an ambulance and call for pizza. See which one shows up first.

As a result, the circumstances on the death train had no way to fight back. The murderer could count on that.

Is the answer to put another 100,000 police on the street, as President Clinton has suggested? That would bring the number on duty at one time to perhaps 180,000 officers to provide police coverage for over a quarter of a

billion Americans.

Court rulings have consistently held that the police have no responsibility to provide personal protection. The job of the police is to provide for law and order, and in practice this means that the cops are a clean up crew. They try to arrest the assailant after a crime has been committed.

Florida State University criminologist Dr. Gary Kleck has found that citizens shoot about twice as many assailants in self-defense as do police. The numbers are approximately 2,000 justifiable homicides for civilians and about 1,500 for the police each year.

## Crime Goes Down When Gun Ownership Goes Up

Surely, someone might object, you are not advocating that everyone be armed. Why, if we were to allow that, the American people could not handle it and we would have people settling petty disputes with guns. The facts do not support this view.

Kennesaw, Georgia is a suburb of Atlanta. Over a decade ago, Kennesaw enacted an ordinance requiring every household have a gun. The armed burglary rate in Kennesaw plummeted, falling off at 72 percent below what it was before the ordinance was passed.

Five years ago Florida took a good first step toward eliminating unconstitutional infringements of the right to carry arms. There were all kinds of predictions that Florida would become a more vio-

lent place with people using guns to settle even minor disputes. The results were quite to the contrary. Florida's murder rate, which had been above the national average, declined 21 percent even while the national average rose twelve percent (See Chart 1, below).

The gun control argument assumes that guns cause crime. Why else would Sarah Brady of Handgun Control, Inc., or President Clinton or the host of others calling for gun controls want to restrict or ban guns? They say they want to fight crime. Obviously, the most important thing in their mind is gun control or they would advocate something else.

Washington, D.C.: model for failure

To evaluate their assumption, let us look at their showcase for gun control: Washington, D.C. Washington made it illegal to get a handgun after 1976 and requires that any shotgun or rifle be kept broken down and locked up. Effectively, the civilian population has been disarmed. Has this benefited the criminals?

Washington's murder rate rose from about the nation to first following the imposition of gun control. At the same time, the justifiable homicide rate (the killing of assailants by the good guys) fell by two-thirds. Obviously, Washington became more danger-

ous for decent people even while offering a safer working environment for criminals.

Gun grabbers respond that Washington's woes stem from the easy availability of guns in Virginia — guns which come over into D.C. and commit murder there. What this argument fails to answer is why Virginia's guns are not the same problem in Virginia. (See Chart 2, below).

Virginia's murder rate is a fraction of that of the nation's capital. If guns had anything to do with crime, Virginia's murder rate would be at least two or three times that of D.C.'s.

## Guns and crime abroad

Still trying to show that guns cause crime, gun controllers turn to comparisons of the U.S. with Europe and Japan. Many European countries have lower murder rates than does the U.S., so they jump to the conclusion that European gun control is the reason. But for their argument to make sense, it would have to explain all the data, and Switzerland doesn't fit.

Switzerland is an armed camp. Because of its citizen army, virtually every Swiss home has a fully-automatic assault rifle not to mention lots of other firearms as well. Gun control advocates argue that Switzerland's low murder rate

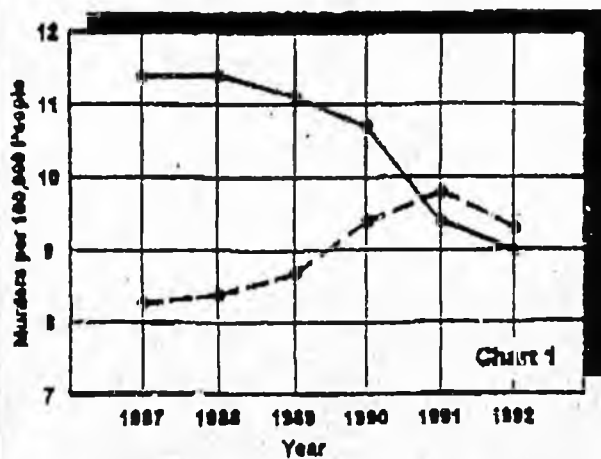
is the result of strict gun laws, but they miss their own argument. They have argued that guns cause crime, yet Switzerland has even more guns around in private hands than in the U.S. And the Swiss murder rate is about 14 percent of the U.S. rate (See Table 1, page 5).

The chart also makes it clear that homicide is only part of the picture of a violent society. Japan's combined murder and suicide rate is greater than that of the U.S. Also, keep in mind that every Japanese "suicide" include the murder of family members' before the suicide.

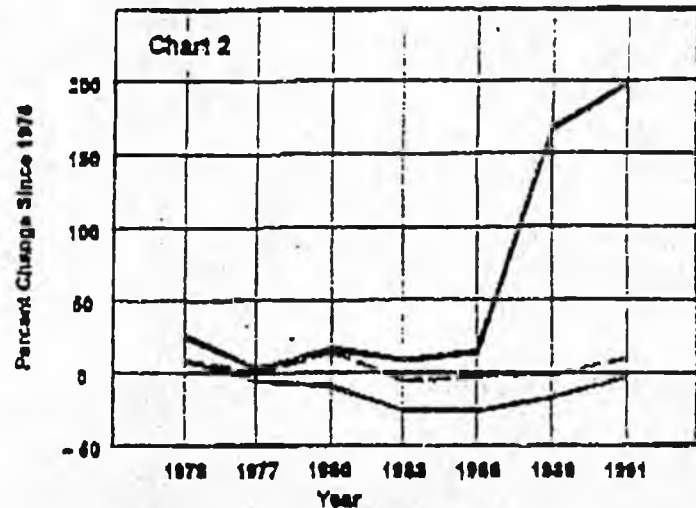
Virtual gun bans in Europe or Japan have not led to less violent societies. And as Japan makes it clear, gun control is carried out by a system that practices gross violations of civil liberties. Japan has been condemned by Amnesty International for its civil liberties abuses which include very inhumane treatment of prisoners in jail and an almost 100% conviction rate of those arrested. Japanese homes are open to warrantless inspection by Japanese police. When Japan is held up as a model of a civilized society that has crime under control, the above information needs to be kept in mind.

It is also worth looking at the

(See Pratt, page 3)



NOTE: Florida's Concealed Carry Law was enacted in 1987.



NOTE: Washington, D.C.'s Gun Control law was passed in 1976.  
SOURCE: FBI, Uniform Crime Reports.

**Pratt, from page 4**

two following charts dealing with the percentages of murders and suicides which use firearms. These charts show that guns are not the cause of crime. Clearly, if all guns were taken away in the United States, there would still be a high non-gun murder rate in comparison to the murder rate of other countries.

By the same token, even without firearms available, the heavily armed Swiss would still have a very high suicide rate. Japan's suicide rate is very high (see table one), even though almost no firearms are used.

Again, this shows that people in a society can be violent with or without guns. Guns are not the problem, violent attitudes are (See Charts 3 and 4, below).

**The Wrong Prescription**

Some sectors of the medical community have joined the gun control ranks, arguing that guns are a public health problem. Their logic is the same as the rest of the gun grabbers, namely, that guns cause crimes.

One recent study that appeared in the *New England Journal of Medicine* alleges that one is three times more likely to be murdered if there is a firearm in one's house than if one is not.

The study was poorly done for several reasons. It ignored the vast number of cases where firearms are used defensively each year. Dr. Gary Kleck has found that firearms are used about 2.5 million times each year to ward off a criminal attack. In most of these cases (98%), the defender only needs to

brandish his firearm or fire a warning shot — a fact ignored by the medical journal study.

An additional shortcoming of the medical journal study was to intentionally ignore the criminal and violent background of those committing murder in its study. About 70 percent of the murderers in the U.S. have a violent criminal background, as do about 65 percent of their victims. In other words, it is criminals killing criminals. Guns are not the problem, violent attitudes are.

Consider also that 85 percent of crimes against persons are committed outside the home. Criminals know that at least half of American homes have guns. On the street, particularly in high-crime areas, victims are not allowed to carry arms. Getting guns off the streets has made it more

dangerous outside the home. While some doctors think the right prescription is to also rid homes of guns, taking their medicine would result in death for thousands of people.

There is an irony in seeing the medical field turn its attention to the supposed gun crisis, when doctors themselves are more responsible for limiting the rights of people.

The 1990 *Harvard Medical Practice Study* suggests that doctors' negligence kills about 100,000 non-psychiatric inpatients (as many as 150,000 including psychiatric inpatients) each year. In New York alone, almost 7,000 such patients die annually from doctors' negligence.

Shapiro's criticism shows that any American is at least 66 times

as likely to die from a doctor's "neglect" as from a gun murder (1,200 per year), and at least four times as likely to die from a doctor's negligence as from a gun murder (12,500 per year). The 12,500 figure is not for murders, not an estimate of 4,000 justifiable homicides credited to police and civilians alike who are able to kill criminals at the scene of a crime.

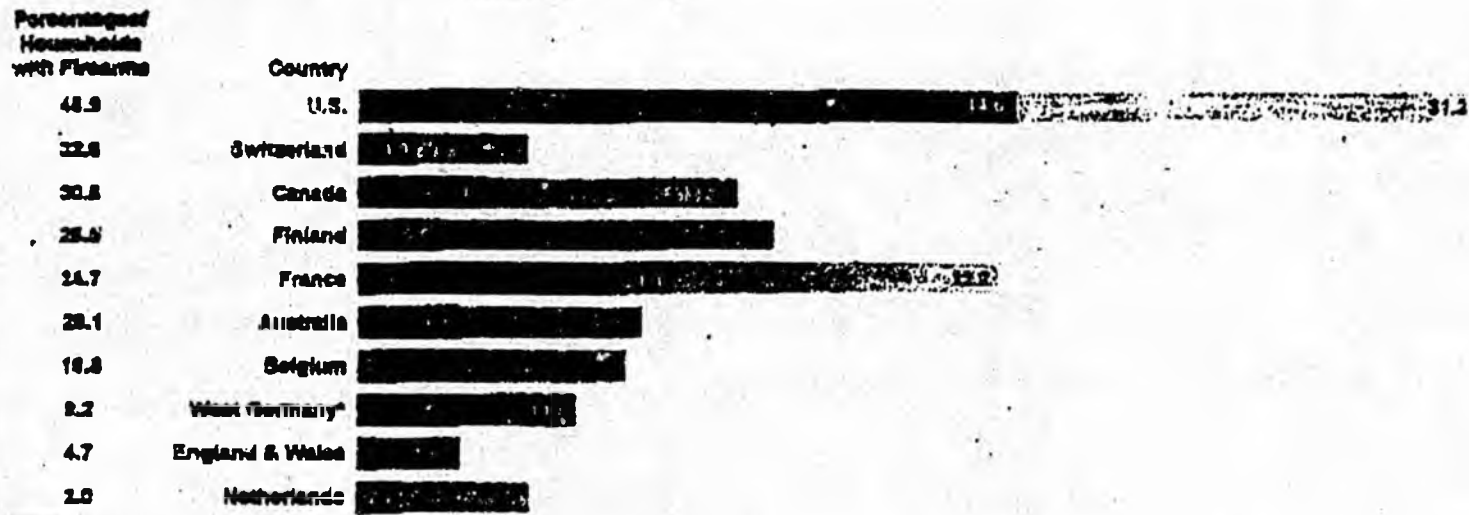
Gun control can jeopardize safety of innocent people.

There is a bitter irony: telling citizens the police cannot protect them, but then preventing them — through gun control laws — from defending themselves. Such restrictive laws only affect the law-abiding citizens, and in many cases, have led to the death of innocent people. Consider

(See Pratt, page 0

**Chart 3 and 4  
Guns and Deadly Violence**

Ranked according to percentages of households with firearms in 1988. Homicide and suicide data are averages from 1983-1988.



Legend:  
 ■ Homicides with Guns per Million People  
 □ Homicides without Guns per Million People

\*NOTE: Breakdown not available, total shown.



Legend:  
 ■ Suicides with Guns per Million People  
 □ Suicides without Guns per Million People

THE  
FOLLOWING  
DOCUMENTS  
ARE  
POOR  
ORIGINAL  
COPIES

# Gun Dealers Lament Curbs on Weapons

By WILLIAM FLANNERY  
St. Louis Post-Dispatch

Even before the mass shooting on a Long Island commuter train, Congress was fashioning a new law to curb the rising flood of gun mayhem on America's streets.

Last month, the Senate added a provision to the new crime bill that would ban the import, domestic manufacture and sale of semi-automatic military-style assault weapons.

Congress restricted the sale of new machine guns—or fully automatic weapons—in 1986. But the ban on semi-automatic assault weapons (one pull of the trigger for each shot) is the first time an entire class of widely sold firearms has been outlawed. Fully automatic weapons had a narrow market because of their expense—several thousand dollars—and federal regulations.

The proposed ban—which the House has to approve and the president has to sign—has set off a bitter debate.

The amendment's main sponsor, Sen. Jesse Helms, R-Calif., said, "This legislation will stop the flow of the most deadly weapons on our streets."

"Military-style assault weapons have no place in our society," Helms said, on the day of the amendment's passage last month.

Firearm dealers and manufacturers and gun owners fire back

that the ban is a public relations ploy that will not cut street crime and will only punish law-abiding citizens.

"Criminals will always get guns," said Chip Johnson, the owner of Direct Firearms in St. Joseph, Mo.

While criminals will still be in business, many gun dealers say they might not be.

"It's going to be pretty darn hard to stay in business," said James Keller, of Keller-Gun Works in Florissant, Mo.

Johnson agrees. He sells semi-automatic rifles and pistols.

"Unless a gun dealer is into selling a lot of bolt-action rifles or pump-action shotguns, they are pretty much out of business," Johnson said. "Anybody that just sells semi-auto is kind of like a moth to a candle flame."

While Johnson sells to police departments, he said, police sales account for only 20 percent of his business. Johnson is also a trained gunsmith. "But there's no money in that," he said. "I just do it for friends."

Many firearm manufacturers are also fearing the worst.

Colt Firearms of Hartford, Conn., is one of the oldest and largest U.S. gun makers. Company spokesman John Weber said it's too early to determine whether the proposed ban will kill the 150-year-old company, which is trying to come out of bankruptcy.

"The ban could have a very

negative effect on us," Weber said. "The (AR-15) Sporter rifle accounts for about 25 to 33 percent of our annual sales ... which have been running around \$100 million to \$125 million a year."

Weber said many of Colt's 1,000 employees could face temporary layoffs.

Mike Miller is president of Calico Inc. in Bakersfield, Calif. Calico makes 22 caliber and 9 mm weapons, which could be banned because of their large magazines and pistol grips.

"The ban would do no good for our domestic business," Miller said. "It would affect about 60 or 70 percent of our sales."

The company employs 30 people and has annual sales of about \$4 million.

Several gun merchants said the proposed ban has already had an impact on assault rifle sales—one that was not intended by the Senate.

"Assault rifles are a seller's market now," Johnson said. "It's a better investment than gold."

The prices have gone up about 10 percent a week in the past month.

Weber agrees.

"In the past month, we had the two best days for gun sales—the Senate passing the assault rifle ban and the passage of the Brady bill," Weber said. "Everybody is going out and buying guns."

(The Brady bill, which has been signed into law by President

Bill Clinton, establishes a national five-day waiting period on handgun purchases.)

Johnson and others said many gun wholesalers are running out of weapons.

"A few weeks ago, the Colt AR-15s were going for \$625; they are now around \$900," Johnson said.

The less-expensive Chinese-made MAK-90, a semi-automatic version of the Soviet-designed AK-47, has gone from about \$150 retail to \$250, Johnson said. And the price is rising fast.

Johnson said the price of semi-automatic pistols, which are not covered under the Senate assault weapon ban, have gone up by 10 percent.

A high-quality semi-automatic pistol will retail for \$300 to \$600; specialty handguns for competition target shooting will range from \$300 to \$2,000.

Bruce E. Bogus said he saw the same seller's market back in 1989 when President George Bush banned import of certain foreign-made assault rifles. Bogus is president of Shooting Systems in Fenton.

"In six months in 1989, we basically sold a five-year supply," Bogus said. "We still get people coming in now wanting to sell their AR-15 (to cash in on the higher prices)."

And the rifles are still in their original boxes and have never been fired."

Bogus said the semi-automatic 9 mm UZI carbine has been available since the Bush

"A used UZI used to go for \$1,000," Bogus said. "Now you can find one, they will sell for \$1,200 to \$1,500."

The shootings on a Long Island commuter train did not involve an assault weapon.

But the incident, in which a pistol-wielding gunman killed people and wounded 21, launched new calls for stricter national gun laws.

Clinton says he will see tougher laws when Congress comes back into session early next year.

The new legislation is required in the absence of handgun curbs and other gun restrictions in addition to a ban on assault weapons.

But some gun-industry officials believe the assault-weapon ban and stricter gun laws will pass in the House.

"Look at the Brady Bill," said Michael Feldman of American Shooting Sports Council in Atlanta, a gun manufacturer trade group. "It passed the (435-member) House by only a voice."

Feldman said Weber believes a move to ban whole classes of rifles or pistols would be seen as too extreme and would be defeated.

— Distributed by Scripps Howard News Service

## Pratt, from page 1

such case which was printed by the U.S. Congress in the Congressional Record.

In 1991, Bonnie Elmasri of Wisconsin secured a restraining order against her husband who had repeatedly threatened to kill her. She also tried to buy a gun since she was afraid the restraining order might not provide her enough protection.

But Wisconsin has a waiting period, so she had to wait 48 hours before picking up her gun. Sadly, Elmasri never picked up her gun. She and her two sons were murdered the next day by an abusive husband of whom the police were well aware.

Courtesy Elmasri's situation with that of Theresa Terry. In 1991, Terry was in a Shoney's restaurant in Anniston, Alabama when armed robbery began herding employees and customers alike into a walk-in refrigerator. They

Table 1  
Rate per 100,000 Persons

COUNTRY	HOMICIDE	SUICIDE	TOTAL DEATHS
Japan	.8	21.1	21.9
England & Wales	1.1	8.6	9.7
Scotland	1.7	10.2	11.9
Canada	2.7	12.8	14.5
Australia	2.8	11.8	14.3
New Zealand	1.7	10.8	12.5
Switzerland	1.1	21.4	22.5
United States	7.9	12.2	20.1

SOURCE: Guns, Crime, and Virtue, based upon U.S. Department of Justice and Internal Bureau.

were planning to kill them there until Terry pulled the .45 pistol he had a permit to carry and shot two of the attackers and chased off the third.

If Terry had not had his gun on him, nearly as many people could have died as were killed in Luby's cafeteria a month earlier

when a lone murder crashed through the wall of the building and systematically killed 23 people. Nobody in the cafeteria was armed — again because of gun control laws prohibiting decent people from exercising their constitutional right to keep and bear arms.

We have heard the emotional

argument from gun control advocates that if just one life could be saved, their legislation should be enacted. If they really believed that, they would work to eliminate such killer laws as the D.C. gun ban so that decent people could legally protect themselves with guns from the criminal element.

The assumption that a civilized society is made up only of pacifists is merely submitting to violence in unwarrantable and immoral. Jeffrey Snyder put it well in his article "A Nation of Cowards" in a recent issue of The Public Interest. In truth, one who believes it wrong to arm himself against criminal violence shows contempt of God's gift of life (or, in modern parlance, does not properly value himself), does not live up to his responsibilities to his family and community, and proclaims himself mentally and morally deficient, because he does not trust himself to behave responsibly.

For the government to de-

prive its citizens of the right to keep and bear arms is to usurp a right that our founders viewed as inalienable because they occurred from God. And since the government cannot protect us from criminals, by what logic do they try to tell us to disarm? Especially we who know that guns are used to fight crime so much more often than to commit crime. In fact, guns are used in self-defense about four times more often than they are used in crime.

For those wishing to see Congress "No" to more gun control and "No" to banning gun owners in America has prepared a mailgram that can be sent by Western Union to your Senators and Representatives. Simply call 1-800-258-2222. Be sure to ask for Hotline 9463. The cost will be \$8.95.

— Larry Pratt is the Executive Director of Gun Owners of America



# Alaska State Legislature

Session:  
State Capitol  
Juneau AK 99801-1182

Senate State Affairs

Interim:  
716 W 4th Avenue  
Anchorage AK 99501-2133

## HB 351 IS SUPPORTED and ENDORSED BY THE FOLLOWING GROUPS AND ORGANIZATIONS:

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1. Alaska Peace Officers Association, Farthest North Chapter
2. Alaska Outdoor Council (15,000 members and affiliate groups)
3. Alaska Second Amendment Coalition
4. Alaska Boating Association
5. Alaska Competitive Shooting Organization
6. Alaska Falconers Association
7. Alaska Gamebird Association
8. Alaska Gun Collectors Association
9. Alaska Marine Dealers Association
10. Alaska Rifle Club
11. Alaska Sportfishing Association
12. Alaska State Pacific Trapshooting Association
13. Alaska State Amateur Trapshooting Association
14. Alaska State Snowmobile Association
15. Alaska Waterfowl Association
16. Alaskan Bowhunters Association
17. Anchorage Rifle & Pistol Club
18. Chitina Dipnetters
19. Chugach Range Riders
20. Clear Sky Sportsmen's Association
21. Delta Sportsmen's Association
22. Fairbanks Practical Pistol Club
23. Fairbanks Retriever Club
24. Fairbanks Snow Travelers Association
25. Foundation For North American Wild Sheep, Alaska Chapter
26. Golden North Archery Association
27. Interior Alaska Airboat Association
28. Interior Alaska Trail Riders Association
29. Interior Wildlife Association of Alaska
30. Juneau Gun Club
31. Juneau Rifle & Pistol Club

Senate State Affairs Committee  
Organizations Supporting HB 351  
Page 2

32. Kenai River Sportfishing, Incorporated
33. Ketchikan Marine Charters
34. Ketchikan Sports & Wildlife Club
35. Ketchikan Volunteer Rescue Squad
36. Kodiak Island Sportsmen's Association
37. Matanuska Valley Sportsmen
38. McKinley Mountain Men Muzzleloading Rifle Club
39. Midnight Sun Flycasters
40. Safari Club International, Alaska Chapter
41. Sitka Sportsmen's Association
42. Slana Alaskans Unite
43. Stikine Sportsmen's Association
44. Tanana Valley Sportsmen's Association
45. Tanana Valley Sportsmen's Rifle & Pistol Club
46. Territorial Sportsmen, Incorporated
47. Tok Shooters Association
48. Tongass Sportfishing Association
49. National Rifle Association (Over 22,000 Alaskar Members)

In addition to the support of the organizations and groups listed above, petition booklets with the signatures of over **6,800** Alaskans in favor of HB 351 can be provided to the Committee upon request.



# Alaska State Legislature

Session:  
State Capitol  
Juneau AK 99801-1182

Senate State Affairs

Interim:  
716 W 4th Avenue  
Anchorage AK 99501-2133

## MEMORANDUM

TO: Senator Loren Leman, Chairman  
Senate Committee on State Affairs

FROM: Portia Babcock, Committee Aide  
Senate Committee on State Affairs

DATE: April 27, 1994

RE: Comparative Analysis of Senate CS for CSHB 351 (STA) and  
CSHB 351 (FIN) am(efd add)

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Following is a comparative analysis outlining the differences between the version of HB351 that passed the House and the Senate State Affairs CS for HB351. The changes will be referred to as "additions" to the Senate State Affairs CS or "deletions" from the House passed version of HB 351.

1. Page 2, lines 15, 16, and 17: ADDED: "; and (2) chamber, magazine, clip, or cylinder is installed in or on the firearm."
2. Page 2, lines 29, 30, 31, and page 3, line 1: ADDED: "the fingerprints must be taken by a person, group, or agency approved by the department; the department shall maintain a list of persons, groups, or agencies approved to take fingerprints and shall provide the list to the public upon request."
3. Page 3, lines 8, 9, and 11: DELETED: "30, background, background"
4. Page 3, lines 13,14, and 16: ADDED: "15, permit eligibility, permit eligibility"
5. Page 3, lines 17 and 18: DELETED: "three, size and type"

Senate Committee on State Affairs  
Comparative Analysis of HB 351  
Page 2

6. Page 3, lines 22, 23, and 24: ADDED: "five, action types and maximum calibers"
7. Page 4, line 6: DELETED: "11.56.810"
8. Page 4, lines 9, 10 and 11: DELETED: "(G) AS 18.65.750, 18.65.755, 18.65.760; or (H) any misdemeanor offense committed while the person possessed a concealed handgun;"
9. Page 4, lines 15, 16, and 17: ADDED: "(5) has not been convicted of two or more class A misdemeanors of this state or similar laws of another jurisdiction within the five years immediately preceding the application;"
10. Page 4, line 29 through page 5, line 7: DELETED: all material contained in (13) and (14)
11. Page 5, lines 4 through 7: ADDED: "(14) is not now in and has not in the three years immediately preceding the application been ordered by a court to complete and alcohol treatment program; (15) is not now in and has not in the three years immediately preceding the application entered a substance abuse treatment program; and"
12. Page 5, lines 11 and 12: DELETED: "at a minimum, include"
13. Page 5, line 12: ADDED: "contain the following information"
14. Page 5, lines 15 through 17: ADDED: "and the city and state of each place the applicant has resided in the five years immediately preceding the application"
15. Page 5, line 29: DELETED: "background"
16. Page 5, line 31: ADDED: "permit eligibility"
17. Page 6, lines 1 through 3: DELETED: "and (8) any other information the department determines to be necessary to carry out the provisions of AS 18.65.700 - 18.65.790."

Senate Committee on State Affairs  
Comparative Analysis of HB 351  
Page 3

18. Page 6, lines 4 through 7: ADDED: "(b) An application under (b) of this section may not inquire of an applicant about or require the submission of information beyond that described in that subsection. As part of an application under (a) of this section, the department may not inquire of an applicant as to any firearms owned by the applicant."
19. Page 6, line 7 and 9: DELETED: "type and size"
20. Page 6, lines 11,12, 13, 14, 15, 16, 18, and 19: ADDED: "action type and caliber; that the applicant may be permitted to carry; an action type of; A permittee may only carry as a concealed handgun the caliber of the action type that the permittee has demonstrated competence with or any lesser caliber of the same action type; the personal protection course offered by the National Rifle Association and any other"
21. Page 6, lines 20, 21, and 22: DELETED: "for the second time and every other renewal thereafter; at the time of renewal"
22. Page 6. lines 22 and 23: DELETED: "refresher; refresher"
23. Page 6, lines 29 and 30: ADDED: "certificate of successful completion of a handgun course approved by the department under (a) of this section"
24. Page 7, lines 12 and 13: DELETED: "if required under AS 18.65.715; refresher"
25. Page 7, lines 11,12, and 13: ADDED: "However, the fee for the processing of an application and initial issuance of a permit may not exceed \$125 and the fee for renewal for a permit or replacement of a permit may not exceed \$50."
26. Page 8, lines 4, 5, and 6: ADDED: "(d) A renewal form under (a) of this section may not inquire of a permittee about, or require the submission of, information beyond that described in (a) of this section."

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Comparative Analysis of HB 351  
Page 4

27. Page 9, lines 8, 9, and 10: ADDED: "(2) is convicted of two class A misdemeanors of this state or similar laws of another jurisdiction within a five-year period if at least one of the convictions occurs after the application"
28. Page 9, line 9: DELETED: "department"
29. Page 9, line 24: ADDED: "state"
30. Page 9, line 28 and 29: DELETED: "or (b); class B misdemeanor"
31. Page 10, line 12 and 13: ADDED: "(e) A person who violates (a) of this section is guilty of a violation and upon conviction may be punished by a fine of not more than \$100."
32. Page 10, line 14: ADDED: "(b) or"
33. Page 10, lines 21,22,23, and 24: ADDED: "of this state, unless the permittee (A) is a judge; or (B) has been authorized to possess a concealed handgun by a judge presiding at that courthouse or courtroom"
34. Page 10, line 26: ADDED: "except as authorized under (3) of this subsection"
35. Page 10, line 30: DELETED: "or expired"
36. Page 11, line 9: DELETED: "Type and size"
37. Page 11, line 16 and 17: ADDED: "(3) possess or display a suspended or revoked permit; or (4) display an expired permit"
38. Page 11, lines 18: ADDED: "(a) (1)-(3) of"
39. Page 11, line 20 and 21: ADDED: "(c) A person who violates (a)(4) of this section is guilty of a violation and upon conviction may be punished by a fine of not more than \$100."

Senate Committee on State Affairs  
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Page 5

40. Page 11, line 30: ADDED: "action type and caliber"
41. Page 12, lines 13, 14, and 15: ADDED: "18.65.778. MUNICIPAL PREEMPTION. A municipality may not restrict the carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 except as provided in AS 18.65.780 - 18.65.785."
42. Page 13, line 12: DELETED: "January 1, 1995"
43. Page 13, line 30 through page 14, line 6: ADDED: ";in this paragraph, (A) \"derringer\" means a handgun that has individual barrels for each cartridge it is capable of firing and lacks a manufacturer's installed trigger guard that completely encircles the trigger and which is part of the frame; and (B) \"miniature handgun\" means a handgun that has a barrel length of three and one-half inches or less and lacks a manufacturer's installed trigger guard that completely encircles the trigger and which is part of the frame;\"
44. Page 14, line 13: ADDED: "October 1, 1994"

## MISDEMEANOR OFFENSES IN Senate CS for CSHB 351 (STA)

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Page 4, lines 7 through 14:

- (A) 11.41.230 Assault in the 4th Degree
- 11.41.250 Reckless Endangerment
- 11.41.270 Stalking in the 2nd Degree
  
- (B) 11.46.315 Possession of Burglary Tools
- 11.46.320 Criminal Trespass in the 1st Degree
- 11.46.330 Criminal Trespass in the 2nd Degree
- 11.46.430 Criminally Negligent Burning
- 11.46.484 Criminal Mischief in the 3rd Degree
  
- (C) 11.51.130 Contributing to the Delinquency of a Minor
  
- (D) 11.56.330 Escape in the 4th Degree
- 11.56.350 Unlawful Invasion in the 2nd Degree
- 11.56.380 Promoting Contraband in the 2nd Degree
- 11.56.545 Tampering with a Witness in the 2nd Degree
- 11.56.700 Resisting or Interfering with Arrest
- 11.56.710 Harming a Police Dog in the 2nd Degree
- 11.56.740 Violating a Domestic Violence Retraining Order
- 11.56.780 Hindering Prosecution in the 2nd Degree
- 11.56.790 Compounding
- 11.56.800 Making a False Report
- 11.56.805 False Accusations
  
- (E) 11.61.110 Disorderly Conduct
- 11.61.120 Harassment
- 11.61.210 Misconduct Involving Weapons in the 4th Degree
- 11.61.220 Misconduct Involving Weapons in the 5th Degree
- 11.61.240 Criminal Possession of Explosives
  
- (F) 11.71.050 Misconduct Involving a Controlled Substance in the 5th Degree
  
- 11.71.060 Misconduct Involving a Controlled Substance in the 6th Degree

STATES WHICH HAVE LICENSES TO  
CARRY CONCEALED WEAPONS

Compiled 1990

Alabama  
California  
Colorado  
Connecticut  
Deleware  
Florida  
Georgia  
Hawaii  
Idaho  
Indiana  
Iowa  
Louisiana  
Maine  
Maryland  
Massachusetts  
Michigan  
Minnesota  
Mississippi  
Montana  
Nevada  
New Hampshire  
New Jersey  
New York  
North Dakota  
Oregon  
Pennsylvania  
Rhode Island  
South Carolina  
South Dakota  
Utah  
Virginia  
Washington  
West Virginia  
Wyoming

**BACKGROUND  
MATERIALS**

F.B.I. UNIFORM CRIME REPORT  
Incidence of Rape in Alaska

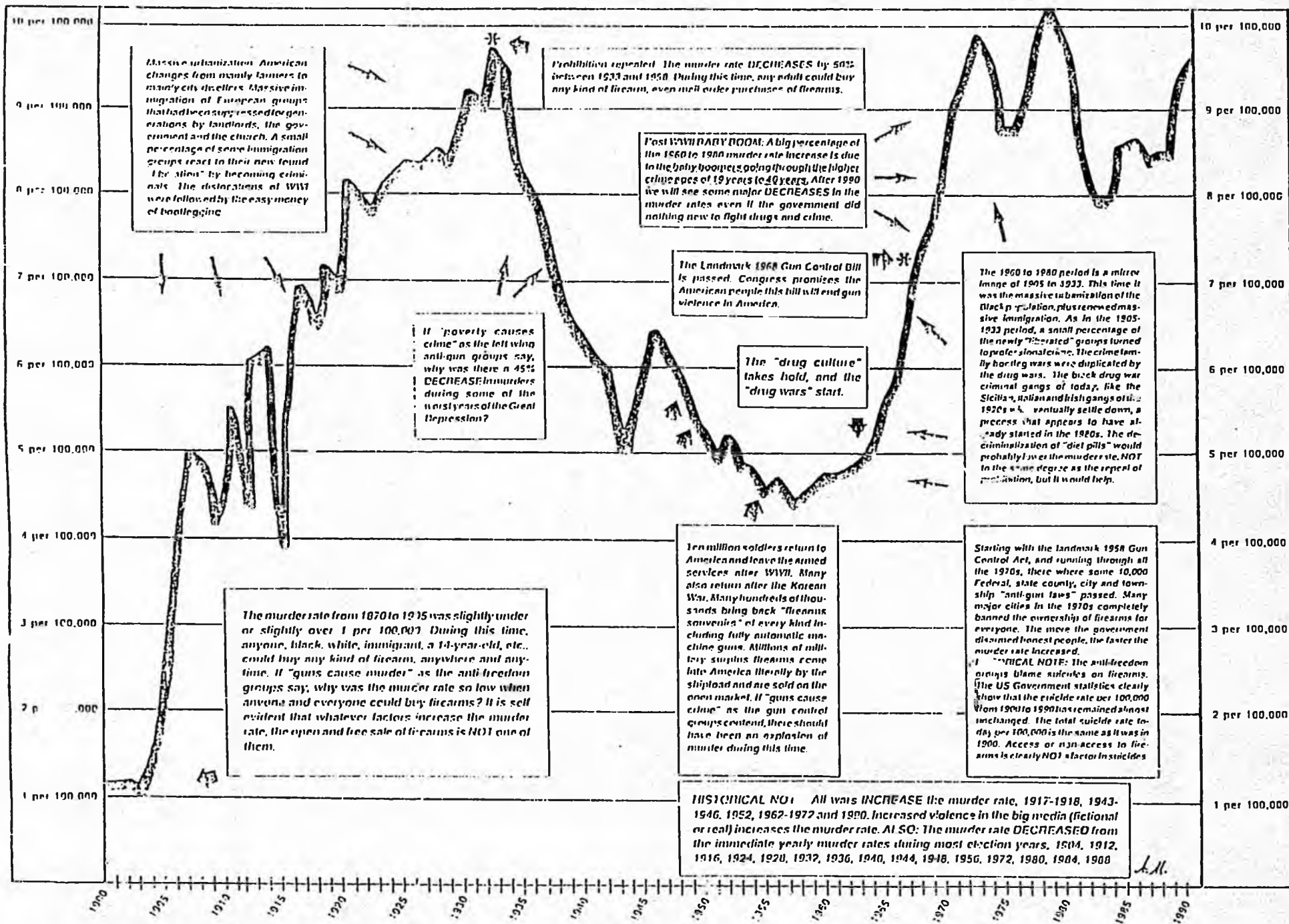
Year	Natl. Rank*	Rate/100,000
1992	1st	98.6
1991	1st	91.8
1990	3rd	72.9
1989	5th	52.9
1988	4th	57.7
1987	3rd	65.0
1986	1st	72.7
1985	1st	77.2
1984	1st	91.6
1983	1st	101.5
1982	1st	85.4
1981	1st	102.2
1980	2nd	62.5
1979	1st	71.9
1978	1st	55.6
1977	1st	51.6
1976	2nd	46.9
1975	1st	44.6
1974	1st	49.3
1973	2nd	44.5
1972	1st	41.8
1971	1st	43.5
1970	5th	26.1
1969	3rd	29.4
1968	6th	21.7
1967	6th	17.6
1966	3rd	19.5
1965	5th	17.8
1964	1st	22.4
1963	3rd	14.9
1962	2nd	18.7

\* National ranking among the 50 states.

# HOMICIDE RATES per 100,000 Population 1900 to 1991

Published by the National Association of Federally Licensed Firearms Dealers  
24541 Simpson Blvd., Ft. Lauderdale, FL 33304  
Phone: 305-561-3905, FAX: 305-561-4121

Sources: Historical Statistics of the United States;  
Statistical Abstract of the United States



## Violent Crime Rates, 1992: States With Most Favorable CCW Laws vs. Restrictive States

State	Violent Crime Rate	Homicide Rate	Robbery Rate	Assault Rate
U.S. Total	757.5	9.3	262.3	441.8
<u>Favorable</u>				
Alabama	871.7	11.0	124.9	654.6
Conn.	495.3	5.1	210.9	282.5
Florida	1207.2	9.0	266.9	777.2
Georgia	713.2	11.0	249.3	427.1
Idaho	281.4	3.5	21.5	224.7
Indiana	608.3	3.0	122.2	335.7
Maine	130.9	1.7	23.2	92.0
Miss.	411.7	12.2	124.5	230.4
Montana	189.9	2.9	29.9	114.8
New Hamp.	125.7	1.6	33.0	52.9
N. Dakota	32.3	1.9	7.9	50.3
Oregon	510.2	4.7	151.4	301.1
Pa. - Phila.	1189.0	28.5	729.4	285.4
S. Dakota	184.5	0.8	16.9	125.3
Utah	290.5	3.0	55.9	188.2
Vermont	109.5	2.1	8.9	73.5
Washington	534.5	5.0	139.8	317.3
Total	710.8	4.1	218.3	439.2
<u>Restrictive</u>				
Alaska	660.5	7.5	109.0	445.3
Arizona	670.3	8.1	153.1	468.8
Arkansas	578.5	10.8	125.5	399.0
California	1118.7	12.7	424.1	641.6
Colorado	578.8	6.2	120.5	404.9
Delaware	621.2	4.8	151.2	379.5
D.C.	2832.8	75.2	1298.4	1454.7
Hawaii	258.4	3.8	99.2	117.7
Illinois	977.3	11.4	412.5	518.4
Iowa	278.0	1.6	38.8	218.0
Kansas	510.3	6.0	129.9	333.7
Kentucky	535.5	5.8	87.2	410.4
Louisiana	984.8	17.4	271.4	653.4
Maryland	1000.1	12.1	429.0	612.6
Mass.	779.0	3.8	184.4	535.0
Michigan	770.1	9.9	227.5	468.6
Minnesota	338.0	3.3	109.5	184.1
Missouri	740.4	10.3	228.9	466.5
Nebraska	348.8	4.2	58.7	256.2
Nevada	698.8	10.9	331.3	291.8
New Jersey	625.8	5.1	286.2	304.8
New Mexico	934.9	8.8	139.3	724.1
New York	1122.1	13.2	596.9	483.5
N. Carolina	681.0	10.6	186.8	447.7
Oklahoma	622.3	6.6	138.2	431.6
Ohio	625.9	8.8	189.0	268.2
Phila., Pa.	309.6	3.1	96.3	185.7
Rhode Ia.	394.5	3.8	94.5	285.5
S. Carolina	944.5	10.4	170.8	708.0
Tennessee	748.2	10.4	218.2	470.3
Texas	806.3	12.7	252.5	487.7
Virginia	374.9	8.3	137.3	198.8
W. Virginia	211.5	6.3	43.5	140.0
Wisconsin	275.7	4.4	119.8	125.3
Wyoming	319.5	3.6	18.0	282.9
Total	769.8	9.6	276.2	442.5
Amt. Higher Restrictive	8.3%	18.3%	27.7%	0.3%

Source: FBI Uniform Crime Reports

State & D.C. Violent Crime: Rates and Nat'l Rank in 1991

	Violent Crime	Homicide	Rape	Robbery	Aggravated Assault
1	D.C. 2453.3	D.C. 80.6	Alaska 91.3	D.C. 1215.6	D.C. 1121.4
2	Fla. 1184.3	La. 16.9	Del. 36.5	N.Y. 622.1	S.C. 731.2
3	N.Y. 1163.9	Tex. 15.3	Mich. 78.7	Ill. 456.1	Fla. 723.4
4	Calif. 1089.9	N.Y. 14.2	Wash. 70.3	Calif. 411.3	N.M. 651.6
5	Ill. 1039.2	Ga., Miss. 12.8	Nev. 66.0	Md. 407.1	Ala. 644.4
6	S.C. 972.5	Id., above	S.C. 58.9	Fla. 399.8	Calif. 623.5
7	Md. 956.2	Calif. 12.7	Orn., Tex. 53.4	Nev. 312.5	La. 614.3
8	La. 951.8	Nev. 11.8	Id., above	N.J. 293.1	Ill. 531.3
9	Ala. 844.3	Md. 11.7	Ohio 52.5	Tex. 286.5	Mass. 505.2
10	Tex. 840.1	Ala. 11.5	N.M. 52.4	La. 278.9	N.Y. 499.4
11	N.M. 834.3	N.C. 11.4	Fla. 51.7	Ga. 268.2	Md. 491.5
12	Mich. 803.1	Ill., S.C. 11.3	Okla. 50.9	Mo. 251.1	Tex. 484.9
13	Mo. 763.0	Id., above	Colo. 47.0	Mich. 243.3	Mich. 470.3
14	Ga. 738.2	Ark. 11.1	Tenn. 46.4	Conn. 224.4	Mo. 467.4
15	Mass. 736.1	Tenn. 11.0	Miss. 46.3	Ohio 215.2	Tenn. 455.6
16	Tenn. 725.9	Mich. 10.3	Md. 45.9	Del. 214.7	Ariz. 454.3
17	Del. 714.3	N.M., Mo. 10.5	Utah 45.6	Tenn. 212.9	N.C. 434.4
18	Nev. 677.0	Id., above	Kan. 44.3	Mass. 194.6	Ga. 415.0
19	Ariz. 670.7	Fla. 9.4	Ark. 44.6	Pa. 193.9	Del. 407.6
20	N.C. 653.4	Va. 9.3	Ariz., Calif. 42.4	N.C. 178.0	Ark. 401.9
21	N.J. 634.3	Ariz. 7.3	Id., above	S.C. 171.1	Alaska 401.6
22	Alaska 613.9	Ind. 7.5	Ga. 42.3	Ariz. 165.7	Calo. 398.9
23	Ark. 593.3	Alaska 7.4	Ind. 41.3	Ala. 152.3	Okla. 396.7
24	Okla. 583.7	Ohio, Okla. 7.2	La. 40.9	Ore. 150.1	Ind. 340.5
25	Ohio 561.2	Id., above	Ill. 40.0	Wash. 145.5	Ky. 312.7
26	Colo. 559.3	Ky. 6.3	Miss. 39.3	Kan. 138.4	Kan. 310.3
27	Conn. 539.7	Pa. 6.3	S.D. 39.7	Va. 137.6	N.J. 307.3
28	Wash. 522.6	W. Va. 6.2	D.C. 35.3	Ark. 135.6	R.I. 304.5
29	Ore. 586.3	Kan. 6.1	Ala. 35.6	Okla. 123.9	Wash. 302.5
30	Ind. 505.3	Colo. 5.9	Ky. 35.4	R.I. 122.9	Ore. 298.2
31	Kan. 499.6	Conn. 5.7	N.C. 34.6	N.M. 120.3	Ohio 287.0
32	R.I. 462.0	Del. 5.4	Mo. 34.0	Wis. 119.0	Nev. 286.7
33	Pa. 450.0	N.J. 5.2	Ha. 33.0	Miss. 116.3	Conn. 280.5
34	Ky. 433.0	Wis. 4.3	Mass. 32.1	Ind. 116.0	Wyo. 263.9
35	Miss. 389.1	Ore. 4.6	R.I. 30.9	Alaska 113.2	Neb. 249.2
36	Va. 373.2	Mass., Wash. 4.2	Vt. 30.5	Colo. 107.4	Id. 238.9
37	Neb. 334.6	Id., above	N.H., Va. 29.9	Miss. 98.0	Iowa 235.4
38	N.M. 316.0	Ha. 4.0	Id., above	Ha. 86.9	Pa. 221.1
39	Wyo. 310.2	R. I. 3.7	Conn. 29.2	Ky. 83.1	Miss. 213.7
40	Iowa 303.3	N.H. 3.6	N.J. 29.1	Utah 55.1	Va. 196.4
41	Id. 290.3	Neb., Wyo. 3.3	Id. 28.9	Neb. 54.0	Utah 183.1
42	Utah 286.3	Id., above	Pa. 28.7	Iowa 45.0	Miss. 175.3
43	Wis. 277.0	Miss. 3.0	N.Y. 28.2	W. Va. 43.3	Wis. 127.7
44	Ha. 241.8	Utah 2.9	Neb. 28.1	N.H. 33.0	W. Va. 118.5
45	W. Va. 191.0	Mont. 2.6	Wyo. 25.9	Me. 22.7	Ha. 117.9
46	S.D. 182.2	Vt. 2.1	Wis. 25.4	Ida. 20.7	S.D. 122.0
47	Mont. 139.9	Iowa 2.0	W. Va. 23.0	S.D. 18.8	Mont. 98.9
48	Me. 132.1	Id. 1.8	Me. 21.9	Mont. 18.6	Me. 86.3
49	N.H. 119.3	S.D. 1.7	Iowa 20.9	Wyo. 17.2	Vt. 72.3
50	Vt. 116.8	Ma. 1.2	Mont. 19.8	Vt. 11.8	N.H. 52.8
51	N.D. 65.4	N.D. 1.1	N.D. 18.3	N.D. 8.0	N.D. 38.0



# Florida State University

File: Klock

Media Relations Office Necht House • Tallahassee, Florida 32306-2013 • (904) 644-4030

Steve Humphries  
October 1991

~~Florida State University  
does not disseminate~~

TALLAHASSEE, Fla.--A criminal without a gun is more likely to hurt you than a criminal with one. You're less apt to be robbed, or to be hurt in a robbery, if you have a gun for defense. And an assailant is no more likely to kill you if he has a gun than if he doesn't.

Those findings are contained in a new book, "Point Blank: Guns and Violence in America," by Gary Klock, a criminologist at Florida State University.

"It appears that the net effect of gun availability on crime is just about zero," said Klock. "Victims with guns may depress crime a little and offenders with guns may increase it a little. My research indicates they cancel each other out."

The 500-plus-page book, due out Nov. 5, notes that guns are used for defense in this country about the same number of times each year as they are used to commit crimes -- and usually with no one getting hurt.

"In a robbery, people who use guns in self-defense avoid injury 83 percent of the time and in most cases they don't have the crime completed against them," Klock found. "The results are similar for assaults and rapes."

"It turns out you're less likely to be hurt if you resist with a gun, even compared to doing nothing at all to resist. This shouldn't be surprising. If a gun works in committing a crime, why wouldn't it also work in preventing one?"

Klock found that people who do nothing to protect themselves are injured in 25 percent of robberies, while those who use a gun for protection are hurt only 17 percent of the time.

He said would-be victims thwart many crimes by carrying a gun, and assailants often find just flashing a firearm can keep the situation from escalating into a fight.

"You are actually less likely to be injured if a robber

Page 2

has a gun than if he doesn't," he said, "And you're less likely to be injured if you have a gun.

"It's actually safer if either party has a gun."

Kleck, a professor in the FSU School of Criminology and Criminal Justice, studied 19 types of gun control and found that almost none -- including waiting periods and owner registration -- had any effect on crime rates. Banning guns, he said, is no longer an option.

"This country has 200 million guns, minimum, in private hands," he said. "To think of some method that works by controlling the overall supply of guns is hopeless. We passed that point long ago."

Instead, Kleck says, background checks should be instituted to make it harder for convicted violent offenders to buy guns and penalties should be strengthened for those caught with them. Laws also should be passed to more closely regulate the carrying of guns, he said, to decrease the number of opportunistic robberies.

Kleck bases his recommendations on data that show most violent offenders are not average citizens who become enraged, pick up a gun and commit a crime.

"Repeatedly violent offenders account for most cases of domestic violence and practically all homicides," he said. "There aren't many average-Joe, honest-to-God, they-did-it-out-of-nowhere killers. It's a wonderful media myth -- the average Joe killer."

Kleck said 70 percent of all homicides in the United States are committed by someone with at least one prior arrest.

"Point Blank," published by Aldine de Gruyter, is a first in at least two respects.

It is the first to use nationally representative samples of violent incidents -- from minor threats to homicides, including those reported and those not reported to the police -- to distinguish between attack, injury and death as outcomes of violent situations. It also is the first to combine national data on both fatal and non-fatal violent incidents to study how weapon use affects death rates.

-30-

Dr. Kleck can be reached at (904) 644-4050. Audio tapes containing actualities by Dr. Kleck, and videocapes and photographs of Dr. Kleck, can be obtained by calling the FSU Media Relations Office.

**Monte and Linda Parrish****P.O. Box 671852****Chugiak, Alaska 99567****907-688-9700**

To: Representative Jeannette James  
Juneau, AK  
% fax 465-2381

Reference: HB 351

Dear Ms James,

**Thank You!!** My husband and I just learned of the bill you introduced to create a legal way to carry a concealed weapon. In support of the legislation, I would like you to know about the following event;

One year ago, my husband and I were surprise assaulted by a person named Edward Scott Coleman. As it was, our being able to produce the handgun was the only thing that stopped his attack on us.

The assailant has a history of violence and trouble with the law, has threatened peoples lives, and is experienced at manipulating the system to minimize repercussions to himself. The irony is that because we had the firearm, we suffered some loss of credibility with one of the investigating officers. This was a factor that added to the assailant getting the charges against him, *dropped!*

To compound problems, by the nature of our existing law, the D.A.'s office was forced to consider charging us with carrying a concealed weapon.

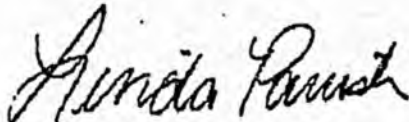
Even though the incident was sudden and terrorizing, we have some resolve in the fact that had it not been for our ability to produce a firearm at the time, it would have most surely ended in something tragic, rather than just the \$400,00 damage to our vehicle (which we have not been able to collect).

...By the way, the assailant is employed as a truck driver and currently resides in the Fairbanks area.

We feel compelled to carry a firearm because of bank deposits we transport from our business, and because of a violent rape that a family member was subjected to.

If you need to contact us for any reason during the day, our office number in Anchorage is 561-4820, fax is 562-2316. Feel free to circulate this communication as you wish.

Best Regards,



Linda Parrish



FREELON F. STANBERRY  
MAYOR

February 1, 1994

Representative Jeannette James  
State of Alaska Legislature  
State Capitol Building  
Room 501  
Juneau, Alaska 99801-1182

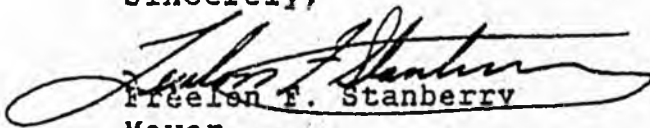
Dear Representative James,

I would like to thank you for introducing HB 351. We have long needed this bill and I am confident that our legislatures will do the right thing and pass this legislation.

I think it is needed more here in Alaska because of the many small towns like the City of Houston which does not have a police force and must depend on outside help which takes up to four hours to get in case of trouble. The carrying of a concealed weapon by law abiding citizens has already proven its self to be a deterrent to crime and not a problem to the police force in several small cities in the United States.

I also feel that in the case of the City of Houston if some of our citizens were allowed to carry a concealed weapon, they would be ready to identify drug dealers who we know are armed and dangerous. At this time they have no way of protecting themselves legally at all times. Thanks again and if I can be of any assistance please let me know.

Sincerely,



Freelon F. Stanberry

Mayor  
PO Box 236  
Houston, Alaska 99694  
w/ 348-5105 h/ 892-6198



*Daniel K. Schoonover, M.D., F.A.C.E.P.*  
*Emergency Medicine*

---

*and Dark Knob Station*  
*P.O. Box 10790*  
*Fairbanks, Alaska 99710*  
*(907) 451-3567*

February 2, 1994

The Honorable Jeannette James,

I am in strong support of HB 351.

Being a practicing emergency medicine physician I see the violence in Alaska in a different light than does the national media. What I see in our busy emergency department are the victims of violence, unable to defend themselves against the rising numbers of violent criminals. The police do the best they can, but in these times of decreasing budgets, staff and funds, they are unable to prevent these violent crimes and are only able to assist and investigate after the fact. This Bill will allow the law abiding citizens of Alaska the opportunity to adequately defend themselves and their families in an inconspicuous way.

We don't need to encourage a "wild west" attitude of guns worn openly on the hip, that's too disruptive to the everyday activities of most Alaskans, but 37 states already have a law allowing concealed carry and it's worked very well for them. In this state where law enforcement response can be measured in hours instead of minutes ( as witnessed with the murders at McCarthy, and Manley Hot Springs and the shoot out at Central ), our citizens need a viable option for their self defense.

On a more personal note, as a doctor my life has been threatened by drug abusers and violent criminals so many times that I keep an unlisted phone number and a post office box so no one can find my home. Obviously I can not carry a firearm in plain view as it would illicit a very undesirable response in my patients and coworkers, but I do need protection. More emergency medicine doctors have been murdered in the last several years than any other specialty in the United States. Please support this Bill with all your heart and energy and please don't hesitate to call on me to help you in any way.

Sincerely,

DAVE WAARVIK  
2355 O'Day Drive  
JUNEAU, ALASKA 99801  
(907) 789-0453

Tuesday, 2-1-94

To the honorable Jeannette James

I am writing in support of House bill 351 relating to Provisions for a permit to carry a concealed weapon.

I have been interested in firearms safety and proficiency issues for most of my adult life. I have about fifteen years experience in police work beginning in the late '50s with the U.S. Air force Air Police and with the Wisconsin state patrol and the Alaska State troopers. Also I am an active firearms and hunter safety instructor certified by NRA and ADF&G.

I have been following the issue of concealed weapons permits for the past few years and am convinced that there is no good reason for Alaska to continue to ignore the issue any longer. Some studies indicate that a significant part of the U.S. population periodically carries concealed weapons irrespective of the law and in response to a perceived need to be able to protect oneself. HB351 would provide a LEGAL mechanism for those who wish to invest the time money and effort to equip themselves with an effective means of self defense. What this is really is a matter of freedom of choice.

Col. Murphy AST the other day commented that the 88 million dollars spent on the drug enforcement effort in Alaska in the past few years does not appear to have any appreciable effect and perhaps it's time to reevaluate our approach.

Like the gun control approach to attacking crime, places like New York city and Washington D.C. have had an ever increasing violent crime rate despite ever more restrictions on the private ownership of firearms. It seems one should not be blaming gun owning citizens for crime any more than the police who are doing a good job in view of having to look at the same faces over and over as criminals circulate through the revolving door of the so called criminal justice system.

Granted, as the Wright/Rossi study found in most cases of armed robbery mounting an effective defense would not have been possible in any case. But in some cases it would and there is NO credible evidence that the committed, trained and licensed citizen lacks the judgement or restraint to respond to a threat appropriately. In the Florida experience since 1987 when over 160,000 Concealed weapons permits were issued over a six year period only 16 of them (0.01%) have been revoked because of weapons infractions. Unlike police who are required by law to place themselves in harms way and make snap judgements and are afforded the protection of the state against personal civil liability, The responsible civilian is under no obligation to persist in the face of danger and risks the wrath of both the civil and criminal legal process should he make an error in judgement. And should he err in judgement he, unlike the police officer, incurs no liability against the state, only himself.

Respectfully,

April 13, 1994

*from Representative  
Summit James*

Dan P. Saunders  
PO Box 3554  
Palmer, Alaska 99645

Honorable Lt. Governor Jack Coghill  
Office of the Lt. Governor  
Capitol Building  
Juneau, Alaska

Dear Lt. Governor Coghill:

I am a retired law enforcement officer with a total of 38 years of honorable service as a commissioned state, federal, and metropolitan officer. These years of service consisted of undercover narcotics investigation, criminal investigations in four different states, and Special Agent-Investigator for the F.A.A. Security Division in Alaska. My last seven years of service was as a criminal fraud investigator for the Alaska Department of Commerce. I have been an Alaska resident since February, 1961.

During my years of interviewing and interrogating convicted burglars, rapists and occasional murderers, one thing became obvious from their first-hand testimony to me. These hoodlums all had the same worry--that of running into an armed law abiding citizen or homeowner. They had no fear of a police officer whatsoever, and they have even less fear today, but each in his own words said he would avoid any town or neighborhood where the

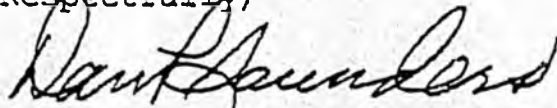
citizens were believed to be armed. THEY STILL HAVE THAT SAME FEAR TODAY!

There is something else in present day Alaska that bothers me just as much. Our crime rate will never recede until our so-called prosecutors stop taking the "pansy" approach and accepting a guilty plea for reduced charges. Some of our Superior Court judges with who I am acquainted do a wonderful job in prosecuting felons, but their job would be a lot easier if the prosecutors would quit seeking TV coverage and start working on these felony cases as they are paid to do.

Please instruct the Department of Law in Juneau to stop wasting their time in complaining and generating "white papers," and start cracking down on felons so that our wives, our children, and grandchildren won't have to cower in fear because they can't defend themselves. I am a grown man who has learned a lot about the mentality and thought process of those who rape, rob, and murder innocent people. This is not "jolly Olde England" or some republic in revolt, but is a land where our Bill of Rights guarantees us the right to defend ourselves.

Keep up the good work.

Respectfully,



Dan P. Saunders, ret.