



May 3rd, 2024

“HB 2206 – Electronic Records of Firearms Sales”

Talking Points Presented by FOAC-ILLEA

Support the Bill of Rights and the 2nd Amendment

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1. Records maintained by the unconstitutional gun registry at the Pennsylvania State Police are occasionally misunderstood by law enforcement in encounters with law-abiding citizens. This often leads to property being unlawfully seized. This puts officers and citizens at great risk. Enhancement of what is already a gun registry that should be destroyed let alone enhanced. Federal law 18 USC 926 prohibits the registration of firearmsⁱ. Period.

2. Mandating electronic filing creates a financial burden for dealers to purchase equipment, maintain equipment, and to subscribe to various software needed to operate, maintain, and secure the system and records.

3. Great potential for malicious attacks on computer systems of dealers who are now liable for damages due to the storing of electronic records and who may not have the training in computer security or finances available to pay for security software.

4. Forcing new skills upon a licensed dealer to maintain their business not previously required.

5. These records have a lack of effectiveness in law enforcement, with practically ZERO history of assisting in solving crime.

6. Pennsylvania State Police were asked during a court proceeding in 2001 how many times they believe their gun registration system (records of sale) solved crimes. In 100 years of records, from 1901 to 2001, their answer under oath was they believe it has assisted in solving FOUR crimes.ⁱⁱ

7. New York state abandoned a multi-million-dollar registry for lack of impact citing not one single crime solved because of its existence.

8. During a 2013 deposition, the Washington, D.C., police chief said that she could not “recall any specific instance where registration records were used to determine who committed a crime.”

9. For 15 years, Maryland took it even further and had a ballistic fingerprinting law, which required that the manufacturer provide fired shell casings from every gun sold, at a cost of millions of dollars, so that shell casings found at crime scenes could be traced back to the gun that fired them. The program failed to solve a single crime or lead to a single arrest in 15 years.

10. The Honolulu police chief told the Hawaii Senate that he couldn’t find any crimes that had been solved due to registration and licensing. The chief also said his officers devoted about 50,000 hours a year to registering and licensing guns. Police could have spent that time on traditional, time-tested law enforcement activities.

11. While we understand and respect the burden placed upon law enforcement to pursue illegal firearms sales and transfers, it is not the rights of the American citizen that should be infringed upon to help them do their job of investigating these crimes.

12. If this isn’t about a gun registry, why do the forms include address and employer information when that information is not used during the initial background check? The only purpose to know where someone works is to find them. Why are we “finding them”?

13. If you have the serial number, you already have the gun, which means the crime has already been committed. And most of the time if you have the gun to discover the serial

number, it's because the perpetrator has been apprehended, seriously injured, or even killed, so their identity is already known.

14. The data kept in records of sales is historical and does not accurately reflect who the most recent possessor of the firearm was. A mere record of sale cannot be used to prosecute the previously recorded purchaser.
15. "Ghost gun" or unserialized weapons are a fictional problem used by shady politicians to exert control over American gun ownership doing nothing to reduce crime or save lives.
16. The 4th US Circuit Court of Appeals will be hearing a case where a federal judge ruled that mandating serial numbers is unconstitutional.
17. Records of sale will be used by a future administration to someday target law-abiding citizens for gun confiscation. There is no other reason for a policy that costs so much yet does nothing to reduce crime.

“The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.”

If you should have any further questions regarding these FOAC-ILLEA points, please feel free to e-mail or call.

Respectfully,



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Endnotes

ⁱ <https://www.govinfo.gov/content/pkg/USCODE-2022-title18/pdf/USCODE-2022-title18-partI-chap44-sec926.pdf>

ⁱⁱ <https://triblive.com/opinion/john-lott-jr-pa-gun-registry-waste-of-money-resources/>