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**Lawmakers Support Sportsmen's Lawsuit Against State Police,
Governor**

Legislators demand compliance with the law

HARRISBURG — Legal action by a coalition of sportsmen against **Gov. Tom Ridge** and State Police Commissioner Paul Evanko has gained the support of lawmakers concerned about the illegality of a state gun registry, according to Rep+ Daryl Metcalfe (R-Butler).

Reps. Sam Rohrer (R-128), Teresa Forcier (R-6), Bob Bastian (R-69) and Tom Yewcic (D-72) have joined Metcalfe in championing the lawsuit filed by the Allegheny County Sportsmen's League (ACSL) and the Lehigh Valley Firearms Coalition (LVFC) calling for the State Police to halt its practice of maintaining a registry of law abiding citizens who have purchased firearms. The registry includes personal information about gun owners such as mailing addresses and Social Security numbers.

They and 15 other lawmakers sent a letter to the state police in May of 2000 seeking justification for the maintenance of the registry.

The State Police's response was intellectually dissatisfying, according to Metcalfe.

"The response was that they did not consider the record of handgun purchases to be a registry because it did not include guns purchased out of state or guns purchased from relatives," Metcalfe said.

The lawmakers followed up with a second letter providing more detail of existing gun laws and citing specific statutory language. The letter was followed by a response deemed by the lawmakers as inadequate as the first.

“They said they have continuously maintained a registry of handgun purchasers since 1933,” Metcalfe said, “We are concerned with the 21st century, not the early 1900s.”

According to the lawmakers, prior to 1995, the State Police were allowed to retain the application/record of sale information. Through various amendments to the Uniform Firearms Act from 1995 through 1997, however, the General Assembly enacted law that prohibited that practice. State law now requires the application/record of sale to be destroyed after 72 hours and that no information on the application/record of sale be retained in any form.

“State law clearly, specifically disallows the practice by the state police of maintaining records of gun purchases for longer than 72 hours,” Metcalfe said. “The State Police’s permanent registry is a flagrant violation of state law and also represents a breach of fundamental constitutional and privacy rights.”

The lawmakers noted that the sportsmen’s groups “exhausted all other civic means at their disposal as citizens of this state” to encourage the administration to comply with the law.

“This goes beyond an issue of public trust,” Rep. Teresa Forcier (R-Crawford) said, “This is a matter of law, and we would be remiss in our duties if we didn’t stand against it.”

“It is unfortunate that the administration again finds itself in a legal battle over its own failure to comply with the law,” Metcalfe added, referring to a lawsuit filed against the Department of Education by a Butler County school district.

In that case, a judge suspended the department’s plans to force the school district to administer the writing assessment portion of the Pennsylvania System of School Assessment (PSSA) test, or to coerce it to do so by withholding its share of state education funding. Although recent action by the General Assembly eliminated the writing assessment portion of the PSSA, the Pennsylvania Department of Education has expressed its intention to continue administering that part of the test.

“State government now has to use precious taxpayer money and resources to defend itself against lawsuits initiated by the very people who are the source of the money and whose rights it is supposed to protect in the first place,” Metcalfe added.

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