



New York State Conservation Council Inc.
8 East Main Street, Ilion, New York 13357-1899

MEMORANDUM IN SUPPORT

Bill # **A 5300-A** Norris

Same as **S 1209-A** Ortt

Title: Removes the prohibition on firearms silencers.

These bills would amend the Penal Law and the Environmental Conservation Law to remove the prohibition on the possession of firearms noise suppressors and authorize the Department of Environmental Conservation to regulate their use in the taking of game.

Justification:

The use of sound suppressors on firearms has gained wide public acceptance in the last decade both as a legitimate method of hearing protection for firearms users as well as to palliate noise levels near shooting ranges and hunting areas. These devices do not silence the sound of a gunshot but reduce it to tolerable levels in the same manner as automobile muffler.

Suppressors were placed under strict federal regulation over 80 years ago when they were arbitrarily grouped with the fully automatic weapons and short barrel firearms then popular with the widely publicized violent criminals of that era. Acquisition and possession require federal registration with the Bureau of Alcohol, Tobacco, Firearms, Explosives (ATF), and many state, including New York, prohibited their possession entirely.

The obvious utility of suppressors for health and environmental reasons as well as the lack of any real criminal use of these devices has led to wide public acceptance of their legal availability. Currently, 42 states have legalized suppressor possession and 40 allow their use while hunting.

Continuing this prohibition serves no real purpose. Although there are over 1.3 million suppressors registered in the United States, the ATF has averaged only 44 criminal referrals a year over the last decade with only about 6 of these having prior felony convictions. Their actual use in criminal shootings is very rare.

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