

DARVL METCALFE, MEMBER
HOUSE OF REPRESENTATIVES
HOUSE BOX 202020
ROOM 428, SOUTH OFFICE BUILDING
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE (717) 783-1707
FAX (717) 772-2468

CRANBERRY TOWNSHIP MUNICIPAL BUILDING
2525 ROCHESTER ROAD, SUITE 201
CRANBERRY TOWNSHIP, PA 16066
PHONE: (724) 772-3110
FAX: (724) 772-2922

E-mail: dmetcalf@pahousegop.com



House of Representatives

COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

EDUCATION
LABOR RELATIONS
LOCAL GOVERNMENT
STATE GOVERNMENT SECRETARY

September 12, 2000

Colonel Paul Evanko
Pennsylvania State Police
3rd Floor, Department Headquarters
1800 Elmerton Avenue
Harrisburg, PA 17110

Dear Colonel Evanko:

As summer draws to a close, my colleagues and I are still waiting for an official response concerning the Pennsylvania State Police gun registry of lawful gun purchasers.

In our first correspondence dated May 3rd, nineteen of my colleagues and I detailed a half dozen laws that prohibit the Pennsylvania State Police from maintaining a gun registry. The written response received from the State Police Liaison, Captain Jeffrey Miller, quoted no laws in defense of this registry. In his response, Captain Miller claimed that the data base was a record of sale, not a registry, since it did not include guns purchased out of state or guns passed on from relatives.

In a follow-up letter dated June 27th, we supplied even more details regarding the existing laws concerning this issue. We cited the specific statutory language which requires the State Police to destroy applications and records of sale within 72 hours of completing a background check unless the potential purchaser is prohibited from owning a firearm. We also discussed the definition of a "registry" and its application to this issue as defined by the Statutory Construction Act of 1972.

My colleagues and I must know if the State Police are planning to comply with the law or whether they will continue this gun registry. To ignore this issue would be to shirk our constitutional duties and betray our oath of office. The importance of this issue demands a timely answer.

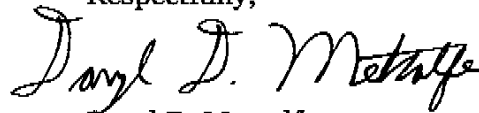
Again, as stated in our June 27th letter, I ask you to inform us of the decision of the Pennsylvania State Police to either comply with the law and destroy all applications/records of sale and information gleaned from those applications/records of sale or continue the registry.

Colonel Paul Evanko
September 12, 2000
Page 2

Should the State Police elect to continue the gun registry, we are assuming that the department's position in maintaining this registry will be supported by law, and not couched in a subjective parsing of the standard English vocabulary as witnessed in the previous response.

To expedite this issue, some of my fellow colleagues and I are requesting a face-to-face meeting with you and the Governor at the earliest possible time after the legislature is back in session in September. My office will be in contact with your office soon to cover the details.

Respectfully,



Daryl D. Metcalfe
State Representative

DDM/cae

cc: Honorable Thomas J. Ridge, Governor
All House Members
All Senate Members