

**JUDICIARY COMMITTEE
THURSDAY, MARCH 23, 2006
1:00 P.M. - ROOM 2E**

TESTIMONY OF JOHN ASELTON

**RE: AMENDMENT TO CONN. GEN. STAT. SECTION 31-306(b)
RAISED HOUSE BILL 5735; "AN ACT CONCERNING WORKERS' COMPENSATION
BENEFITS PAYABLE WHEN A POLICE OFFICER WITHOUT DEPENDENTS IS KILLED
IN THE LINE OF DUTY"**

Committee Chairpersons; Senator McDonald, Representative Lawlor, Ranking Members Senator Kissel, Representative Farr, and members of the Judiciary Committee, my name is John Aselton. With me is our attorney, David Jaffe, who has fought tirelessly for seven years to obtain adequate compensation for my brother's sacrifice, to no avail. My father has passed away. My mother, who is the remaining heir to Brian's estate, lives in Florida and, unfortunately, could not make it here today.

As many of you are aware, six years ago, on January 23, 1999, my younger brother, East Hartford Police Officer Brian Aselton was shot in the head and murdered when he responded to a call for assistance which was characterized as a "noise complaint" and unwittingly interrupted an armed burglary in progress in an apartment building on Main Street in East Hartford. The four burglars scattered and were later apprehended. My brother's actions appear to have saved the life of the tenant who had been tied to a chair, bound and gagged in her apartment.

Brian, who was 20 when he died, was single, had not yet started a family, and left no surviving legal dependents.

During the past five or so years, Attorney Jaffe filed suits asserting that the Workers' Compensation wrongful death statute should be interpreted more broadly to apply to my brother's situation. Additionally he has claimed that my brother's estate was entitled to compensation pursuant to the federal and State Constitutions. In fact, he took these matters up to the Connecticut Supreme Court, where we were just recently informed that all of our claims have been denied.

To my knowledge, to date, my brother's estate has received only \$4,000 for funeral and burial expenses, pursuant to the Workers' Compensation statutes, because he left no dependents. This glitch in the Workers' Compensation law appears, to our family, to be unjust, and to also render a disservice to the memory of my beloved younger brother.

We know that no Workers' Compensation award will ever adequately compensate our family for its loss. However, we strongly believe that the determination of compensation should not differentiate based upon one's marital status, especially when a police officer, such as my brother, dies a violent death while valiantly performing his duties.

Accordingly, today we ask this Committee and the General Assembly to recognize, the sacrifice that was made by my brother, and will, in the future, be made by other similar, brave public safety officers, in the line of duty.

We would be happy to answer any questions. Thank you very much.