



**State of Connecticut
DIVISION OF CRIMINAL JUSTICE**

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Testimony of the Division of Criminal Justice

In Support of:

**H.B. No. 7334 (RAISED) AN ACT CONCERNING PEN REGISTERS AND TRAP
OR TRACE DEVICES**

Joint Committee on Judiciary – March 12, 2007

The Division of Criminal Justice respectfully requests the Committee's Joint Favorable Report for H.B. No. 7334 (RAISED): An Act Concerning Pen Registers and Trap or Trace Devices.

This bill is recommended as part of the Division of Criminal Justice legislative proposals for the 2007 session of the General Assembly. It would simplify the process required of law enforcement agencies in the State of Connecticut to utilize pen registers and trap or trace devices in the investigation of criminal activity.

Pen registers allow law enforcement authorities to record only the telephone numbers going into and out from a certain number. Put more simply, they are really nothing more than a form of the caller ID device routinely utilized on many home and business telephones and that are now standard issue on cell phones. The only difference is that there is no way to block a number from being displayed.

H.B. No. 7334 provides strict regulation of the use of these devices by law enforcement agencies. The devices could only be used with the express authorization and approval of a Court.

It also must be stressed that pen registers are NOT wiretaps. No conversation is recorded. The use of these devices is not intrusive, but they can be a valuable investigative tool in matters involving serious crimes.

However, under current State law, in order to utilize a pen register or trap and trace device, law enforcement must make a full wiretap application which, if granted, would permit the police to listen and record conversations as well as record the numbers to and

from which calls are made. In Connecticut no more than thirty-four wiretap orders may be issued in a year. This bill, if enacted, would allow law enforcement to utilize a much less intrusive investigative method when a wiretap is not necessary.

H.B. No. 7334 to some extent mirrors Federal law on the use of pen registers and trap or trace devices, although we believe the bill as written is more restrictive than the authority granted to the Federal authorities under Federal law. We would note that the use of pen registers has been upheld by Federal case law.

The Division of Criminal Justice respectfully requests the Committee's Joint Favorable Report. We would be happy to provide any additional information or answer any questions the Committee might have.

Thank you.