

**Judiciary Committee
Public Hearing**

March 19, 2008

Written Testimony of Kenton Dean Young, House Democrat Office,

Raised Bill 5923, An Act Concerning Fraud Against The State

Good afternoon Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. I am Kenton D. Young, sessional employee at the House Democrat Office at the Legislative Office Building. My written testimony today is to oppose **Raised Bill 5923, An Act Concerning Fraud Against The State.**

I oppose Raised Bill 5923, An Act Concerning Fraud Against The State because this Act is attempting to forbid inmates who are incarcerated in Connecticut's prisons from bringing legal actions against the State. In some cases, not just lawsuits, bringing a civil action could be construed as frivolous or fraudulent. However, others should not be penalize for bringing a rightful claim against any State agencies.

I am a former correctional officer. Also, I am a former prisoner in Connecticut's prison. While I was incarcerated, I filed a civil action lawsuit against the Department of Correction for discrimination, harassment, unequal protection, denial of medical care, denial of dental care, failure to protect, cruel and unusual punishment, inadequate medical, retaliation, and several other claims, against twelve defendants, including the Commissioner of Correction. I did not adhere to the Department's excessive abuse of powers on a daily basis, and, political gain. One example, I was placed in the segregation unit for no apparent reason with a eight to ten feet rope intentional placed in it. Another example is, I was willfully and spitefully placed in an institution to be assaulted.

Litigations proceeded until the court found that six of the twelve defendants should be held liable for retaliation and failure to protect, including the Commissioner of Correction. I compelled with the court's ruling and not challenged its ruling. Several weeks ago, the defendants and I settled for an embarrassing monetary amount of damages due to the Department's evasion of responsibilities, and intimidation.

So, it should be recognize that civil actions are brought for legitimate reasons, and not make it any more difficult for prisoners to bring these actions. A prisoner bring civil actions against the State because they believe they have been severely mishandled while they're incarcerated. A prisoner would not knowingly take a chance in filing a frivolous or fraudulent claim against the State. Prisoners need ways, without intimidation, to perform legal work while their vulnerabilities persist. Some prisoners know how to perform legal task because, instead of institution(s) providing them with educational and vocational activities, institution(s) spend time punishing them for no real reasons.

In addition, the damages were paid from the prisoners' account, which means that although the United States District Court held defendants liable for the claim of retaliation and failure to protect, my claim was not perceived by the Department of Correction as a legitimate claim, even though they "settled". Who's defrauding who? The lack of training by some operational staff which indulges in unprofessionalism, most times causes civil lawsuits to be brought by prisoners. There is no rehabilitation in the Department of Correction unless prisoners are "whistle blowers" or "snitches", in some shape, form, or fashion. Lastly, Raised Bill 5923 is opposed for the reasons stated. Please contact me for any additional information, and thank you for your consideration in this matter.

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