



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice
Joint Committee on Judiciary – March 19, 2009

- **S.B. No. 1125 An Act Concerning the Comprehensive Revision of the Human Rights and Opportunities Statutes**

The Division of Criminal Justice limits its testimony on this bill to Section 51, which proposes to amend Section 53-37 of the General Statutes, **Ridicule on account of race, creed or color.**

The Division of Criminal Justice respectfully recommends that the Committee amend line 2111 of the bill to retain the words "by his advertisement," which are now proposed for deletion. Without this language, there is a danger that the statute could face a constitutional challenge on the grounds that it would criminalize pure speech, which is protected by the First Amendment to the United States Constitution. If the phrase "by his advertisement" remains in the law, it could be construed to mean "fighting words" or "threat" in order to criminalize conduct instead of pure speech. Accordingly, the Division would recommend the retention of this phrase to avoid the potential problem.

The Division of Criminal Justice thanks the Committee for this opportunity to provide input on this bill. We would be happy to provide any additional information or to answer any questions the Committee might have.