

**Comments on Governor's Bill #28**

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by

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I am Kathy Lauretano, from Lakeville, CT., which is in the 64<sup>th</sup> House District and the 30<sup>th</sup> Senate District. Three years ago I retired from my 23 years service as a Connecticut state Trooper, and I am a member of the National Rifle Association. The short story that follows is to provide background context to my remarks on Bill 28.

It has been twelve years since I testified about a bill here in Hartford. I was advocating for a Civilian Review Board or Commission to investigate the handling of controversial State Police investigations. I appeared solely in my capacity as a citizen and voter, not as a representative of the State Police. Nonetheless my remarks did not endear me to my superiors. The retaliation was swift, intimidating and included an attempt to have me fired through means of a trumped up Internal Affairs investigation. Only by making the situation very public was I able to circumvent the effort and get the Internal Affairs Investigation squashed. The last thing the State Police ever want to see is focused, long-term civilian oversight of their operations.

My objections to Bill 28 are two fold. First, from what I have heard recently, the Dept. of Public Safety/Division of State Police is now actively involved in thinking up and advocating legislation that will encroach further on our State and Federal Constitutional Right to Bear Arms. As they are the premier law enforcement agency for CT, I consider that to be an overstepping of their professional boundaries and highly improper if true.

Our Founders established a civilian government structure with a strict tradition that the military is subordinate to civilian authority. This would prevent the military from creating a military dictatorship over the people. At the state level the same should apply, not simply to the National Guard, but to the para-military DPS/State Police as well.

This same agency has no business in formulating laws that infringe on, or seek to give that agency control over our basic rights. As an agency it should not actively lobby legislators to adopt such proposals and pass them into law.

That leads me to my second point regarding Bill 28 – the elimination of the civilian Independent Firearms Examiner Board, which is the only appeals recourse gun permit applicants and holders have if the State Police refuse or rescind a permit. The effect of this bill means the appeals function would fall under the control of the State Police as well, putting the proverbial fox totally in charge of the henhouse. This does not work in the case of the State Police self-policing through its Internal Affairs investigations, and should not be tolerated in this case.

The “nominating” process dominated by the DPS, CT Association of Chiefs of Police and the DEP Commissioner is a recipe for corruption and undue influence as well. I find no reassurance in the inclusion of the two outnumbered gun associations allowed representation on the board – what actual power would they wield and who selected them? Would the lawyer appointed be one of the lawyers among sworn officers of the DPS or the Chiefs of Police? Nowhere in this legislation do I see mention of one single legal expert in Federal or State Constitutional Law, or more specifically, the Bill of Rights.

The State Police and local police are human beings, subject to the same flaws and foibles of other human beings. DPS Management and the Chiefs of Police are political animals, subject to whichever biased political party is in power. Recognizing that, I implore the legislature to keep in mind that power corrupts, and absolute power corrupts absolutely. The proposed new board within the

Department of Public Safety will be subject to intimidation under color of law, which is a common problem with police agencies.

The State and local police should remain subordinate to the civilian authority, and the DPS/State Police neutral in performance of the administrative function of processing and issuing weapons permits. This bill gives the Department of Public Safety/State Police too much power.

There must continue to be a fully staffed civilian Independent Firearms Examiner Board that oversees the permitting process, providing a civilian appeals system so that the central police agency in the state does not hold a monopoly of power over citizens who exercise their natural, God-given Constitutional Right to Bear Arms.