



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT
Criminal Justice Policy & Planning Division

Testimony in SUPPORT of

**HB 6490: AN ACT ESTABLISHING A PROCEDURE FOR RELIEF FROM
CERTAIN FEDERAL FIREARMS PROHIBITIONS**

**Mike Lawlor, Under Secretary
Criminal Justice Policy and Planning Division
Office of Policy and Management**

March 23, 2011

Good Morning Senator Coleman, Representative Fox and members of the Judiciary Committee:

HB 6490 reflects the consensus recommendation of our state's criminal justice community. It seeks to establish a simple process to protect the constitutional rights of citizens who are subject to a prohibition of firearms possession under state and federal law. It does not allow dangerous persons access to guns, and it does not further restrict the rights of any person who wishes to lawfully possess firearms.

Failure to enact this proposal would immediately jeopardize a number of substantial federal law enforcement and crime prevention grants which Connecticut hopes to receive this year and in future years.

The basic "due process" hearing provided for in this bill should have been a part of the General Assembly's original enactment, Public Act 05-283, *AN ACT REVISING STATUTES RELATIVE TO FIREARMS*. However, PA 05-283 contemplated only a Memorandum of Understanding (MOU) among two executive branch agencies, the Department of Public Safety and the Department of Mental Health and Addiction Services, and the Judicial Branch. Although such an MOU was agreed to and is now in effect, such an MOU cannot establish a statutory right of action, nor can it vest jurisdiction in the Probate or Superior Court. This bill will accomplish just that.

The parties to the MOU also urge you to adopt several minor changes to the bill in order to fully comply with the National Instant Criminal Background Check Improvement Act as set out in the Department of Public Safety testimony before you today.