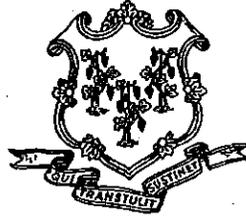


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Good morning Senator Coleman, Representative Fox and members of the Judiciary Committee. I am here to testify in support of SB 1206, AN ACT CONCERNING THE RECORDING OF POLICE ACTIVITY BY THE PUBLIC, SB 1148, AN ACT ESTABLISHING A CIVIL ACTION WITH RESPECT TO CRIMINAL RECORDS USED IN EMPLOYMENT DECISIONS, and SB 1096 AN ACT CONCERNING THE CRIMINAL POSSESSION AND SEIZURE OF FIREARM AMMUNITION

SB 1206 would allow a person to bring a cause of action against a peace officer who interferes with the person taking a photographic or digital still or video image of the peace officer or another peace officer acting in the performance of his or her duties provided that the individual was not otherwise interfering with the officer in the performance of duty. There have been numerous incidents throughout the nation in which citizens have been harassed, threatened and arrested for recording what would seem to be public action by police officers. In some of these states, due to laws that are behind current technology, this action is in fact against the law. It is difficult to understand how a police officer has any expectation of privacy in his or her public duties

and in the 111th Congress, Rep. Townes submitted a resolution expressing that state and federal wiretapping laws were never intended to be used against citizens in this manner¹. In Connecticut, citizens have a right to record police officers in these settings. However, there have been recent incidents in which officers harassed and threatened citizens who were attempting to exercise this right. I believe that creating a possible cause of action against officers who attempt to intimidate citizens in this manner would serve as a deterrent to this behavior. Officers who are following appropriate law and procedure should not object to this recording so long as the recording does not interfere with the officer's ability to perform his or her appropriate duties.

SB 1148 would allow a prospective employee who has been harmed by the release of inaccurate background check information to bring a civil action against the responsible party. Over the last several years, the Connecticut General Assembly passed two public acts (07-243 and 08-53) to address the fact that when the Judicial Branch sold conviction information to private entities that performed background checks for employers (for a fee) the records were not updated when a pardon had been granted or charges had been nulled. These acts were extraordinarily important because producing background checks with outdated information can have devastating consequences for residents who have straightened out their lives and are making every attempt to be productive citizens of our state. SB 1148 would create a remedy when a prospective employee is harmed by negligent behavior of persons providing background checks. We all benefit when a person who has changed for the better is encouraged to be a constructive member of society.

¹ H. Con. Res. 298

I would also like to express support for SB 1096 which would provide that a person prohibited from possessing a firearm is also prohibited from possessing ammunition. In addition, the bill would authorize the seizure of ammunition whenever a court finds probable cause that a person poses a risk of injury to himself, herself or others. This is common sense legislation which in no way would interfere with law abiding citizens' second amendment rights and fills in a gap in our current statutes. Thank you for hearing these important bills.

