



**WRITTEN TESTIMONY ON
An Act Concerning the Abatement of a Public Nuisance
House Bill No. 5489**

Good afternoon Senator Coleman, Representative Fox and distinguished members of the judiciary committee. My name is David McGuire. I am a staff attorney at the American Civil Liberties Union of Connecticut and I urge you to oppose House Bill No. 5489, An Act Concerning the Abatement of a Public Nuisance.

The ACLU-CT requests that this committee reject this bill's changes to the existing nuisance abatement law because it raises serious due process and free speech concerns. This bill dramatically expands the scope of the existing nuisance abatement law by adding minor offenses like breach of peace and violations of municipal excessive noise ordinances to the list of serious offenses, like murder and sexual assault. Breach of peace is so sweeping in its reach, that by adding it to this law, otherwise lawful activity will be punished. The bill also makes it easier for the government to deem activity a public nuisance by dropping the state's burden of proof from clear and convincing to a preponderance of the evidence. These amendments will make it significantly easier for the government to evict people from their homes and deprive people and businesses of property rights without obtaining a conviction.

The state and municipalities can and should enforce laws already in place which prohibit the illegal conduct sought to be eliminated by this bill. The ACLU-CT requests that this committee reject House Bill 5489.