

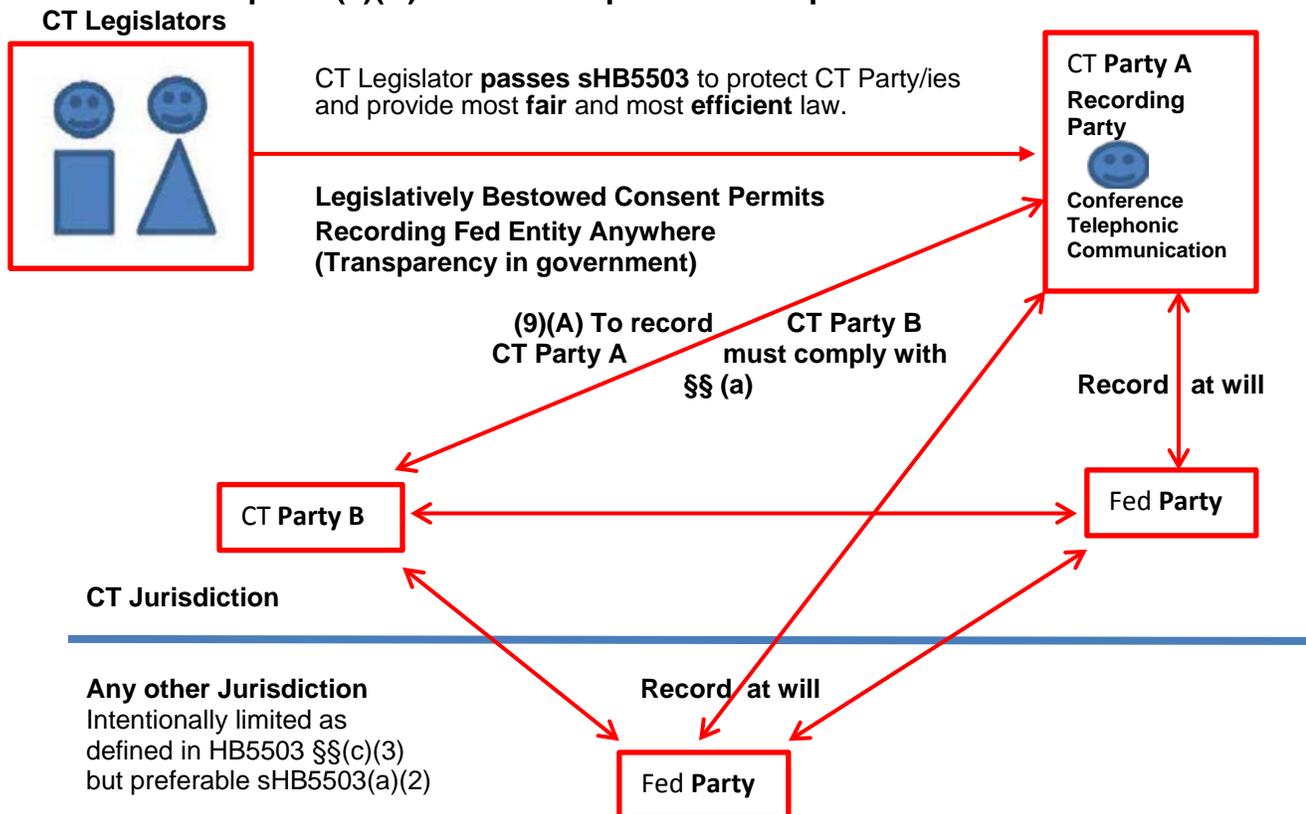
Analysis of Division of Criminal Justice's Testimony re HB5503

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Fifth Bullet • The new exception (9) (A) is senseless because any party who has complied with subsection (a) falls outside of the reach of the law anyway and, therefore, is already excepted from its reach. Refer to pg. 13 of 2011 testimony at CGA Quick Search using the parameters "Bill," "1149," and "2011." See language at the bottom of the page.

The purpose of this paragraph is to permit any party under Connecticut's jurisdiction who complies with any paragraph of subsection (a) of this section to lawfully record any telephonic communication being conducted with the U. S. Government, actual or contracted, including any U. S. Government entity physically within Connecticut's jurisdiction. The premise is to bestow the U. S. Code's Congressional consent on a party within Connecticut's jurisdiction, which is enumerated in 18USC2511(2)(d) and reads in part: "(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where such person is a party to the communication" This is a facet of the fairness concept. If the federal party is permitted to record under Congressionally bestowed consent, then it would only be fair that any other party be permitted to record under the same standard of Connecticut General Assembly's bestowed consent. Incorporates **transparency in gov.**

Exception (9)(A) reads and operates as depicted below and is NOT "senseless."



HB5503 - (9) Any party who records a telephonic communication, provided: ... (A) Any party under this state's jurisdiction has complied with subsection (a) of this section and, every other party is operating under the authority of or under contract with the United States regardless of location, or

(c)(3) "Jurisdiction" means any entity denoted as an authority of or under contract with the United States government or any of the states of the United States.

Substitute HB5503 - No Change: (7) Any party who records a telephonic communication, provided: ... (A) Such party under this state's jurisdiction has complied with subsection (b) of this section and, every other party is operating under the authority of or under contract with the United States regardless of location, or

(a)(2) "Jurisdiction" means the United States Government, which includes any entity denoted as an authority of or under contract with the United States government, or any one of the several states of the United States.