

JUDICIARY COMMITTEE

MARCH 1, 2013

Written Testimony for Proposed Judicial Nominations

Other than the Honorable Christine Keller, the requested fifteen new judicial appointments, with salaries of \$147,000. dollars per year with additional health insurance, pension, gas, or longevity bonus expenses, is an unnecessary burden to the Connecticut public taxpayer at a time of higher taxes, other spending cuts, and slow job growth. These new appointments salaries, could employ 100 people at 30,000 per year with benefits. Those 100 individual's employed, could lower costly social services which they might otherwise require. Limited resources would be best used elsewhere.

Should members of the Judiciary Committee, forward these fifteen nominations for a full vote of the Legislature, given the State's financial condition? No. An independent legislative committee has that right. How can Governor Malloy make these nominations justifying use of limited State resources to support 15 additional high salary employees when his consolidation of State agencies results in 12 low level departures? What responsibility do elected members of the Judiciary Committee have to their constituents to reject a governor's request which clearly places higher salary attorney's on Connecticut's payroll, when middle class working families are left to struggle? What about the poor?

What study determined the need for these additional judicial appointments? Are attorney's, such as governor Malloy, or attorney's within the legislature, improperly using the State's monies to support fellow attorney's during a depressed economic period? This conduct tends to take on the aspect of highly unreasonable conduct, involving an extreme departure from ordinary care given the facts of financial condition of the State of Connecticut. It would amount to negligence by any legislative members to support these reckless, wanton, financial obligations, when the State of Connecticut is clearly in financial distress, as freely admitted by all sides in the political arena.

It was stated in the Providence Journal, "you can't have corruption without judicial corruption". The State of Connecticut did acquired the moniker Corrupticut, what role has the present judiciary played to eliminate that perception? What would these new nominee's do to eliminate that perception? Clearly the present judicial system unnecessarily protected State of Connecticut employees or politically associated individual's? The SNAP program or State Marshal's theft's not prosecuted against individual's are clearly associated with State government. Would some of these new nominee's, given their political backgrounds, be accountable to the law or use their judicial appointments to legally protect individual's associated with government? Or would it business as usual in Connecticut to appease those who nominated them?

Clearly, the State of Connecticut has by a course of connivance, violated the Fourteenth Amendment not to "deny" equal protection of the laws, and that the "State" in effect denied such protection not only when its legislation on its face unequal, but whenever its judicial or executive authorities by a consistent course of practice, "permanently and as a rule " refused to enforce its laws for the protection of some class of persons, which is exactly what has occurred within legal violations by State Marshals. State employees SNAP program theft was another incident of theft mangagement by judicial, or prosecutorial authorities. What good cause exists for more judicial expenses, when clearly some are not held accountable for theft from the public?

Would these nominee's follow the Attorney General's or State's Attorney's twisted philosophy when adjudicating claims involving "state actor's" in violation of pre-existing legislation. A direct quote from the office of Connecticut's Attorney General within a lawsuit claiming violations of theft under established law by Connecticut State Marshal's:

"Contrary to the Plaintiffs base assertions, nelther the Commission, the office of the Chief's State Attorney, nor the office of the Attorney General (OAG) owe the Plaintiff any duty to take action against certain state marshals, including bringing civil or criminal actions against them".

Bull. Under C.G.S. Sec. 35-32. Attorney General was authorized to bring actions in the name of state or as parens patriae. (a) The Attorney General, in the name of the state and on behalf of the people of the state, shall enforce the provisions of this chapter. The Attorney General was authorized under C.G.S. § 3-129b. Suppression of criminally operated businesses other than corporations. (a) The Attorney General is authorized to institute civil proceedings in the Superior Court an employee or agent of any such business, or a person who, in fact, exercises control over the operations of any such business, has, in conducting its business affairs, purposely engaged in a persistent course of gambling, unlawful traffic in narcotics, extortion, (2) for the prevention of future illegal conduct of the same character, the public interest requires the operation of the business to be enjoined.

The State Marshal Commission failed to remove State Marshal's when presented multiple sources of information regarding illegal fees.

State's Attorney, C.G.S. § 51-277. Powers and duties of division. (b) The division shall take all steps necessary and proper to prosecute all crimes and offenses against the laws of the state

The Attorney General's Office had a named defendant file an appearance as counsel to defend for the State of Connecticut against my lawsuit.

C.G.S. § 1-25 clearly states "will not knowingly allow anything dishonest to be done in court, and that you will inform the court of any dishonesty of which you have knowledge; that you will not knowingly maintain or assist in maintaining any cause of action that is false or unlawful; that you will not obstruct any cause of action for personal gain or malice; to ensure all citizens are afforded due process and equal protection by avoiding politics in their rulings as the prosecutorial authorities have?

Would the nominee's exercise proper judicial restraint and ethical consideration? Would these nominee's adequately protect citizen's from bad attorney's? I've been in Court 10 years, and seen the worst of this judicial system. A state prosecutor and public defender both represented in open Court, the existence of evidence of a crime, while I was seeking permission to sue the State. Subsequently the State admitted it had no such video tape evidence. Malicious prosecution of a whistleblower. Under the watchful eye of members of the judiciary. Intimidation by public official's within the judicial system, to silence exposure of State Marshal theft, went unaddressed by the judiciary.

While confronting legal violations by State Marshal's, I was additionally subjected to deleted judicial proceeding transcripts, additional documents which were altered, rulings which skipped objections to admissions requests, or a ruling which actually altered or changed prior rulings by other judge's, without the benefit of argument or appellate review, done in violation of state and federal legislation. For those individual's who engaged in these tactics, the misuse of authority was personal, and was not "primarily employer rooted" or "reasonably incidental to the performance of employment duties.

I expect to be slandered in the effort to end corrupt practices, but one should look at the source, either those who stole from the public or those who protected them. Nothing will destroy the creditableness of a legal system faster than when individual's misuse their authority against a whistleblower. I thought the people who failed to enforce law or adjudicate a clear legal violation were biased towards me. When I examined public records, I realized they have been biased all along against countless Connecticut citizen's who attempted to seek legal redress against "state actors". Would these nominee's carry on that Connecticut tradition? Loyalty to political parties or corrupt brethren effectively destroys public lawyer's legal credibility. Often those attorneys fail to perform pre-existing legal duties, to protect politically connected individuals. Are attorneys on Connecticut's payroll capable of performing required legal duties to confront corruption? It's doubtful; Connecticut's nurturing milk affects legal intellect. There are effective laws within Connecticut General Statutes to suppress offenders, just no personal integrity to enforce these laws among some Connecticut's attorney's, riding the wheel of corruption.

So would the nominee's honor Connecticut Constitution, Article First, 10, "shall have remedy by due course of law, and right and justice administered without sale, denial, or delay"? And would the nominees honor Connecticut

Constitution Article 11 General Provisions Sec. 1. Members of the general assembly, and all officers, executive and judicial, shall, before they enter on the duties of their respective offices, take the following oath or affirmation, to wit: You do solemnly swear (or affirm, as the case may be) that you will support the constitution of the United States, and the constitution of the state of Connecticut, so long as you continue a citizen thereof; and that you will faithfully discharge, according to law, the duties of the office of.....to the best of your abilities. So help you God.

A definable judicial system bias already exists against anyone who interferes with illegal acts committed by some individual's employed within the State system. Would these nominee's engage in bias when presented indisputable legal violations by State of Connecticut employee's or "state actor's" acting in excess of authority or state and federal law? Why wait to find out? The State of Connecticut should be more concerned with what's transpiring within it's courthouses, rather than attempting to appoint new members. Plain negligence.

The Judiciary Committee is requested withhold these nominations until a vacancy requires the replacement of an active Superior Court judge, and then allow placement of these nominee's. The Judiciary Committee should actively investigate if some present members of the judiciary have violated the conditions of Connecticut Judicial Cannon's warranting removal. The world is a dangerous place, not because judges do evil, but because judges see evil and do nothing. Historical knowledge supports this fact.

The below signed, without success, has sought discussion of facts contained within this document, with the Judiciary Committee co-chairmen since August 2012.

Submitted,

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