

March 11, 2015

Members of Judiciary Committee

I submit my testimony here in **OPPOSITION** to the current proposed bills known as **Governors Bill 6848- An Act Protecting Victims of Domestic Violence** and **SB-650 – An Act Concerning Temporary Restraining Orders.**

At the very onset of these proposed bills is the absence of due process for someone merely accused by another party of alleged activity that are not being alleged in a criminal court. Meaning this is strictly a civil process. Had it been a criminal charge, the proposed legislation, is immediate. Judges and Law Enforcement have numerous tools to utilize in order to remove firearms from a dangerous situation. Connecticut Judges also have the power now to order firearms surrendered during an ex-parte' proceeding should the situation warrant. This should not be a blanket automatic removal of property and deprivation of protected rights merely due to one persons "accusation".

Currently there are no mechanisms or pursuit of those who frivolously apply for and/or obtain restraining orders against another party. Judges also commonly issue these orders "just in case". I have personally witnessed legal interns walk a victim through what to put on the application to give the best opportunity to obtain the ex-parte' order. This already stacks the deck against someone who may very well be the object of a disgruntled ex-partner. This is no less then guilty until proven innocent.

Domestic Violence is a horrific situation to be in; however, we as a whole should not be forced to give up rights, across the board prior to any sort of proof of wrong doing. This type of legislation would be no different the accused murderer being told he can't vote until his trial is over.

Domestic violence is also one of the most violent crimes there is, often due to an explosion of rage, whereas many if not the majority of deaths are not committed with firearms, but with weapons of opportunity, such as knives, hands, and bludgeoning objects.

I am sure some supporting this may not realize there are many protections and processes in existing law, and many have their hearts in the right places, I cannot support these bills as they punish and deprive citizens of their property, and rights.

There should be stricter penalties and a more aggressive pursuit of those who use the courts to exact revenge or otherwise manipulate the system under false pretenses.

Also, part of the governors bill requires firearms be turned over to an FFL, this again is unnecessary. Current law mandates the manner of transfer of all firearms within the State of Connecticut. This process mirrors the process the FFL would have to follow. However, utilizing an FFL will now burden the subject of the order with costs associated with utilizing a business to transfer their firearms. in the case of many, that amount can be substantial depending on the size of their collection. This requirement would serve no benefit to anyone other than the business charging the transfer fees.

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