

Moniz-Carroll, Rhonda

From: Robert T. Crook <ccsct@comcast.net>
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To: JudTestimony
Subject: OPPOSITION to H.B. No. 7028 (RAISED) AN ACT CONCERNING THE DEPARTMENT OF CORRECTION, ACCESS TO THE FIREARMS DATABASE BY PAROLE OFFICERS, AND PRESENTATION OF A CARRY PERMIT

COALITION OF CONNECTICUT SPORTSMEN

P.O. Box 2506, Hartford, CT 06146, (203) 245-8076

www.ctsportsmen.com

ccsct@comcast.net

Testimony presented to the Judiciary Committee

IN OPPOSITION to H.B. No. 7028 (RAISED) AN ACT CONCERNING THE DEPARTMENT OF CORRECTION, ACCESS TO THE FIREARMS DATABASE BY PAROLE OFFICERS, AND PRESENTATION OF A CARRY PERMIT.

by Robert T. Crook, Director/Lobbyist

03/20/15

OPPOSE Sec. 24. The most onerous part of this bill is the implication is that while a person is carrying, that person would be subject to a stop and identify at ANY TIME, having committed NO CRIME or being suspected of having committed a crime. This directly violates the 4th amendment to the constitution regarding warrantless, illegal searches.

Current law makes allowances for situations where the LEO confronting the citizen may have Reasonable Articulated Suspicion (RAS) that the citizen may be a person of interest in a crime. In those cases the citizen is already required to comply with a request to display his or her permit, if the LEO determines that firearms are being carried. Since the mere carrying of a firearm is not a crime, law abiding citizens should not be stopped and questioned without due cause

The US Supreme Court has generally upheld that police may not stop a person and ask for identification without a reasonable suspicion that a crime has been or is about to be committed.



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