

Good morning,

I am here today to oppose HB No. 7028, specifically, the last few lines of the bill regarding Sec. 24. Subsection (b) of section 29-35. Which reads: "The holder of a permit issued pursuant to section 29-28 shall carry such permit upon one's person while carrying such pistol or revolver. Such holder shall present his or her permit upon the request of a law enforcement officer for purposes of verification of the validity of the permit or identification of the holder

The Supreme Court has held in Terry v Ohio that in order for police to legally detain a suspect the detainee has to be just that, a suspect. Police must be able to articulate a reasonable suspicion that the detainee has committed, is committing or is about to commit a crime; otherwise, the officer would be in violation of the detainee's 4th amendment rights.

In its blind attempt to restrict the rights of legal gun owners, Connecticut is again trampling our civil rights by changing existing statute to make it a crime to refuse to identify oneself to an officer. If somebody calls 911 to report a man or woman with a gun, there is now a legal investigation whereby the subject of the investigation must show identification.

It is now, and remains illegal for any police officer to initiate an investigation upon any citizen of CT solely because the officer observes the citizen carrying a gun. The state appointed Board of Firearms Permit Examiners agrees that the simple and legal act of carrying a firearm in CT does not rise to the level of Reasonable Articulate Suspicion nor Probable Cause.

Proponents of this change say that because CT law requires permit holders to carry their permit on them when carrying, obvious legislative intent was that free, law abiding citizens could be stopped and forced to identify anytime without cause; I hold a different view. Legislative intent in CT, especially regarding firearms restrictions are never cut and dry. It could be that CT permit holders are required to carry their permits to speed the investigative process should there be a legal gun use by a permit holder.

In altering Sec. 24. Subsection (b) of section 29-35, the state opens itself up to legal action by anybody who is illegally detained and forced to identify themselves. This would be an irresponsible, unconstitutional and potentially very costly move by a state beset by financial difficulties.

If the committee still sees fit to change the text of Sec. 24. Subsection (b) I suggest this alternative text to protect the state from potential civil action:

"The holder of a permit issued pursuant to section 29-28 shall carry such permit upon one's person while carrying such pistol or revolver. Such holder shall present his or her permit upon the request of a law enforcement officer for purposes of verification of the validity of the permit or identification of the holder *when legally detained by such an officer.*