

Haggerty, Katie

From: Thomas Violante <trviolante@gmail.com>
Sent: Thursday, April 09, 2015 2:16 PM
To: JudTestimony
Subject: SB650

Dear Honorable Members of the Committee on the Judiciary,

SB 650 would allow a citizen's gun rights to be stripped without due process of law in violation of the Fourth Amendment to the U.S. Constitution. This legislation would require a sworn police officer to serve all ex parte temporary restraining orders when the applicant indicates on the application that the respondent has access to a firearm or ammunition, or holds a valid state-issued firearm or ammunition permit or eligibility certificate. An ex parte temporary restraining order is one where only one side, the applicant, makes a claim and doesn't have to appear in front of a judge before the order is issued. The respondent has no say about the veracity of the applicant's statement nor an opportunity to preserve his Second Amendment rights to self-protection while he is out of his home. Upon the delivery of the order, the police officer would then immediately confiscate all legally owned firearms, ammunition, carry permits and eligibility certificates BEFORE a person has had a hearing before a court of competent jurisdiction to determine the merits of the complaint made against them.

If firearms are confiscated erroneously or a court ultimately dismisses an order, and since a person does not have an immediate ability to have a hearing or right to be heard before a court before their firearms, ammunition, permits, certificates are taken, the wait is often as long as two years or longer to get one's firearms, ammunition certificates and permits returned. There is also, unfortunately, no reprisal for the applicant for filing a false claim. This bill takes unnecessary steps to blatantly circumvent our rights.

It is clear that the governor and some misguided legislators have only one interest --gun confiscation and limiting the rights of the law-abiding in Connecticut, as they have shown no interest in providing respondents with an opportunity to be heard before a judge ahead of losing their Second Amendment rights. In fact, this legislation even removes verbatim "an opportunity to be heard" from the current state statute that protects individuals in these circumstances today.

We all want to protect those who are threatened and physically abused by another and we want good-sense laws to protect them, be they male or female. However, this bill is deeply flawed and one-sided against an as-yet unproven, merely accused respondent. Therefore, I request that you do not approve this bill and vote "NAY" when the vote is called.

Sincerely,

Thomas R. Violante
New Haven CT