



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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**Testimony of Stephen N. Ment**  
**Environment Committee Public Hearing**  
**February 13, 2015**

**Raised Bill 6732, An Act Concerning the Appeal of Restraint and Disposal Orders Issued by Animal Control Officers**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in opposition to **Raised Bill 6732, An Act Concerning the Appeal of Restraint and Disposal Orders Issued by Animal Control Officers**. The bill would transfer the appeal of quarantine, disposal or restraint orders concerning domestic animals from the Department of Agriculture's purview to the Superior Court.

The Judicial Branch is concerned with the impact that this bill would have on the public, as matters heard in the Superior Court are significantly more formal, time consuming, and expensive than agency administrative hearings. Further, this proposal is clear departure from the procedure followed in all appeals of administrative action by a state agency.

Currently, orders issued by animal control officers may be appealed to the Commissioner of the Department of Agriculture. These relatively informal matters are heard by hearing officers who have expertise in the subject matter. Only after the hearing officer has found the facts and applied the pertinent state statutes and agency regulations may one take an appeal to the Superior Court.

This process is commonplace across our state agencies. It is well settled law and procedure in Connecticut that all administrative remedies must be exhausted before an

appeal can be taken to the Superior Court. This proposal upends this practice, and represents an abrogation of the Commissioner's administrative authority. Specific agency knowledge and skill is also lost.

While we recognize that these hearings take up a lot of the Department of Agriculture's staff resources, requiring a person aggrieved by an order issued by an animal control officer to appeal directly to the Superior Court would be burdensome. It would require the individual to navigate the rules of the court system, and bear the expenses of litigation, such as those associated with discovery, depositions and expert testimony, and marks a dramatic sea change in how these matters are heard and resolved.

Therefore, we would respectfully request that the Committee take no action on the bill. Thank you for the opportunity to submit written testimony.