

## Testimony Opposing Proposed Senate Bill 650

March 8, 2014

Joint Committee on Judiciary  
Legislative Office Building  
Room 2500  
Hartford, CT 06106

Testimony in opposition or amendment of S.B. 650

Dear Senator Coleman, Representative Tong, and Members of the Judiciary Committee;

I'm a resident of Connecticut and wish to voice my opposition of proposed legislation bill S.B. 650. I understand the importance of this bill, and agree no human should wrongfully hurt another. Unfortunately, no bill or law will change the mindset of another person. If a person has the intentions of hurting someone else, no one would be able to stop that person by removing an item from their possession. In fact, by doing such you maybe even escalating the volatility of a situation by creating a respondent that now feels animosity towards the applicant.

This bill will wrongfully violate the fundamental rights of hundreds of people a year all based only on hearsay. In 2014, 45% of all ex parte temporary restraining orders were found not to be valid after the hearing.<sup>1</sup> In Connecticut in 2011 and 2012, guns were used in only 1% of all family violence incidents reported to police, knives or other weapons were used in 9% of those incidents.<sup>2</sup> This Proposed Bill, S.B. 650 is to provide greater protection to the applicants of ex parte restraining orders, But this bill is only addressing the weapons used the least, in all family violence incidents and totally ignores the more commonly used weapons, therefore it's reasonably assumed that this bill will not provide greater protection for it's applicants.

This bill says it will temporally remove firearms, ammuniton, carry permits and / or eligibility certificates, this is of great concern to me. In Connecticut once a carry permit gets revoked or if the issuing authority feels that person is no longer suitable that person must request a hearing in front of a board. These hundreds of wrongfully accused gun owner, that were forced to surrender their property will need to wait for a hearing date with Board of Firearms Permit Examiners. Currently, a hearing are scheduled over two years out.<sup>3</sup> I'm sure the majority would agree a process that takes over 750 days, to

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<sup>1</sup> [http://www.jud.ct.gov/statistics/prot\\_restrain/Prot\\_Restrain\\_Order.pdf](http://www.jud.ct.gov/statistics/prot_restrain/Prot_Restrain_Order.pdf)

<sup>2</sup> 2011 <http://www.dpsdata.ct.gov/dps/ucr/data/2011/2011%20Family%20Violence%20Arrest%20Report.pdf>  
2012 <http://www.dpsdata.ct.gov/dps/ucr/data/2012/2012%20Family%20Violence%20Detailed%20Report.pdf>

<sup>3</sup> <http://www.ct.gov/bfpe/cwp/view.asp?a=3598&Q=557000>

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reinstate a permit does not qualify as a proper due process. You will be voting on a bill the will be striping away fundamental liberties of Connecticut citizens for years WITHOUT even being charged with a crime, or first having a hearing to tell their side.

In all the family violence incidents in Connecticut, reported in 2012, only 19% of them had a restraining order,<sup>4</sup> the data is unavailable to show what percentage of those were ex parte temporary restraining orders, but one can assume it is much less then 19%. Of the 26 people named in the 2014 and 2013 Domestic Violence Fatality Review Reports,<sup>5</sup> None of the deaths with firearms happen while under a 14 day temporary order.

Connecticut already has multiple firearm seizure provisions for persons posing a risk of injury to self or other, under Sec. 29-38c. 'Seizure of firearms of person posing risk of imminent personal injury to self or others.'<sup>6</sup> Under, Sec. 46b-38b. A peace officer while investigating a family violence crime may seize any firearm at that location.<sup>7</sup> Therefore, one can responsibility assume, with current gun seizure laws on the books, subjects of retraining orders after a hearing banned from having firearms and with No deaths by firearms while under a fourteen day temporary restraining order, reported in the 2014 and 2013 Domestic Violence Fatality Review Reports, that the current statues are serving it's people very well.

If a person makes the conscious decision to assault and victimize another person, makes the decision to violate a restraining order and takes the numerous steps to do so, and premeditates to harm or even murder another person that they had domestic relations with; taking away a firearm will not stop that person. This bill as written will not save anyone, but it will violate the rights hundreds annually. I ask you amended Proposed Senate Bill 650 and strikeout that courts order the respondent of an ex parte temporary restraining order to surrender their firearms, ammuniton, permits and certificates without due process.

Sincerely,  
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<sup>4</sup> <http://www.dpsdata.ct.gov/dps/ucr/data/2012/2012%20Family%20Violence%20Detailed%20Report.pdf>

<sup>5</sup> <http://www.ctcadv.org/files/2913/8145/2606/2013DVFRcreport.pdf>  
[http://www.ctcadv.org/files/9614/0656/3514/2014\\_Fatality\\_Review\\_Report.pdf](http://www.ctcadv.org/files/9614/0656/3514/2014_Fatality_Review_Report.pdf)

<sup>6</sup> [http://www.cga.ct.gov/2014/sup/chap\\_529.htm#sec\\_29-38c](http://www.cga.ct.gov/2014/sup/chap_529.htm#sec_29-38c)

<sup>7</sup> [http://www.cga.ct.gov/current/pub/chap\\_815e.htm#sec\\_46b-38b](http://www.cga.ct.gov/current/pub/chap_815e.htm#sec_46b-38b)