

## Haggerty, Katie

---

**From:** outlook\_4c7dbdd3816c6c50@outlook.com on behalf of Brent Wiltshire  
<brent@ruddick.com>  
**Sent:** Monday, March 09, 2015 9:45 AM  
**To:** JudTestimony  
**Subject:** HB 650

March 8, 2015

Dear Committee Members;

I am unable to attend the March 11, 2015 public hearing on HB 650. Please accept this written testimony for the record.

I urge you to oppose HB 650 as it can be used to force the surrender of personal property without due process and is in violation on the 2<sup>nd</sup>, 5<sup>th</sup> and 14<sup>th</sup> Amendments of the United States Constitution.

I am in particular opposition the Item 5 of the Bill:

*(5) allow the court to order the respondent to a temporary restraining order that has been issued by the court to temporarily transfer, deliver or surrender all firearms and ammunition that he or she possesses, along with any permit issued pursuant to section 29-28 of the general statutes, and all eligibility certificates issued pursuant to sections 29-36f and 29-37q of 19 the general statutes*

There may be some confusion regarding the difference between a Temporary Restraining Order and a Restraining Order and that many people consider it a 'common sense' idea for someone to lose their firearms during a Temporary Restraining Order. However, a TRO is an ex parte order, meaning that only one side has presented anything to the court. The subject of the TRO has had no opportunity to be heard or represented. This clearly violates the concept and idea of Due Process. The due process clause acts as a safeguard from arbitrary denial of life, liberty, or property.

Amendment 5 of the United States Constitution:

*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

Section 1 of Amendment 14 of the United States Constitution:

*All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

The Second Amendment of the United States Constitution guarantees our right to keep and bear arms. Article 1, Section 15 of the Connecticut Constitution ensures that every citizen has the right to bear arms in defense of himself and the State. The issuance of a temporary restraining order is not sufficient to take these rights away.

Thank you,

Brent Wiltshire  
49 Prentice Williams Road  
Stonington, CT 06378