

Oppose: Governor's Bill No. 5054 – An Act Protecting Victims of Domestic Violence

Oppose: H.B No. 5597- An Act Protecting Domestic Violence Victims Seeking Restraining Orders

Oppose: H.B. No. 5623 - An Act Concerning Violence Against Women And Victims Of Human Trafficking

Each of these acts takes away a person's natural right of protection without a hearing, without a criminal charges, without a police report, without "due process" and does not follow the "strict scrutiny" test when removing a Constitutional Right as defined in several Supreme Court Decisions. These bills are nothing more than an action to grab guns from lawful gun owners.

If the affidavit from the applicant (the abused) does not have the standard of evidence of fact to arrest the respondent (the abuser), how can you take guns away without due process? The OLR in 2014 report, "Firearm Possession and Domestic Restraining or Protective Orders and Convictions" points out under Federal Law those convicted of domestic violence or that only those under Restraining Orders may not possess firearms. The major difference is Temporary Restraining Orders are not included since "Due Process" has not occurred.

I really would like this Committee to look at the adverse effect by passage of this bill: A male applicant (the abuser), knowing the law as stated in this bill, now has the ability to disarm the respondent (the abused female victim) who has a firearm, and now defenseless because of this new law. During that 2 week period before her "Due Process" can be heard in front of a judge, she is killed by the applicant (the abuser) using only a knife. This is not hypothetical and actually happened in New Jersey last year. Again if there is not enough evidence to arrest the respondent, no guns should be removed until the day in court where both parties can be heard under "Due Process". Hearsay is not evidence in court and this change to the process is now allowing "hearsay" without due process to strip a Constitutional right away that does not follow strict scrutiny of the law.

Gun ownership is protected by the Constitution as an inalienable right that must use strict scrutiny as stated in 2 Supreme Court decisions, Heller and McDonald and now the 4th Circuit Court has just recently stated. While the appellate court did not directly invalidate the challenged "assault weapon" and magazine bans, it faulted the lower court for its dismissive "intermediate scrutiny" analysis and returned the case for reconsideration under "strict scrutiny," the most demanding test in constitutional law.

While this Bill is not about "assault weapons" it does strengthen the argument that anytime a law is created it must pass Constitutional Strict Scrutiny tests when dealing with rights. In 1868, the 14th amendment was ratified by 3/4 of the states. This amendment forbids any state to deny any person "life, liberty or property, without due process of law" or to any person within its jurisdiction the equal protection of the laws"

This amendment strengthens the "Due Process Clause" and compensation for taking life, liberty or property principles of the 5th Amendment, it forbids any state to deny any person "life, liberty or property", without due process of law.

From the Connecticut State's own Family Violence Report, only 1% of the violence was identified as using guns. That leaves 99% of victims where this law has no effect. What law is going to cover the other 99% where knives, hands, feet, or other weapons are used?

I OPPOSE these bills

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