

Carroll, Rhonda

From: Witherill7 <witherill7@comcast.net>
Sent: Sunday, March 13, 2016 11:45 PM
To: legislative@ccdl.us; JudTestimony
Subject: Kris Witherill in regards to HB5054

14 March 2016

Dear Judiciary Committee members;

I'm a resident of Connecticut and wish to voice my opposition to the following raised bills;

H.B. 5054 'AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE'

I ask that all members of the committee not support these bills.

In the summer of 2011, immediately following Hurricane Irene, my son was due home from visiting his father to participate in his wedding. My ex-husband told me he would be at my home to deliver my son at approximately 4:30pm. By 6:30, I was a little concerned and asked him where he was. He stated there was a little bit of traffic and that he would be there by 7:00pm. Come 7:30, I knew something was not right, so I tried his house number. My son answered the phone, crying. He was he wasn't coming. I texted my ex-husband and told him I would be at his house in the morning to pick up my son.

That morning, I called my husband telling him I was in town and we could meet in a public place and we could do the transfer there – at a location of his choosing. He told me to meet him at the sheriff's station. This was after going to the only address I had for him which was his previous house. He had moved without informing me. I went to the sheriff's office and they informed me that I had to go to the courthouse; there were papers I needed to sign.

I arrived at the courthouse and noticed that there were several police officers/sheriff deputies present. I walk up to the window and the clerk handed me some papers which gave me a court date and a notice to appear. Then, the clerk informed me that an ex parte order had been requested, and granted, abstentia. Due to possible psychological damage caused to my son with the move to Connecticut, I no longer had custody of my son.

I have no criminal record. I have psychological defects. Yet, according to proposed bill HB5054, I would have had to surrender my firearms. Due to this piece of paper and without due process, which is protected by the 5th and 14th amendments, I would have been practicing my 2nd amendment rights illegally. You see, with an ex parte order, service is not required. I wouldn't have known I was even committing a crime.

I am also a domestic abuse survivor, so I know how important it is to protect those who feel they are in imminent danger. In fact, under Sec. 29-38c. Seizure of firearms of person posing risk of imminent personal injury to self or others is already settled law. I am sure this new bill has the best intentions, but you cannot take away our rights to try to protect us.

Sincerely,

Kristine Witherill

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