

March 13, 2016

To the honorable members of the Judiciary Committee:

My name is Mike Burke and I am a resident of the state of Connecticut. I write to you today to voice opposition to several of the bills coming before you on March 14, 2016.

Justice in America holds that we are innocent until proven guilty. The tenet of due process in American jurisprudence is challenged by several bills before you today, namely: H.B. 5054 'AN ACT PROTECTING VICTIMS OF DOMESTIC VIOLENCE,' and H.B. 5623 'AN ACT CONCERNING VIOLENCE AGAINST WOMEN AND VICTIMS OF HUMAN TRAFFICKING.'

These bills expose the subject of a temporary restraining order (TRO) to the confiscation of their personal property (firearms) and violate the subject's right to keep and bear arms under the federal and state constitution without due the process of law.

While the intent of the laws seem noble, statistics show us time and time again that gun confiscation and/or banning certain types of firearms does not alter the rate of violent crime, including murder. Those intent on committing violent crimes simply use alternate means to inflict damage. These bills do not protect against potential (and perhaps more likely) attacks involving knives, bats or other items common to lethal assaults. It is worth considering, then, why these bills focus on guns.

If we are serious about protecting potential victims, and not intent on drafting specious gun control measures, we must consider better ways to protect the citizens of Connecticut. One simple measure might be to place subjects of a TRO under surveillance until a hearing can be convened. Another is to have a hearing within 48 hours, so the complainant does not have to live in fear for two weeks until a determination of guilt or innocence can be realized.

I ask that you vote against the bills I have listed above as they are a clear violation of due process law. I have read that as many as 38% of TRO's in CT are dismissed and that it can take up to two years for an innocent party to regain their firearms. This is unacceptable and illustrates the potential for abuse. Please vote against these bills so that new measures can be drafted which will protect the complainant and subject alike until guilt or innocence can be established.

Sincerely,

Mike Burke
Andover, CT