

**Carroll, Rhonda**

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**From:** Robert Chambers <robert.m.chambers@gmail.com>  
**Sent:** Monday, March 14, 2016 9:24 AM  
**To:** JudTestimony  
**Subject:** Testimony regarding ?HB 5054, 5623, 5622 and 429

14 March 2016

Esteemed Judiciary Committee members;

I'm a resident of Stratford Connecticut and wish to voice my OPPOSITION to the following bills that the committee is discussing today:

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

This innocuous sounding bill has some very troubling clauses in it. For one, there is NO due process for someone who is the subject of a TRO. There are cases where one party files a TRO against the other as a punitive measure and the addition of the firearm removal without any hearing whatsoever just makes this more egregious. If someone has several firearms and has to transfer them to another person (gun store licensed dealer) that will cost a certain amount for each firearm, who pays for that? If the TRO is ultimately NOT made permanent and the "victim" of the TRO then has to get those firearms transferred back who pays for those transfers?

There is already and at-risk mechanism to swiftly remove firearms from a person if there are exigent circumstances which includes a speedy hearing. This ensures that the recipient of a TRO gets their due process and will not be deprived of their property (or money) without such due process. This mechanism ought to be sufficient to ensure the rights of ALL are preserved.

I urge you to oppose this bill.

H.B. 5623 'AN ACT CONCERNING VIOLENCE AGAINST WOMEN AND VICTIMS OF HUMAN TRAFFICKING'

This bill also removes basic due process from the target of the restraining orders. There are already mechanisms in place for at-risk warrants which protect such due process. Just because someone owns a firearm does not mean they lose their rights under the law. Saying that a person can wait 14 days, or two weeks before they get their hearing is a definite denial of their due process. I cannot see if there is an urgent need to remove firearms from someone that that person cannot also be offered a hearing within that time to have their own rights protected.

This bill will create more victims based on hear-say which may or may not even be true.

I urge you to oppose this bill.

H.B. 5622 'AN ACT CONCERNING THE AVAILABILITY OF ERASED RECORDS IN DETERMINING WHETHER A PERSON IS A SUITABLE PERSON TO CARRY A PISTOL OR REVOLVER'

Surely in a case where a person for whatever reason has had their records erased/expunged how fair is it that an issuing authority can unseal or un-erase such records in this instance? If a person is unsuitable it should be pretty easy to render that judgement based on legal means and not violate that persons rights by bringing expunged information back to life. If this is allowed to stand then there really is no records that get erased or expunged and thus renders the whole process ineffective.

I urge you to oppose this bill.

S.B. 429 'AN ACT CONCERNING SERVICE OF RESTRAINING ORDERS'

Similarly to the other bills, the target of the restraining order is STILL rightfully entitled to due process from the court. If this due process is delayed even by two weeks it is denied!

The text of the proposed changes mentions that the costs of executing these orders will be borne by the Judicial Branch. Does this also include the costs of transferring/storing/transferring back the subject's firearms to a licensed firearms dealer for safekeeping? If not then not only is the person losing their due process, they are also losing their own property (money) to get their property (firearms) back should a restraining order not be made permanent. For someone with a decent collection of firearms this could amount to a lot of money. If the TRO is being used as a bargaining tool by the requestor then it will have a punitive effect without the merit of being legitimate.

I urge you to oppose this bill.

This country has a judicial system that at it's core believes that a person is innocent until proven guilty. To deny a subject of a TRO their property without any hearing whatsoever is turning this time honored belief on it's head.

Sincerely,

Robert Chambers

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