

Carroll, Rhonda

From: Comcast <maloneyta@comcast.net>
Sent: Monday, March 14, 2016 5:27 AM
To: JudTestimony
Subject: Oppose, H.B. 5054, 5623, 5622, S.B. 429

14 March 2016

Dear Judiciary Committee members;

I am 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'

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

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'

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

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

Note that Connecticut already has a seizure of firearm provision for persons posing a risk of injury to self or other under Sec. 29-38c - "Seizure of firearms of person posing risk of imminent personal injury to self or others". In addition Connecticut already has a seizure of firearm provision for when a peace officer determines that a family violence crime has been committed under Sec. 46b-38b.

However, according to the Family Violence Arrests Annual Report hands, fists, and feet were the most commonly used weapon to commit murder, used in 38 percent of the incidents. In only two incidents was there either an active or expired Court Order of Protection. In the 24 family violence homicides, hands, fists, feet were the most common weapon, nine (38%). Other weapons included knives, eight (33%) and firearms, seven (29%). Clearly what we need to be concerned with is the violence, not the means.

And the there is the validity of ex parte restraining orders. In 2014, 45% of all ex parte temporary restraining orders were found not to be valid after the hearing. In 2015, 37% of all ex parte temporary restraining orders were found not to be valid after the hearing.

It is clear that the real issue is how long it takes to get a permanent restraining order, which of course is based on an investigation, evidence and an opportunity for the accused to respond. Given how often domestic violence does not involve a firearm, we should be focusing on accelerating existing processes with proper legal proceedings rather than adding ineffective and unconstitutional aspects to the existing, slow moving process.

Thank you for your time.

Sincerely,

Tom Maloney
North Stonington, CT