

MARCH 8th, 2022
COMMITTEE ON LABOR AND PUBLIC EMPLOYEES

TESTIMONY OF DAVID GODBOUT

Objection to all bills

Written testimony

via email d_godbout1@hotmail.com

OBJECTION TO SENATE BILLS: 312, 3132, 314, 315, 316, 317, 318, 319, 320, 321
OBJECTION TO HOUSE BILLS: 5353, 5354, 5355, 5356, 5357

The objections listed below apply to all of the bills wherein public testimony is being taken. I refuse to toss aside my Fourth Amendment rights as demanded by the committee. The committee has not gotten a search warrant to come into my house via electronic means and no law or governor order can void this requirement of the highest law of our nation. People who have acquiesced to the demands of allowing the government into their homes as a condition to fully participate in governmental functions have been arrested and imprisoned because of their acquiescence to illegal government demands to allow the government into their homes via electronic means. If people wished the government to see and/or hear into their homes we would have built our houses from glass and put loudspeakers to broadcast the sounds in our homes. We do not do this.

And the general assembly is meeting in violation of our due process rights. For the last 3 years, the committees and general assembly work have all been done without legal authority.

**GENERAL ASSEMBLY WILL NOT PROCEED TO COMPLETE LAWMAKING
PROCESS IN ACCORDANCE WITH CONSTITUTIONAL MANDATES
OBJECTION TO ALL BILLS LISTED ABOVE**

Article 3, Section 16 of our State Constitution requires the general assembly to meet in public, as the section states:

SEC. 16. The debates of each house shall be public, except on such occasions as in the opinion of the house may require secrecy.

The general assembly currently is, as it has been for two years, meeting behind closed doors without the sessions being conducted in public. Currently the general assembly web site notes that the public cannot enter the session chamber's public seating areas, noting:

The Capitol and LOB are open to the public during regular business hours. Public access is limited to the first two floors of each building.

One still does not access to the legislators' offices on the second floor; no, us low life citizens still cannot visit their offices.

There is no exception to the requirement that sessions of the general assembly be open to the public except for secrecy. A pandemic is not an issue related to secrecy but the general assembly.

The Connecticut Public Affairs Network, Inc. (aka CT-N) has a contract to broadcast what they may capture to their website and elsewhere. The CT-N broadcast and what is broadcast by CT-N is completely controlled by the general assembly through the contract that the company entered into with the state. The contract consists of two parts, a main contract and an amendment. For the 2021 contract you can find the two parts (72 pages for the first main contract and 5 pages for the second) . One may request a copy of the 2021 or 2022 contracts, which has the same terms, from the Office of Legislative Management, phone # 860-240-0100 or simply download the contract that is online at : <https://docdro.id/WfhfPQM>

Never has a CT-N broadcast been considered to be a thing that meets the "public" requirement of the general assembly to meet in public as required by Article 3rd, Section 16 of state constitution. If it did or does then the current way of conducting sessions will be the way it will be done. Even when the constitutional provision was written, in 1818, the technology did not exist and the people who created the constitution meant personal attendance as being required for the public. The lack of public attendance, when required by law, has always resulted in the voiding of the actions taken during the nonconforming activity. Even the contract between CT-N and the state shows that the state wishes to hide the activities of the general assembly and only allows the CT-N company to catch very specific things. If a "sell your vote booth" was on the floor of the general assembly, CT-N would not be allowed to show it due to the

severe and strict limitations upon CT-N as to what they can broadcast. The CT-N broadcast is more akin to what the North Korean government shows of its legislators as opposed to a free country.

The general assembly is not conducting its sessions in public and such activity is automatically void. The general assembly could meet and allow the public to view but has decided, instead, to provide citizens and residents a one square foot picture via CT-N broadcast and most human communication is displayed by body language, not spoken words.

Our elected officials don't care. They think a virus being in the environment, an environment that always contains pathogens, is reason enough to squash any and all rights. But the general assembly did not create our rights; they have zero authority to regulate them. The role of government is to protect citizens' rights but this general assembly seems to think its just the opposite.

The committee and its members clearly approve of a general assembly acting in a manner that voids everything it has done in the past two years and going forward. Citizens should simply nullify the illegal actions taken by the state.

COMMITTEE RULES REQUIRE CITIZENS TO TOSS ASIDE 4TH AMENDMENT RIGHTS OBJECTION TO ALL BILLS LISTED ABOVE

This committee now demands that people who wish to testify toss aside their Fourth Amendment rights. The Fourth Amendment requires the government to have a warrant to enter your house, either physically or electronically through means such as microphone or camera electronic devices.

Today, this committee will allow those to provide in-person testimony. But only through either a Zoom electronic process or through telephonic means.

Most people would need to do this in their homes. Not all people have cellphones or internet connections outside their homes. And where outside their homes would people participate via cellphone, in the outside with winds, rains, snow, etc upon them ?

Many people don't have computers needed to participate via Zoom or internet connectivity. Leaving this large group of citizens with a telephone option.

Not all people have telephones, I have lived years without any telephone service, it was a choice.

But for people who can participate via Zoom or telephone from their homes, can they be required to do so ? Many are now required to let the state into their homes, the place where the Fourth Amendment and the right to be free from government access into their homes to be sacrosanct. The agenda of the committee is clear enough, if one wishes to give personal testimony then they MUST allow the government into their homes without a warrant.

When I contacted the committee about this issue the committee representative stated that with Zoom, one can cancel the video part and only leaving on the audio part functioning. However, this still leaves the state with an active microphone in operation even if for the time period on only is speaking to the committee. It still is a microphone that the state is requiring to be on, active, and that the state is able to listen to and record, collecting information that can be used against in person in court. Many people have been arrested during their Zoom use when dealing with governmental bodies due to something that the government heard or saw. This is not theoretical, it has happened and will continue to happen.

In Connecticut Superior Courts today if one has a court proceeding scheduled for a day, the court provides a room at the courthouse so one can participate in the proceeding without the need for the government to require the proceeding participant to attend via a Zoom or similar method from their home. The courts have already recognized the Fourth Amendment violations that are similar to what the committee now requires citizens who wish to give testimony.

And in a case that was pending in case HHB-CV17-6037383-S, Judge Cordani detailed, in his ruling on a motion, docket entry 144.00 of the case, how the public may view proceedings of the court without the need to allow the state into a person's home noting:

In this matter, if the petitioner would like to observe the proceedings, the petitioner may observe them from the public gallery of the courtroom. The judge and the clerk will be present in the courtroom, but the parties attend virtually. The petitioner may observe, but not participate in the proceedings, provided the normal rules of courtroom decorum are followed

Judge Cordini , order issued 17 JUL 2020

So in the Superior Courts of the state, people are not required to participate wherein citizens must allow the government into their homes via electronic means without a warrant. And people not litigants could watch without allowing the government into their homes via electronic means as well.

When I contacted the committee on 23 FEB 22 about the Fourth Amendment prohibitions on requiring people to allow for electronic access into people's homes the committee noted that there is no other way to give in-person testimony other than such a person to toss aside that person's Fourth Amendment rights and allow the state into their house via electronic means. Many people are not willing to toss aside their Fourth Amendment rights so the committee has created a process, subject to Fourteenth Amendment protections, that violate both the Fourth and Fourteenth Amendments. Why? Because they think that rights never existed. One cannot be required to give up one right to exercise another. It is presumed the committee knows this.

The committee is not subject to any constitutional provisions specific to its meetings but is required to follow the provisions of the FOI Act in this respect, and here, at CGS Sec. 1-206, is where one finds that limiting public attendance is punishable by only one thing, voiding the action of the agency. This is a law that was created by the legislature. Any executive order cannot void a constitutional right so the committee's poor choices that require citizens to toss aside their Fourth and Fourth Amendment rights is not lawful. And unlawfully violates FOIA. 100% certain that the committee and its members don't care as they have demonstrated already that they think that they can make rules that they know violate the rights of citizens.

CONCLUSION

And for the last three sessions of the general assembly have been conducting business without authority. For the assembly to act, they must allow public attendance; not allowing public attendance results in any action done being unlawful and automatically void. No court decision is needed for citizens to act. As members of a jury, the people decide what the law is and, at this time, its impossible for a citizen to know what is and is not the law. I suggest that citizens utilize the right of nullification and nullify laws in the jury box. This may include nullifying all laws since the laws have been so soiled by the unlawful actions of the general assembly and their legislative committees. After 3 years of committees and the general assembly violating the United States and State constitutions it is perfectly reasonable that when sitting in a jury box to say "not guilty" regardless of the merits of a case as citizens are the final arbitrators of the law, not people in Hartford who have drinking parties at the Legislative Office Building's roof. Human history is full of pandemics but yet the people who considered making an exception to the constitutional provisions decided not to make one for a pandemic or health reason so that the committees and legislature of this state could conduct its business in the manner it has been for the past three years. And E. Prescott clearly is willing to toss aside our rights of us citizens to collect a government paycheck that he should not get.

Don't support any bills.