



DIVISION OF PUBLIC DEFENDER SERVICES
State of Connecticut

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Testimony of the Office of Chief Public Defender
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Judiciary Committee – March 6, 2023

Raised HB No. 6816 – An Act Concerning Microstamping-Enabled Pistols, Raising the Age to Purchase Ammunition and Restricting the Sale and Possession of Body Armor

The Office of Chief Public Defender has a concern with Sections 6 and 7 of **R.B. 6816 - An Act Concerning Microstamping-Enabled Pistols, Raising the Age to Purchase Ammunition and Restricting the Sale and Possession of Body Armor**. Current law permits a person or corporation (transferor) to sell or deliver body armor to another (transferee) so long as the transferee meets in person with the transferor. Exempted from the meeting “in person” requirement are certain state and municipal law enforcement, certain Judicial employees, National Guard and reserve members. A violation of this transfer statute is a class B misdemeanor. Section 6 deletes the “in person” requirement. The result is that persons - even those without a criminal conviction - would no longer be able transfer (sell or deliver) body armor or they would face a class B misdemeanor.

Current law also prohibits anyone convicted of certain serious felonies, including a person convicted as delinquent for a serious juvenile offense, from possessing body armor, a class A misdemeanor. Section 7 of this bill, however, would expand the prohibition to everyone—even those without a criminal conviction. As a result, such persons could also be prosecuted for **criminal possession of body armor** and face up to one year incarceration for such. If the bill passes, members of the aforementioned law enforcement group are exempted.

Mission Statement of the Division of Public Defender Services

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us.

We are committed to holistic representation that recognizes clients as individuals, fosters trust and prevents unnecessary and wrongful convictions.

Under the bill, as a result, no member of the public can purchase, transfer or possess body armor. Further the bill does not require that any member of the law enforcement group purchase or use the body armor for official purposes only. Nor is there a requirement that they relinquish it upon separation from their employment as part of this law enforcement group.

Combined, section 6 and 7 mean that only law enforcement personnel, as articulated, may possess or purchase body armor without it being criminal. Therefore, this office requests that sections 6 and 7 be deleted from this bill. Thank you.