



CITIZENS FOR  
RESPONSIBILITY &  
ETHICS IN WASHINGTON

February 14, 2023

State Senator Mae Flexer  
Legislative Office Building, Room 1800  
Hartford, CT 06106-1591

State Representative Matt Blumenthal  
Legislative Office Building, Room 2202  
Hartford, CT 06106-1591

Dear State Senator Flexer and State Representative Blumenthal,

On January 6, 2021, a violent mob, egged on by former-President Trump, stormed the United States Capitol, seeking to overturn the lawful results of the 2020 presidential election. The mob's violent efforts disrupted and delayed the peaceful transfer of power for the first time in American history. Since that day, my organization, Citizens for Responsibility and Ethics in Washington (CREW), has been committed to holding those responsible for this attack on our democracy to account. I am writing to you today as the co-chairs of the Government Administration and Elections Committee to urge you to hold a hearing and work to pass Proposed Bill 244, which would bar individuals convicted of certain crimes related to the January 6 insurrection, or any future insurrection, from being a candidate for or holding office in the state of Connecticut or being employed by the state or any of its political subdivisions.

Over the past two years, CREW has been guided by the principle that those who sought to overthrow our government should not be entrusted to hold positions of power within that government. The framers of the post-Civil War Amendments to the Constitution understood this fundamental truth. That is why they ratified Section 3 of the Fourteenth Amendment, which provides that no individual who engages in insurrection or rebellion against the Constitution—after having previously taken an oath to support it—shall hold any federal or state office (unless Congress, by a vote of two-thirds in each house, removes such disability).<sup>1</sup>

CREW has played a leading role enforcing this constitutional provision. In September 2022, CREW won the first case in over 150 years removing from office an individual who engaged in insurrection in violation of Section 3 of the Fourteenth Amendment.<sup>2</sup> In that ruling, the court explained that the events on and before January 6 were an “‘insurrection’ against the Constitution of the United States.”<sup>3</sup> Since that landmark decision, CREW has urged that members of Congress and state legislators take action to ensure that their current or future colleagues who participated in the January 6th attack be investigated to determine whether they are disqualified from office under the Fourteenth Amendment.<sup>4</sup> Moreover, CREW has also promised to pursue disqualification

---

<sup>1</sup> U.S. Const. amend. XIV, § 3.

<sup>2</sup> See, e.g., *State v. Griffin*, No. D-101-CV-2022-00473, 2022 WL 4295619 (N.M. Dist. Sep. 06, 2022).

<sup>3</sup> *Id.* at \*16.

<sup>4</sup> *Constitutional Disqualification: The case for investigating federal and state legislators who participated in the January 6th Insurrection*, CREW (Dec. 15, 2022), <https://www.citizensforethics.org/reports-investigations/crew-reports/constitutional-disqualification-the-case-for-investigating-federal-and-state-legislators-who-participated-in-the-january-6th-insurrection/>.

proceedings against former-President Trump based on his engagement in the January 6 insurrection.<sup>5</sup> But CREW recognizes that the Fourteenth Amendment is just one tool in a much larger toolbox.

While watchdogs like CREW, the federal government, and the courts must play a role in holding individuals who perpetrated the attack against the United States government accountable, it is the responsibility of every institution that believes in democracy and the rule of law to ensure that nothing like January 6 ever happens again. That means states, through legislation, can play an important role in preventing future antidemocratic attacks and ensuring that those who tried to overthrow our democracy are not permitted to run it. Senator Duff's proposed legislation, Proposed Bill 244, does just that. His legislation would ensure that anyone who is convicted of rebellion or insurrection (18 U.S.C. § 2383), seditious conspiracy (18 U.S.C. § 2384), or a felony in relation to any such act cannot be a candidate for or hold public office nor can they be employed by the state or any of its political subdivisions.

While we endorse this legislation and think it represents an important step forward, we also recommend that the final category of "a felony in relation to any such act" be replaced with more narrowly tailored language to ensure that the legislation does not inadvertently sweep in individuals who did not engage in conduct aimed at overturning an election. To that end, we recommend that the legislation be amended to apply to individuals who are convicted of attempting to interfere with an official proceeding in relation to the administration or certification of an election (18 U.S.C. § 1512(c)) or any substantially similar offense.

Additionally, it is our understanding that the legislation's statement of purpose that this bill would apply to "electoral rights and privileges" was a clerical error that will be rectified and deleted. We strongly support that amendment and cannot support this legislation if it is incorporated into the legislative text. A citizen's right to vote is the bedrock of our democracy and is the basis of our government's legitimacy. CREW stands strongly opposed to efforts to disenfranchise any citizens, including felons.

The January 6 insurrection was a shameful day for our nation. The fact that individuals who participated in that attack continue to serve in government throughout the country represents an acute threat to the future vitality of our democracy. We strongly urge you to hold a hearing on the proposed legislation and, if deemed appropriate, to adopt it with the changes we outlined above during this legislative session.

Sincerely,



Noah Bookbinder  
President and Chief Executive Officer

---

<sup>5</sup> *CREW to pursue disqualification if Trump runs*, CREW (Nov. 23, 2022), <https://www.citizensforethics.org/legal-action/legal-complaints/crew-to-pursue-disqualification-if-trump-runs/>.