

## Written Testimony Regarding LCO No. 3471, An Act Concerning Police Accountability

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas, and distinguished members of the Judiciary Committee:

My name is Ayesha R. Clarke and I am a Connecticut resident in the City of Hartford. I am currently the Board Chair of the Hartford Board of Education, a member of the Delta Sigma Theta Sorority, Inc., the Vice President of Operations of COMPASS Youth Collaborative, a wife and most important a mother of two beautiful boys. I call on Connecticut's General Assembly to adopt the following legislative measures to ensure that police officers live up to their oath to protect and serve and I am writing to share my support for "An Act Concerning Police Accountability" for my two young boys who asked me if they could be next in police brutality or false accusations.

I wish to call your attention to Section 28, which is being called the Amy Cooper Bill. This portion of the bill I support because it addresses the issues surrounded around racism, hate, and white supremacy. There have been many women across the United States where there are false accusations from white women against people of color. I am sure many of you have heard of the story of a young black girl who had the police called on her because she was selling water to the story of a white woman calling the cops on people grilling in a park. These incidents of weaponizing the 911 system and the police department against people of color causes potential harm and distrust of the police system that is supposed to protect and serve. Therefore, the increased penalties contained within the provision are necessary to act as a proper deterrent to would-be offenders and as a consequence for offenders. Currently, right now with the call to ensure that Racism is declared as a public health crisis is important to ensure the passage of this bill. With this portion of the bill I would like to bring to your attention to think about taking into consideration the importance of making sure there is language about making this a hate crime also to add provisions allowing victims to pursue civil remedy.

Within the other portions of the bill I am writing the support the following:

- Granting power that allows municipalities to establish Civilian Review Boards with Subpoena powers.
- Outlawing police searches without probable cause, even if the person consents to the search
- Outlawing police officers from asking for any documents (such as green cards, other immigration documents) other than a driver's license from people they pull-over during traffic stops
- Mandating a duty to intervene if a police officer witnesses another officer using excessive or illegal use-of-force
- Ending qualified immunity for officers who violate people's civil rights
- Banning stop-and-frisk in Connecticut
- The requirement for police officers to prominently display their badge

And in reviewing the bill the following areas need some additional provisions:

- **OFFICE OF INSPECTOR GENERAL - SECTION 33:** *(1) Creates the Office of the Inspector General which is charged with conducting investigations of peace officers involved in use of force cases, prosecuting police officers who use unjustified use of force, prosecuting cases in which an officer failed to intervene or failed report an incident of not justified or excessive force, and making recommendations to POSTC concerning reprimands, suspensions, renewals, cancelation, or revocation of peace officer certification. CHIEF STATE'S ATTORNEY SHOULD NOT BE NOMINATING CANDIDATES AND SHOULD NOT HAVE THE POWER TO FIRE THE INSPECTOR GENERAL. A BETTER SYSTEM WOULD BE CREATING A SPECIAL DEPUTY CHIEF STATE'S ATTORNEY WHO FUNCTIONS AS THE INSPECTOR GENERAL WHO ONLY ANSWERS TO THE CRIMINAL JUSTICE COMMISSION.*
- **CHOKEHOLD BAN - SECTION 29:** *(1) Chokeholds only justified when police employee believes it necessary to defend against imminent deadly physical force. THE LANGUAGE AS DRAFTED DOES NOT BAN CHOKEHOLDS OUTRIGHT.*

- **USE OF FORCE DEFINITION - SECTION 29:** (1) Explicitly requires that the use of physical force be objectively reasonable under the circumstance -- if not acting in self-defense or defense of others, the police employee must exhaust all reasonable alternatives, believe that the use of force doesn't create a substantial risk of injury to third parties, and reasonably believes the use of force to be necessary. **THE LANGUAGE AS DRAFTED DOES NOT MEANINGFULLY CHANGE THE EXISTING USE OF FORCE DEFINITION. THE LANGUAGE AS DRAFTED MAINTAINS A REASONABLENESS STANDARD THAT IS NOT AS STRONG AS A NECESSARY STANDARD.**
- **BODY AND DASHBOARD CAMERAS - SECTION 19:** (1) Mandates that all police officers must wear body-worn recording equipment and all police vehicles must have dashboard cameras. **THIS MANDATE IS A MULTIMILLION DOLLAR INVESTMENT IN POLICING THROUGH OPM'S GRANT-IN-AID FUNDS WITH NO CLEAR QUALIFYING STANDARDS. IF WE ARE GOING TO GIVE COPS MORE MONEY THEN THE INVESTMENT MUST REQUIRE POLICE DEPARTMENTS TO COMPLY WITH EXISTING DATA REPORTING ON TRAFFIC STOPS AND USE OF FORCE REPORTS AS REQUIRED BY LAW.**

This is an area where I feel that the bill needs improvement.

- **POLICE OFFICER STANDARDS AND TRAINING COUNCIL – SECTIONS 3- 13:** THE LANGUAGE IN GENERAL SETS POSTC TO FUNCTION AS A STATEWIDE PROFESSIONAL LICENSING BOARD BUT THEY DO NOT HAVE A TRACK RECORD OF A COMMITMENT TO HOLDING POLICE OFFICERS AND POLICE DEPARTMENTS ACCOUNTABLE. ADDITIONALLY, A MAJORITY OF THE COUNCIL'S VOTES (12/20) ARE CONTROLLED BY EITHER POLICE CHIEFS OR SWORN OFFICERS.

Lastly, the bill does not deal with and change the term limits of states attorneys. Term limits should be changed from 8 years to 4 years. There should also be some increased accountability for State's Attorneys as they do not a person who oversees the work that they do. It is important to think through a process on how accountability can be established for the States Attorneys.

This bill takes us one step forward to course correcting systems that have disproportionally oppressed people of color. It is time to act and you cannot be silent anymore. We have seen the protest across the nation that has called for reforms of police departments and I believe that this is a great first step. Connecticut can be the state to have really passes meaningful police reform. This bill will help protect black communities and my two little boys and husband to stay free from harm, and systemic perils of over policing, police brutality, misconduct, harassment abuse of power and help and curtail sanctioned police violence. It is time for a change I demand a change and I know you want change as well.

Thank you for your consideration.

Ayesha Clarke