



# CONNECTICUT POLICE CHIEFS ASSOCIATION

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Leaders and members of the Judiciary Committee, my name is Darren Stewart and I am the President of the Connecticut Police Chiefs Association (CPCA). I want to thank you for allowing me the opportunity to speak on this most important bill before you for the July 2020 Special Session, "An Act Concerning Police Accountability."

All of our 105 police chiefs, including 95 municipal departments, several universities and the two tribes, provide police services to 75 percent of the state's population. Our departments range in size from less than 10 officers to more than 450 sworn personnel.

We are all very proud of the quality of the officers we recruit, hire, and train through one of the most quality based systems in the country. Our recruits are tested and investigated and must pass multiple interviews and psychological tests before being hired. Additionally, they must pass a polygraph examination, and most importantly—they are interviewed by the chief operating officer of the police agency under which they wish to serve.

Not every potential recruit makes it past that final interview for many of the same reasons that each of us share in wanting to create legislation that embodies the best selection, training, and retention policies.

After exhaustive training equaling six months or more, a quality recruit will graduate from the police academy, but that recruit still has another step in the process to complete. There is a field training period that could still result in a graduate being terminated, and many have been. Unlike other states, Connecticut's department standards for a field training officer are extensive. Only the finest officer with character, integrity, respect of others, and proper knowledge is permitted to become a trainer, as they become a significant role model for the trainee. The ethos

that the field training officer instills in the trainee is a firm “Do as I say, do as I do and do it the right way”. Most field training officers are as proud of their work as we are of them.

The Connecticut General Assembly has a thorough system and dedicated members who reached out to ask us questions as this bill language was being developed. We know that you worked hard on this bill that is before us today and we know that it was done in a bipartisan manner.

The Connecticut police chiefs want what you want -- which are the best and most responsive police agencies in the country. Unfortunately, despite all of our best intentions, there sometimes needs to be periodic re-evaluations. As legislators, you are trusted by the public to create and adopt effective and meaningful police policies, just as any police commissioner, mayor, manager, or first selectman would be.

We have evaluated the police accountability bill in detail with our members. As law enforcement professionals, we have the broad objective of designing the best system that meets the objectives and practical applications at the municipal level.

We also share the universal goal that we do not want problem people to be hired as police officers or retained as police officers if they are not responsive and suitable for the public good. Despite all of our training and screening, a problem can occur. This is the nature of human beings who can exercise bad judgement, or circumstances that become out of control. Fortunately, I have faith and knowledge that these events occur less in our state.

We want local police who know the local public. Bringing in outsider law enforcement to quell a disturbance would just exacerbate the situation. We like your idea to increase minority recruiting, increase training for specific circumstances, and utilize specialty personnel in sensitive situations. There is great merit in treating all police equally under the law, as well as emphasizing the actions that are unacceptable under any circumstances should people be unclear of how they should act. We have always supported an established review of police actions by knowledgeable personnel.

The bill proposes the elimination of qualified and governmental immunity in police litigation matters. The proponents of this language, including plaintiff's tort lawyers, would have you believe that qualified immunity is some unreasonable bar to the vindication of their client's rights. In fact, this judicially created construct recognizes the difficulty often associated with the provision of government services, especially in those areas where the law is not clearly established, or where reasonable officers could differ as to the propriety of the conduct engaged in by the government employee. In effect, this concept recognizes the "gray area" that sometimes exists in law enforcement service. This protection is only available to defendant police officers upon acceptance by a neutral and detached magistrate after the parties to a suit have been fully heard. The elimination of this protection will make recruitment and retention even harder and it will ultimately foist the cost of reasonable police errors upon the citizenry in terms of higher tax dollars to pay the associated civil court judgments and attorney's fees.

Creation of a civilian review board at the municipal level is appropriate since there may be agencies that do not have a review process or body. More than half of the municipal department have some sort of oversight body. A legislative body that has knowledgeable personnel on criminal codes and law enforcement procedures has helped municipal departments where they have been established. A great example of this is the police commission in my own town of Stonington.

I should point out that it is unnecessary and repetitive to require dashboard cameras on police vehicles other than those that are designated for patrol. There are many other types of vehicles that police use, such as ATVs, motorcycles, bicycles, horses, mobile crime labs, or field command vehicles, that could also be used in support of patrol officers, but all of these officers would already be wearing body cameras. The same redundancy is true of a Taser camera being used by an officer wearing a body camera. We see body cameras as a more effective alternative than the dash cameras. The only benefit of a Taser camera is to Taser International (now Axon) for the 5 million dollars estimate they would receive due to the fact that police departments would have to throw away good equipment and replace it with their camera-equipped device.

The portion of the bill that bans consent searches for certain motor vehicles crimes is somewhat concerning to CPCA. A recommendation that might be helped would have written or video proof that the individual providing consent was informed of their rights by the officer that they have the ability to reject a consent search if they do not want one.

Any equipment that can save a police officer or citizen's life should be allowed. The best use of the equipment should be on a regional basis. As proposed, the limitation on the acquisition of "controlled equipment" to "the state police only" fails to recognize that the state police frequently cannot move this equipment to every corner of the state in an expeditious fashion. Their response times, especially for tactical assets, are delayed by the proximity of their personnel and this equipment. We will no longer need "defensive style military equipment" when the offenders that we deal with no longer have "offense style military equipment." We will gladly work with you on any language changes. Thank you for the opportunity to allow the CT Police Chiefs Association to present our feedback today.