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Written Testimony Supporting LCO # 3471,  
An Act Concerning Police Accountability, with Request to Include Correctional Officers

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

My name is Colleen Lord of West Haven and Talbot Advocacy, testifying in support of Draft LCO # 3471, An Act Concerning Police Accountability. We are a family organization operating in memory of Robby Talbot, homicide victim by actions of Correctional Officers and staff at New Haven Correctional Center 15 months ago. Robby Talbot was my peaceful and gentle son, who never hurt anyone in his life. He had a complex neurological disorder since childhood and was in the jail for non-violent breach of peace misdemeanor.

This Police Accountability Draft is a great start, though it is crucial that the Final Act include clear accountability language for Correctional Officers too -especially because when these crimes and abuses occur in jails and prisons, they are almost always hidden away behind closed doors.

But I have recently seen the videos of some of these excessive uses of force, as related to my son Robby's homicide. I heard my son gulp out his last words, I CAN'T BREATHE, under the heavy weight of multiple officers restraining him to 5 point restraints in a solitary cell as he writhed in pain and choked after shown being sprayed with chemical agent SABRE RED 4 times in the preceding 15 minutes with 6 times the so called safe exposure. This Sabre Red pepper-spray is not your average mace – it is the most potent chemical available to law enforcement officers created for riot control, illegal to use in war but still used in extreme dosage in order to gain routine compliance in Connecticut jails and prisons. My son was left silent and unmoving in this solitary cell, but it would be an hour and a half later that staff on next shift realized he was long deceased exactly where officers in the prior shift had left him.

You may think that these extremely dangerous chemical agents and restraint techniques are only used in extremely dangerous situations. But THIS IS NOT THE CASE. Sabre Red is routinely used illegally, merely to get an incarcerated person to move or hurry or as a punishment for any small matter. My son was calm, never a threat, but not complying with direction to leave the shower when he was first shown allegedly sprayed and stomped in the face by Lieutenant Carlos Padro. No one was ever in danger from my gentle son as the video clearly shows, and I invite the entire Judiciary Committee to watch the video in full in order to see what truly goes on behind the closed doors of the CT Dept of Corrections.

Many will say, why bother to protect incarcerated people from crimes and abuses – if you can't do the time then don't do the crime. This is incredibly ignorant. While all incarcerated people deserve to be treated humanely, it is well known that Law Enforcement and jails have become the nation's default psychiatric crisis response system. Due to the failures of the Mental Health system to address the needs

of 4% of the population with a Serious Mental Illness – the ones that are proven neurological disorders – there are hundreds of thousands of incarcerated people in America who should never have been sent there to begin with. They should be patients, not prisoners. A high percentage of them are Black and other minorities. Our state does a decent job helping the vast population of those with mental and behavioral health conditions, but almost nothing for those with these neurological disorders known as Serious Mental Illnesses -especially the SAMHSA estimated 50% of those that have a co-occurring condition called Anosognosia. With Anosognosia, the person has no insight to their own illness, such as with Alzheimer's. They do not know they are sick and so they do not seek out treatment. Families are desperate to help them but hit obstacle after obstacle. Eventually the justice system gets involved mostly from misdemeanors like breach of peace or minor violation of parole. Again, I am talking about the specific category of Serious Mental Illnesses. There are thousands with SMI locked up in CT alone – almost 400,000 across the country. My son was included in this group – and no he was not violent – not even once. He was in jail for breach of peace. He pulled the fire alarm in a local ER in frustration when they didn't treat him for the 40<sup>th</sup> time in a row in 20 months (I have the hospital records that show this), even though they had committed him 6 times in years past. The ER often had my son arrested if he didn't leave fast enough after being refused care. This was despite a judge wanting to dismiss the minor misdemeanor charges if Robby would go inpatient for 3 months. Robby tried so hard to do everything the judge required. Judges don't realize this is impossible in CT. We had even managed a private pay hospital in another state for 2 ½ months. Robby was sent home early on medical discharge due to an extremely severe respiratory condition. Robby had to then serve a few months in jail despite all our attempts to help him fulfill the judge's request. There is a grave lack of awareness between the criminal justice system and the mental health system when it comes to this small percentage of those with a physical neurological disorder, known as Serious Mental Illness. This is improving in other states, not CT.

My son was on disability for his neurological disorder, most of the correctional staff knew he had a Serious Mental Illness. They called him 'child-like', 'funny', 'happy go lucky and a little crazy at times', 'mildly mentally retarded', 'pleasantly inappropriate', 'a sweetheart', 'wish I had 1,000 like him', 'mentality of a little kid'. Robby was actually a Genius, a Poet, a hilarious and beloved Son, Brother, Nephew, Cousin, Friend... with a complex illness from childhood that was difficult to treat. He did not deserve to die. He did not deserve to suffer so painfully because Correctional Officers didn't bother to think to use a brutality-free method to coax him out of the shower – and then allegedly brutalized him more when he became squirmy and screaming from the burning chemicals- until he breathed his last.

Please include Correctional Officers in this Police Accountability Act. Now retired Lieutenant Carlos Padro whom video shows allegedly causing so much agonizing suffering to my son was arrested for misdemeanor criminal assault 3 months ago. No one is charged beyond this because of officer immunity. So, these crimes will continue – for now. This Act is too late for Justice for Robby. But there is still time to protect others like him who deserve humane treatment. End Solitary Confinement. End the use of Chemical Agents and Torture. End 'Absolute Immunity'. Pass the Police Accountability Act including Correctional Officers. Let something good come out of our nightmare.

Thank you for letting me speak today.