

I'm writing to you today in reference to the pending legislation Bill #3471: "An Act Concerning Police Accountability."

Although I believe there are some thoughtful ideas proposed, including (but not limited to) mental health assessments, drug testing, and body camera usage, I also think that some of the ideas need further consideration. More importantly, I believe that the elimination of "qualified immunity" is reckless in nature. In light of the dangerousness of this elimination, I will address this issue only.

CIVIL CAUSE OF ACTION AGAINST CERTAIN POLICE OFFICERS

Of all the proposed legislation in this bill, this proposal is by far the most unreasonable and reckless. Nationwide, police are under a great level of scrutiny because of the actions of a very small percentage of police officers (criminals). Proposing legislation that puts a police officer's family at risk of civil liability discourages quality candidates from applying and entering the profession. Law enforcement agencies in this state will be forced to hire lower and/or poor quality candidates because of the lack of high quality candidates that have the ability to pursue other career opportunities and not subject their families to civil liability.

As a law enforcement officer with a 20 or 25 year career, there is a great probability that they will be put in positions that will require them to use some level of force. Assuming that the level of force is justified given the totality of circumstances, that law enforcement officer may still be subject to civil suit. Although the civil suit may ultimately end in the favor of the law enforcement officer, that officer's family may be subject to years of financial and emotional distress. It's unfair and reckless to subject your employees to such risk when they simply are doing their job.

In the performance of their duties, a primary function of a law enforcement officer is driving. When responding to a high risk call for service, or someone that is in imminent danger of harm and/or death, law enforcement officers are required to as safely as possible disobey traffic laws in order to respond to the call for service in timely manner. Obviously, there is an inherent risk in driving in such a manner. In the off chance that the officer gets into a motor vehicle accident while en route to the high risk call, they will now be subject to risk of personal and civil liability. As a result of such legislation, in the interest of protecting their family, there may be a slower response time to the call for service. This puts the public, who rely on the police, at a high risk if they are a victim of domestic violence or a child who is calling for help from an abusive parent. It is absolutely unfair and unjust that there is personal and civil liability for a law enforcement officer who is simply serving and protecting in a good faith manner.

I ultimately believe that change is good. As a state and a society, we need to adjust to the changing culture and times. However, I also think that the change needs to be thoughtful and careful consideration for the future of our state needs to be evaluated.

Thank you for your time and consideration.

Respectfully,

Daniel Koehler
Redding, CT