

To: State of CT Judiciary Members

July 15, 2020

I am a licensed clinical social worker (LCSW) in the state of CT and I reside in Plainfield, CT. I have a multi-cultural, multi-race family. My clinical background experience includes working closely with the Department of Corrections (DOC) and the CT State Judicial System (CJS) including the Court Support Services Division (CSSD). I have also worked in local agencies in various capacities including domestic violence, emergency mobile psych services, and as a clinical program manager and clinical supervisor. I have been trained in criminal thinking and anti-social logic as well as the Level of Service Inventory (LSI); an assessment tool that determines a criminal's chance of recidivism.

I have read the proposed police reform legislation. After reviewing the legislation, I have significant concerns about the long-term ramifications and the impact that this will have on law enforcement, clinicians practicing in the behavioral health (BH) field as well as the residents throughout the cities and towns in CT. My concerns about the dangers that this legislation poses are as follows

1) Removal of Qualified Immunity

As a LCSW, I sometimes need the support of law enforcement when a client poses to be a risk to him/herself or the public. Due to a police officer having qualified immunity, an officer will take on signing committal papers for any licensed behavioral health worker. This includes LCSW's, Licensed Professional Counselors (LPC's), Licensed Marriage and Family Counselors (LMFT) and Licensed Alcohol and Drug Counselors (LADC). When an officer takes on signing committal papers, it removes liability off from the behavioral health (BH) worker. Removing qualified immunity will increase lawsuits against BH workers. Given that the state already has a shortage of BH workers, this is an area of concern as less and less BH workers will be willing to work in the clinical setting due to the increased potential of being sued. Liability insurance for BH workers will increase substantially and a BH worker's state license could be revoked or not renewed if the BH worker is sued.

When a client poses as a risk to him/herself and needs to be evaluated at a hospital but refuses to go by ambulance, police officers have been willing to follow a client to the hospital to ensure that the client safely arrives and is admitted to the emergency room. If qualified immunity is removed from law enforcement, police officers will not be willing to do this anymore. Clinicians will be forced to send clients via ambulance. This again sets the clinician up for potential liability, it could cause great harm to the clinician's rapport with the client and it could potentially pose a huge risk to the clinician with regard to personal injury. When clients are in an agitated or distressed mood and feeling threatened or forced to do something that they don't want to do, the

risk of violence increases substantially. In return; places the clinician at risk of being harmed or injured by a client.

In rural areas, off-duty state police officers are instrumental in helping and protecting residents. There have been a few occasions when I have had clinical emergencies and an off-duty state trooper responded to the calls because the officer was in the vicinity at the time. On one occasion, an off-duty state trooper helped save a child's life. When I was once in car accident, an off-duty state police officer stopped to assist me and the other people involved in the accident. Given the rural nature of Windham County and northern New London County, and the low police presence, off-duty state troopers will assist in an emergency even on their days off from work. When an off-duty state trooper does this; they are protected from potential litigation due to qualified immunity. If qualified immunity is removed; why would an off-duty state trooper take the time to respond if he/she could be held personally responsible?

Given that the CT Judicial System is already overburdened with cases, both civil and criminal, removing qualified immunity puts additional strains on the court system that is already fraught with a high number of cases. Removing qualified immunity means that police officers, police departments and BH clinicians will face potential litigation much more frequently. What will our governing body do to support the influx of court cases to an already overloaded, overworked, underemployed court system? Moreover; who will pay for it? The taxpayers?

2) Proposed Mandates are Unfunded

The proposed unfunded mandates place a heavy financial burden onto police departments and this trickles down to taxpayers. In my town of Plainfield, currently there are 18 officers covering 43 square miles. The police department has historically been underfunded. With 18 officers on staff, they have to work 12 hour shifts because there isn't enough money in the budget to support hiring more police officers. The proposed mandates will most likely mean that the department will have to lay off police officers. Given that Plainfield is a community of low socio-economic status, taxpayers will not support a tax increase for a larger police budget. The end result will be less police officers and increased crime. This is detrimental to all residents in the town of Plainfield.

Surrounding communities in Windham County and New London County rely on a Resident State Troopers and in return; the cost of these unfunded mandates will be disastrous to these already economically challenged towns. As of recent, there have been multiple incidences of stolen vehicles, thefts and robberies in Plainfield and Griswold. Gangs from the Hartford area are aware of the fact that there is a low police presence in these towns and they are taking advantage of it. Along with this, Windham

and New London County are experiencing a huge surge in the use of heroin. Losing police officers due to the cost of unfunded mandates will not alleviate the heroin epidemic. It will only fuel it. Could this legislation mean the loss of lives? The answer is; "YES!"

3) Lack of Understanding of the BH Field

The proposed legislation requires that police departments must complete a feasibility study to determine if social workers can replace certain aspects of a police officer's job. The proposed legislation states that if there is a regional program in place that the departments can continue to utilize these programs. In Windham county, police departments already work in conjunction with Emergency Mobile Psych Services (EMPS). However; the program employs clinicians from various clinical backgrounds; not just social workers. Any data collected for the feasibility study will be skewed and unreliable as the legislation proposes that the focus is solely on the impact of social workers in law enforcement.

Of additional concern is some of the language that is used in this proposed legislation. The legislation states that the police departments must use a psychologist or psychiatrist to perform mental health evals for the police officers. Psychiatrists are medical doctors who prescribe psychiatric medication. They don't typically perform psych evals! Along with this, "mental health" is an outdated term that carries significant stigma. Behavioral health is the appropriate wording.

Furthermore; the legislation proposes that social workers need to be the responsible party for responding to specific police calls. A licensed drug and alcohol counselor (LADC) would be better suited for addressing addiction related matters as they are trained specifically in substance abuse and addiction. A marriage and family therapist (LMFT) might be better suited for domestic disputes as their area of practice is specific to marriage and family matters. Not all social workers have clinical training in domestic violence and addiction. Furthermore; seasoned LCSW's typically leave an agency setting once receiving licensure. They don't want to stay working for an agency or a program that underpays, undervalues and overworks them and then casts them into dangerous situations. LCSW's and other licensed mental health workers can go into private practice and substantially increase their income while reducing their caseload and alleviate the high stress level and risk factors. This leaves agencies and programs with clinicians who are new to the field, lack training and experience, and do not have the clinical knowledge to fulfill the roles that this legislation is proposing. Inexperienced social workers will be the clinicians responding to police matters. This is of significant concern not only due to the lack of training but also because of the increased risk for harm.

4) Use of Force Statistics

State of CT/State Police Use of Force Statistics 2019
Contacts with the public: 468,469
Use of force during contacts with the public: 94
Arrests: 9,829
Arrests involving use of force: 79
Deaths from use of force: 1
Percentage of interactions with the public involving use of force: 0.02%
Note: Use of force can mean placing handcuffs on someone. It doesn't have to involve a weapon or physical force.

In reviewing use of force statistics in CT., the data shows that use of force by police is actually very low. It appears that the state and municipal police are excelling at their jobs. However; the message being sent from the legislators to law enforcement is the exact opposite. After analyzing the use of force data for the state of CT., I couldn't help but wonder why any legislator would support extensive police reform. It doesn't seem warranted or necessary at this time.

Given that this legislation is being considered during a special session and public testimony is limited and controlled; it seems as if legislators are trying to be willfully sly to unsuspecting taxpayers. Adding insult to injury is the mere fact that there is still an ongoing Covid-19 crisis in CT. and the economy isn't showing signs of recovery. There is a high percentage of people who are unemployed and already struggling financially to make ends meet. Enacting police reform legislation that passes the financial burdens onto the residents will only cripple individuals and families. This legislation is at its very best; very poorly timed, extremely duplicitous and highly preposterous. This is not how democracy is supposed to function. The proposed police reform is a carnage lying in wait to disservice and dismantle law enforcement, behavioral health clinicians, cities and towns, and innocent residents and taxpayers. I am disappointed that this is the best that legislators can do. This isn't social justice. This is social destruction!

Respectfully submitted,

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