

To the legislature of the State of Connecticut,

I am deeply concerned about the bill, AN ACT CONCERNING POLICE ACCOUNTABILITY, as proposed. It proposes a VERY accelerated timeline for sweeping police reforms which would very likely hamper the ability of police agencies to carry out their functions. Most of the proposed timelines indicate dates at the beginning of 2021. We are still facing a worldwide pandemic, on the forefront of which stand our police departments, along with all the other essential workers.

NYPD is currently facing a record number of officers retiring, placing a further strain on their ability to respond to calls for service. If this proposed bill creates an environment in which the police in our state feel unsupported by the legislature and judiciary, we could very well face issues of mass retirement, difficulty recruiting, and a shut down of proactive law enforcement activities.

Specifically I would like to call attention to the following sections:

Section 17: Civilian Review Boards - This section provides little guidance or oversight to the establishment of the civilian review boards. It does however allow towns to grant subpoena power to these boards, a power which police departments in Connecticut do not themselves have.

Section 18: Use of Social Workers - This section proposes something which I believe many police departments would be happy to implement. However, there does not seem to be any funding provided for this study, the bill proposes that it take place within six months, and again we are in a pandemic, when police departments are already strained for resources.

Section 21: Consent Motor Vehicle Searches, and Section 22: Consent Pedestrian Searches - These sections seem to exist to severely limit the ability of police to perform their jobs. It also seems to show that individuals are not allowed to give their consent to have a search performed. Does the legislature fear that people can not decide for themselves whether they would give consent to something? Additionally the language addressing the search of the person of a woman should be reviewed to include the needed language to address the trans community, and how a trans-gendered person should appropriately be searched.

Section 29: Use of Force Restrictions - This section will limit the ability of police to defend themselves when making split second life or death decisions. It will create conditions under which officers will second guess their actions, with deadly consequences.

To say that an Officer in a quickly evolving deadly force encounter must stop and consider whether he or she "has exhausted all reasonable alternatives to the use of deadly physical force" is absurd.

To then judge the reasonableness of the action through the hindsight of whether they "engaged in reasonable de-escalation measures prior to using deadly physical force" is also absurd. A list of examples of encounters in which deadly force situations escalate instantaneously would not be difficult to obtain. How does one de-escalate a gun, or being stabbed, or even being punched in the face and potentially knocked unconscious? These actions occur quickly, and cannot be de-escalated by talking with someone who is attacking a police officer.

Section 30: Duty to Intervene - This section needs to be in place, but it requires careful consideration and exacting standards. As written it gives a wide latitude to hindsight in judging when an officer objectively knows the force of another officer to be excessive. This again is using hindsight to judge a quickly evolving situation, in which an officer is fighting with a suspect who most likely is being apprehended for having committed a crime. This is not something to rush, and could very easily create a toxic policing environment under which police are afraid to stop violent people.

Section 40: Military Equipment - Most military style equipment used by police was simply police equipment, which was acquired from the military at a discount price to the municipality. To say that this must be dealt with within six months again places an undue burden on departments as well as municipalities already stressed from the ongoing pandemic.

Section 42: Qualified Immunity - Many times incidents occur in which people feel their rights were impinged upon. This is then judged with the benefit of hindsight, and the needs and safety of the community are often no longer in jeopardy at that time. Very often municipalities are held liable in civil court, or pay settlements to these individuals. To place the burden of this upon the officer themselves, adds another undue burden, to police who already are tasked with difficult decisions on a daily basis. Do they also need to fear the financial ruin of their families?

Overall this bill address concerns which are important at this time in our society. These issues need to be addressed. However, they need to be addressed in a careful manner, and not rushed through. What we need is slow, deliberate change, that will have a positive outcome on how communities and police interact. What we need are changes that allow police departments to be the integral part of a community which they alone can be. What we do not need is legislation that further creates an adversarial mindset between police and their communities. What we do not need is for good, ethical, honest police officers to quit policing due to policies that place their lives, their jobs, and their finances at greater risk then they already are. Policing by nature is difficult and stressful work. Adding to that nature the worldwide pandemic of COVID-19, has only increased that stress in recent times. To bring about hasty legislation of sweeping police reforms does not seem to give the police the support they need to improve in the ways that are needed. Instead it functions to limit, hamper, and undermine their ability to help, to protect, and to work.

I strongly urge the legislature to consider slowing down the passing of this bill, to allow for the proper legislative review. I also strongly urge the legislature to consider input to this bill from various sources to ensure it provides for a better way forward. Input from community leaders such as: religious leaders from all faiths, members of the LGBTQ community, Chiefs of Police Departments, Prosecutors, Public Defenders, local business owners, mental health advocates and many others. In this trying time we need to work together, not add to the separation felt throughout our country.

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