

Hello all,

Scenario 1: Police officer responds to domestic disturbance. Finds husband actively assaulting wife. Suspect fails to comply with verbal commands to stop. Officer deploys Taser to subdue suspect. Suspect falls and hits his head on the corner of the wall and sustains a head injury. For the sake of this argument the officer complied with law, department policy/procedure, and training standards.

Scenario 2: same as above. But after the first taser deployment, and after the officer handcuffs the suspect and the suspect is under control, the officer punches the suspect in an unreasonable and clearly illegal manner after the suspect makes some heinous verbal comments towards the officer.

In both scenarios, the officer will likely be sued.

Under current law, the officer in scenario 1 is protected from personal financial responsibility. That does not mean that the police department or State agency officer works for is free from liability. The officer in scenario 1 acted within the law and his department policies/procedures, use of force guidelines and will not be punished, personally, professionally or financially for protecting the citizen in need.

The officer in scenario 2 is likely not protected under qualified immunity as he clearly violated his oath, his department policies and procedures and the suspects constitutional rights. Furthermore, we can all agree that the officer in scenario 2 should not be protected, and should be fired.

Qualified immunity does not protect those who “violated clearly established statutory or constitutional rights of which a reasonable person would have known”. Harlow v Fitzgerald 1982 (US Supreme Court)

If qualified immunity is taken away, the police officer would be personally responsible for defending himself and potentially paying damages in both scenarios. In scenario 1 even though his actions were justified and reasonable he still may be sued and weather he win or lose the case, he will sustain a financial burden.

That means police officers would be personally sued multiple times in their career for doing their job. The Police officers who honor the badge, uphold their oath, and put themselves into harms way for their fellow citizen.

If qualified immunity is ended, the good people in law enforcement will suffer greatly. It will also change law enforcement dramatically for the worse.  
As well as overwhelm civil court hearings.

For those of you who are still thinking that letting the officer in scenario 1, a public servant who is upholding their oath and the law properly, carry his/her own liability insurance instead of having qualified immunity, It is completely unfeasible to ask someone who is living in CT with our cost of living, taxes ect. to sacrifice any amount of money to become a public servant in attempt to make the state of CT a better, safer place for all. On top of paying premiums officers would also have to pay for their own representation while they were properly doing their job.

Please consider the lifes of the CT citizens that would be greatly affected by this bill. Please vote NO to any police officer loosing qualified immunity.

Thanks you for your consideration in this matter.  
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