

Written Testimony Regarding LCO No. 3471, An Act Concerning Police Accountability

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas, and distinguished members of the Judiciary Committee: My name is Juan Fonseca Tapia, and I am the Coordinator for Queer Unity Empowerment Support Team (QUEST.) I am testifying regarding LCO No. 3471, An Act Concerning Police Accountability. I want to thank the members of this committee that decided to be intentional and took a genuine approach to draft this bill.

It is important to understand that this bill is attempting to reform a system birthed by WHITE SUPREMACY. Therefore I encourage you to look at this legislation through a racial justice lens. Failing to do so will continue to be detrimental to our communities of color, and Black and Brown bodies will continue to be killed by the policing system we have in the state and the country.

The discussions on this bill cannot be reduced to monolithic roles and experiences. The framework for the debate should be around the understanding of the need to reforming a system, not a handful of “bad apples.”

LGBTQ+ folks of color are more likely to have negative encounters with the police than White people. Historically, Black Trans women have been targeted by the police, and we cannot stand by without taking action. This bill contains some critical measures of police accountability and police divestment, which we support. However, in order to reshape our policing system, there are some provisions that require changes.

We are committed to ending police violence and fight institutional racism within all the different systems in our society. Holding accountable a system that has historically oppressed people of color is not enough. Connecticut must also divest from policing and reinvest in programs that build healthy and safe communities for all its members. This bill cannot be the end of the conversation. If the General Assembly is committed to ending police violence, it must revisit this issue over the upcoming sessions to pass more accountability and divestment laws.

Some Provisions Are Strong Steps Toward Police Accountability & Divestment. Section 41 is a strong limitation on qualified immunity. Qualified immunity is a significant barrier to holding police civilly liable when they violate people’s constitutional rights. Abolishing it provides a chance, that does not exist now, to check police violence and misconduct through the civil courts. Allowing punitive damages and attorneys’ fees in some situations would also reduce police insulation. Currently, police are rarely held criminally liable for uses of force and are similarly protected in civil suits. Changing the civil standard, as this bill does, creates a path towards redress where none exists now. Section 40 is a definite step toward demilitarizing police departments, as it prohibits future acquisitions of military-style equipment and requires police departments to dispose of the equipment they already

have. Ideally, all armored vehicles would also be flatly prohibited, 2 but this section nonetheless significantly limits the militarized equipment available to police. This is a true divestment move which limits harmful tools currently available to police.

Section 18 tasks municipal police departments with evaluating whether social workers would be a useful supplement or replacement to certain aspects of policing work. The intent of this provision is clearly to explore a promising policy solution, but leaving this assessment up to police departments – which have an interest in maximizing their budgets and protecting their scope of work – will not lead to a meaningful evaluation of the proposal. A better solution would be for an independent body (perhaps the Police Transparency and Accountability Task Force) to make this assessment objectively.

The current medical requirements must also be revisited. Police officers should have a yearly evaluation to ensure their physical and mental health is preserved. I am an Aerospace Medical technician in the Air Force, and one of my duties is to evaluate the physical and psychological health of all our servicemen and women. Security Forces members are evaluated by a physician and a mental health professional yearly. We should be holding police officers to same standards to guarantee that they are physically and mentally fit to perform their duties.

We urge this committee to recommend this bill and ask that the General Assembly pass this bill taking into consideration the recommended amendments made by community organizers, civil advocates, and organizations that have represented the people in the state and across the country to make a more equitable and safe Connecticut.

Sincerely,

Juan Fonseca Tapia (He, Him, El)

QUEST Coordinator

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