

Written Testimony RE: Draft LCO #3471 An Act Concerning Police Accountability

Submitted by: Kerry Brown, New Haven, Connecticut

Dear CT State Legislators, most notably those of the Judiciary Committee hosting the Listening Session re: LCO #3471 on July 17, 2020:

I am a lifelong resident of the state of Connecticut and have called New Haven home for the last 12 years. I write to express my strong support of the draft LCO #3471 being put forward for consideration by the Legislature during the special session. It's a very detailed bill and I am still reading through to understand the many specifics at hand. But I do want to ensure that my general expectations around police accountability in Connecticut are shared publicly:

As a white cisgender female, I am fairly protected, both by privilege and class, from having many negative interactions with the police; the presence of white supremacy in so many American systems ensures that most encounters, for me and my family, with police, will be limited and generally non-threatening. I am well aware, however, that this is not the case for so many people of color, in both our state and country. I know and appreciate that far too often in America, the police are over-policing and harassing communities of color, often escalating interactions with my fellow citizens into violent encounters that lead to injury and death. With that in mind, I am in full support of any and all legislative action that will reduce the police presence in all communities, but especially in our most under-served and oppressed communities, and I fully support delegating community problem response, whenever possible, to other responders. I write that fully appreciating that many of the types of community responders we need, that those roles, may not yet fully exist. But I don't want to be limited in what we ask for at this pivotal time in history – we can no longer allow the police to be responding to each and every issue in our communities that others with specific, community based skills and training, could address in a collaborative way that doesn't involve police response and force.

I am in full support of any and all legislative action that will strip away qualified immunity protections so that police officers who are out of line or assaultive will face actual legal consequences for their conduct. I am fully in support of any and all legislative action that calls for ways to move funding out of bloated local and state police budgets so that money can be directed into the very neighborhoods that disproportionately suffer from over-policing and police brutality, neighborhoods that have usually been systemically oppressed by

generations and decades of purposeful divestment on political, educational, occupational and employment levels.

As I learn more from others with years of experience in addressing police accountability issues, I would like to ask specifically for the following, as it relates to this bill and it's wording:

- **Stronger Use of Force Standard:** The bill should require that any use of deadly force is “necessary,” rather than the current standard of “objectively reasonable.” The use of force standard should include an officer’s entire engagement with a person rather than just the moment when severe or deadly force was used. Did the officer attempt to de-escalate the situation? Did the officer use force proportional to the seriousness of the situation? What led to encounter initially, and was the use of force necessary at all?
- **Inspector General Hiring & Firing:** The proposed bill includes the creation of an Inspector General to investigate incidents of police use of force, but leaves the hiring & firing of that position to the Chief State's Attorney at will; this is a conflict of interest. The Inspector General should be appointed by the Criminal Justice Commission directly.
- **Public Right to Record Police:** Ban police officers from taking cell phones or other recording devices without a person's consent or warrant. Give civilians the right to sue police departments if they take or destroy these devices without cause, as is exemplified in [Colorado Law](#).
- **Police Failure to Record:** Even with police body & dash cameras adopted by police departments, too often use of force incidents do not get recorded. The bill should establish a rebuttable presumption that, if there is no police video recording of an incident, the officer is presumed to have used excessive force.

I do not believe we can police our way into a safe and truly equitable society. I support passing a strong bill that will hold police accountable when they are violent and harmful and I fully expect our state leaders to continue to work towards divesting from police budgets so we can more fully invest in our amazing communities here in Connecticut, especially ones that have historically been underfunded, mistreated and over-policed.

With thanks,

Kerry Brown