

Overall, I think it is a good set of items being proposed. While some appear to be more aligned with current political talking points rather than well-thought-out items, for the most part, they are welcomed changes, long overdue.

The first question that comes to mind is, how will this override the current State Police contract? Seems there is a major conflict between what is being proposed in this draft and what the contract allows. Without getting agreement to reopen the contract, how do you propose to enact these items relative to the State Police? I see an attempt to address this in §§ 8 & 9 — COLLECTIVE BARGAINING AND PUBLIC RECORDS DISCLOSURE. This needs to be vetted out properly. Unfortunately, with our liberal and union-favoring courts in CT, I am doubtful you'll be successful in overriding the current contract.

The next question that comes to mind is, does it or should it also cover other members of the court, such as probation officers, bail bondsmen, judicial marshals, transit police, etc.?

Under Revocation or Suspension of Certification (§ 3(c)), the following is written, "Under the bill, POST may cancel or revoke an officer's certification OLR ANALYSIS OF LCO 3471 DRAFT.docx Page 6 7/13/20 for conduct undermining public confidence in law enforcement, including (1) discriminatory conduct, (2) falsifying reports, or (3) racial profiling in violation of state law." Is it just those three items? If not, the phrase, "conduct undermining public confidence in law enforcement" is vague and likely will not stand up in court. I would say the same about the phrase, "discriminatory conduct." In whose opinion? By what standard?

Under §§ 3 & 15-16 — MENTAL HEALTH ASSESSMENTS FOR POLICE OFFICERS, does the timeframe include years employed, time off for medical leave, worker's comp time, leaves of absence for any reason? If not, that should be spelled out. If so, then it should also be made clear that this is every five calendar years regardless of any other position, role, status etc. of the officer.

Riot Suppression Privileges and Immunities (§ 6) sounds like you are giving cover to rioters. Once a riot is declared, the police should be able to do what they need to do in order to protect the community's life and property. We all saw what happened in Minneapolis and Seattle, and now in NYC, when police are forced to give in to these people. The last thing we need is a police officer second-guessing him-/her-self in a split second that could mean life or death for him-/her-self or a rioter's victim.

§ 7 — IMPLICIT BIAS TRAINING FOR POLICE OFFICERS - Political hogwash/political correctness. Not appropriate for a state regulations and policy.

More political hogwash/political correctness in §§ 10 & 11 — REPORTS ON RECRUITING MINORITY POLICE OFFICERS. It hasn't worked to resolve issues anywhere it's been tried yet. Additionally, this clause is in and of itself racial in nature as it calls out only specific minorities. What about Puerto Ricans? People of Japanese descent? You're telling me on Hispanics and Latinos are important to worry about in hiring practices? Are Jews or Muslims ok to ignore? You cannot have an anti-racism type of bill that has racists clauses in it.

§ 12 — POLICE TRANSPARENCY AND ACCOUNTABILITY TASK FORCE - what's the need to extend yet another "task force?" That's all we do in CT...form task forces, study things, extend the deadline...but it

never results in anything. This section should be dropped.

§ 13 — POST MEMBERSHIP CHANGES - unfortunately, more political correctness built-in..."Two public members who are justice impacted people." That's a ridiculous qualification. Who defines it? By what standard? I know many people who feel they are justice impacted person because they are white, males, over 60. I am discriminated in the job marketplace all the time. So, do I count here? Of course not since this is about police matters, but these types of statements are just feel-good items. Same with "One public member who has a mental disability." What about people with physical disabilities or medical problems that manifest themselves with people acting belligerent or otherwise inappropriate to a police officer? People with autism, bi-polarism, or tics can present as dangerous and irrational. Certain medical conditions cause people to appear drunk under certain conditions. And police officers who don't know or are not aware can mistake these as a threat. Are these people's civil liberties or need to be represented here any less worthy? By this draft's account, yes, they are less worthy and, in fact, don't count one bit.

§ 17 — CIVILIAN REVIEW BOARDS - "Under the bill, a review board established by ordinance may (1) issue subpoenas to compel witness attendance before the board": Now you are getting to be really overbearing. Forcing people to appear at board hearings. I can see this getting out of control quickly and being used for political retribution. No civilian review board should ever have such power.

§ 18 — EVALUATION OF SOCIAL WORKERS RESPONDING TO CERTAIN POLICE CALLS - while the intent is right, this will have all kinds of implications right after the first social worker gets killed in the line of duty when responding with or in place of police officers. Then after and during all the lawsuits, the question of "How did this happen?" will be raised by the same political correctness and feel-good people who put it in place to start with.

§§ 19 & 20 — BODY CAMERAS, DASHBOARD CAMERAS, AND RELATED GRANTS - why push this 2 years out? This is a low hanging fruit that should have already been implemented. Mandate it by year-end and get it done with. Also, the law should require the camera be activated with every encounter with the public. This has already been studied enough by many municipality forces both in and out of CT. We don't need DESPP and POST to do any more studying.

§ 23 — PRE-DOCKETING PROSECUTORIAL REVIEW OF CRIMINAL CHARGES - Really? And how do you think these reviews are going to be accomplished in a timely manner?

§ 23 — PRE-DOCKETING PROSECUTORIAL REVIEW OF CRIMINAL CHARGES - so, while we're letting more hardened criminals go for a variety of reasons, we want to raise the criminality and penalties for politically correct offenses? And who is/how is one going to prove "intent" ("if committed with the specific intent to falsely report someone or a group of people because of the person's or group's actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression")? Unless they confess to it, I cannot see how you prove intent based on those categories. You cannot see into the mind of a person. You can only infer based on your own biases.

Same as above for § 28 — MISUSE OF THE EMERGENCY 9-1-1 SYSTEM BASED ON BIGOTRY OR BIAS.

In the "Deadly Physical Force", by definition, force always creates a risk to the person it is being

enforced on. So, "2. reasonably believe that the force employed creates no substantial risk of injury to a third party" is a rather dumb statement as an officer could never believe this. Plus, what are the definitions or "reasonably" and "substantial?" Similarly for "exhaust all reasonable alternatives to the use of deadly physical force..." What defines the universe of "all?" What is reasonable? Under what circumstances? I can see lawsuit galore claiming officers didn't exhaust "all" alternatives as lawyers will dream up one "reasonable" alternative after another. You are hanging police officers out to dry with this section.

Similarly with other sections and their wordings associated with the "deadly physical force" topic. I am not saying these restrictions should or should not exist, I am saying the wording is nebulous and will cause behaviors in police, lawyers, and criminals that will end up with unintended, negative results.

§ 33 — OFFICE OF INSPECTOR GENERAL - We don't need another administrative function in CT. We have enough of them. This will grow into just another unwieldy, government monstrosity filled with unionized state employees. We have budget challenges already, and this won't help. There are plenty of government organizations already in place who can do this job. Or get rid of one or more of them to fund this one if it is so important.

"Office Location and Staff" proves my point above!

Why is the DCJ not capable of fulfilling this function going forward?

Shame, shame! Yet another sexist remark in the document. In §§ 36 & 37 — CHIEF MEDICAL EXAMINER INVESTIGATION OF DEATHS IN POLICE CUSTODY, I see "The bill additionally requires him to investigate any..." So, the CME can only be a male? Interesting.

Another politically correct item and not one drawn up rationally: § 40 — PROHIBITION ON POLICE USING MILITARY EQUIPMENT. I see no reason police departments cannot obtain items such as night vision goggles or small arms. I do agree, smaller municipalities do not need ambush vehicle and HMMWVs. Let's be smart here and not knee-jerk to meet some political agenda.

§ 41 — CIVIL CAUSE OF ACTION AGAINST CERTAIN POLICE OFFICERS - violates recent and past Federal Court rulings, if I am not mistaken. Additionally, if you feel it necessary to create this nullification of federal laws/rulings, then all levels of government must be able to be held accountable...piercing the corporate veil, if you will. I see no reason to pick on police officers if this same is not extended to our entire government. Let's take a wild example: why should the governor be protected from lawsuits for his poor choices in dealing with COVID-19 relative to all the deaths in nursing homes in CT? Why are his overt actions (or lack thereof) protected and not a police officer's? The results are the same: dead individuals who died from an inhuman or unethical act. You cannot have it both ways.

Kevin Kauffman
Southbury