



# **NORWALK DEPARTMENT OF POLICE SERVICE**

## **OFFICE OF THE CHIEF**

1 Monroe Street • Norwalk, Connecticut 06854 • (203) 854-3001 • Fax (203) 854-9215

**Judiciary Committee 07/17/2020**

**Re: Testimony on Draft LCO #3471**

**An Act Concerning Police Accountability**

Thank you for allowing me to offer a few comments concerning the proposed bill related to Police Accountability. Let me begin by stating that I am in agreement that there are changes in several areas, both within law enforcement and outside law enforcement that would be beneficial. My concern is that any proposed changes be properly vetted to assure there is no negative impact on public safety as a result and any proposed implementation of new programs or initiatives are properly funded. In the interest of saving time, I would like to provide the following bullet points in areas of the bill which are of concern.

- **Drug testing for officers each review period**  
This is a valid concern and testing would be beneficial. However, there is an ongoing cost which can be substantial for larger agencies such as mine.
- **Mental health testing for officers every 5 years**  
This is also a valid concern and may be beneficial, however, there are also significant costs associated with this for larger agencies. There are also the concerns related to Workers Compensation should an officer be taken out of service as well as possible ramifications related to Disability Pensions which must be reviewed.
- **Dashboard Cameras**  
This is another beneficial program. We have had body cameras for many years and it has proven extremely valuable. However, outside the initial cost, the ongoing cost of storage and upkeep for numerous dashboard cameras for larger agencies would be cost prohibitive.
- **No consent search of motor vehicles or persons**  
This has been established by case law and has proven to be a valuable tool for officers.
- **Use of Force**  
We can all agree that the use of deadly force is a last resort, and its use should not create a substantial risk to others, however, the specific language in the bill needs to be carefully crafted.
- **Controlled Military Surplus Equipment**  
Specialty vehicles such as High Water Rescue Vehicles and Armored Vehicles serve a valuable purpose for local law enforcement, both from a budgetary standpoint as well as from their use in high risk and other specific situations. It is critical that they are used properly. Rather than limiting or banning use, it is more appropriate to assure that they are used wisely as they can and have saved lives.





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- No governmental or qualified immunity shall be defense of depriving constitutional rights in civil suit.

This would have a chilling impact on police and other governmental officials and create additional financial costs to municipalities to defend suits. The U.S. Supreme Court noted that qualified immunity is needed to make sure government officials are not deterred from acting in split-second situations and that government officials do not face financial harms from a flood of insubstantial and frivolous lawsuits.

As a member of the Police Transparency and Accountability Task Force, we have already discussed many of the proposals related to police reform and are taking steps to further vet them. It would be appropriate to allow the Task Force to do the same with these other proposals to assure that positive changes result. As a member of the Police Officers Standards and Training Council (POST), we have been tasked to craft model policies on a variety of topics, and would ask that we be allowed do the same for many of the proposals noted in the bill, in addition to those already mentioned.

Thank you in advance for your consideration.

Sincerely,

Thomas E. Kulhawik  
Chief of Police

TEK:jb

