

Dear Judiciary Committee Members,

The Bethel Police Union stands in strong opposition of Draft LCO # 3471 – An Act Concerning Police Accountability. This bill seeks to not only limit a police officer's ability to do their job safely, but it also seeks to penalize police officers who you expect to enforce the laws that you pass while never addressing the fundamental issue that brings us here today. This bill seeks to limit and curtail an officers' ability to use reasonable physical force, while never addressing the conduct of the offender that necessitates the use of force to begin with. Use of force by police officers is generally the direct result of one of two realities; the officer is protecting themselves or someone else from harm, or the officer is using force to effectuate a lawful arrest or command on a **criminal offender** who fails to comply with the lawful orders of a police officers. Every video or instance that can be pointed to in support of this bill will undoubtedly start with an officer asking someone to either exit their vehicle, place their hands behind their back, or to not resist an arrest. Moreover, the supporters of this bill fail to recognize the escalation of the use of force brought on by the criminal offenders themselves. Use of force by the police against any person begins and ends with the conscious decisions made by the offender.

Some of these provisions are disasters and run counter to Graham vs Connor and current case law like Plakas vs Drinski. The idea that the use of deadly force will be judged, **AFTER** the fact, on whether or not the person had a weapon and not if it was reasonable to believe he had one would mean the use of force could be found to be unreasonable based solely on the fact that the gun pointed at an officer was in fact a BB gun even if he did not and could not know that.

The idea of stripping immunity is another lesson in law makers and uninformed or deliberately obtuse interest groups attempting to further an ideology and not actually working to make policing more effective and safer for both officers and the community. Currently, the Supreme Court has set a high bar for officers to be found liable, but that does not mean victims of poor policing go without compensation. In fact, as everyone should know, it means that officers cannot be personally bankrupted by lawsuits that stem from decision made, "*in stressful and rapidly evolving situations*". Officers are currently asked to make a decisions in the field, without reference or time to study the law on whether or not an action is permissible in situations in which a lawyer and a judge is hard pressed to decide with months to study and deliberate. If an action is wrong, an officer may not be individually liable, but the town and department can be, and if it is egregious enough the officer may be fired by the department.

What is truly offensive is that no one has enough moral courage to stand up and remind the public that a lawful order from a Police Officer is to be followed, and the time and place to fight that is in courts and **NOT** in the streets. Supporters of this bill are kowtowing to the mob and giving support to the idea that you can fight back. These actions put officers in danger as well as members of the public. Further, the courts do not prosecute charges of interfering when a suspect fails to follow orders, or assault on a Police Officer when we are assaulted. Many times these charges are the first to be dropped or substituted. If this bill is to be enacted into law, where is the counter balance? Will this legislature increase the penalty for resisting arrest, assault on a police

officer, or escape from custody? If you are going to limit our ability to protect the innocent from the offenders you seek to protect, will you protect the innocent as well by enacting a “Castle Doctrine” and “Stand Your Ground” so they can protect themselves while you ties our hands?

These changes to laws would lead to Police Officers being less engaged with their communities rather than more engaged. It would lead to more violence and not less. If we in Connecticut want to see the rapid rise in crime and violence we can certainly mirror the mistakes lawmakers have already made in places like New York and elsewhere. We have an opportunity to do better, to inform the public on police procedure and explain why the case law is such. We can be brave in the face of the agitators and extremists who wish to push an agenda.

There are roughly 375,000,000 million police/citizen interactions per year. The number of tragic interactions is amazingly low, and has led to the lowest crime rates ever in the modern era. The truth is that George Floyd is not a symptom of a broken system; it is a tragedy that is so rare it accounts for .00000027 percent of what police accomplish in a year. That truth may be painful, but it is the truth and sometimes you have to have the courage to speak truth to power.

Respectfully,

George J. Bryce, Jr.

Bethel Police Union