

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas, and distinguished members of the Judiciary Committee:

My name is Marcus Palumbo and I am a resident of Mansfield CT. I am writing to share my thoughts on the proposed legislation LCO No. 3471, An Act Concerning Police Accountability. I believe that there are many positive aspects of this proposed bill, however I would like to address some parts that I see as needing major changes.

Section 29 mentions de-escalation measures as one of the factors taken into account when determining “objective reasonableness”. I would like to see a formal definition of de-escalation included in the bill, because the police interpretation of the term de-escalation is not necessarily the same as what the public defines it as. A police officer trained in “de-escalation” may be referring to the act of an officer making the victim aware of the consequences of their continued action or inaction. (For example, “If you don’t stop struggling, I’ll have to taser you.”) This is not what I am looking for in de-escalation measures. What is needed is attempts to calm someone and reach a common understanding with the goal being to keep the situation from getting violent. A good place to start is defining what type of de-escalation is being proposed.

Many membership changes were outlined for the Police Officer Standards and Training Council (POSTC) which currently holds the power of police certification and decertification. Even with the membership changes outlined, the council would still have over half of the voting members be active law enforcement officials, which is an obvious conflict of interest. I do not believe we can count on the police to police themselves. It has been proven throughout history that the people in power cannot be left responsible for limiting their own power. That is why we have separate branches of government that do checks and balances on each other, and we need the same with regards to police accountability.

Section 18 gives municipal police departments the job of determining if and where social workers might be used as a substitute for police work. This is also a conflict of interest, as the police, when given the option, will always vouch for more police work. I believe that social workers should be used in many situations the police are traditionally used for, but giving the police the job of deciding when and where that is the case will not result in the widespread changes that are needed. The responsibility of determining this should be delegated to an outside entity made up of experts who could conduct studies into this matter without having bias toward traditional police measures.

This bill has the potential to bring about large scale changes in public safety. The end of Stop and Frisk, creating a Duty to Intervene, and the limitations on qualified immunity are steps moving us in the right direction. However, this legislation still needs many changes in the areas of police oversight and definitions of terms such as de-escalation. I urge you to make these changes before sending this bill to vote.

