

**TRUMBULL POLICE UNION
AFSCME LOCAL 1745, AFL-CIO**

**TESTIMONY OF ROBERT COPPOLA – PRESIDENT
BEFORE THE CONNECTICUT GENERAL ASSEMBLY
JUDICIARY COMMITTEE**

JULY 17, 2020

**IN OPPOSITION OF DRAFT LCO # 3471
AN ACT CONCERNING POLICE ACCOUNTABILITY**

Ladies and Gentlemen of the Judiciary Committee, my name is Robert Coppola and I am the elected President for the Trumbull Police Union, AFSCME Local 1745. I represent seventy-four (74) sworn police officers of the Trumbull Police Department. I am also one of those sworn officers.

I submit this testimony today in **OPPOSITION** TO DRAFT LCO #3471 – An Act Concerning Police Accountability.

There are some aspects of this bill that are positive; such as more training, expanded use and funding of body cameras, mandatory drug testing, and the duty to intervene. However, these common-sense reforms have been overshadowed by radical & senseless proposals that do not serve the public and law enforcement well.

Changing the *Graham* standard relating to the use of force to a *justifiable* standard would create an atmosphere of second-guessing during critical incidents. Supreme Court case law has guided law enforcement for decades in this sector. Changing it would be detrimental to how police officers protect the public.

Eliminating qualified immunity for police officers is more than problematic; it would create a realm of chaos for municipalities and subject officers to more non-credible law suits. Ultimately, a proposal such as this would eventually cost tax-paying citizens more money. Once again, Supreme Court case law has guided law enforcement and municipalities for decades in this sector.

No consent for motor vehicle searches without probable cause would prohibit officers from taking more drugs & guns off the streets of Connecticut. As it stands now, an officer can ask a motorist for consent to search without probable cause; which, the Supreme Court has deemed appropriate. This is a tool that law enforcement uses when they believe there is a reasonable & articulable suspicion that a crime has been, will be, or is being committed but not at a level of probable cause. Building probable cause to arrest an offender is an investigative tool for an officer to assist in doing their job of public safety & law enforcement. Statutorily taking away an investigative tool from police officers gives the advantage to offenders in getting away with crimes. Would the law-abiding public agree with making officers' job more difficult when it comes to maintaining safety? We feel the same way about not allowing officers to ask for consent to search a pedestrian. Again, the Supreme Court has guided law enforcement for decades in the proper procedures for them to search without a search warrant. Not only is this proposal ill-conceived, it is also not rooted in reality. An officer would have to hold a possible offender who may be walking away from a crime under investigative detention for many hours prior to obtaining a search

warrant from a judge. Again, this is a limitation placed on law enforcement taking away investigative tools that the law-abiding public would not want to see.

Another proposal that would take tools away from law enforcement in performing their duty to protect would be abolishing military-style equipment. With state and municipal budgets strained, the ability for a police department to supplement their police equipment and vehicles with either excess, obsolete, or unused military equipment is crucial. The military's "1033 program" allows American law enforcement to ascertain various type of equipment. For example, many departments have procured rescue vehicles, boats, and armored personnel carriers to supplement their vehicle fleets. One anecdotal situation that occurred in our town was during a heavy, monsoon rain storm where people were trapped in flooded waters. Our department was able to utilize a 1033 military vehicle used for search and rescue. The vehicle had significant ground clearance because of the size of the tires. We were able to make several life rescues and prevent drownings. Other departments have similar situations. Prohibiting state and municipal police from procuring and using military-style equipment again is ill-conceived. It takes away another tool we utilize to protect and save people.

Furthermore, mandating police officers to submit to a mental health screening every five years at first glance seems like a helpful reform; however, we have in place many programs and safeguards to ensure that officers are healthy. First, a police officer candidate goes through strenuous psychological examinations prior to getting hired. We agree with this. Law enforcement cannot perform its function without stable minds, especially during critical incidents. There is a lot of scientific and medical research in regards to PTSD; and, the state legislature did a good job allowing PTSD to be a defined reason to seek workers' compensation treatment. Municipalities have done a great job in procuring mental health services to its employees and officers as a benefit to employment. Many police departments have instituted peer support groups that have taken away the stigma of seeking out mental health services. In my experience being on our department's peer support group, many times a single debrief or conversation about a really tragic or traumatic call for service has done the job to get feelings, perceptions, and thoughts off the minds of our officers. Instead of mandated mental health screenings, which bring along many other factors such as cost, privacy, and discipline; expanding or mandating peer support groups within departments, along with more training for them, would benefit our profession.

Lastly, the most ambiguous portion of this bill may have the greatest impact on an officer's certification. That is POSTC can refuse to certify an officer "who has engaged in conduct that undermines public confidence in law enforcement." What does that even mean? We do not believe this Committee may even know what that means. There are hundreds, maybe thousands, of offenders that have interactions with officers every year. Whether they have violated a mere traffic law or committed violent offenses, officers have endured complaints against their actions, even when justified. Would a simple complaint meet the low threshold of engaging "in conduct that undermines public confidence in law enforcement?" What would be the opinion of a town attorney, labor attorney, criminal defense attorney, or any other attorney for that to mean?

In closing, we believe this Draft LCO #3471 should be OPPOSED in this Committee. Not only are the common-sense reforms being undermined and overshadowed by radical & political proposals, but the entire manner in how this came to fruition goes against how we adopt laws in our state. We all know

that a special session is normally used to clean-up passed language and buttoning-up the state budget. Police Reform is no small task. There are several stake-holders. It requires thoughtful, even-minded people, and professional opinions. Reforms are sometimes required to make law enforcement safer for all people. Therefore, to make possibly hundreds of reforms outside of the normal general session creates an atmosphere of suspicion that political agendas are at play. This state has the best law enforcement than any other state. We operate on a decentralized model in order to meet the specific needs of our individual communities. We suggest the entire bill be OPPOSED and brought back in January during the long session.

Thank you to each Committee Member for the time & service you give to our state.