



WESTPORT, CONNECTICUT

JAMES S. MARPE
First Selectman

July 16, 2020

Judiciary Committee
Connecticut General Assembly
300 Capital Avenue, Suite 5100
Hartford, CT 06106

RE: Testimony Regarding Draft LCO #3471 – An Act Concerning Police Accountability

Dear Committee Members:

It is not hyperbole to say that police departments across the country have come under attack on a number of fronts in the wake of the George Floyd incident. While virtually no one in the law enforcement community stepped forward to attempt to rationalize, much less defend, the actions that resulted in Mr. Floyd's death, it seems that this single incident has opened the floodgates for the unfair judgement of all police officers under the assumption that all are from this same mold. Just as it is totally inappropriate and unfair to characterize someone because of their race, it is equally inappropriate to pass judgement on all Police Officers based on stereotypes and generalizations. It is imperative that the public, media and elected officials across our country not pass judgement and create legislation based on a narrow view of the diverse community that comprises our country's police forces.

In the past, the State of Connecticut's lawmakers have addressed police reforms in the wake of incidents that garnered national attention. Out of these attempts at reform have come a number of good measures that many in the law enforcement community support. At the same time, it has also come with some questionable changes, which have negatively affected both police departments, as well as the communities they serve. One noteworthy example of this flawed reform is the restructuring of the Juvenile Justice System in Connecticut. The law enforcement community would certainly argue that this has neither made our communities safer, nor successfully reformed our youth.

Draft LCO #3471 has a number of initiatives that would produce positive changes in law enforcement and the communities that they service. For example, the expansion of the use of body cameras, offering the best possible training and providing outside assistance to officers in dealing with mental health issues encountered on the job are certainly common sense measures that would likely garner universal support. However, an important question to ask,

regardless of the breadth of support is, “how will Connecticut’s municipalities fund these initiatives?” Many of the proposals call for hardware and practices that are not yet in use by departments across the state. Adding equipment such as dashboard cameras is an added expenditure that may be too large for existing police department budgets to absorb.

At the same time, LCO #3471 raises a number of issues that cannot be fully understood until they are in practice, which is troubling and problematic:

- Establishing a task force comprised of voting members outside of the law enforcement field to decide law enforcement tactics, functions and applications. A thorough understanding of police operations should be required for making policy changes. The complexity of educating and training civilian members for this process needs to be understood.
- Eliminating some of the techniques that officers have to thoroughly conduct investigations with consent searches. While this may be helpful in the cases of innocent individuals being under investigation, it seems to ignore investigations of those who are committing crimes. This would make it harder to put an end to real criminal activity.
- Removing the ability of police departments to acquire equipment and vehicles from the federal government, which could aid in the mission of protecting life and property. This is discouraging and potentially jeopardizes the safety of both the community and its police force.
- Stripping away the protection of qualified immunity to allow for easier lawsuits against officers in the performance of their duties. Would officers need to obtain insurance coverage in order to do their jobs? If so, who would provide this insurance and, more importantly, who would incur the costs?

This list is not intended to be all-inclusive. It is instead to highlight the complexity and potential impacts of just some of these proposals. It is also intended to show how these would decrease the effectiveness of police operations and expose how they would likely discourage applicants from pursuing the profession.

We all agree that the field of law enforcement is a place where moral character is imperative. Hiring the best person for the job is a principle that must be adhered to, arguably more so than in any other occupation. Police departments across the country actively seek to recruit the best possible candidates as their administrators all comprehend the tremendous amount of responsibility and authority bestowed on these individuals. Added liabilities for the officers will be another deterrent to those that already exist. Police compensation and benefits for example, must also remain at levels that recruit and retain the best candidates. If we compromise in the quality of police personnel, it will ultimately result in the employment of candidates who are not the best suited for these positions, and, sadly, will result in more incidents that make headlines for all of the wrong reasons.

The obvious fear is that much of this proposed legislation would have the opposite of its intended effect. Departments would be unable to retain good and experienced officers through early retirement, while simultaneously being unable to attract and recruit qualified candidates with the right acumen for the job. This would have the unintended consequence of more police officers exhibiting the type of poor judgement that would likely cause inappropriate uses of force and misconduct leading to disciplinary issues and litigation. Moreover, it would diminish the community's faith in its police forces and undermine the relationships each has worked so hard to build.

We ask that you move cautiously as you consider law enforcement "reform" legislation. The guiding principle of this legislation should be to support and enhance, not compromise and hinder, the operations of our police departments. The future of public safety in our state depends on it.

Sincerely,

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