

To Whom It May Concern,

As a life long Connecticut resident and a sworn police officer, I wanted to voice my opinion and speak with you directly about Connecticut Bill #3471 regarding Police Accountability. In summary, this bill directly undermines law enforcement in our State and Towns, and limits the ability for police departments to be effective in stopping crime. Several sections of this bill are very alarming and downright bad policy. One section in particular that I strongly disagree with is the section covering civil liability. The section is summarized as:

§ 41 — CIVIL CAUSE OF ACTION AGAINST CERTAIN POLICE OFFICERS, Establishes a civil cause of action against police officers who deprive an individual or class of individuals of the equal protection or privileges and immunities of state law. The bill establishes a civil cause of action against police officers who deprive an individual or class of individuals of the equal protection or privileges and immunities of state law. By creating a cause of action against police officers in statute, the bill eliminates the possibility of claiming qualified or governmental immunity (i.e., common law protection from civil suit for the government and its employees) as a defense to such suits.

First, law enforcement officers are already held accountable for their wrongful actions while on-duty. In summary, if a police officer commits an illegal act during his/her course of duty, that police officer will be either be suspended or put on administrative leave, investigated by an internal affairs unit, and will be potentially arrested and fired. This ongoing practice is already an effective standard procedure for dealing with these types of issues. If the State now allows police officer's to be civilly sued for the above subjective reasons, it will open police officers up to the possibility of a litany of civil lawsuits for doing their job. This will most certainly be abused by criminals who have everything to gain from this cause. For example; If a police officer responds to a local store and places a person under arrest for shoplifting. During the course of the arrest the person is handcuffed and then later released. After being released that person could now claim injury from the handcuffs and civilly sue the specific arresting police officer for injuries and violation of their civil rights. The possibility of a police officer losing his house, car, and life savings for simply doing their job will make this job not only unappealing, but it will cause police officers to leave and or retire. Police officers that can't leave the profession will not want to do any proactive police work as this will only increase the chances of being targeted for a civil law suit, and abuse of the system. Throughout an active 25 year career, it would only take one successful civil lawsuit to decimate everything that officer has worked for, leaving them destitute.

§ 40 — PROHIBITION ON POLICE USING MILITARY EQUIPMENT Generally prohibits law enforcement agencies from acquiring or using military designed equipment.

This section would directly put police officers at risk of serious bodily injury or death as they would be responding to dangerous calls for service without the protective armored equipment they would need to keep them safe. A "military style" police owned vehicle is only used in the most violent of circumstances; ie - an active shooter at a school, a barricaded subject with a hostage...etc. These vehicles are meant to protect police officers from violent people who intend on killing them and civilians with deadly weapons. These vehicles are not equipped with aggressive style weapons as seen in war zones, as some may think, and are not used to harass or annoy the civilian population. They are used as a defensive piece of equipment. This vaguely worded section states that it would not only prohibit "military style equipment" but "small arms" weapons as well. One can only assume that this would force police departments to sell their AR-15 rifles to comply with this section. These "military style" weapons and equipment are purchased with the sole purpose to protect the residents of Connecticut. These pieces of equipment and weapons have become a necessity as a result of the mass shootings locally and nationwide such as the Sandy Hook School Shooting. Do we want police officers responding to an active shooter call with lesser equipment than the criminal taking innocent peoples' lives? This bill not only prohibits purchasing these items in the future but requires police departments to SELL their equipment so they no longer have it. Why take away protective equipment from police officers who are tasked with keeping the people of Connecticut safe? Are we ready to rewind the clock to the pre 9-11 days when we were extremely unprepared for home grown terrorist attacks and active shooters due to lacking equipment? This bill makes Connecticut and its residents less safe, and lacks logic.

§§ 21 & 22 — PROHIBITION ON CONSENT SEARCHES Prohibits consent searches of (1) motor vehicles stopped solely for motor vehicle violations and (2) individuals (e.g., frisking). The bill generally prohibits consent searches of (1) motor vehicles stopped solely for motor vehicle violations and their contents and (2) individuals (e.g., frisking). Under the bill, a person consenting to a search is not justification for a law enforcement official to conduct one in the above circumstances, unless there is probable cause.

By passing this section, the State would be essentially stopping all PROACTIVE police activities. Many proactive criminal arrests involving drugs, illegal guns, and finding human trafficking operations, are successful as a result of consensual searches during routine traffic stops. Without the ability to conduct consensual searches, a criminal could

conceal car loads of illegal drugs, money, weapons, and evidence, and be protected by the State of Connecticut. If the search is "CONSENSUAL" by the very nature, the criminal already has the ability to legally deny the search. Why would the State of Connecticut go out of its way to support these criminals in concealing their criminal activity? This bill will stop proactive police work, and will cause a spike in violent crime.

These are just a few of the worst sections of this Bill.

In closing, I have spent the majority of my adult life training and preparing to have a life-long career in law enforcement. As it stands, I have over 10 years left before I can retire from this profession. In fear of this Bill passing, I have already begun actively looking for employment opportunities elsewhere. If this Bill passes, I will no longer feel safe doing my job, and will work in constant fear of being sued. This Bill undermines the law enforcement profession, and puts the residents of Connecticut at risk. I would like to thank you for your consideration in this matter in advance.

Respectfully,
Wayne Tate
Town of Woodbury