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**Why are you receiving this email?** In researching judicial reform the writer stumbled across massive corruption and cover-ups in the State of Connecticut Government. The evidence is sourced and documented and cannot be altered to further cover up the bad state actors improper actions. The current draft of the **Police Accountability Bill**, compiled by Sen. Gary Winfield of New Haven and Rep. Steve Stafstrom of Bridgeport, with ranking members Sen. John Kissel of Enfield and Rep. Rosa Rebimbas, of Naugatuck, should be boxed and thrown on the pile of so many other SB and HB bills. Sadly; it will not make a change. The police will dance the dance for a little while until the ruckus blows over and then go right back to doing what they do. The **bullying by police is the real issue**. The officer, who has a badge and a gun, but most importantly, wrapped in a blanket of blue believes he is invincible. He can speak to you disrespectfully and escalate that into a physical confrontation with no fear of reprisal. Removing "limited Immunity" is an honest attempt, a real step in the right direction, but, after the dance, it'll go right back to the way it was. It doesn't have what it takes to effect real change.

This isn't a new issue. The Senate and Legislation have been trying to corral these wild horses for decades and (as we all know) haven't accomplished anything. Look; After the Ferguson protests our Legislature passed Bill No. 7103, an Act Concerning the Excessive Use of Force June of 2015. The Bill required farming out cases of police misconduct to an out of jurisdiction prosecutor to create some distance. That failed immediately. **It was clear to the Legislature at the time, a large issue is the security blanket afforded wrongdoers within the same jurisdiction; to bury bad acts by people they work with, so it was proposed to move the matters out of the officers jurisdiction.** There has been no change whatsoever. The public views the system as biased, they view the system as a brethren where officers are protected and routinely cleared of wrongdoing. The state has state employees, judicial authorities and state's attorneys working in close proximity to the officer, who works in the same system and routinely visits the courthouse. In my brief I have documented at least 12 other SB's or LB's that had good intentions but, once again, they fell woefully short of their goal[s].

**Instead of just complaining; let's look at what will work.** I have attached a brief that details source documented evidence on how reform attempts are broken, and how to finally make a real difference by enacting a law that will change the world.

Let's look at just what the removal of limited immunity does:

**Taking away the police protection of "Limited Immunity isn't enough."** It has been argued to death that any form of immunity, limited or absolute, is only valuable under very specific conditions. **The actor has to be performing their duty in an official capacity and acting under the color of law.**

That's it, if you are acting outside an official capacity and/or doing something to be determined later not under the color of law, you are not afforded any form of immunity. In essence, that means, if you are at work and identifying yourself as being "in an official capacity" and performing your duty lawfully (under the color of law) you're covered. Outside that, you are not.

Immunity was originally given to judges, states attorneys and the police to stop frivolous lawsuits against state actors doing things the right way. It has eroded to insulate bad behavior.

If we can agree immunity has failed its intended purpose and has been derailed to protect the bad actors actions, and the honest actor doing things the right way really doesn't need it; then why do we need it at all?

Why would the **Police Accountability Bill** propose its removal? Is it simply hyperbole; or is it intended to appease the protesters to appear as though something is being done?

This is the moment real change can be made. You can change the world for generations to come. Sweeping a meaningless immunity under the rug accomplishes very little. Sweep all of the immunities under the rug and hold everyone accountable. The public is begging you to do something meaningful. Look at my Brief; A blueprint for meaningful Judicial Reform; it details the corruption and cover-up in our state government; spherically towards state's attorneys protecting bad actors and prosecutors outright violating people's rights with no fear of reprisal. To cause effective change you should seek to abolish absolute immunity for ASA's, state's attorneys and judges as well as the officer. They stand as the individuals that protect the bad actor actions with no exposure to repercussions.

That really is the issue; the powers that be, shield the bad actor with no exposure to repercussions. The bad actor has no immunity; based on his actions of wrongdoing he wouldn't qualify, but the powers that be insulate any damages and harm he would normally incur.

Follow this train of thought. When a cop goes dark he is not entitled to limited immunity. So **taking it away doesn't accomplish anything**. The problem exists whereas the dirty cop, although not protected by absolute immunity, is protected by the judicial system. The powers that be, the people that will defend his dirty actions and the people that will adjudicate his matter are the real issue. They enjoy an immunity called "Absolute Immunity." While absolute immunity functions exactly the same way as limited immunity, the actor must be acting in an official capacity and under the color of law to be eligible for any protection; it is different when you are considered the highest authorities, there are no checks and balances. The freedom of consistently doing what you want with no accountability nor repercussions have created a certain level of comfort in believing you can do as you please in protecting "one of your own." The intention of limited and absolute immunity was to shield against frivolous claims in the proper performance of their duties. That purpose has failed. It has eroded to represent a shield for wrongdoing and bad actions. Taking it away is a good thing, but not enough. Take it away from all of them. As long as the officers brethren are still capable of shielding him there will be no real reform.

- **Color of law**; essentially it means while performing a prosecutors (as a state official) duties in an official capacity.
- **Official Capacity**; A prosecutor enjoys certain legal protections when performing his duties in accordance with established protocols. He is not protected when he goes away from his official capacity.

It is well established if a Prosecutor is performing his duties under the color of law and in an official capacity he would be shielded from suits under the 11th amendment (can't sue a state).

People are fed up with police and prosecutorial abuse and then jumping behind the shield of immunity. It was never the intent nor design of the immunity. It was to aide a prosecutor to be fearless when prosecuting an accused individual and not spend their time on frivolous, retaliatory lawsuits. It is being used in the opposite of its intended purpose, it has become a protective shield that protects wrong doing. Wrongdoing that is in direct conflict with the rules, protocols, laws and Constitution.

It has been established prison guards and the police enjoy "Limited Immunity."

Assistant State Prosecutors; prosecutors, state's attorney's and Judicial Authorities enjoy: "Absolute Immunity."

The law states the privileges are only protected when the actor is "Working in an official capacity and under the color of law." Outside of those guidelines, the actor isn't protected.

Here's the question: "***Why the Absolute Immunity? Why the Limited or Qualified Immunity?***" Isn't it true; immunity is only valuable if the actor is performing their duties under the color of law, in an official capacity; which means protected if lawful.

## **Why is Immunity needed at all?**

If the actor is doing something wrong, outside their official capacity and outside the color of law, why are we, the state citizens, paying for state's attorney's to defend these dirty actors actions? Why are the taxpayers paying damages awarded by jury's for dirty actors violating a person's rights?

Why are the "impartial judges" leaning towards the dirty actors? Why is the state indemnifying \$300,000 for the dirty actor? Look at the attached Brief; A blueprint for meaningful Judicial Reform; specifically **Chapter 18**. It illustrates a classic example of the Blue Blanket, a prison guard using taxpayers money to exonerate himself for a blatant disregard of properly executing his duties. We paid for this persons representation and paid his judgment? That is nuts!!!

Looking directly at the post George Floyd murder. Body cameras that can be manipulated on/off or broken (*during the scuffle*) if the officer committed a heinous act isn't the answer; more training, is that really the answer to your thinking? How can it be argued the police need to downsize military acquired equipment, but need more training?

The larger issue is the police have outgrown their sandbox. Originally designed to serve their community, somehow they have shifted their attitude away from serving and protection to becoming a fighting force, similar to a military brigade or militia using the possibility of a terrorist act as a plausible excuse to conduct themselves as a military unit. The State Police, Homeland Security, Anti Terrorist Task Forces and FBI all have preparations in place to combat terrorist activities, but, our local police department feel the need to intimidate the local citizens as though they were an imminent threat. People in general consider Police, at the present time, an intimidation force. They are held to be bullies. If you are involved in any kind of interaction with an officer you kiss their ass to extract yourself with as little harm as possible and then get out of harm's way. Like all bullies, they carry themselves with a certain arrogance and invincibility; as though to say "*I can do what I want and there's nothing you can do about it.*" How about shifting the arrogant attitude of our officials? Like the rest of us, hold wrongdoers accountable for their actions. The invincibility portion is easy to break down; eliminate the Blue Blanket. Wrongdoers should have no state protection[s]. The officer, like the bad prosecutor,

rely on others inside state government to protect them if they get in trouble, the brethren. Take away absolute immunity from prosecutors, state's attorneys and judges, If they do something wrong (like covering for their brethren) they should be held to account. Eliminate the possibility of temptation to protect one of their own and watch how quickly the officers attitude changes. He will immediately work within the established protocols to avoid financial ruin. The immunity is only effective if conducting themselves properly, so why do they need it? If a prison guard or policeman is no longer immune they would have to use their judgment, weighing into that judgment the fear and worry of being held absolutely responsible for their action, as a lone agent (not union protected); Welcome to the real world. Every citizen, on a daily basis, considers the threat of consequences as a deterrent to possible bad choices. It's the "*stick versus carrot*" principle.

This proposal will be of no effect to the honest, hardworking officer, guard, ASA, state's attorney or judge. The public official that seeks evidence driven prosecutions and honest performance of their duties as relates to their job description and proper following of established protocols and ethics. This is for the dirty actor. Who would then be forced to think before acting (again, like all of us), if they did something outside proper protocols, they would be held personally accountable. They would have to hire a private attorney (The State's Attorney can protect the state's interests but no defensive work for someone breaking the proper process). Look at what the state does to a Habeas petitioner; you were charged and presented before the court; yet the state wasn't sending state's attorney's to your defense? In that situation the state is claiming you did something wrong, which in their opinion, broke established statutes. In a bad actor situation; there is a rogue actor, sworn to an oath, who is accused of breaking statutes and laws. Who, by all accounts, if guilty, in fact did break the law, but, is protected by a "Blue Blanket." A blanket designed to shield them from accountability and liability.

This is wrong, wrong at its core. Perhaps it would be reasonable, if after the bad actor, while using a private attorney, prevailed, the actor could seek reimbursement for legal expenses, as at that point they were found innocent of improper actions in the performance of their duties (No Habeas Courts; it must be a jury only for reimbursement).

As this current system operates, the dirty actors, acting with an attitude of invincibility while expecting immunity and state taxpayers paying the top state attorneys to defend them, where even if found guilty suffer no hardship as the taxpayers will indemnify the claim, ultimately have no repercussions for bad actions. You can do what you want and be held harmless. It is that, right there that needs change!! Stop immunity, it serves no purpose and is being manipulated as a tool to protect bad actions. The good state actors, following protocols will be ultimately found innocent if sued. Legal and financial support should be provided only if following proper protocols, you know, the way it is suppose to be. No longer being shielded and protected, the arrogance, do what you want attitude will end. Each dirty actor will stop cheating as it will hurt them financially and they would become accountable for their actions, and, ultimately do their job the right way.

Is any of this really surprising? Think how ridiculous it is to hand absolute power to someone, (say, your neighbor) hand them a gun and a badge, give them the power to do what they want with no accountability. A position where the public is intimidated by you and in most cases fear you, and the state promises you immunity from prosecution if you're accused of wrongdoing. Is

there any wonder why many of these trains jump the tracks. Worst, if found guilty for committing malicious actions, Connecticut taxpayers will pony up and pay any jury awards. Like all of the rest of Connecticut, if you do something wrong, you must be held to account. Every action has a reaction. It is that very fear that weighs in on all of our decision processes to stay on the good side of the law or suffer the reaction, or ultimately the punishment. That process doesn't weigh in when you have immunity from prosecution; let's fix this. Fix this and the rest of the deficiencies will fall in line.