



Legislative Testimony  
765 Asylum Avenue, First Floor  
Hartford, CT 06105  
860-523-9146  
www.acluct.org

**Written Testimony Opposing Senate Bill 122, An Act Establishing a Unit within the Division of State Police to Investigate Crimes and Criminal Acts Committed by Extremist Groups**

Senator Bradley, Representative Horn, Ranking Members Champagne and Green, and distinguished members of the Public Safety and Security Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to Senate Bill 122, An Act Concerning Establishing a Unit within the Division of State Police to Investigate Crimes and Criminal Acts Committed by Extremist Groups.

The ACLU-CT recognizes that, if we are to transform the harm that policing has inflicted on communities of color across the country, we must begin by reallocating funds spent on policing into programs, services, and resources that actually make our communities safer and healthier. Connecticut must also work to limit the roles, responsibilities, and presence of police in marginalized communities.

At the same time, the ACLU-CT is an organization dedicated to racial justice. We recognize that white supremacist violence has been on the rise for years in this country and here in Connecticut, and that the government has done far too little to combat it. Black people,<sup>1</sup> Latinx people,<sup>2</sup> Indigenous people,<sup>3</sup> Asian people,<sup>4</sup> Jewish

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<sup>1</sup> Daniel L. Byman, "White supremacist terrorism: Key trends to watch in 2021." Brookings Institution, Jan. 15, 2021, *available at* <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/white-supremacist-terrorism-key-trends-to-watch-in-2021/>.

<sup>2</sup> *Id.*

<sup>3</sup> *See, e.g.*, Cecily Hilleary, "Rise in hate crimes alarms Native American communities." VOA, Jun. 5, 2017, *available at* <https://www.voanews.com/usa/rise-hate-crimes-alarms-native-american-communities>.

<sup>4</sup> *See, e.g.*, David Nakamura, "Attacks on Asian Americans during pandemic renew criticism that U.S. undercounts hate crimes." Washington Post, Feb. 22, 2021, *available at* <https://www.washingtonpost.com/national-security/asian-american-hate-crimes/2021/02/21/c28a8e04-72d9-11eb->

people,<sup>5</sup> Muslim people,<sup>6</sup> trans people,<sup>7</sup> LGBTQ people,<sup>8</sup> disabled people<sup>9</sup> – they, along with essentially every marginalized group in this country – have been the targets of violence and hate by white supremacists in recent years. Many of these communities are aggressively overpoliced by police employing “crime prevention” or “proactive policing” strategies,<sup>10</sup> but are severely underprotected when they are the victims of crimes.<sup>11</sup>

Moving towards truly safe and healthy communities requires being honest that these two truths are sometimes in tension and doing the hard work of coming up with new ways to create safety for people who have gone without it for too long. After decades of experts and evidence from Black scholars demonstrating the need for and effectiveness of alternatives to policing, the Black Lives Matter uprisings from last summer generated many creative solutions, such as community violence interrupters, reinvestment into education, healthcare, jobs, and more for communities that have been subject to overpolicing, and restorative rather than punitive justice.<sup>12</sup> We also recognize that these structural moves away from policing and reorienting to community may not help people who are being targeted now because of their identities. We must meet those people where they are right now, but that does not require us to expand policing to do so.

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b8a9-b9467510f0fe\_story.html (observing that the rise in hate crimes on Asian Americans has coincided with growing white nationalism).

<sup>5</sup> Daniel L. Byman, “White supremacist terrorism: Key trends to watch in 2021.” Brookings Institution, Jan. 15, 2021, *available at* <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/white-supremacist-terrorism-key-trends-to-watch-in-2021/>.

<sup>6</sup> *Id.*

<sup>7</sup> Brenda Gazzar, “White supremacist hate crimes, violence against transgender people surge in LA County, report finds.” Los Angeles Daily News, Nov. 16, 2017, *available at* <https://www.dailynews.com/2017/11/16/white-supremacist-hate-crimes-violence-against-transgender-people-surge-in-la-county-report-finds/>.

<sup>8</sup> Daniel L. Byman, “White supremacist terrorism: Key trends to watch in 2021.” Brookings Institution, Jan. 15, 2021, *available at* <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/white-supremacist-terrorism-key-trends-to-watch-in-2021/>.

<sup>9</sup> s.e. smith, “The growing New-Nazi public profile is of grave concern to disabled people.” Rewire News Group, Aug. 30, 2017, *available at* <https://rewirenewsgroup.com/article/2017/08/30/growing-neo-nazi-public-profile-grave-concern-disabled-people/>.

<sup>10</sup> See, e.g., David Weisburd & Malay K. Majmundar, Proactive Policing: Effects on Crime and Communities at Chapter 7 (2018), *available at* <https://www.nap.edu/read/24928/chapter/9>.

<sup>11</sup> See, e.g., Jenée Desmond-Harris, “Are [B]lack communities overpoliced or underpoliced? Both.” Vox, Apr. 14, 2015, *available at* <https://www.vox.com/2015/4/14/8411733/black-community-policing-crime>.

<sup>12</sup> See, e.g., “Invest-Divest,” Movement for Black Lives, *available at* <https://m4bl.org/policy-platforms/invest-divest/>.

To the contrary, Connecticut has had hate crime protections for marginalized people in place since 1990, when it passed Public Act 90-137. The Department of Emergency Services and Public Protection, which includes the state police who are tasked with investigating hate crimes, has a proposed budget of \$258,060,000 in 2022.<sup>13</sup> If the state police are failing to properly investigate and charge people who commit hate crimes, it is not because they lack the legal power or the resources to do so. Instead, it is a matter of will. Creating a new unit in the state police will not suddenly make the state police interested in holding people accountable for white supremacist violence, if that interest does not currently exist. It will merely provide an avenue to get more money and resources into the hands of police, when those resources should instead be reallocated to community programs and services that help people thrive, particularly in those communities harmed most by systemic racism and white supremacy.

The ACLU-CT remains committed to policy solutions that protect marginalized communities from violence and will work with this Committee on policies that truly do that. We cannot, though, support efforts to protect communities that are overpoliced by giving police more inroads into their communities. Likewise, we do not think that providing more resources to the system of policing that has failed to combat serious crimes against members of these communities is the answer, either. We continue to urge this Committee to commit itself to finding new solutions to old problems. Connecticut must stop going back to the current, ineffective paradigm. Senate Bill 122, though, is just another bill to expand the power, resources, and scope of policing and we must oppose it. We urge this Committee to do the same.

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<sup>13</sup> Governor Lamont's February 2021 Budget Proposal for the FY 2022 – FY 2023 Biennial Budget at A-29, available at [https://portal.ct.gov/-/media/OPM/Budget/2022\\_2023\\_Biennial\\_Budget/Bud\\_WebPage/GovBud\\_2022-23\\_Final\\_Web.pdf](https://portal.ct.gov/-/media/OPM/Budget/2022_2023_Biennial_Budget/Bud_WebPage/GovBud_2022-23_Final_Web.pdf).