

AN ACT CONCERNING POLICE ACCOUNTABILITY
Public Act No. 20-1

There are several items within the statute that I find concerning to the welfare of the state.

I am concerned about the cost to municipalities and to the state in covering the additional liability insurance of its police officers and specifically the tax burden on the public. Moreover, the feasibility of having officers procure that liability insurance themselves would almost prohibit officers from obtaining a career in this field and more specifically may hinder minorities the most due to cost.

The concept of behavior that “undermines public confidence” is very vague and alarming. I have concerns that officers will disengage from the community because any efforts could be construed to undermine public confidence. For example – there have been circumstances where officers are walking their beat and engage in a “dance off” or Basketball game with residents and while some may see this as positive interaction, there are many others who perceive this as police not doing their legal duties and wasting time and tax dollars – which again can undermine public confidence in the responsibilities of the police. I am quite sure this is not the example you had in mind when crafting this section of the statute, nonetheless, it goes to show how incredibly vague this concept is and how easily it can be misconstrued and used for nefarious purposes to the ill effect of an officer or department. This vague term needs to be eliminated from the Statute. It just opens the agency to undue scrutiny.

I am also concerned about the inability of officers to conduct searches of vehicles even though the driver gives verbal consent. This puts the safety of the public in jeopardy. Does the CT Government have any statistics to show the amount of contraband that is located/confiscated after a vehicle is stopped due to a motor vehicle violation? Where is the research that warrants this part of the statute? This is a kneejerk reaction that could have long term negative consequences. I would predict the increase in drugs and overdoses in CT due to this part of the statute.

I am also concerned about the evaluation of officers after a use of force incident. The statute states the officers must engage in *reasonable* de-escalation measures

prior to using deadly physical force, and there will be an evaluation of *any conduct* by an officer that led to an increased risk of an occurrence of the situation that precipitated the use of such force. This appears unnecessarily vague and again puts officers in a position where they may question whether they should engage at all. This seems to literally set up officers to be at fault no matter what they do. What is reasonable to you, may not be reasonable to me. Moreover, I have seen nothing in this statute that funds additional training for de-escalation or better hand-to-hand physical restraint training. Again, the concept of *any conduct by the officer that could provoke the use of force* is vague. And there is no additional funding for cultural competency training. What one culture may perceive as threatening; another culture perceives as normal.

Moreover, in *Graham v. Connor*, 490 U.S. 386 (1989), the court held that *all* police uses of force, deadly or otherwise, that occur in the course of an arrest, investigatory stop, or other seizure, are governed by an objective reasonableness standard. The court in *Graham* said that the reasonableness of an officer's use of force "must be evaluated from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. So, is the wording in the CT Statue in line with the US Supreme Court on this matter?

I am concerned about the cost of requiring all officers to undergo periodic behavioral health assessments. All state and municipal agencies have access to Employee Assistance Programs, why are we now incurring an additional cost for periodic behavioral assessments? The supervisor can already suggest an employee seek assistance through available programs. Moreover, technology such as Early Intervention systems can be utilized in departments and I am guessing they are a fraction of the cost and may also help with Accreditation standards.

I applaud the efforts of the government to require police departments to seek accreditation from CALEA and become more involved in the IACP. However, there is a significant cost to preparing an agency for accreditation and again there are no funds forthcoming to assist agencies.

I would like to see the CT government promote more partnerships between researchers in universities and police departments. This can be done through the provision of competitive state grants. In fact, these partnerships are crucial for

establishing better community-police relationships and increasing the knowledge of evidence-based practices as well assessing current practices in the field.

Additionally, the CT government can also offer more incentives for individuals in the policing field to obtain a higher education. This can also help with recruitment of minorities and provide more qualified applicants into policing. There should not only be a focus on bachelor's degrees but master's degrees and above should be sought by command staff. There is a push in the field of policing for agencies to become evidence based; this requires that officers have knowledge of evidence-based practices and can review research articles to determine the viability of strategies for their community.

MOST IMPORTANTLY – I am concerned about the lack of support for police and the ramifications for public safety. Crime has already increased and defunding the police only creates increases in fear for one's safety. The community plays a critical role in the ability of the police to do their job effectively. Nothing in this bill seems to promote better understandings of the role of police in society or expectations of the community to work with the police in co-collaboration of public safety. Moreover, I do not see anything in the Statute about additional training in procedural justice. This again is an important component to establishing legitimacy within communities. I agree with adding social workers and psychologists to assist police in the role, but not as a replacement. There are many police departments that have already incorporated social workers into their police force and routinely go to calls with police to add assistance to victims, family members, etc. Again, there are many police departments that have established relationships with psychologists for mental health calls. These examples should be expanded upon, not defunded.

The Statute really seems to increase the tax burden for issues of insurance and lawsuits but does nothing to prevent them. If taxes need to increase to better our police in CT then do it through education and training that helps the public. CT should be one of the first states in enact legislation that makes meaningful efforts at building better police officers. I see nothing in this statute that provides for that objective.