



CONNECTICUT POLICE CHIEFS ASSOCIATION

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Testimony to the Judiciary Committee

March 23, 2007

Chiefs Anthony Salvatore & James Strillacci, Connecticut Police Chiefs Association

We support **RB #1166, AAC Disclosure of Erased Criminal Records by Applicants for Certain Police Officer Positions**. A recent change in labor law, P.A. 02-136, required job applications to bear a notice advising applicants that they are not required to disclose erased criminal records. There was no exception for law-enforcement applicants.

The intent of the public act was to prevent job discrimination against people with arrest records. That is a laudable goal, as those who have paid their debt to society should be able to get honest work. But one effect was to confuse law-enforcement applicants by leading them to believe they were entitled to conceal criminal conduct. When such deception is exposed by a thorough background check or a polygraph, the applicant would be rejected for dishonesty—even if the underlying conduct might not have disqualified him.

Police officers are given great authority by the public, and in return are held police to a higher standard of integrity. It is expected that police agencies will conduct extremely thorough investigations of each applicant to ensure that only a person of high character receives a badge and the power it represents.

But we believe, and we hope you agree, that conduct which leads to an arrest may be relevant to an applicant's suitability to be a police officer, even if that arrest was ultimately dismissed, nulled, or otherwise erased. A police department should be able to uncover evidence of dishonesty or violence before it entrusts an applicant with the power of arrest and the right to use deadly force. We ask you to approve this bill

RB #1092, AA Limiting Law Enforcement Access to Recorded Information in "Black Box" Event Data Recorders in Motor Vehicles, would require police to get a search warrant before retrieving data from an event data recorder. The recorder is an electronic device, installed by many manufacturers, which can measure and store information about a car's speed, braking, steering, etc., thereby indirectly recording information about the driver's behavior.

The recorder's value as evidence is clear; if a motorist drives poorly, causes a collision, and lies about his conduct, the recorder tells the truth. It's worth an officer's effort to get a search warrant. But usually, he can't.

Sec. 54-33a authorizes issuance of a search warrant on probable cause that property has been used to commit a criminal offense. Most traffic crashes are caused by infractions or violations of traffic statutes, but only a small fraction involve criminal conduct. A search warrant cannot be issued for evidence of an infraction.

If this bill becomes law, a driver can run a stop sign, smash into you, and claim you were at fault; the recorder will be unable to vindicate you. A device which could serve to restrain a driver's aggressive urges will instead be muzzled to protect the driver from the consequences of his irresponsible actions.

You could call a vote in favor a vote for privacy. Your conscience would know better. Vote "no."