



Connecticut Police Chiefs Association

Testimony by its Representative Richard Mulhall, Chief of Police
Newington Police Department

In Support Of:

H.B. No. 6710 (Raised) – An Act Concerning Court Operations

Joint Committee on Judiciary

March 26, 2009

The Connecticut Police Chiefs Association respectfully recommends the Committee's Joint Favorable Report for H.B. No. 6710, An Act Concerning Court Operations.

Section 6 of the proposed legislation would formally enable the Judicial Department to adopt standards and a process for affixing electronic signatures to both civil and criminal documents. The Connecticut Police Chiefs Association strongly supports initiatives to improve the workflow of criminal justice documents and information. Electronic signature authorization is a significant step in the development of processes that provide more comprehensive and supervised information to the prosecution and the court system. In addition, documents created using the electronic signature will provide for a means of sharing authenticated records with our law enforcement partners using high speed, controlled communications environments.

While we support the legislation without caveat, we must note that the full implementation of the benefits of electronic signatures and documents cannot take place without additional authorization in the form of an electronic oath. Documents created by the police are required to be sworn under penalty of perjury. This obligation is not diminished by the enabling e-signature legislation and there is a Constitutional requirement that documents alleging probable cause in a criminal proceeding be supported by "oath or affirmation". We believe that an electronic oath process need not be cumbersome and could be contained within an electronic signature process. The fundamental elements of an oath: a declaration or affirmation, a witness, and a ceremony can be accomplished in a secure, electronic interchange between police officers and their supervisors who have notary authority. Moreover, we believe that the technology in the mobile computers in our police cars can support this critical obligation in a high integrity and fully reproducible fashion. We would ask that you consider raising legislation on electronic oath authorization in this session so that it may be properly partnered with electronic signature.

Finally, we would be remiss if we did not mention some of the advantages that will inure to our cities and towns with lawful, electronic, law enforcement document creation. First, we will be able to redirect

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substantial work hours from administering oaths at police headquarters facilities back to patrol services in the neighborhoods in our communities. Second, we will have the opportunity to create paperless records management systems. Since the electronic document will contain a valid electronic signature, the need to maintain a handwritten copy for authentication purposes is eliminated. Third, since access to these electronic records can be more easily shared among users, the opportunity to participate in shared records management systems is substantially increased. For example, the cities of Bridgeport, Hartford, and New Britain are in the process of building such a system. The costs to all three cities is reduced by sharing a common system. Fourth, we think that e-mail is becoming pervasive. Studies have shown that over 70% of homes in Connecticut have internet access. We think we can serve our community's need for records of incidents better by having electronic documents and distributing them through e-mail and other systems.

In conclusion, the Connecticut Police Chiefs Association would respectfully recommend the Committee's Joint Favorable Report for H.B. 6710, *An Act Concerning Court Operations*. On behalf of my fellow chiefs, I would like to thank the committee for this opportunity to present our position on this important matter. I would be pleased to respond to any questions or observations the Committee may have.

Respectfully submitted,

Richard Mulhall, Chief of Police, Newington, Chair, CPCA Communications and Technology Committee
James Cetran, Chief of Police, Wethersfield, Co-Chair, CPCA Communications and Technology Committee

CPCA/jpd