

Public Safety and Security Committee

Tuesday, February 24, 2009

TO: Senator Andrea L. Stillman, Co-Chairperson  
Representative Stephen D. Dargan, Co-Chairperson  
All Members of the Public Safety and Security Committee

FROM: T. William Knapp, Retired Executive Director, POSTC

DATE: February 24, 2009

SUBJECT: Testimony in Opposition to Raised Bill No. 6454

Good morning. My name is T. William Knapp, of 171 Collier Rd, Wethersfield, Connecticut and I am a retired police officer with over 45 years of law enforcement officer experience, with 15 of those years as a Chief of Police and 15 as Executive Director of what is now POSTC (referred to herein as POST) whose standards I am to testify about.

There are two issues here which must be separated.

The first is compliance with the minimum POST selection standards for a Lateral Transfer which, I urge you, should not be waived, reduced or modified. Those selection standards, including an updated background investigation, polygraph examination and psychological examination, were codified to ensure the highest ethical standards be applied to sworn police officers that are appointed in this state whether they be Police Chiefs or the newest entry level police officer. Even if a person has had an apparently successful career in another agency, misconduct could still have occurred and it is critical to the law enforcement profession, AND to the appointing employer, that the POST selection standards be employed to provide a fair and objective evaluation of a candidate to the hiring authority. Historically every sworn police officer appointed to a position having empowerment as a police officer in this state, either by a lateral transfer or by a comparative certification process, has been required to comply with the selection standards regardless of where, or how long, or at what rank they previously held that empowerment. Former Chiefs of Police from other agencies, and from out of state, have consistently, without exception, complied with the required selection standards. This is true, in MY personal experiences, EVEN in "interim, acting Chief of Police" positions. These standards, and the enforcement of them, are the only tools available to ensure honesty and integrity at all levels, including the highest ones. A question for the Legislature to consider is "should 'lesser standards' to be applied to higher office?"

During my years as Chief of Police, and my years as Executive Director of POST, I have been selected, by innumerable appointing authority's who have responsibility to appoint police chief's, to be in charge of administering fair and competitive employment selection processes for the position of Chief of Police. That is true for "interim, acting, Chief of Police" positions as well. I am currently employed by one city to run such processes for all police officers, including the office of Chief of Police, if a vacancy in that office were to occur. Included in my experience is

the three times that I was selected, by your own bipartisan Office of Legislative Management, to oversee the selection, screening and standard compliance with POST standards, of candidates for your own Chief of Police here at the State Capitol Police Department. That includes your current Chief who unquestioningly met ALL standards. Interestingly, whenever I have run those selection processes, without exception, I have been told that the 'potential employer' wants me to assure them that all of the candidates submitted to them for their consideration for actual appointment, meet all of the POST standards.

There have been many, many times, in the history of police employment experiences in this state, when the background investigation, aided by polygraph examination, has disclosed "serious misconduct" on the part of applying candidates (even individuals holding the highest ranks in law enforcement units). This was very, very true in one of the processes I ran on behalf of your Office of Legislative Management. That candidate never made it to your final review. I could also enumerate some of those serious misconduct behaviors if you like, but I choose not to, in the interest of brevity, unless asked to do so by a committee member. Suffice it to say, in those cases, the 'appointing authority' has been saved the problems associated with making that kind of appointment. There have been many instances where these examinations, or their existence as a "standard," have resulted in disclosures of official misconduct including previously undisclosed actual victims, that have resulted in officers being 'disciplined in their current position' or, in some cases, being terminated from them.

I have also been approached in the past, by "appointing authorities" who, in private meetings, have asked that I run 'a Police Chief selection process' and recommend to them for their selection, a candidate that may or may not meet, 'at the time,' existing standards but one that they desire. Obviously I refused to do that. On at least one occasion, in a specific community interested in the successful outcome of this proposed bill, the person who was appointed as their Chief of Police, was dismissed, a few years later, "with just cause." Had the current POST standards been in existence at that time, I can assure you that individual would NOT have ever been appointed either 'interim' or 'actual' Chief of Police.

I was Executive Director of POST when the Council adopted the entry level standards program that is, for the most part, still in existence today. The adoption of those standards, and their wording, was specifically constructed to apply to all police empowered persons and it was done intentionally to avoid any appearance of providing preferential special circumstances for Chiefs of Police or other 'ranking officers' and also to make sure that those standards would meet any challenge, based on actual valid job requirements of a specific position, in a court of law, whether federal or state. There have been some court challenges to some standards, in both federal and state court; in all cases to date, the standards have been upheld.

The second issue being dealt with in this bill is that once the selection standards are complied with, what is the appropriate amount of training that must be completed by an officer no longer current in training? Currently, POST does not have the authority to waive sixty hours of review training when a candidate has been out of law enforcement in excess of three years. POST does not have that authority because it has been mandated by you, the Legislature, and those mandates are located in several, individual, subject-matter police training specific statutes. Accordingly POST has, I believe, properly required them of ALL newly appointed, but not currently trained, police officers. If you, as the Legislature are inclined to pass the training element of this proposed bill, then I recommend that POST be given the authority to consider the re-training requirements on a case-by-case basis. In the past, whenever the Legislature has considered mandating any 'subject-specific training mandate, by hours required and subject

matter," POST has not supported those proposals because when passed, they deny, for all time, the exercise of discretion by POST.

If this bill is enacted, it will have the same impact ultimately on all other sworn law enforcement positions. We are aware of other situations where an officer in one department planning on going to another department by virtue of a Lateral Entry has been disciplined and even arrested for misconduct while acting as a Police Officer in their original agency.

THANK YOU.