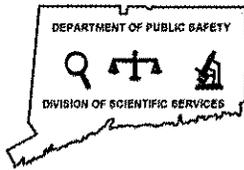


STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

March 4, 2010

Rep. Stephen Dargan, Co-Chairman
Sen. Andrea Stillman, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

SB 311 AN ACT CONCERNING CONSTABLES AND THE CONNECTICUT STATE POLICE RESIDENT TROOPER PROGRAM

The Department of Public Safety opposes this bill.

This bill states that, in the event of any conflict between the provisions of the Connecticut Resident Trooper Administration and Operations Manual of the Department of Public Safety and the provisions of a collective bargaining agreement between the collective bargaining unit and the resident trooper town, the collective bargaining agreement shall take precedence.

The problem with this is that the conflicting provision may be contrary to state statute, state regulation, ethical guidelines, CALEA (Commission on Accreditation of Law Enforcement Agencies) or best practices standards for law enforcement

If, for example, a collective bargaining agreement were to provide for equipping all constables with tasers, without the training and guidelines for acceptable use provided for in the A and O manual, there would be considerable potential liability to the state.

The Department of Public Safety recognizes that conflicts may arise, and even agrees that provisions of a collective bargaining agreement usually must take precedence. It would be entirely inappropriate and not in the interest of public safety, however, to say in statute that they will always take precedence without any foreknowledge of what they are or whether they might be illegal, unethical or contrary to best practices standards for law enforcement.

Sincerely,

John A. Danaher III
COMMISSIONER