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Testimony to the Judiciary Committee

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We support S.B. No. 1094 AA BANNING LARGE CAPACITY AMMUNITION MAGAZINES. It's not much. A misfit with a 31-shot pistol shot U.S. Rep. Gabrielle Giffords and 18 others, so legislators feel the need to do something. True, if we ban high-capacity magazines, a would-be mass murderer can still reload or draw a second pistol. But that delay might give bystanders a chance to tackle the gunman, or take cover, or at least run for their lives. And because over 2400 Americans have been shot to death since Rep. Giffords was attacked, perhaps we should do something.

We also support S.B. No. 1096 AAC CRIMINAL POSSESSION AND SEIZURE OF AMMUNITION. If the law says you can't have guns, you don't need ammo. This will may help police catch armed felons clever enough to stash a gun when the cops show up, but not slick enough to hide the shells. It will help police protect family-violence victims in particular and the public in general.

We see the reason for S.B. No. 1206 AAC RECORDING OF POLICE ACTIVITY BY THE PUBLIC. With the proliferation of portable video, we teach our officers to assume that they're on film and to behave accordingly. But we are concerned that the bill's breadth would penalize officers for protecting the privacy of helpless crime or accident victims, and could expose witnesses or informants to retaliation.

We are concerned that the presumption of reasonableness to be granted by S.B. No. 1210 , AAC USE OF DEADLY PHYSICAL FORCE TO DEFEND THE RESIDENTS OF A HOME, may make it easier for criminals to answer with gunfire an officer's knock at the door and announcement of a search warrant or arrest warrant.

We must oppose H.B. No. 6615 AAC USE OF ELECTRONIC DEFENSE WEAPONS, which will hinder police use of devices which have saved lives and prevented injury since their introduction. We believe that POST can and will decide what training police need and how much, and oppose statutory minimums. In any case, the training requirements of Section 1 are current practice.

Section 2 contains some bad ideas. A subject's actions determine the need for force, not his status; an elderly man or a pregnant woman is still dangerous if holding a knife to a child's throat. Subsection (b) would ban use of a TASER where even use of a firearm may be justified. And we don't object to getting medical aid when needed, but many people sustain TASER applications without any injury. (Ask former Rep. Lawlor, who volunteered to take a "ride" before this committee.)

Most departments with TASERs already have policies and complete reports as required by Section 3. And civil action is already available for substantive misuse of electronic defense weapons; Section 4 would unnecessarily add a cause of action for procedural lapses.