

**Testimony of Joseph J. Kaliko
President of the Cos Cob Fire Police Patrol, Inc.
Attorney registered to practice in Connecticut, Ohio
and before The United States Patent and Trademark Office**

My name is Joseph Kaliko. I reside in Greenwich Connecticut and thank you for this opportunity to testify today in support of H.B. 5054. I am president of the Cos Cob Fire Police Patrol, Inc., an all volunteer 501c3 organization that are first responders and are a resource used daily byt both the fire and police departments in the town of Greenwich.

CGS 7-101a currently provides for the protection of municipal *employees* providing public safety services (like police and firemen among others) from damage suits. This statute also provides for the reimbursement of *defense expenses*.

Presently CGS 7-308 (covering among other things, volunteer fire companies and volunteer ambulance organizations) has 3 shortcomings:

- 1) No defense reimbursement provision (such as the provision found in CGS 7-101a);**
- 2) The definition of *who* is covered needs to go beyond volunteer fire companies and volunteer ambulance organizations to include fire police organizations.; and**
- 3) Additionally, the *members* of these organizations need to be protected, as well as the volunteer organizations per se.**

For the reasons stated above, it is respectfully requested that the protections provided to public services emergency workers under 7-101a (indemnity and defense) be extended to volunteer fire companies, volunteer ambulance corps, volunteer fire police patrols and their members.

This could be accomplished by expanding who is covered by CGS 7-101a to included the volunteer fire companies, volunteer ambulance organizations, volunteer fire police patrols and their members and deleting CGS 7-308 in it's entirety (which is my personal preference) ; or by amending CGS 7-308 to be consistent with CGS 7-101a (in particular adding reimbursement for defense costs); and adding to CGS 308 volunteer fire police patrols and the members of all the covered organizations.

The need for this legislation became apparent following the initiation of two actual pending lawsuits against the Cos Cob Fire Police Patrol, Inc. and one of our members personally (as well as the Town Of Greenwich) resulting from a fatality) that occurred when a motorist hit one of our fire police vehicles (including fire police personnel in our vehicle) protecting emergency services workers on I-95.

If a paid firefighter would have been sued, CGS 7-101a would have obliged the municipality to defend the firefighter. In our case where a volunteer organization and it's member were named defendant's, the municipality was not required to defend the volunteer since CGS 308 controls; not CGS 7-101a.

The proposed legislation would remedy this inequity and any potential for conflicts of interest arising under CGS 308, where the municipality and volunteer may be represented by the same counsel, as their interests may not always be aligned.

Respectfully submitted,

Joseph J. Kaliko