

**Judiciary Committee
March 20, 2015
Senate Bill 1106**

Senator Coleman, Representative Tong, and members of the Judiciary Committee:

My name is John Bannan. I am a police inspector in the Division of Criminal Justice (DCJ). I also serve as President of the Police Inspector's Council of the Connecticut State Employees Association/Service Employees International Union Local 2001. I am here to endorse, and seek a favorable vote on certain aspects, and to oppose other portions, of Senate Bill 1106 entitled "An Act Concerning the Indemnification of Law Enforcement Professionals" as it is currently written.

This legislative session my union requested a change to address what we believed is an oversight in Connecticut General Statute section 53-39a (copy attached). While this statute indemnifies virtually every other state and municipal police officer in Connecticut for economic loss, including attorney's fees, for a criminal prosecution resulting from a line of duty incident for which the officer is later exonerated or the charges are dismissed, this statute does not include Inspectors in the Division of Criminal Justice. The change we sought, and continue to seek, is very simple: add Inspectors in the Division of Criminal Justice to the list of those who are indemnified by their employing agency.

It is very rare for a Connecticut police officer to be charged with a crime. No DCJ Inspector, in my memory, has ever been criminally charged for on-duty misconduct. However, our duties have evolved in the past several years. Our Inspectors are now, more than ever, working on the streets of Connecticut in partnership with other law enforcement agencies on shooting task forces, investigating criminal complaints, executing search warrants, and making arrests. It is dangerous work, which is why we are classified as hazardous duty state employees. We are merely asking that we be treated as is any other police officer in Connecticut when it comes to indemnification when we acted appropriately as determined by the criminal justice system.

Unfortunately, another change was also included in SB 1106 as currently proposed. This change transfers financial liability from the officer's employing agency to "... the governmental unit that brought such charge or prosecuted such person ...". The only agency capable of prosecuting anyone is the Division of Criminal Justice. This change would make the Division liable for economic loss in every case in which a police officer is charged with a crime and later cleared. It would be an extremely onerous and unquantifiable budgetary burden to hold the Division responsible for every such case across the entire state, especially when this agency is already dramatically reducing its expenditures given the current state budget situation.

Additionally, an unintended consequence of this language may be that an arrest warrant is not signed or a prosecution is not undertaken when the case is not going to be a certain victory in court. Another factor the State's

Attorneys would now have to consider when deciding to move forward is the financial ramifications of an unsuccessful prosecution. What happens when an officer is arrested, is granted and successfully completes Accelerated Rehabilitation leading to the eventual dismissal of the charges - is the DCJ going to have to cover the costs in those cases?

The shifting of the indemnification liability as proposed in this bill is simply bad public policy. There is no need to shift the indemnification as proposed in this bill.

We do ask that Inspectors in the Division of Criminal Justice be added to the list of police officers who are indemnified by their employing agency as stated in 53-39a. All we want is to be afforded the same rights and protections as any other Connecticut police officer is afforded.

I thank you for your time and attention.

John Bannan

President, Police Inspector's Council - CSEA SEIU Local 2001