



Office of Public Safety, Health & Welfare
City of Stamford
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**Testimony of Director of Public Safety, Health & Welfare
Thaddeus K. Jankowski Concerning SB 802
February 17, 2015**

Good morning Senator Larson, Representative Dargan and distinguished members of the Public Safety and Security Committee. My name is Thaddeus Jankowski and I am the Director of Public Safety in the City of Stamford.

On behalf of the City of Stamford, the Stamford Police Department and Police Canine Units throughout the State, we wish to ask for your SUPPORT of Proposed S.B. No. 802 – An Act Concerning Liability for Damage Caused by a Police Dog.

Canines are one of the most important tools for police to use in the fight against crime. This is recognized by Law Enforcement nationwide. The trained police dog is intended as an aid to a department and is one of the biggest deterrents ever devised. Connecticut General Statute §22-357, as it is currently worded, threatens the viability of the K-9 program in Stamford's Police Department and Police Departments across the State.

Canines are used in Narcotics Detection, Bomb Detection, Tracking, Arson Detection as Patrol Dogs or a combination of several specialties. In each city where a canine unit has been formed, a significant drop in the crime rate has been reported. Stamford is no exception.

A canine is kept at the handler's home because of the close relationship that must exist between the canine and the handler. This is an accepted professional practice. For a canine unit to reach its full potential this close relationship must be maintained to build a bond between the officer and the K-9 and to reinforce the dog's training 24/7.

The Stamford Police Department's K-9 Unit is comprised of several dogs and Dog Handlers. During the past year officers from the Department responded to more than 137,000 calls for service, conducted more than 38,000 motor vehicle stops and made approximately 3,000 arrests. The K-9 Unit has played a major role in the Department's success for solving and keeping crime to a minimum.

The proposed amendment is necessary because the dog bite statute, C.G.S. §22-357, imposes liability not only on the owners of dogs but also on their "keepers." Police K-9's are owned by the municipality for which they work. However, because K-9's typically live with their police handlers, K-9

police officers and members of their households could be considered keepers of their K-9's and, therefore, subject to strict liability under the dog bite statute.

There are two primary issues to the strict liability dog bite statute that is required to be addressed by this amendment,

1. to clarify that K-9 police officers who are required by their assignment as K-9 officers to care for and house their K-9s in their homes are not subject to strict liability under the dog bite statute; and
2. to clarify that the members of K-9 police officers' households are not "keepers" of the K-9s who can be held strictly liable under the dog bite statute.

For clarification, we are not requesting that SB 802 limit K-9 police officers' liability for negligence, excessive force or reckless conduct in the handling of their K-9s. The purpose is to address the application of strict liability under the dog bite statute to K-9 police officers and their families

Without this exception the statute exposes K-9 police officers and their household members to personal, strict liability under the statute. We are currently experiencing this issue in Stamford. A Police Officer's wife is also being sued as a result of an incident that had occurred with a canine.

The Statute as it currently exists threatens Stamford's K-9 program, and programs throughout the State, as it exposes a K-9 officer and/or his spouse to liability for the actions of a police dog. Ironically, the exposure to liability would even extend to injuries caused by the dog in the line of duty, because the liability of a keeper does not address where or when the dog bite occurs.

As the Director of Public Safety for the City of Stamford, on behalf of the Stamford Police Department, I respectfully urge you to support SB 802. SB 802 should be adopted to clarify that neither K-9 police officers who house their K-9s, nor members of their households, are subject to strict liability under the dog bite statute as "keepers" of the K-9's residing in their households. The approval of SB 802 will support the continued use of Canines, one of the most important tools that police use in the fight against crime.

Respectfully,

Thaddeus K. Jankowski
Director of Public Safety, Health & Welfare