

Good afternoon, Chairs, and seats. I'm Gregg Marchand from Willimantic, Connecticut. I want to oppose and S.B. No. 326 AN ACT CONCERNING THE INDEMNIFICATION OF LAW ENFORCEMENT PROFESSIONALS

I would like to start with this case law in which Connecticut lawmakers seem to over look;

This case shows police should be tested randomly for drugs. Why is it they are not?

You are Representatives for the citizens of Connecticut you are not here to misrepresent us. All acts with public safety should without any doubt include random drug testing for all armed police that have power of arrest.

Which brings to mind this case law:

TO BE TESTED UNDER THE 'SPECIAL NEED' RULE AS IN THE CASELAW OF SKINNER v. RAILWAY LABOR EXECUTIVES' ASSN., 489 U.S. 602 (1989) and National Treasury Employees v. Von Raab, 489 U.S. 656 (1989). In these companion cases, the Court held that the government is allowed to conduct drug tests without individualized suspicion when there is a "special need" that outweighs the individual's privacy interest. In Skinner, the court found that public safety was such a special need. In Von Raab, the court found a special need in relation to customs agents who carry firearms or are directly involved in drug interdiction.

The federal courts spent the next decade defining which government interests qualified as "special needs" and defining the scope of those that qualified.

[Which consists of every policeman and state trooper].

It soon became clear that "special need" meant little more than that the nature of the employee's job was extremely important, and that a great deal of harm could be done if the job was not performed properly. The courts did not require public employers to demonstrate that employees who used drugs were likely to create this harm, nor that there was any special difficulty with preventing the harm through normal supervisory methods. Courts generally resisted, however, attempts to push the Skinner/Van Raab envelope to encompass large sections of the workforce. The result was an unprincipled, but relatively small and well-defined exception to normal Fourth Amendment principles. This case clearly shows police should be randomly drug tested.

Why they are not tested? My conclusion is lawmakers condone police to do drugs as long as they make arrests.

Always using the excuse of "it's up to the Police Bargaining Table". Which shows police unions are pulling the strings of what lawmakers should do. Again once a law, unions cannot supercede the law.

Why is it no matter what a police officer does he's covered?

The reason employees are being drug tested is to be sure they are acting in the proper state of mind while doing the job, under the high risk safety sensitive occupation rule. Insurance companys had there idea in part of this high risk safety sensitive rule to be sure a person hurt etc., while on the clock, they didn't do the injury while being on a mind altering substance. Therefore insurance companys will not be resposnsible for coverage if the individual was under the influence when injury occurred.

Therefore police should be Random Drug Testing including for the Anabolic Steroid and be put on the high-risk safety sensitive occupation list. Since police houses are not doing it in house. To prove police are in the proper state of mind and being held to a higher authority as expected and not running amuck.

The Commissioner of the D.O.L. has the authority to designate certain occupations as "high-risk or safety-sensitive." Occupations that present a clearly significant life-threatening danger to the employee or general public require exercising careful judgment. Employees that are high risk safety sensitive have a list of actions they can't do. If they do something on that list they get randomly drug tested.

Police are supposed to get randomly tested under contract 'reasonable suspicion.' Which never happens because there's no list for reasonable suspicions therefore no police gets tested for any action or accident.

The law should have police on the list of high risk occupations . For our safety.

I also find it difficult to know that police have this type of force and fire power to put against the citizens in a military form, yet they are not being randomly drug tested including for the Anabolic Steroid. Everyone in the U.S.A. armed forces gets randomly tested.

It's kind of funny because we call state police 'troopers' and their police house is called a 'barracks'. Which are descriptions we use for people in the armed forces