CHAIRPERSON: Senator Gary Winfield, Representative Steve Stafstrom

SENATORS: Champagne, Haskell, Kissel, McCrory

REPRESENTATIVES: Blumenthal, Carpino, Colangelo, Cummings, Fishbein, O'Dea, Palm, Porter, Rebimbas, Walker

REP. STAFSTROM (129TH): Good Morning, everyone and welcome to the Judiciary Committee Listening Session for July 17, 2020. We have one item on our agenda for our review today which is LCO Number 3471, a draft of AN ACT CONCENRING POLICE ACCOUNTABLITY. As members certainly know this Committee has a long tradition of hearing from the public and debating some of the most consequential issues that face our State. The Bill before us today certainly fits into that mold but we find ourselves for our first time in our history doing this, the Zoom, given the Covid state of emergency in the State of Connecticut and our Nation. Even though we're conducting this hearing via Zoon, we certainly on behalf of the Chairs and Ranking Members we would like to encourage the members and the public to retain the same level of civility and decorum that we have come to expect from this Committee and understand that there is a lot of interest and a lot of passion on the Bill and the issue before us. We have over 150 speakers signed up to testify today and we have 12 hours of time blocked off and it is our hope and intent to get to everyone who has signed up to

testify in that 12 hour block of time. So with that we would ask the public to be cognizant that after two minutes and 45 seconds of testifying there will be a bell that will ring that will be a warning to wrap up or conclude your remarks and at the three minute mark your mic will be muted by the administrator. We'd ask you, if you have submitted written testimony please not to read that testimony into the record, we already have it in the record, it is publicly available on the Judiciary Committee's website, the General Assembly page but merely to summarize the key points of your testimony and to feel free to respond to other comments you've heard previously in the hearing.

Members, in order to be respectful to the public and to get to as many speakers as possible we would ask you to be judicious in your questioning. We are asking Members to limit themselves to one or two questions tops per speaker, per person testifying. Please try to refrain from extended commentary but instead to ask genuine questions of those who are coming before us to testify today. Again our purpose here today is to listen to the public to hear feedback on all angles of the Proposal before us. With that, before we get started, any remark from Co-Chairman Winfield?

SENATOR WINFIELD (10TH): Thank you. Good Morning. I'll be very brief. I think it's important that we hear from public. I just want to emphasize the point that was made about limiting time that we have and please as those who have the ability to ask questions to really consider the level of concern that people have when deciding whether or not to ask questions. We need to hear from the public especially in this moment, so thank you.

REP. STAFSTROM (129TH): Representative Rebimbas or Senator Kissel?

REP. REBIMBAS (70TH): Thank you. Good Morning everyone. Just briefly again, just to reiterate what's already been said, but also emphasize to the public that our, the fact that we're not asking questions is not because we're not interested and in following this Hearing there will be a lot of opportunity for Members as well as members of the public, Members of this Committee, members of the public to reach out to one another and then answer any questions or make further questions, or ask further questions that may be necessary. So I just want the public to understand that the fact that we're not asking questions, we're here to listen and also we're gonna be revealing all the testimony that has been submitted and to thank them for taking the opportunity to submit the testimony and make themselves available here today and to all of the Committee Members as well for taking time to be here to listen to the public. Thank you Jen and all the staff that made this possible.

SENATOR KISSEL (7TH): Great, I'm here too!

REP. REBIMBAS (70TH): Go ahead, John is there anything you want to say?

SENATOR KISSEL (7TH): I just agree with all three of you, been on this Committee a real longtime and 150 speakers is a heavy lift so we really can't spend the first two hours on like the first ten speakers, it's just not gonna work and so part of this is just to listen and if you can find out who you have a question for and go offline and do that, that will save us all a lot of time. But I'm

looking forward to hearing from as many people as humanly possible over the next 12 hours.

REP. STAFSTROM (129TH): Thank you all and with that I want to echo my thanks to the staff for putting together what is one, if not the first, real significant Public Hearings that we're attempting within our unfortunately new normal of Covid and trying to legislate. So what that, we are going to jump in. We have sign-ups for this hearing were conducted over the last couple of days and then randomized last night. The first speaker who was drawn in the lottery is Mark Bibbons. Mr. Bibbons?

DEB BLANCHARD: He hasn't, he's not in the attendee list. He's not here, so just move on to.

REP. STAFSTROM (129TH): All right, we'll move on. So the second sign-up on our list which is the Chief State's Attorney, Richard Colangelo. Attorney Colangelo you have three minutes.

ATTORNEY COLANGELO: Thank you. Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Rebimbas and Members of the Judiciary Committee, thank you for the opportunity to address you today. The Division of Criminal Justice has submitted written testimony about the proposed legislation and I'm only gonna focus my comments today on Section 33 of the Bill.

We support the concept of an Independent Unit to investigate and prosecute police use of deadly force cases. But I would like to propose a change to the legislation if I may. To comply with the Constitution as it's written, we would like to create or suggest that you create a Third Deputy Chief States Attorney/Inspector General person. That

individual would head the unit that you are proposing in the legislation, they would be subject to appointment or vetting if you will an appointment by the Criminal Justice Commission which as you know from my, appointment at the end of January, there was a lot of public comment, a lot of public participation in that and this person would be subject to that same process and procedures laid out right now. Deputy Chiefs also have a four-year term as suggested in your legislation. I would also, we would also propose that we increase the scope of that person or the units investigation if you will or authority. Right now by Statute they are looking at or determining if the use of force used by the office was justified at the time the force was used. I would also propose, we propose that we expand that to look and see whether the office violated any policies or procedures during the time of their action and would give this unit the ability to make recommendations to the chiefs of police for discipline or propose possible decertification based on the officer's conduct at the time.

When one of these investigations commences right now, the State Police are the unit that does the investigations for States Attorney. Typically the State Police will show up for the investigation with their Crime Scene Unit, their crime van and ten other detectives to do the investigation. So for staffing the unit I will propose that we have that Deputy Chief/Inspector General person, another attorney, a Chief Inspector to oversee all of the investigation, six inspectors that we have two groups of three to participate in the investigations, paralegal/clerical to help them with research and writing and a crime scene analyst that

we can use or have imbedded with or be along with the crime scene analyst that is gonna have to be done by the State Police cause there is just no way we're gonna be able to get a crime scene unit up to speed on these cases under the umbrella of the Criminal Justice. Now, I propose to you that this is the minimum staffing needed based on prior cases and I will tell you that looking at the data from the last three years the State Police have investigated for States Attorneys, looking at the cases where deadly force is used where death occurred, deadly force is used where no death occurred and in custody deaths, the State Police investigated over the last three years 42 of those cases, about 14 a year. It does not include the cases that other jurisdictions or the local jurisdiction looked at while they were investigating in custody deaths, and I know I had one in Stanford with the Stanford Police investigated.

Lastly I would suggest that we need to give this Bill, this unit the ability to investigate the cases so I would suggest that they need subpoena power to investigate. I would propose that subpoena power have Judicial oversight and there be restrictions placed on any testimony that was gotten from the witness, you know, that should be restricted to only be able to be used when that witness, after they testify in a case for impeachment purposes only. We also have concerns about the timing of any investigation of a civilian review board that, you know, their investigations take place after an investigation by the Inspector General, the Deputy Chief's unit does their investigation so as not to interfere with or jeopardize any case that might come out of the unit. That is the proposal, I'd be

happy to answer any questions that you may have regarding it. As I said, the Division testimony touch on other portions of the Bill, we submitted that in writing.

REP. STAFSTROM (129TH): Attorney Colangelo for Members of the Committee the way I will call on folks is, we will used the raise your hand function on Zoom so if you hover over participants on the lower part of your screen, and then click raise your hand I'll call on folks to have raised their hand that way. First up I have for a question or two is Representative O'Dea.

REP. O'DEA (125TH): Thank you, Mr. Chairman. Attorney Colangelo, thank you for your testimony, just real quick, on Section 41 the elimination of qualified immunity, does your office have a position on that and would you support moving that over to the taskforce at this point-in-time to study it further? Thank you.

ATTORNEY COLANGELO: We didn't take, Representative we didn't take a position on it. I know that you're going to hear a lot of police testimony regarding that. It might be something that might need to be looked at further. I would just suggest, you know, in listening to everybody that's speaking about it or talking to them, you know, there's concerns on, you know, how are we, how are municipalities going to be able to indemnify the officers or cover an insurance policy.

REP. O'DEA (125TH): Thank you. Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Next up is Senator Champagne. Senator, you need to unmute yourself.

SENATOR CHAMPAGNE (35TH): Try again. Thank you for coming in and testifying. What is the cost that, of your proposal to staff this unit?

ATTORNEY COLANGELO: In looking at it, it's about $1., I had it here, $1.9 million dollars for the staffing. That doesn't include and I know your proposal for the Inspector General we wanted them to not be under the, in the building here at the Chiefs Attorney's Office so we would have to find a place to put them. But I will reiterate that if we staff it the way that the unit is setup right now and under Statue they will not be able to do what we want them to do. They are just not going to be able to accomplish the investigation.

SENATOR CHAMPAGNE (35TH): And do the employees in your office, do they get qualified immunity?

ATTORNEY COLANGELO: Prosecutors have qualified immunity for things that, they're absolutely naturally for anything doing it court. So that is something that covers our employees, yes prosecutors.

SENATOR CHAMPAGNE (35TH): And if they got rid of that would that create a problem for you?

ATTORNEY COLANGELO: If it happened for prosecutors, it would have an effect, yeah.

SENATOR CHAMPAGNE (35TH): Okay, I'm just, I want to make sure this is fair across the board because if we get rid of it from one group, we should be looking at that for everybody. Thank you.

REP. STALLWORTH (126TH): Any further questions for the Chief State's Attorney? Any further questions for the Chief State's Attorney? If not, Attorney

Colangelo, thank you for, thank you for your time. We appreciate you joining us this morning and kicking us off.

ATTORNEY COLANGELO: Thank you.

REP. STAFSTROM (129TH): Next up we will hear from Andy Matthews of the Connecticut State Police. Office Matthews.

ANDY MATTHEWS: Morning, Sir.

REP. STAFSTROM (129TH): Morning.

ANDY MATTHEWS: How are you?

REP. STAFSTROM (129TH): Alright, how are you?

ANDY MATTHEWS: Point of clarification, I'm retired now, so Andy's fine. Would you like me to begin, sir?

REP. STAFSTROM (129TH): Please.

ANDY MATTHEWS: So first we'd like to recognize yourself and Senator Winfield, Senator Kissel and Representative Rebimbas. We understand that these are serious issues for everyone involved and we'd like to start out by saying that we recognize, we would like to recognize you for acknowledging that chokeholds should not be banned but should only be authorized when deadly force is authorized.

On behalf of the Connecticut State Police Union President John Castleman and our 862 Troopers, Sergeants and Master Sergeants we are here to speak briefly today on LCO 3471, AN ACT CONCERNING POLICE ACCOUNTABILITY. I think it, we need to express that recently throughout the State Officers have felt abandoned, betrayed and forgotten about by those that we believe understood the importance of being

loyal to Police Officers who are willing to unselfishly give their lives for others and without hesitation we should start out by saying that the actions of Derek Chauvin and the death of George Floyd were shocking and unacceptable and illegal. Your State Troopers will never condone the unlawful taking of a life. Furthermore we understand that as law enforcement professionals we must be held accountable acting outside our authority and color of law. However we also deserve the support of our elected leadership in the communities we serve because of the actions of a few should not tarnish the reputations of all the police officers here in Connecticut.

I'm just gonna narrow my testimony today to three issues. We provided a seven page document, I believe with much more detail but the three issues that we would like to talk to you today about is the qualified immunity which shields government officials from harassment, distraction and liability when performing their duties reasonably. The Bill establishes a civil cause of action against police officers and eliminates the possibility of claiming qualified governmental immunity as a defense in a law suit. If this portion of the Bill is passed, police officers would fail to act when necessary for fear of being sued and no police officer, we believe, will risk their physical or financial stability for an employer who will not stand-by them and defend them when they need to. The officers, we believe will immediately, some will retire, resign, or significantly reduce their activity and interaction with the public for fear of being sued. Furthermore law enforcement agencies will continue to have difficulties recruiting, retaining, and

maintaining qualified candidates. We think that qualified immunity is critical to the support of law enforcement here in Connecticut.

The second issue is Police Certification - Post Certification, police officers our main focus is that police officers deserve fair treatment during disciplinary proceedings including the right to union representation and private counsel. The appeals process set forth in the *Uniformed Administrative Procedure Act, Chapter 54 of the General Statue*s, we believe should be clearly referenced in the Bill and that police officers should be guaranteed full due process rights before their career is permanently ended. The Connecticut State Police Union takes great pride in our legal obligation to fairly represent our Troopers, those within our ranks who sway from their oath should no doubt suffer the consequences of their illegal actions and our Troopers would not disagree. And we have convinced over the years, many in our.

DEB BLANCAHRD: Time is up.

ANDY MATTHEWS: We have convinced many over the years to leave our profession because they were not suitable to wear our badge. It’s easy to say we protect wrongdoers but the reality is we protect the Constitutional rights, the due process rights of our Troopers not only for our Troopers but for the public that we serve. That last issue I would briefly discuss is the Public Records Disclosure under FOIA. In 2018 the Legislature approved by our contract 2018-2022 Contract an in part it talks about the “internal affairs investigations with only a disposition of exonerated, unfounded or not sustained shall not be subject to Connecticut’s

Freedom of Information Act." This new language was negotiated between the parties because in recent years we've seen a significant increase in anonymous, false complaints involving serious allegations of misconduct and we believe that information should not be disclosed to the public if it was unfounded. This portion of the Bill applies to agreements in our Award in Connecticut, a collectively bargained agreement and in the Bill it talks about eliminating awards that we entered into before the Bill takes effect. We believe that the State should honor the language in our contract. Thank you.

REP. STAFSTROM (129TH): Thank you, Mr. Matthews. And I want to thank you on behalf of myself and I believe the rest of the leadership of this Committee obviously you and I have had several discussion over the last couple of weeks about various issues affecting police and State Police and I appreciate the honest dialogue back-and-forth that we've been able to have over the last couple of weeks as we've been working through this Bill. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you. I'm probably gonna ask a lot of questions throughout the day, I just want to put that up there as I'm a police office on this Committee who actually has experience in doing the job and I'm probably gonna hit on a lot on the different items and the thing that jumped out Andy was the public records and the disclosure of. Personally for those that are found credible, those should be released I believe. But again I'm gonna go to the fact that if you're releasing public records for one group of people in Connecticut all public employees records should be released as well. They shouldn't be just left to one group. Andy,

have you, as I know the State Police is covered by obviously being paid for by the State, but have you guys thought about any type of costs that this is gonna cost the State Police?

ANDY MATTHEWS: The entire Bill, sir?

SENATOR CHAMPAGNE (35TH): Yeah, the entire Bill.

ANDY MATTHEWS: I think it's gonna, I haven't done it. We haven't done a cost analysis but I think it will increase costs for the State, the employers, the unions that represent the employees as well.

SENATOR CHAMPAGNE (35TH): Okay

ANDY MATTHEWS: We're going to many different venues now, it's not just Internal Affairs, it's now the State's Attorney, it's the Inspector General, it's Post. I think we're gonna be really busy and have to hire a lot more employees.

SENATOR CHAMPAGNE (35TH): Right. And under the qualified immunity the State has to agree to, if they remove that, the States got to agree to take on the responsibility for the individual State Trooper and if not, then the Trooper could be sued personally, is that correct?

ANDY MATTHEWS: Yes. I believe, I think the real issues with qualified immunity is the State give us rifles, firearms, and other equipment and to respond to calls for service for critical issues. If a Trooper shows up at a scene and is concerned in the back of their mind and hesitates as you would know, I think not only does, because they are worried about being sued or losing their home and their finances, I think the biggest concern is that not being supported by the employer, they're actually

gonna hesitate to the point where they or a third party is going to be injured or killed and I think that's a real threat.

SENATOR CHAMPAGNE (35TH): And we're seeing that across the country right now. Okay, thank you. Thank you, Andy. I'll keep more of my questions for later.

ANDY MATTHEWS: Thank you, sir.

REP. STAFSTROM (129TH): Thank you. Thank you, Senator. Next up is Vice-Chairman Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chair and thank you, Mr. Matthews for your testimony and all your work and engagement over the years in law enforcement and also on this Bill. I'm going to keep my questions to one. So you addressed the qualified immunity issue. I think there is conversation around qualified immunity. Some people I think believe that the qualified immunity defense has been significantly expanded from a legal perspective of over the years and in your testimony you mentioned that there should be some sort of protection for office who take reasonable action and I guess what I would ask is, if instead of completely getting rid of qualified immunity we were to reform it in a way so that it was not so expanded as some people believe it to be, but again kind of return to an area where it protected reasonable actions of officers if you would, if that would remove your objection to modifying qualified immunity?

ANDY MATTHEWS: That's a good question. Briefly I'm also the Executive Director of the National Troopers Coalition, so like in Colorado they limited the

first $25,000 dollars of exposure to the officer. I think the problem with that is, you know, we're now moving into an objectively reasonable standard whereas before it was the reasonable belief of the officer. When a third party, not at the scene of the critical incident, starts evaluating and making judgements about a deadly force situation or even a use of force situation, and you're using 20/20 hindsight and second guessing law enforcement, not only will they second guess themselves but when you start telling 'em that they're gonna be exposed to liability. First of all none of our officers want to take the life of anyone and no one ever intentionally goes into a situation and uses excessive force, that has been my experience. So I think Connecticut, I'm proud to say that in Connecticut, I personally haven't seen where someone, I know I'm rambling on, so I'm just gonna stop. But basically I don't think this is an issue that happens here in our agency and if something were to happen we'd deal with it and we hold people accountable. So I just think that once you start telling offices that they are going to be financially, potentially financially responsible for something they are doing for you as the employer, I think that people will reconsider and go elsewhere to other professions, if they can leave.

REP. BLUMENTHAL (147TH): Sorry, just one quick follow up. It sounds like the indemnification piece is very important to you, is that fair to say?

ANDY MATTHEWS: Yeah, and I mean, Connecticut has always supported over the years, for decades, forever, supported their police officers which gives us the ability to respond. When I went to calls for service I knew that the employer, I'm trained and

acting in a reasonable way because my employer taught me how to respond and I need to know that if someone sues me or sues us for our actions on your behalf that you'll support us. There shouldn't be any, you know, and police officers don't make a lot of money throughout the State unless they get to work a little overtime but, you know, salaries have increased over the year but imagine telling somebody they are responsible for the first $25,000 or $50,000 dollars of any liability. I think that's unfair if they are acting on your behalf.

REP. BLUMENTHAL (147TH): Thank you, Mr. Matthews. Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you, Representative. Further questions for Mr. Matthews? Senator. Ah, Representative Fishbein is that a hand raised? Go, Representative Fishbein.

REP. FISHBEIN (90TH): Thank you. Good Morning, Mr. Matthews. There is an area of your testimony that you addressed having to do with due process and appeal and am I to understand that is from a police, a local police civil review board or from some other procedure that you're looking for, I guess, an appeal to Superior Court if you could just flush that out a little it?

ANDY MATTHEWS: Are you referring to the decertification proposed, sir?

REP. FISHBEIN (90TH): You had mentioned due process and having the right to appeal, so I guess I'm trying to figure out from what and to what. I was unable to establish that.

ANDY MATTHEWS: I give credit to Representative Stafstrom. He and I spoke at length about this

yesterday. We are not currently as Troopers Post Certified so one of the benefits to this is that everyone will be Post Certified and have a license essentially and other states do this as well. We weren't familiar with whether there was an appeal process. Obviously you could go to Superior Court but Senator, Representative Stafstrom enlightened me and informed me that the *Uniformed Administrative Procedure Act, Under Chapter 54 of the General Statute* sets out the right of appeal and what we were saying is that we believe that should be incorporated in the Bill to ensure that people know that they have rights of appeal. So if you were to, if they were to revoke your license through Post you would have the right to appeal to Superior Court.

REP. FISHBEIN (90TH): Okay and that would be the only place that you could appeal that certification is the thought process[Inaudible-00:29:22]?

ANDY MATTHEWS: My understanding is that is the only place that you could appeal.

REP. FISHBEIN (90TH): Okay, just focusing on the decertification aspect it appears in my review of this language that a decertified office would be restricted in their future employment. Is that fair to say?

ANDY MATTHEWS: Yeah, I think it's, what the complication is currently in collective bargaining which we're proud to be in Connecticut in a collective bargaining state, is that you have the right under the contract to appeal a termination. So if we go to an arbitrator and an arbitrator suggests, rules that you should be allowed, you should not have been terminated and it was without just cause, now Post has stripped you of your

certification, so even though an arbitrator says that you shouldn't have been terminated, Post still has ultimate control of whether you're licensed in the State and if you're revoked and you appear to Superior Court and you're not successful, regardless of whether an arbitrator says that you should have not been terminated you can't be a police officer in the State.

REP. FISHBEIN (90TH): And you're recognizing that but it appears also to restrict the ability of the office to be a, the former officer to be a security guard in this language.

ANDY MATTHEWS: The Bill does say that.

REP. FISHBEIN (90TH): And your reading of the Bill would only.

REP. STAFSTROM (129TH): Representative Fishbein, I'm going to give you a little bit of latitude but one more question.

REP. FISHBEIN (90TH): No problem. I'm trying to be quick here. Am I to understand that it's only a decertified office who is decertified in Connecticut?

ANDY MATTHEWS: I would refer that question to Representative Stafstrom, I'm not really sure and I don't want to misstate.

REP. FISHBEIN (90TH): Okay, cause I didn't know what discussion. So that's all I had. Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Thank you. Further questions? Senator Winfield.

SENATOR WINFIELD (10TH): Thank you. Andy, how are you. Good to see you.

ANDY MATTHEWS: Good Morning, Sir.

SENATOR WINFIELD (10TH): I'm gonna take a little bit of an issue with the notion that any officer who trips over the qualified immunity question when he is working for us that you would have to be doing some very specific thing in order to trip over that as it's written here. I don't think it's as broad as it's been talked about. So my question for you is what is your understanding of when this happens because my reading requires that you have to be active under the color of law and have deprived someone of their civil rights and have a willing, willing action happen. So this is for my reading, just doing their job as I have heard over and over again. So could you please explain how to understand that section of the Bill?

ANDY MATTHEWS: Okay, I don't pretend to be a Constitutional law attorney, so I'm a labor attorney but my basic understanding is that qualified immunity protects police officers and shields government officials from liability for damages claimed even if they violated someone's Constitutional rights. Even if they violated someone's Constitutional rights, the Supreme Court, I believe has said that if they, even though they violated someone's rights, if there's not a previous clearly established law with the same or similar fact pattern then they succeed on a qualified immunity claim. It's far complicated for this conversation but I guess we could together talk to our Constitutional law attorney that would help everyone better understand, cause I think to your

point it's everybody has sort of a different understanding of what qualified immunity really is.

SENATOR WINFIELD (10TH): Thank you. Thank you, Chairman Stafstrom. I would just say this, I think the people should read the Bill, that what happens here is not just a question of what qualified immunity is but it's a question of what the Bill does. Thank you.

REP. STAFSTROM (129TH): Thank you and thank you, Mr. Matthews for being with us.

ANDY MATTHEWS: Thank you, Sir.

REP. STAFSTROM (129TH): We will move on to George Kain. Steve Kennedy.

DEB BLANCHARD: He is not there as well. The next person would be Anntonie Thorpe.

REP. STAFSTROM (129TH): Anntonie Thorpe, please.

ANNTONIE THORPE: Good Morning, everyone.

REP. STAFSTROM (129TH): Good Morning.

ANNTONIE THORPE: I'm basically kind of listening and just takin in all of the comments from everyone. At some point I may have some questions and I can reach out to those people individually but right now, I'm just listening to what everyone is saying and taking my notes. So thank you.

REP. STAFSTROM (129TH): Thank you for being with us. Next up will be Barbara Fair.

DEB BLANCHARD: She is there, Steve.

REP. STAFSTROM (129TH): Yep. Good Morning, Ms. Fair.

BARBARA FAIR: Hi, how you doing?

REP. STAFSTROM (129TH): Good. We can hear you, go ahead.

BARBARA FAIR: Thank you. Thank you for this opportunity to weigh in on police accountability legislation which I hope you will also seriously consider adding corrections in to be considered for accountability and oversight too because both departments have the power over some of the most vulnerable people in our State and very little oversight is available. I am a West Haven resident, a longtime community activist around trying to transform the culture of policing and corrections and I'm a licensed clinical social worker. I'm just really looking for real transformative changes in the way we are policed in this country. I applaud the courage and the integrity of those of you who are really pushing to have this happen. I'm sure that police officials and correction officials, if they're listening in will fight vigorously against any kind of transformative change but I'm hoping that they, this Committee will pay attention to those who are most impacted by abuse, neglect, and terror of that comes from policing. For some reason when it comes to justice for the most vulnerable people in our community it just seems to take so long, so I've seen after like 30 years of doing this work that I found that we have to go year after, year to get something done for the people and I'm just hoping that this time that won't happen. I've been around long enough to see, you know, when things happen, a murder happened in Cheshire, everything happened so quickly and so I'd like to have that happen now. I think people are just tired of waiting for justice. We're tired of excuses,

we're tired of police trying to be the victim when they're abusing and killing people. This is not about George Floyd, they need to stop talking about this. This is about 401 years of terrorism of African people, sanctioned in this country. This is what this is about. So don't focus on George Floyd. People like to say George Floyd, that happened in Minneapolis doesn't happen in Connecticut. We have had 71 police shootings in Connecticut and none of them have been deemed justified. And you have my testimony to. So I won't talk about, you know, the language that is used but I think when we talk about reasonable we have to look at what police officers have found reasonable to do to us and we have to make sure we tighten up that language. Qualified immunity definitely must be in this Bill, I don't care how they try to squeeze themselves out of it. If an officer is doing his job correctly then we, they will not have to worry about any liability. So thank you.

REP. STAFSTROM (129TH): Thank you, Ms. Fair. Appreciate it. Questions for Ms. Fair? Any questions for Ms. Fair? Seeing none, thank you for being with us. We will move on to Representative Brandon McGee. Representative McGee? I think we're having some technical issues with Representative McGee, we're gonna skip him briefly. I know Mayor O'Leary is ready, so we're gonna move on to Mayor O'Leary of Waterbury.

MAYOR O'LEARY: Good Morning, can you hear me okay?

REP. STAFSTROM (129TH): Yes, sir.

MAYOR O'LEARY: Thank you, very much. Good Morning, to Senator Winfield, Senator Kissel, Representatives Stafstrom and Rebimbas, I'm here obviously to talk

about LCO 3471. I've also submitted more detailed written testimony.

My name is Neil O'Leary. I am the Mayor of the City of Waterbury and have been for the past nine years. Prior to being Mayor I was a member of the Waterbury Police Department for nearly 30 years starting in 1980 and working my way through the ranks up to Chief of Police a position I held for nearly seven years. As Chief of Police and now Mayor I held a strong record for police office accountability recognizing the vast majority of law enforcement officials are excellent, caring, compassionate public servants but also recognizing that a small percentage of law enforcement officers, not only here in Connecticut, but across the country should in fact not or ever have been police officers. Their actions have tainted the reputation of all police officers by their outrageous criminal conduct and they must be held accountable.

I commend all of you who are responsible for having the courage to present this proposed police accountability Bill. Most of this Bill gives police officers, supervisors, chiefs, and elected officials the necessary tools to hold such rogue officers accountable. It also provides, in my opinion, accountability to police chiefs and police supervisors standards. It raises the standard so that there is a very close focus on what police chiefs are doing or not doing and what supervisors may or may not be doing. The only issue that I'm here to talk about today is probably the most controversial so far on what I've listened to since you started this morning, is the qualified immunity issue. And I am worried about that only because there is only one state in the country right now who

has worked on the elimination of qualified immunity and of course that's at least my research and that is the State of Colorado that has put a cap of $25,000 dollars of monetary or fiscal liability to any officer who has deemed to be over steps his boundaries as police officers and will be financially accountable for the $25,000 dollars in a civil award.

What confuses me, and I'm really I stand begging, as a former police officer and now elected official there is so much confusion you've already heard and just the few calls you've listened to today about what in fact is qualified immunity. In the State of Connecticut the Constitution requires that State employees including, of course, police officers for this State enjoy what is called sovereign immunity. Governmental immunity applies to municipal employees including police officers but not just police officers. Governmental immunity applies to teachers and all government or municipal employees. And then of course qualified immunity as is listed in all of the research that we've done in the last several days is a Federal doctrine that implies, applies to government employees during federal litigation. But the point I'm trying to make very simply is I absolutely, as a police officer, a police chief, and elected official believe strongly that the majority of this Bill gives all of us the ability to hold rogue police officers accountable for their outrageous conduct. And I commend you once again, all of you for being a part of this but I have to tell you, I am as a Mayor and a former police chief, I'm very concerned about the immunity issue. I think we need to study this a little bit more carefully. I think we need to recognize and

understand that there could be some serious unintended consequences that could come along with this qualified immunity issue and no matter how many lawyers I've talked to over the last several days, Representative Stafstrom, I seem to get a different answer and different opinion on each of my questions. So I'm concerned about that.

REP. STAFSTROM (129TH): Thank you, Mayor. I know we have a few questions beginning with a member of your own delegation, Representative Cummings.

REP. CUMMINGS (74TH): Thank you, Mr. Chair. Mayor, Good Morning. Waterbury has a very strong community relations police department. Could you please tell us how that has impacted our community and our community relations with our citizens? Thank you.

MAYOR O'LEARY: So all the way back to 1980 the City of Waterbury was the first city in the State that I am aware of that enacted a Community Relations Division, it has been in place since 1980 where six to eight to ten officers on any given year are devoted completely to the community has definitely build bridges between the relationship between law enforcement and the community. We're particularly proud of that and we're particularly proud of the relationship that the police officers throughout the department have with members of the community specifically now only through the Community Relations Program but through one of the most recognized and awarded Police Activity Leagues in the United States.

REP. CUMMINGS (74TH): Thank you, Mr. Mayor.

REP. STAFSTROM (129TH): Thank you, Representative. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Sir. Thank you, Mayor for coming in today. You know, I'm also a Mayor and one of the issue that I have, it's not holding the officers accountable cause I believe in the same exact thing. I look at this Bill and I look at the cost of this Bill. You know, in contacting CIRMA which represents most of, you know, Connecticut communities and especially with the qualified immunity, you know, they're telling me that the cost is going to be immense if we get rid of qualified immunity or even if we adjust it because I don't know how many offices you're short in your city but most across Connecticut are short. And going through some of the other things, the retaining of the records, being able to sue for three years, so we have to keep all video for three years and the storage costs of just the videos, putting a camera in every car, does that include a camera in the Chief's car, every detective car, every undercover car. You know, in one section they talk about, you know, reviewing taking that undercover cars, but there's no get, what do you do during the time gap? What do you think about the costs of this?

MAYOR O'LEARY: Well there is no question, Senator that the cost is something that is going to be borne by the taxpayers. However, as a former police chief, I can tell ya that I truly believe that the investment in the body cameras, as both body camera and dash cameras is probably an investment that needs to be had. The reason why the City of Waterbury hasn't engaged is because of the cost and quite frankly the technology. The technology has improved to where it should be or close to where it should be today. There is no question, sir that it's gonna be an enormous cost incurred by the

bodycam and the dashcam but also there is going to be an enormous cost incurred by municipalities at every level if there are changes made to the qualified immunity there is going to insurance coverage costs, there is going to be litigation costs, there is going to be incredible amount of cost to the taxpayers of the City of Waterbury and across the State. But I just want to stress and I really understand, honestly I understand where everyone that's in favor of removing qualified immunity is coming from, but I want to tell you this Bill is a remarkable Bill that will address the issues that are so persistent in the rogue police out there. This Bill will give us the tools to address those issues and should really have a huge impact on those officers that don't belong on police departments and this Bill would give the management opportunity to weed out the officers that don't belong.

SENATOR CHAMPAGNE (35TH): Okay, but again, you know, we had a police accountability Bill last year that I thought would have covered most of everything that you're talking about. Obviously, there is some changes that want to come in here but the cost, you know, obviously you're a city and it's gonna be a little easier for you but what about the smaller towns? If you remove all this money, it's gonna come from the police department budget because that's where it has to come. If you're hiring social workers are you replacing police officers with social workers and you were a police chief, what is your thought of domestic violence sending a social worker in instead of a police officer, do you see that as a problem?

MAYOR O'LEARY: We actually have two fulltime social workers on our staff that respond to all calls of behavioral and health related issues, suicidal parties. We've had that in practice for ten years and they are trained to deescalate situations and they do it really well. I can't speak, I was police chief for the very small town in Wolcott for about a year-and-a-half and I enjoyed that time as well. Having said that, I had a little bit of small town experiences but listen, you and I think and everyone on this call knows that there is the first place look for when there is a budget short, they look for education, police, and fire. So I mean at the end of the day, that is the issues that we're dealing with and the financial burdens that are placed on the law enforcement and particularly education are usually what has an impact on the outcome.

SENATOR CHAMPAGNE (35TH): Do you think the State should be making?

REP. STAFSTROM (129TH): Thank you, Senator. Senator, thank you for your questions. Anyone else?

SENATOR CHAMPAGNE (35TH): It's kind of off to be cut off here.

REP. STAFSTROM (129TH): Anyone else with questions for Mayor.

SENATOR WINFIELD (10TH): I have a question.

REP. STAFSTROM (129TH): Go ahead.

SENATOR WINFIELD (10TH): So, first let me say, part of the cost that we should be talking about, the potential cost of human lives but also the cost in what it is for communities not to be able to view police in the way that I believe they should be able

to view them. And I will say as intimately involved I've been 2014 and 2019 Bills, I have heard from the very beginning of my efforts, even before that, that you know, we have tools to be able to do things that we're still talking about doing. And so while those tools have been on the table, the actions haven't been taken. But I want to specifically ask you about qualified immunity because similarly to Andy Matthews, you suggested that there is a lack of understanding about what qualified immunity is. Are you suggesting that Section 41 of Bill is unclear to you?

MAYOR O'LEARY: What I'm suggesting, Senator Winfield and I'm not a, I heard Mr. Matthews testimony, I'm not an attorney but I also can tell you that for the last several days I've tried to get some interpretation from as many attorneys that I can get my hands on and what I'm suggesting to you is there is that, there is language in the Qualified Immunity Bill as it speaks now to willful wanton misconduct if an officer is deemed to engage him or herself in willful wanton misconduct i.e. breaking the law, that he or she loses that immunity as well. So I guess what I'm confused about and I'm again respectfully telling you this as a passionate leader in this area, I'm confused because the language already is in there and so this, by removing the qualified immunity for all police officers, I'm just saying it's already, what I'm understanding is it's in the Bill. It's in qualified immunity now that if you engage in such misconduct you are jeopardizing your qualified and jeopardy deemed ineligible for qualified immunity. I'm honestly just telling you, as a Senator that I am as confused about some of those things, and I just would like to sit down and

have a great roundtable discussion and talk more about the unintended consequences of what this all means, that's all I'm trying to say to you, sir.

SENATOR WINFIELD (10TH): Thank you. And again, I won't ask another question, I will just say this. I am confused by people coming in opposing that section of the Bill. I've been on the record for every single Bill that we've done, is willing to speak to people about what the Bill intends to do and I believe the language is clear and I'm unclear as to why people come in with opposition to this section where the language is clear and they are suggesting in their perspective has the language about willful and deliberate conduct. But thank you for your testimony.

REP. STAFSTROM (129TH): Thank you, Senator. And thank you, Mayor for being with us. Before we move on to the next speaker, just a couple of reminders we will make a few times for folks who are joining us, either on CTN or panelists who are maybe coming in or out, we are asking Members to limit themselves to a max of two questions and try to refrain from extended debate of commentary with those who are testifying so we can get through a lengthy list. If folks have, are listening in and have not signed up to testify and would like you voice heard hear today you can send an email to Jud, J-U-D testimony@CGA, as in Connecticut General Assembly.CT.gov. Again that is judtestimony@cga.ct.gov, that testimony will be available to the members of this Committee and to the legislature at large. All right and as I mentioned we will remind folks of that a couple of times during the day today as we move along. I believe we have our technical issues worked out, is

Representative McGee on the line? Good Morning, Representative.

REP. MCGEE (5TH): Good morning, I guess I'm underdressed for today's meeting. Dear, dear Chairman Winfield, Chairman Stafstrom, Ranking Members, and esteemed Members of the Judiciary Committee, I would like to remind everyone that we are here because another black man has been killed. The murders of George Floyd, Brianna Taylor, Tamir Rice, Anthony Vega Cruz, and countless others at the hands of an unchecked and increasingly militarized police force has brought demands for the reforms which we discuss here today. I would like to use my time before you today to address some of the many systems of inequity that have actively worked against the interests and livelihoods of black and brown residents in our State for decades and this Bill fails to address in some ways.

Notions of public safety shouldn't have been different or had different meanings depending on to whom you speak or where you come from. We must end broken windows policing and or policing, expand the power of community oversight and implement statewide independent investigations and prosecutions of police misconduct to allow for just punishment of officers who break the law. Additionally we must also put an end to qualified immunity. If we hold doctors accountable for malpractice should we not hold our police officers to a higher standard? In the end if the police aren't doing anything wrong, then they have nothing to be afraid of right? Putting an end to police brutality treats only a symptom of injustices that's baked into the socioeconomic systems that make up our country. This is only a multiphase issue or rather this is a

multiphase issue that is compounded by centuries of hate and racism. To truly make progress toward equality in our society and even here in the State of Connecticut we must address economic and environment injustices, education and housing inequality and equal voting rights. When it comes to the economy, true economic justice cannot be achieved until we end the criminalization of poverty and level the playing field. That means providing many people with the opportunity to have justice. And you have my testimony, I'm not gonna read every single line, I just encourage you to please take a look at it. But there is a lot of criticism or cause to defund the police. But for decades we have defunded education, and it's those in poor and urban communities who are impacted the most. I'm not saying we should defund our police department, I am encouraging that we reorganize and reallocate funds to areas that can improve community relations and staff changes and other recommendations that are provided within today's draft Bill.

Every child in our State should have access to great public education. It is time to close that opportunity and resource gap by investing in students and giving them the tools they need to be successful and to choose their ideal path for the future. The Black and Puerto Rican Caucus has worked tirelessly with legislative leaders namely our very own, on your Committee, we have Senator Winfield, McCrory, Representatives Walker and Porter and we have Concepcion and I'm probably missing a few others. We've been working to have a robust legislation that will address these pressing issues. So, if we think by the conclusion of this Hearing and I know you all have a long way to go and I will

be here with you, that watering down legislation is the way to go. I'm just giving you forewarning that we will work with you but we will also fight to have a Bill that has teeth and an opportunity that will provide justice for those most impacted. Again, thank you to the entire Committee for your work, thank you to the Chairs for really takin this thing on, Ranking Members, thank you so much for this opportunity to share my thoughts.

REP. STAFSTROM (129TH): Thank you, Representative. Questions from the Committee for Representative McGee. Again the way I recognize folks is if you use the raise your hand feature under participants. Questions? Seeing none, Representative McGee, thank you for being with us today, appreciate it.

REP. MCGEE (5TH): Thank you.

REP. STAFSTROM (129TH): Next up will be Kristan Hamlin.

KRISTAN HAMLIN: Can you hear me now?

REP. STAFSTROM (129TH): Yes, you're good to go.

KRISTAN HAMLIN: Okay, my name is Kristin Hamlin. I live in Westport, Connecticut. I'm a former Assistant United States Attorney and I served in the Washington, D.C. City that was 80 percent African-American with a metro police department that was 67 percent African-American. Since leaving that office, I'm an employment discrimination lawyer who represents plaintiffs and I've also served for seven years as an elected official on the Westport RTM on the Public Protection Committee where I've been working to try to improve police accountability and to work with petitioners to advance the possibility of a police commission. Those three jobs together

provide me with the unique perspective and expertise that I hope will contribute to the conversation.

I've reviewed the drafts legislation, in my opinion, it is missing the two things that would be most likely to improve police accountability in Connecticut and transparency which his critical to reducing police misconduct and the recycling of rogue police officers who are often called bad apples. It also assumes incorrectly that certain things that will make more of a difference then they actually will. I can report what we in the towns of Connecticut need to help with, from the State in order to be more successful at the municipal level.

This legislation should require that all towns have elected civilian review boards, require them, not simply permit them. Simply permitting police commissions is not enough because a selectman who blocks such a commission which what has happened in Westport despite a petition of more than 100 Westporter's requesting it last year. It should be an elected not appointed review board and should follow Connecticut Rules of Civil Procedure and Evidence that allows hearings which would invoke the rule against witnesses in order to avoid witness intimidation. All military and paramilitary organizations should be answerable to civilian authority and a selectman does not have the time to handle hearings.

Also bodycams, although you have legislation here about bodycams, bodycam polices are already in place with respect to Westport for instance it has been required by the Chief of Police for more than five years. However having such a law with no penalties for not turning a bodycam on or for purporting that

it is out of batteries is a law that has not teeth. The Westport Police have claimed numerous times and in virtually every circumstance where there has been concerns about the quality of a public interaction that the bodycams were not turned off, were not turned on or where.

REP. STAFSTROM (129TH): Ms. Hamlin, you're at the three minute mark. I believe there is a question from Senator Haskell.

SENATOR HASKELL (26TH): Thank you so much, Mr. Chairman and Kristen, thank you for taking the time to share your expertise today. I just want to follow up on the issue of body camera footage. We passed a law on the 2019 Session that requires body cameras to be worn, obviously the Bill before us today includes some language about body cameras but could you go a little more into detail about how you would strengthen that language?

KRISTAN HAMLIN: I would strike that Senator Haskell by progressive discipline. Actually the first instance that somebody has a public interaction and public encounter and it's requested FOIA'd or simply requested and it miraculously is without batteries or was not turned on there would be a low level of discipline and for each additional instance of a police officer having an encounter with the public and claiming that there was no video footage there would be progressive discipline. There has to be consequences for the nonuse of videocams when there is a law in place requiring it.

SENATOR HASKELL (26TH): Thank you. If I may, Mr. Chairman a very brief follow up without delving into specific this has been a problem that you experienced firsthand as an elected official?

KRISTAN HAMLIN: Yes I have. I'm on the Public Protection Committee and we've had situations for instance with the SRO in the high school, 15 year old claimed that he had his banded against the locker for vaping and when the mother asked for the video camera she was told it didn't exist but the Chief of Police had already told the member of the Board of Finance that he has reviewed it and everything was fine. She then contacted me, I told her to FOIA it and miraculously it showed. We've also had numerous instances where portions that are helpful to the police are provided and other portions somehow just weren't turned on. This is a longstanding problem which many people have complained and virtually in every circumstance where a member of the public has asked, has stated that they thought the evidence would be inculpatory for the police, it somehow is not available. So and even selective production has been difficult I see in this Legislation that you've actually have penalized people for destroying that evidence but the problem is it is very hard to show that destruction if somebody says, you know, it just didn't exist, I forgot to turn it on, it's very hard to prove that.

REP. STAFSTROM (129TH): Thank you. Thank you, Senator.

SENATOR HASKELL (26TH): Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Representative O'Dea.

REP. O'DEA (125TH): Thank you very much and thank you counsel for your testimony and your service to the U.S. Attorney down in D.C. Did you happen to have any opportunity to represent any government

officials and seek qualified immunity during your tenure at the U.S. Attorney's Office.

KRISTAN HAMLIN: We had it in the, in the Washington, D.C. Office. We had, while I was there we didn't have, I worked with the Secret Service, the FBI, the CIA, the Postal Service, the Capital Police and MPD. The only cases that we had involved the MPD and I did not represent, I did not personally handle those cases, they had quite a range for instance, you know, a police officer an African-American police officer killing his African-American wife and tried to invoke qualified immunity in that instance. One of the things that we found is that there is an opinion by Justice Scalia that strengthen qualified immunity in criminal cases, that is a sperate question from some of the conversation here which is about civil liability and a lot of police, a lot of U.S. Attorney's Office and prosecutor's office have found that that new test has created an insuperable hurdle even in situations where the violations are extreme. For instance if you look at the Freddie Gray case there was an African American District Attorney who brought claim against a variety of police officers of a variety of races in that case and I think after about four of the eight prosecutions all of the petty juries returned not guilty verdicts because of that insuperable hurdle and ultimately cost the taxpayer about a million dollars or so for those cases so she stopped prosecuting the other four. Literally it's a criminal prosecution standpoint, the Supreme Court tests is an insuperable hurdle and it's extremely difficult to succeed.

REP. O'DEA (125TH): But you would agree, I mean I assume that case where the police office killed his

wife he wasn't acting under the cover of law so qualified immunity did not apply, correct?

KRISTAN HAMLIN: He ultimately was convicted but he did assert qualified immunity because he was claiming that he was defending himself.

REP. O'DEA (125TH): Yeh, but the Court didn't apply it and that's near to. Would you agree with the Harlow Court in which Justice Marshall joined the minority where they opined the court was concerned that the threat of law suit could show law enforcement conduct and therefore qualified immunity was appropriate?

KRISTAN HAMLIN: Are you, it that's a, that's a, you're talking about civil litigation.

REP. O'DEA (125TH): Right.

KRISTAN HAMLIN: My principle concern is in criminal litigation where there is wanton intentional conduct by a police office and they still escape criminal liability. Like Chauvin in the present case with Floyd, George he was actually what he did in the past I believe in 2008 was brought before a grand jury and the grand jury refused to indict because of that insuperable hurdle. With respect to civil liability I think that you raise some good point that if police officers have personal liability on a civil level it could, it could induce some police officers to not want to join the force but I'd have to look into that more because really my study on this issue has been on the criminal side of the qualified immunity issue rather than on the civil side.

REP. O'DEA (125TH): Okay, thank you.

REP. STAFSTROM (129TH): Thank you, both. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chair and thank you, Attorney Hamlin for your testimony so far. One question, you were speaking to the lack of consequences as you were saying for failure to employ body cameras or maintain body camera footage, do you think that a permissible adverse inference for missing body camera footage would be well taken and mitigate some of your concerns? And that would be.

KRISTAN HAMLIN: No, I don't because.

REP. BLUMENTHAL (147TH): It would be in disciplinary proceedings or in ensuing lawsuit.

KRISTAN HAMLIN: Well with respect to an ensuing lawsuit, Senator Blumenthal, the problem with that is there is already a missing evidence rule as you know. If you have missing evidence there can be an adverse inference. With respect to disciplinary matters there is to my knowledge no adverse inference presently. But I will tell you that one of the problems that police management is encountering is that the police unions have really become fairly militant and have an us against them mentality and the processes of trying to get discipline and weed out the bad apples and the rogue police officers is so difficult and so time consuming that these, one of the reasons I advocate for the civilian review boards is because if you had a civilian authority like a board of education or, you know, elected like a board of finance where people have the time for those hearings it would be far more effective and assisting police management in screening out those police officers and in that

kind of circumstance I think an adverse inference would be more helpful. But I think that a lot of police management presently feel like the disciplinary procedures given the strength of unions are exceedingly difficult and I would cite you to the Buffalo case where the Chief of Police tried to merely suspend two police officers and the police union got 57 police officers to quit. I would point you to the Atlanta circumstance where an office shot in the back and escaping criminal suspect and when he was fired by the Chief of Police there was a call by the union to all police officers not to respond to any claims of violent crimes other than if a police officer was threatened, so they started going to suburbs, the dispatch started going to suburbs for aid and then the unions in the suburbs did the same thing. So police management sometimes has an exceedingly difficult time in creating the kind of disciplinary fairness that is necessitated to serve civilians adequately and so by giving, shifting some of that responsibility to a more transparent and accountable system as civilian review and making that a law, requiring each municipality to have a civilian review board you will be helping police management and you will be helping weed out some of the rogue police officers that give a bad name to the vast majority of the police departments which are constituted by very good people.

REP. STAFSTROM (129TH): Thank you. Representative Porter.

REP. PORTER (94TH): Okay, I was trying to unmute the host had me muted. Thank you, Mr. Chairman and just one question. Are you familiar with the Buffalo case, Buffalo, New York with the office that

did intervene and actually was fired, are you familiar with that case?

KRISTAN HAMLIN: Are you talking about the recent issue during the protests when the 75-year-old white male was pushed down and blood was running out of his ears and the two officers stepped past his body, that one?

REP. PORTER (94TH): No, this was actually I want to say back in 2008, she was actually terminated in 2010 and it has resurfaced because of the George Floyd killing for one thing but it wasn't.

KRISTAN HAMLIN: Yes, I am.

REP. PORTER (94TH): Can you say?

KRISTAN HAMLIN: Yeah, sure. He was an African-American police officer that I believe saw a white police officer who had multiple disciplinary complaints made, police misconduct complaints made against him, and he was overdoing it to put it mildly with respect to beating up a suspect and she tried to get on his back and pull him off and intervene and she was punched in the face by that police officer and then basically fired. And she has been trying to get her police pension back since that time because she believes her intervention was what was required of her in terms of her obligations to protect citizens who were being victimized by police abuse.

REP. PORTER (94TH): Yes, that was the one I was talking about and I do agree that she was doing her job to serve, protect and uphold the law and I just want to make sure I have clarity for the record that not only was she fired, but she also had her pension revoked, 19 years into her service with one year to

go to be fully vested in her pension and that was done by the police department, correct?

KRISTAN HAMLIN: Well, it's my understanding that one of the biggest problems that we faced was the police union. The police union did not back her up, they backed up the other police officer. So, you know, that Blue Line is one of the problems that we're encountering with police accountability and police transparency. That is one of the principal reasons it is so critical for this legislation to ensure that every town has civilian review boards so that these police complaints end up in rectangle file instead of a round file and that we don't keep on recycling bad police officers into other towns and that there's full accountability because unfortunately sometimes there is a policy of protecting one's own.

REP. PORTER (94TH): Thank you for that and I have just one more question, Mr. Chair.

REP. STAFSTROM (129TH): Quickly.

REP. PORTER (94TH): I'm sorry.

REP. STAFSTROM (129TH): Quickly please.

REP. PORTER (94TH): You talked about commissions, could you speak to the point you were making around commissions, what you had mentioned that this Bill was missing two things, you did talk about elected CRBs which should have subpoena power, but what was your point you were making around the commission?

KRISTAN HAMLIN: So for instance in our town of Westport, Connecticut there was a petition with more than 100 petitioners, more people wanted to sign but they were afraid of police retaliation and it was

one of the most endorsed petitions that we've ever seen on the RTM in terms of the quantity of people and they asked for a police commission. Unfortunately although the State legislation permits towns to have police commissions if the town charter states that the disciplinary authority is the first selectmen, in this case the first selectman was able to get his attorney to try to bar the RTM from allowing a police commission by saying that the character precluded the legislative branch from having that authority with exclusively the executive branch and only if he wanted a police commission could that happen. And a lot of people have felt that on police issues this particular selectman has been leading from behind and that they really wanted to have more civilian review. The way the process works presently is that the Westport complaints against the Westport Police go to the Westport Police and the first selectman never see them. Nobody in the Board of Selectmen receive it. So there is no external review of misconduct claims presently and the first selectman basically killed that process. Now with these protests Westport had the largest protest in favor of Black Lives Matter and in terms of police accountability that we've seen in decades, it was enormous and the first selectman responded to that and said that we would appoint a panel which is a temporary panel. It's not something that we have any right to in the future and it was people that I think he believed were very pro-police and so that really gets us nowhere. So unless there is a state law that requires that each town have civilian review boards, I think that a lot of towns are going to find that this issue continues. And this is not just a problem for our African-American brethren the vast

majority of unarmed people who are killed by police are white people. It disproportionately affects African-Americans but it affects everybody.

REP. STAFSTROM (129TH): Thank you. Further question for Ms. Hamlin? If not, we're going to move on to the next speaker which is Barbara Distinti. Barbara Distinti?

BARBARA DISTINTI: Oh yes, I'm here.

REP. STAFSTROM (129TH): We can hear you, go ahead.

BARBARA DISTINTI: Okay, all right. Thank you very much. I'm Barbara Distinti, I am the President of SEEK, Special Education Equity for Kids of Connecticut. We are committed to ensuring a strong education for all children in Connecticut and specifically to children with disabilities.

We have reviewed this legislation and we urge you to include provisions removing uniformed armed police officers from Connecticut Schools. The presence of these officers can have profoundly negative affect on students, particular students of color and students with disabilities. Employing school resource officers consumes resources that would be better applied to hiring social workers, guidance counselors and school psychologists and providing social emotional education and trauma informed support for the large number of students in need. The police were placed in schools in large numbers I the wake of the massacre at Sandy Hook and they were deployed to ensure safety of the schools from outside intruders. But sadly there is no data to support the assertion that having police inside the schools reduces school shootings. And from what we've seen police in the schools are ineffective and

have not resulted in any positive change in challenging student behaviors. Indeed logic suggests that police outside the school building would be more effective in reducing that violence than police in the school building. While the State has been working diligently to reduce the number of suspensions and expulsions the number of in school arrests continues to rise. The disproportionate impact on students of color and on students with disabilities is significant. Children of color and children from poverty often grow up with a well-founded abiding fear of the police. And this fear pervades many students with disabilities as well who know that SROs often don't understand them. The issue of armed police officer in schools is usually seen as a race issue, we see it as a disability issue as well. We know that the SROs lack sufficient training in dealing with students for example on the autism spectrum. In many cases involving SRO arrests the principal or staff member decided often impulsively that the SRO should handle an issue and the SRO solution was to address, sorry arrest the kid. Yet the real origin of the problem is based on the student's disability. The cost of school resource officers is very high. It's at least equivalent to that of a school social worker. While a police officer brings fear and top down authority into a school building a social worker promotes a sort of social emotional learning that prevents acts of violence from even occurring. A supportive school climate utilizing trauma informed practice, conflict resolution, de-escalation and restorative justice can do far more to keep the peace than can an armed police officer. Arresting a student does not deal with social emotional issues, often trauma based, faced by students. There are

excellent blueprints available for social emotional learning particularly from the Yale Center for Emotional Intelligence. These can be implemented to ensure the police do not need to be called.

REP. STAFSTROM (129TH): Thank you, Ma'am. Questions from the Committee? Seeing none, I appreciate you being with us today.

BARBARA DISTINTI: Thanks very much.

REP. STAFSTROM (129TH): Next up we will have the Chief Public Defender, Christine Rapillo. Attorney Rapillo? Thanks for joining us, you have three minutes.

ATTORNEY RAPILLO: Thank you very much. Today on behalf of the Staff of the Division of Public Defender Services and the clients we are honored to represent, I'm happy to speak in support of LCO 3471 as it provides greater accountability and fairness in the criminal legal system. Our hope, this moment of opportunity will result in changes to policy and practice that will keep all of our communities safer including by reducing unnecessary system involvement. Our criminal justice reform including police accountability will not be meaningful unless it includes this, unless it translates the meaningful progress. We believe this Bill is a good first step towards that.

In early July, a month after our Public Defenders joint with our colleagues across the national to publicly affirm Black Lives Matter to public defenders. We went a letter to this Committee outlining our support for various changes and note of our ongoing commitment to engaging in justice reform conversations. That letter was included with

our testimony and this Bill includes many of our suggestions and we thank you for considering our input.

Specifically with regard to two sections of the Bill, Section 33 creates an office of inspector general within the Chief State's Attorney Office. We believe that this should be outside the realm of the prosecutor's office given their necessary relationship with law enforcement. We suggest that the position be located in the office of the Attorney General and that the legislation outline the specifics that the relationship between the inspector general and the State's Attorneys and State Police and law enforcement for investigative purposes. Legislation should also include criteria on how information is shared amongst the groups. In so far as Section 17 and 33 address subpoena powers we ask that the Committee add protections to ensure that people who are summoned provide truthful testimony in such context without risking exposure to prosecution. We are concerned that our accused be able to bring claims of abuse and brutality without risking their ability to defend their cases. I also want to mention that I agree with the speaker who suggested consequences for failure to turn on body cameras, that is not in my written testimony but was in the letter that we submitted. We realized the changing laws may not change hearts but it can save lives, it can equip those who would do right with the tools they need and it can promote accountability and transparency. We will that these provisions will move policy and practice in the right direction. We're proud to support it and we also look forward to submitting proposals in the 2021 Legislative Session to continue to improve

fairness in the justice system. Thank you for the opportunity to speak today.

REP. STAFSTROM (129TH): Thank you. Attorney Rapillo quick question, on your proposal that the inspector general be located within the office of the Attorney General, it is my understanding that we require a Constitutional Amendment because of the way the Constitution is written at the prosecutorial authority in the State has to rest within a Division of Criminal Justice. Are you suggesting that we pursue a Constitutional Amendment instead or do you have a different reading than I do?

ATTORNEY RAPILLO: No, I mean, I thinks it's definitely a bigger lift. The suggestion that it moves to the Office of the Attorney General was created by both our executive committee and working with our racial justice committee within the agency. We really are concerned that putting within the prosecutor's office limits the independence. And this is really an important issues that considering bigger law changes that might include changes in the Constitution offers responsibility is something that should be looked at.

REP. STAFSTROM (129TH): Questions from the Committee? Seeing none, thank you for being with us Attorney Rapillo.

ATTORNEY RAPILLO: Thank you very much.

SENATOR WINFIELD (10TH): Thank you. Next we will hear from Colleen Lloyd. Is Colleen Lloyd on?

COLLEEN LORD: Hi, can you hear me?

SENATOR WINFIELD (10TH): I hear you now. Go ahead.

COLLEEN LORD: My name is Colleen Lord. I am here in support of the Police Accountability Act. I've submitted written testimony so I've decided to just speak from my heart.

DEB BLANCHARD: There's people.

COLLEEN LORD: My son was killed last year in New Haven Correctional Center Robbie Talbot. And because of the qualified immunity he won't be seeing justice. So I support this Act but I do implore the Committee to please include correctional officers so that others don't go through this same despair that my family is going through with the loss of our beautiful son. He was really brutalized when he was in the jail with pepper spray that was used illegally within cell restraints that were used in a brutal manner and when I watched the video recently after 15 months, we finally saw what happened and I saw him being smothered and gulping out his last words, "I can't breathe." [Pauses] Sorry.

SENATOR WINFIELD (10TH): It's okay, go ahead.

COLLEEN LORD: I think this Act is a great start and I thank you all so much on the Committee for all of the hard work that you're doing but again, the correctional officers need to be included in this. I've read the written testimony of the ACLU Connecticut who is coming up shortly and I fully agree with all of their recommendations and their input on this Act. There was an office that was arrested three months ago for a misdemeanor criminal assault on my son and this is isn't justice but it's a start and if we can get rid of the absolute immunity which is what qualified immunity seems to morph into, then I think we will see justice. And I ask you good people to please review the full video

of what happened to my son so that you know what happens behind the closed doors of the Connecticut Department of Corrections. He didn't deserve to die, he didn't deserve to be in excruciating pain. He was a gentle and brilliant young man with mental health problems since childhood. He should have been a patient instead of a prisoner and while there is much to be done in the area of mental health system for serious mental health illnesses which are really neurological brain disorders, I'll save that bit for another testimony opportunity.

SENATOR WINFIELD (10TH): Thank you for your testimony. Are there questions from members of the Committee? I don't see any. So thank you very much for coming to testify before us today.

COLLEEN LORD: Thank you.

SENATOR WINFIELD (10TH): Is Deneen DeGennaro on? L.J. White? James Long? Annie Dance? Steve Batista? Jeff Reimer? Michelle Feldman or Donna Johnston? Mel Medina?

MELVIN MEDINA: Yeah, I'm here.

SENATOR WINFIELD (10TH): Okay, go ahead. You have three minutes.

MELVIN MEDINA: Okay. Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas and distinguished members of the Judiciary Committee, my name is Melvin Medina and I am the Public Policy Advocacy Director for the ACLU of Connecticut testifying regarding LCO #3471 AN ACT CONCERNING POLICY ACCOUNTABILITY. This Bill contains some incredibly important measure of police accountability and police divestment which we support. This Bill also contains some provisions

which require some changes before their intent can be meaningfully reshaped to reshape policing, to ensure that reshaping police can be fully realized.

Connecticut must also, I would add, most of this Bill lands within the measure of accountability. We believe Connecticut must also divest from policing and reinvest in programs that build strong and safe communities. We submitted testimony that covers general areas in the Bill that we think are solid, areas that we think need for improvement and I'm gonna limit my comments to two pieces, the first being the section on the Inspector General to the question that has been received, Representative Stafstrom inquired about the Constitutional Amendment, we read the Statue and the Constitution similarly and see the intent of this Bill to build as much independence as possible as Constitutionally provided currently.

One suggested change is to create an Inspector General that is actually a Deputy State's Attorney which would be required, that person would be required to be appointed by the Criminal Justice Commission which aims at independence and is a commission that currently is proving to seek out the best qualified candidates for roles within the Division of Criminal Justice. That being said, we do believe that in the future there probably does need to be a Constitutional Amendment for true independence.

The other area that I would like to focus my testimony on is what seems to be some calls for confusion and that is the section on qualified immunity. As Representative Blumenthal mentioned the challenge of qualified immunity at the federal

level is that fact patterns in the civil rights cases have to be ones in which the Supreme Court has already weighed in on and fact patterns that don't meet decisions already made by the Supreme Court, those officers will benefit from qualified immunity essentially removing individual liability when they violate someone's civil rights. I think part of the confusion that I'm hearing in these discussions, to be very honest I surprised to be hearing especially from municipal leaders is that they are fully aware that or I should say from police unions that they are fully aware that there are existing State laws that require the indemnification of municipal and State employee. You will find those in Section 5-141(d) which indemnifies officers and state employees in cases of when these officers are facing financial loss arising out of any claim, demand or lawsuit or judgement by reason of alleged negligence or alleged deprivation of any person's civil rights.

SENATOR WINFIELD (10TH): You have about five seconds left.

MELVIN MEDINA: And I'll lastly end, those same benefits are found in 7-101(a) and 7-465 for municipal employees, so those concerns we believe are taken care of from the personal officer's liability and municipalities and the State just need to purchase insurance products so that they are insured and can take care of these settlements.

SENATOR WINFIELD (10TH): Thank you. Are there comments or questions from Members of the Committee? Representative O'Dea.

REP. O'DEA (125TH): Mr. Chairman, just a point of clarification, insurance companies do not cover actions that are willful, reckless, or wanton. So

to just for the benefit of the Committee and those seeking insurance companies will not pay if there is a finding of reckless, willful, or wanton conduct in these cases. So I just put that out there for you.

SENATOR WINFIELD (10TH): Are there others who have questions or comments? Representative Porter.

REP. PORTER (94TH): Thank you, Mr. Chair. Just a quick question and I go apologize, I had stepped away for a minute. So, I'll have to read your testimony Mr. Medina but did you speak to the section in this Bill that deals with drug testing and can you just tell me what your thoughts are on the current language?

MELVIN MEDINA: Yes, we are in support of that section, that we do believe that there needs to be some changes. There is a, you know, the periodic mental health and drug testing and the inclusion of anabolic steroids and that's testing we think is a smart choice and part of the necessary early warning systems for police officers. One suggestion that we would have is that on incidences in which officers are involved in uses of force or there is an indication that police departments are getting an increase in civilian complaints for example public mistreatment we believe those are indications that should be written in the statue that require either a mental health assessment or drug testing just to take a temperature of where that officer is and so that would be the recommended change. We also read the Statues or the Bill as allowing police, permissive language allowing police departments to make the decision when they hire new officers who are transferring from another department to do the assessment. We do think that actually should be

mandated unless an officer within the last six months has already taken one of those tests.

REP. PORTER (94TH): And one last question through you, Mr. Chair, do you believe that if an office discharges his firearm or his taser in addition to the excessive force piece of this should be drug tested under those circumstances?

MELVIN MEDINA: We believe that both mental health assessment and drug testing would be useful in those scenarios to get a better understanding of the pressures that that officer was under and whether there was anything that needs to be known, so yes.

REP. PORTER (94TH): I thank you for your responses. I appreciate that. And I'm asking because I've heard that from several officers that they think the testing should be random and often and that it should also be done if there is a discharge of a weapon be it a gun or taser and excessive force. So, thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Representative Porter. I don't see any other hands raised, so thank you Mr. Medina for coming to testify before us today. I've been made aware that Michelle Feldman whatever the issues were clarified and she's on the line. Please.

MICHELLE FELDMAN: Thank you. Thank you so much, I hope everyone can hear me now. I'm Michelle Feldman, I'm the State Campaigns Director with the Innocence Project and I want to thank the Committee for introducing this Legislation because it's not just critical for protecting black and brown lives on the streets but also in the courtrooms, 60 percent are wrongfully convicted people in

Connecticut are black or Latino and many of these cases involve corrupt police offices. So in March this Committee heard testimony from Scott Lewis who along with this co-defendant Stefon Morant spent over 20 years in prison after being framed by a New Haven Detective named Vincent Raucci and the detective had a long history of misconduct before and after the wrongful conviction. Eventually he was arrested for assaulting his wife and bilking the New Haven Police Department out of thousands of dollars. He skipped out on bail, fled to New Mexico, and had a four hour standoff with police before he was rearrested and all he got was a suspended sentence, but meanwhile Lewis and Morant spent over 20 years behind bars. In 2015 Lewis's conviction was overturned but Morant is still not able to clear his name because he was really forced to take an Alford Plea. So the legislation is an important step in stopping bad cops like Raucci especially because it expands decertification grounds and improves access to police disciplinary records. The transparency measures also need to be extended in criminal cases where people have their lives on the line. In March the Committee heard Senate Bill 204 which would have improved criminal discover which is the process of information sharing between the State and the defense and it would specify what police have to turn over, when they have to turn it over and it requires sign-off from the police chief on compliance. So we really hope that the Committee will revisit that when they can and then we also strongly support the State Cause of Action for police misconduct without qualified immunity. Civil lawsuits are one of the few ways that victims of police abuse can get justice and Colorado just passed a law, the first in the Nation,

in June that went even further by requiring individual officers to have personal liability for up to $25,000 dollars and Connecticut's exoneree compensation law should also be revisited because in 2016 it was amended to ban civil lawsuits if the exoneree gets decompensation and that's problematic because the State of Connecticut is then paying and the localities are escaping any responsibility and there is really no incentive for them to change what went wrong, so we are suggesting that there is an offset provision in the exoneree compensation law that would offset any civil payments with State compensation that was paid and it would have the exoneree reimburse the State for the difference. And I just want to thank the Committee for introducing this Bill and all the work they've done over the years on these issue. Thank you.

SENATOR WINFIELD (10TH): Thank you, Michell. Are there comments or questions? Seeing none, thank you very much for joining us today.

MICHELLE FELDMAN: Thank you so much.

SENATOR WINFIELD (10TH): We'll next hear from Donna Johnston. Donna are you online?

DONNA JOHNSON: Yes, I am. Can you hear me?

SENATOR WINFIELD (10TH): I hear you quite well, go ahead.

DONNA JOHNSON: I'm a licensed clinical social worker in the State of Connecticut and I am a registered democrat residing in Plainfield. I have a multicultural, multiracial family. My clinical background includes working closely with the Department of Corrections, the Connecticut State Judicial System and also did work at local agencies

and programs including domestic violence and mercy mobile psych services and as a clinical program manager and clinical supervisor. I have read and reviewed the proposed Police Reform Legislation, my concerns are as follows:

On removal of qualified immunity posts a great risk to all behavioral health professionals as law enforcement can take on signing committal papers and protect the clinician for potential litigation for having to involuntary commit someone for psychiatric care. The removal of qualified immunity will interfere with police officers being willing to follow a client through for a further psychiatric assessment at the hospital but a client does not want to go by ambulance. The removal of qualified immunity will interfere with an off duty police officer stopping to assist in emergencies. This is detrimental to all residents living in rural areas. The removal of qualified immunity will add additional burdens to an already overworked and overloaded judicial system.

The proposed unfunded mandate places a heavy financial burden on police departments and this trickles down to taxpayers. Unfunded mandates will cripple towns and cities in poor areas and devastate individual and families of lower socioeconomic status. The proposed legislation misuses terms in the behavioral health field that are inaccurate and outdated, mental health is an old term that carries stigma and shame. The correct work is behavioral health. Of importance to note is the fact that psychiatrists don’t typically do mental health evals, they prescribe medication. It’s important to know the difference. And reviewing force statistics

in Connecticut, the data shows use of force by police is actually very low.

I can't comprehend why anyone would support extensive police reform, it doesn't seem warranted or necessary at this time. However the message being sent to Legislators is that the police officers are doing a bad job. Given that this legislation is being considered during this special session and public testimony is limited and controlled, it seem that the Legislators are trying to be willfully sly on suspecting taxpayers adding insult to injury is the fact that there is still ongoing COVID-19 crisis in Connecticut and the economy isn't showing signs of recovery. There is a high percentage of people who are unemployed and are already struggling financially to make ends meet. Enacting police reform legislation that passes financial burdens on the residents will cripple individuals and families. This legislation is, at it's very best, poorly timed, extremely duplicitous and highly preposterous. This is not how democracy is supposed to work. The Proposed Police Reform is a carnage lying in wait to disservice and dismantle law enforcement, behavioral health clinicians, cities and towns and innocent residents and taxpayers. I am disappointed that this is the best that Legislators can do. This is not social justice, this is social destruction. For more information regarding the issues I have discussed, please see my written testimony.

SENATOR WINFIELD (10TH): Thank you. Are there questions from Members of the Committee? I see Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you, Donna. I have just one question. If the officers job is at stake, will they talk to any clinical psychologists or will they talk to any social workers if they're having issues?

DONNA JOHNSON: Most likely not, and that's a correct concern to anyone in the behavioral health field and that extends well beyond social workers. We have licensed alcohol and drug counselors, licensed professional counselors, licensed marriage and family counselors and licensed clinical social workers in the State of Connecticut who can all have psychiatric emergencies and need the support of police.

SENATOR CHAMPAGNE (35TH): And I see that as being more, pretty dangerous if an office is having issues and can't go get help. Do you see the same?

DONNA JOHNSON: I don't think I understand your question?

SENATOR CHAMPAGNE (35TH): So if an office doesn't go and get the help, isn't that more dangerous if they're still out there on the job? I'm sorry, I might be breaking up. So an officer that is having any type of issues such as posttraumatic stress syndrome, anything like that, if they don't go get the help because they are worried about their job, doesn't that create a greater risk?

DONNA JOHNSON: Absolutely.

SENATOR CHAMPAGNE (35TH): Okay, thank you.

DONNA JOHNSON: You're welcome.

SENATOR WINFIELD (10TH): Other questions or comments from other Members of the Committee? Sorry, try to

work the. If not, thank you very much for joining us today.

DONNA JOHNSON: Thank you, sir.

SENATOR WINFIELD (10TH): I see that we were, we had the ability to get Jeff Reimer who was on, actually ready to go. Jeff, are you there, can you hear me? Okay, maybe we didn't fix that. Peter N. Pal, P-A-L? N. Pal? Peter Moritz?

JEFF REIMER: Sir, Jeff Reimer, can you hear me?

SENATOR WINFIELD (10TH): Okay, we hear you now. Go ahead.

JEFF REIMER: Okay. Finally, I'm sorry about that, sir. You ready for me?

SENATOR WINFIELD (10TH): We are.

JEFF REIMER: Okay. Members of the Judiciary Committee my name is Jeff Reimer. I'm a Sergeant in the East Windsor Police Department and speaking as a President of the East Windsor Police Union.

Our police members have several concerns with LCO 3471, AN ACT CONCERNING POLICE ACCOUNTABLITY. These concerns include but are not limited to: Allowing Posts to have to have broad new powers to suspend or fire officers for such things as undermining public confidence in police work, mandating mental health tests that Posts can use to take personal actions, repealing qualified immunity for civil right violations that could lead to every police officer needing personal liability insurance, changing the Graham Shooting Standard from being a, what would a reasonable office do to a justifiable or objectively reasonable standard. Giving subpoena powers to politically appointed civilian review boards,

removing police officer from traffic construction sites, objectional language in the Bill undermines due process for police offices and exposes us to unfair risk that will have a chilling effect on community policing.

The Bill draft LCO 3471 also makes other law changes that many of our members make policing more difficult. But in order to stop the sections most damaging to officers, we urge you to amend Legislation in response to concerns we have raised. I submitted more complete testimony explaining each of our concerns so I hope you will take the time to read it. Last one, sir, if the Legislators of the State of Connecticut want Connecticut to be Portland, Oregon or New York City then pass this Bill as it is currently written. Thank you for your consideration. I'm happy to answer any questions.

SENATOR WINFIELD (10TH): Thank you for joining us. Any comments or questions from Members of the Committee? Senator Champagne is your hand raised or is that stuck from last time?

SENATOR CHAMPAGNE (35TH): No, I tried to raise it, I guess I already had it raised. Thank you. You know, sergeant I heard your comments, and do you support any, I keep hearing this phase and I keep hearing example from what's happened not in Connecticut but out of Connecticut. Do you support rogue officers?

JEFF REIMER: No, absolutely not.

SENATOR CHAMPAGNE (35TH): Correct. And as a sergeant, I was a sergeant with the Vernon Police for many years, it's our job as sergeant to any office that doesn't perform his duty or is creating

a risk to the public it's our job to discipline that employee, correct his behavior or have him move along. Is that correct?

JEFF REIMER: Yeah, absolutely, sir. It's our job to make changes, to discipline officers and if we don't, I mean, especially as a supervisor, you don't do that as a supervisor. The fact of the matter is it's only going to come back to me, the supervisor, over the office and I'll be just as wrong as the person.

SENATOR CHAMPAGNE (35TH): Exactly. Thank you.

JEFF REIMER: Yes, sir.

SENATOR WINFIELD (10TH): Thank you, Senator Champagne. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. Just a brief question. Sergeant, thank you for your testimony. My question would be if you wouldn't mind, how do you believe the proposal before us would impact any type of recruitment of new officers?

JEFF REIMER: Okay, so I don't know how much you have followed the recruitment in the past couple of years, for the past several years, what I have seen, the recruitment levels of my police department is that our numbers are significantly, significantly low as far as the numbers of persons that test for my local police department. When I was first hired 25 years ago, I walked into a room to take my written examination that probably had about 500 people looking to take that examination. Now a days, in our last testing period we maybe had 25 people show up for that written examination, 25 and I will tell you this right now, 10 to 15 percent of

those people are going to fail the written test. I have been giving the physical agility test for my police department for 20 years now, I have a 40 to 50 percent failure rate on the physical agility test along, so that automatically brings about, with that number of 25, about 10 people who just passed their written and physical. They now have to go through oral boards, background checks, medical checks. By the time we have people that can go in front of our Police Commission to present for a job, we are putting two or three people in front of our Police Commission for, you know, to be considered for the job. I would think that we would want a lot more qualified persons to give us better candidates for this position. Now what that said, that was prior to what everything that's been going on in the police world. So I could just imagine where the recruitment levels will be at with the way what's going on in society right now and if this Bill was to go through.

REP. REBIMBAS (70TH): Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative Rebimbas. Representative Walker.

REP. WALKER (93RD): Thank you, Mr. Chair and thank you, sir for your testimony. I just have a couple of questions. You said that the way this is written the physical agility test would end up hampering the number of candidates that you have, is that what you said, sir?

JEFF REIMER: What I'm saying is that is a physical agility test is required by Post standards, okay. And when I give that test, I have a failure rate of 40 to 50 percent. So once that fail that test they are no longer allowed to proceed with employment.

They can no longer go any further in the process to become a police officer for that particular town. Now they can go and apply to another town and they could retake the test, yes they can, but they actually have to pass that test.

REP. WALKER (93RD): So what, so I guess what I'm asking is, so what you feel we need to reduce the restrict, the expectations that we have in the physical agility test so that more people will be able to qualify. Is that what you're saying.

JEFF REIMER: Absolutely not. Quite honestly, ma'am I think the standard should be a lot greater than what they are. I don't think the standards, I think the standards are quite low for being a police officer. These standards are minimal at best and the fact of the matter is being a police officer does, does possess some physical attributes to doing the job. This job is not an easy job on the body, our bodies take a beating throughout the course of our career.

REP. WALKER (93RD): Okay. Cause when you said it sounded as if, to me, you were saying that basically we needed to lower the standard.

JEFF REIMER: No, ma'am. I believe that, I honestly believe, if it was up to me, and people who know me, fitness is a big part of my life. I believe the standard should be greater than what they are.

REP. WALKER (93RD): And in that case then, when you were saying, I think you were saying the mental health assessment, things were going to be an impediment for some officers and that you felt this was going to reduce again the number of candidates that we have for, that would apply. So I guess as

you pointed out in your testimony, you said that it is a very tough job to be a police officer without question and that you encounter many things more so that what other people are seeing, so sometimes that type of environment can provide posttraumatic stress disorder or things like that. So with the mental health assessment don't you think that would help the police officers? I don't want to go much longer on this but I was confused about some of the testimony because it's important that we get the best and the brightest out there working with us an protecting our community and I don't think that reducing the qualifications, I think what this does is it strengthens that. Thank you for your testimony. Thank you, Mr. Chair for allowing me to speak.

SENATOR WINFIELD (10TH): Thank you, Senator Walker. Comments or questions from Members of the Committee? I do not see any. I will ask a question. You suggested in your testimony that this Bill infringes on due process, what part of the Bill is that you're suggesting does it? Are you still there?

JEFF REIMER: I'm sorry was that question to me sir, I heard somebody else on there. I wasn't sure that was me.

SENATOR WINFIELD (10TH): The question was to you. In your testimony you suggest that this Bill infringes on due process and I was wondering what part of the Bill you are referring to when you say that.

JEFF REIMER: Okay, so. Alright, hold on one second. I know I said that. Can I get back to you on that one, sir?

SENATOR WINFIELD (10TH): Absolutely, absolutely. I don't want to hold people up and then you I guess that what we have seen is true that there are less people who want to become police. I would suggest to you that there are many reasons for that. Many of the young people who I've talked to don't want to become police because their interactions with the police, because of the very things this Bill would bring to policing aren't in place and I would suggest that those who are concerned about candidates who are qualified, who are better candidates might think about what this might do to create that condition. But I thank you for your testimony. Thank you for joining us today.

I also see that we call N. Pal, we were able to get in and so if you can actually unmute yourself, you can testify. N Pal? Okay. So I will be going down, Peter Moritz? Katharine Morris? Corrie Betts?

CORRIE BETTS: Good, good morning.

SENATOR WINFIELD (10TH): You have three minutes.

CORRIE BETTS: First I would like to thank you Chair and the Committee for having. Good Morning, my name is Corrie Betts. I am the Criminal Justice Chair for the State of Connecticut Conference of the NAACP. We fully support the Police Accountability Bill before us. We believe the time is long overdue to pass legislation regarding police accountability. We hope that the support we saw by many industries behind closed doors and on the Op ED pages transfer into real legislation that will address a myriad of problems with our criminal justice system. I just want to highlight selective portions of the Bill that we had particular interest in.

As for Section 8, this section is critical. The public has a right to know the facts associated with any allegations of police misconduct and no public entity should be exempt or receive favorable consideration or be allowed to contrast the CERT circumvent Freedom of Information Act. As for Section 9, the same rationale already presented applies to this section, as does Section 17 civilian review boards create another layer of oversight and are especially important with boards of police commissions which duly serve as the firs layer of oversight are reluctant to hold police accountable or are ineffective in doing so. As of Section 21 in this age the racial profiling, we definitely support the introduction of a higher standard of proof before a vehicle can be searched. Black and brown motorists in our own communities and while driving in other communities are more likely to be racially profiled and thus welcome any relief from unreasonable searches and seizures.

As of Section 28, my previous comments applies to this. As of Section 30, this sections should be supported by all so-called good cops and those who argue that there are more good cops than bad cops, them bad ones, this sections is basic demanding that police officers do their job and police fellow officers who are engaged in police misconduct. And as of Section 40 we support this section because we know any military equipment in the possession of the police will most likely be used in black and brown communities or be deployed mostly against black and brown people. As of Section 41, this probably is the most important aspect of the Bill and it speaks for itself, qualified immunity has protected police officers far too long and has denied justice to many

for far too long so this is a critical piece of legislation. And as of Section 33, we agree that there should be an office of this type but I would caution everyone to be realistic about the special considerations in creating such an office. We feel the office should server more in a watching capacity to ensure that reports are completed in a timely fashion, evidence and witness are given appropriate attention and respect and investigations handled by law enforcement is not slanted in favor of police. We fully support the creation of such office.

SENATOR WINFIELD (10TH): Mr. Betts, thank you. Your time is up. Let me see if there are questions or comments for you. Are there questions or comments for Mr. Betts? I do not see any so I want to thank you for joining us today. I am being told that N Pal is now able to testify. Let's try that again. N Pal? Okay, we will go to Juan, I think it's Aljure. Is Juan on? What about Laure Pallandre? Okay, is Father James Manship on?

FATHER MANSHIP: Yes.

SENATOR WINFIELD (10TH): Father, you have three minutes.

FATHER MANSHIP: My names is Father James Manship. I am speaking on LCO 3471. I am a priest in the Archdiocese of Hartford. I serve as Pastor at St. Rosa of Lima, I served as Pastor at St. Rose of Lima in Meriden, in New Haven, Connecticut from 2005 to 2017. Presently I'm Pastor at St. Rose of Lima in Meriden in Connecticut. While service as Pastor in St. Rose in the Fair Haven section in New Haven, and the founding co-chair of the Carnegie's Organized Renew Connecticut our Latino Christians were subject to the unconstitutional racially biased policing by

on the East Haven Police Department led by, at the time, by Chief Leonard Gallo. It was the parishioners and members of the community who said enough. My parish leadership with our allies in Connect Apostles Immigrant Services led by Sister Mary Ellen Burns, the Jerome Frank Legal Service Organization at Yale Law under the direction of Mike Wishnie, civil rights attorney David Rosen literally made a federal case to bring about change the racist policing practices of the then notorious East Haven Police Department. There was no alternative left to us. The political climate in the town, the time, the police commission as well as the refusal to act by State's Attorney the chief law enforcement official in the district at the time, Michael Dearington let the victims of these crimes with no avenue of redress. Following the arrest of four parishioners by the East Haven Police, police officers and their brutal treatment, they resolved to stop the racist and brutal policing our parish community and Connect began our work. As we raised concerns to now ex-chief Leonard Gallo, then Mayor April Capone, the police intensified their campaign of racial profiling and harassing the Latino community. While video recording incidents of police harassment, I was falsely arrested. The police made a report, made by Officer David Carey, collaborated by Dennis Spaulding and inclusion with their supervisor, Sargent John Miller, was full of lies. The subsequent federal investigation revealed that Carey's report through an FBI forensic examination of information system of the East Haven PD there were 27 drafts of my police report each increasing fiction to incriminate me on false charges. Carey and his supervisors thought there was no audio to the recording. When the audio of

the video was made know, it was clear that Carey perjured himself. Carey committed a crime, a felony. The State's Attorney did nothing. The State Police did nothing. The chief of police did nothing. The insidious conflict of interest in the corrosive police culture renders any attempt at a substantive accountability virtually impossible.

In short, police cannot investigate police. In order for civilians to have any hope of justice, to have criminal charges filed against the police officer under state law the crime must have such notoriety the State's Attorney system is forced to do something to preserve any shred of integrity. In a meeting with then Michael Dearington and his deputies in our parish offices I asked, "where does a civilian go if they were a victim of a crime perpetrated by a law enforcement officer?" The answer wasn't satisfactory. He pointed out that the State's Attorneys acts on criminal changes brought forth by police. Herein is one of the most insidious realities of police accountability overcoming and transforming the culture of policing Connecticut as we did in East Haven one has to literally make a federal case and even that isn't a certain route given the prioritizing of the federal government has done around police accountability over the years. Connecticut must have a separate special State's Attorney unencumbered by conflicts of interest between police and State's Attorney that can conduct criminal investigations and have prosecutorial responsibilities for police officers who are accused of committing crimes. Our work in East Haven resulted in a complete transformation of the police department, a federal oversight and consent decree, four police officers went to jail and a complete

change in command. Commending chief then Leo Larrabee and present Chief Lennon for the work that they've done and just to see how insidious the culture is.

SENATOR WINFIELD (10TH): Father I would just ask that you summarize, you're at the end of your time.

REV. MANSHIP: Just, just again the insidious nature of the culture, even the Police Chief's Association of Connecticut still yet, to my knowledge have had Lennon come in and talk about how they dealt with the federal decree and formed their policing, their policing to make it a constitutional police department. I support the changes proposed in the law or opening the law of establishing a separate entity to conduct criminal investigations of police and prosecute them.

SENATOR WINFIELD (10TH): Thank you. Thank you very much for your testimony and for joining us. Are the questions or comments from Members of the Committee? I don't see any but thank you and I should say thank you again for joining us over the years. You've joined us several times. Have a great day.

REV. MANSHIP: Thank you.

SENATOR WINFIELD (10TH): We are going to try one more time, I am being told this time for sure that N. Pal is ready to go so let's see if we can get N. Pal on. [Pause] Okay well we made a valiant effort. Janice Colandrea? Janice Colandrea? Alexander Taubes.

JANICE COLANDREA: Janice is here.

SENATOR WINFIELD (10TH): Janice, please go ahead.

JANICE COLANDREA: Hi. I'm here speaking against LCO 3471. I am a mom, a regular citizen and I feel like this legislation is a kneejerk reaction to what is going on in the country and I hear a lot of people citing things going around the country and not in Connecticut. I feel like our Connecticut police are pretty awesome and they are not getting the credit they deserve.

This legislation is called an ACT CONCERNING POLICE ACCOUNTABILITY which sounds lovely. We all agree that police should be held accountable. The complicit media will tell you about the body camera requirements and possibly even the fact that they want the police to carry liability insurance. The doctors I know complain about the cost of liability insurance but they make $300,000 dollars a year, cops start at $40,000 dollars. But they won't tell you how this will really effect your quality life, our pocketbooks, and our safety. The legislation will make it illegal for the police to use deadly force if a bad guy is nearly inflicting serious physical injury. That's right, our police office would be required to determine in a matter of seconds if the police force being applied is deadly. That means if the bad guy is using a baseball bat to break your child's knees, if the police can't shoot him to make him stop even if they turn the bat on the cop, even if the cop is a five foot tall woman who weighs 125 pounds. It means that if three grown men are beating up a teenager and a cop draws on them, they know that they can keep going because the police office can't shoot. It means that if a group of 20 rioters are stomping you the police officer can draw if she wants but every criminal in the State of Connecticut will know exactly how far they

can go without risking their own life. And that's the people in their right mind. People on drugs, drunk and a rage of passion or who are deranged will not stop. And this Bill will make the cops decide on the line between inflicting serious harm and deadly harm on the fly, in the moment. It means that if you're a victim of a home invasion, tied up in your house like an animal, holding a blowtorch to your face the cops can't shoot him. And I get it, those of us living in our safe little suburban neighborhoods don't see this kind of crime yet, but there is more.

This legislation will require cops to exhaust every possible force if any threat before using deadly force. That means even if a bad guy pulls a gun, the cop must try to disarm them physically. I'm not kidding, it's written that way even though you might say it's not, that's how it's written. They must try the pepper spray, then the taser, then the baton and then if that doesn't work, then they can shoot a person with a gun. What do you think will happen when a cop tries to physically disarm a person with a gun? I'll tell you what happens. You have a dead cop and a bad guy with two guns. This Act will effectively remove women from the police force. I'm sorry, as a woman I can say that. I'm not as strong as a man and I can't employ all this things. If I was a female, I would need to know I had my gun to rely on. It will remove everyone with a brain from the police force. Who in their right mind would go into a career knowing that they have this going on. This will unleash the criminal element in this State like never before. This law will accomplish the same thing as abolishing the police. They may be fine for a while for those tucked safely into the

Valley of the Northwest corner but for the people in urban areas of Connecticut we're already held hostage by the criminal element, not by the police and who cannot afford the hundreds of dollars required by the State to legally own an expensive weapon, it will mean a life of additional chaos, lawlessness, and loss of life. All cops will have to travel with a partner which either means twice the cops or half the coverage. But they will still reticent to address crime, not for $40 or $50,000 dollars a year.

SENATOR WINFIELD (10TH): Ms. Colandrea please summarize.

JANICE COLANDREA: I am. Would you try to pry a gun from the drug addict's hand while he tries to shoot you knowing that if he actually gets hurt you will lose your home when you get sued. So, no. And social worker they didn't sign up for this. They are not qualified, they don't want to deal with violent people and they also don't want their immunity to go away to because if one loses immunity we should all lose immunity. Thank you.

SENATOR WINFIELD (10TH): Thank you for your testimony. Representative Porter.

REP. PORTER (94TH): Thank you, Mr. Chairman. Thank you for your testimony this morning or this afternoon, it's actually 12:17. [Laughs] I just wanted to see, I mean because there is different perspective to everything. And with all due respect to the perspective you have, as a black woman in American my experience with cops has been drastically different from yours. I mean even as an elected official I've had some pretty bad experiences with being pulled over with my

legislative plates on and being subjected to abuse from a police officer. With that being said, you made some pretty, um, statements that made me think of things. You're calling into question the ability of an officer's ability to do his job if this Bill goes into effect but are you aware of cases such as Dillon Roof in Charleston, South Carolina who was taken into custody without one scratch, who had just shot and killed nine innocent people in a church he had been planning for and got taken at Burger King for a sandwich before he was taken to the precinct? And other instances, one recently here in Connecticut where we had an individual that killed two people one dismembered and went from state to state, he was arrested and taken into custody without a scratch and I.

JANICE COLANDREA: I'm sorry to interrupt you but.

REP. PORTER (94TH): I'm not going to let you interrupt me. Thank you. My question to you is what would you say is the difference?

SENATOR WINFIELD (10TH): Representative Porter. I'm gonna say this for everyone. Although we're trying to move this along, one person speaks and then the other person speaks. That's how this is going to happen, so thank you.

REP. PORTER (94TH): Thank you, Mr. Chair. I appreciate that. My question to you Ms. Colandrea is what do you see as the difference in a cop's ability to not cause harm to certain people and in these instances white assailant versus the way that they handle black assailants? Can you speak to that please?

JANICE COLANDREA: Well I can because I was speaking of the moment before they were arrested. The moment when they are being threatened and arguing with someone, so and if you want to go into that we can talk about how more unarmed white people are killed by cops nationally, so I don't know where you're going with that. I feel for you, I'm sorry what you're going through but skewing these things is not helping anything. They look at actual factual things going and it's after he's been arrested he needs a burger because it's gonna be hours and hours and he say's I'm diabetic, I need to eat, you know, I don't know that that happened but that's an example, the aren't they preventing other medical things from happening. So I'm talking about the moment when weapons are being used, people are being stomped in the street. If someone invaded your home and the police need to come and defend you.

REP. PORTER (94TH): Thank you, Mr. Chair. I have no further questions. I quick comment. We have had people that have shot at cops, with guns and not been shot back at, so I just want to put that on the record that there's a drastic difference in the way the policing occurs in communities like hers and the way it occurs in communities like mine. Thank you, Mr. Chair.

JANICE COLANDREA: May I speak again?

SENATOR WINFIELD (10TH): Thank you, Representative.

JANICE COLANDREA: May I comment also?

SENATOR WINFIELD (10TH): Hold on.

REP. PORTER (94TH): That wasn't a question, Mr. Chair. Thank you.

SENATOR WINFIELD (10TH): Hold on. Everyone hold on. Generally we do not have people who just speak to a comment that is made unless it is addressing the person in a way that requires a response. I don't think that requires a response and I think you have both been able to address one another.

JANICE COLANDREA: I live in Meriden and we had three shootings this past week, so I don't know where she thinks I live.

SENATOR WINFIELD (10TH): Excuse me, I'm trying to explain the way the process is working and I am going to say, that we are going to move forward and thank you unless there is another person who would like to speak to you. I see Representative Rebimbas and we will give her a chance to engage.

REP. REBIMBAS (70TH): Thank you, Mr. Chair. And I want to thank the individual from the public that just testified as well and I think certainly Representative Porter said it appropriately we all do have our different views and experiences and this is why we are here listening to all the residents in the State of Connecticut to hear those views and experiences. And I just wanted to give Mrs. Colandrea, I don't know if I'm pronouncing your last name correctly but it did sound like you wanted to say something in addition to, is there anything you wanted to say?

JANICE COLANDREA: Yes, thank you. I don't know where she thinks, she must think I live in an ivory tower but I live in Meriden, Connecticut and we've had, I think it's at least three shootings in the last week, gang related so we're sending cops into, during the night these shootings that are happening

and cops need to be able to protect themselves and protect us safely.

REP. REBIMBAS (70TH): Again, thank you for your testimony. And again, I think everyone on this panel has very good intentions and I don't think anyone is trying to, you know, question anybody's testimony per se but just trying to understand everyone's experiences. So again thank you for your testimony and Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you. You know, we talk about a lot of experiences that happen, but we're not talking about what leads up to these experiences or these circumstances behind it. You know, the question is correct. Every time a police, I'm sorry, I believe it's Janis. When Janis goes into the saying this legislation could cause problems, yeah. Any hesitation on when a police officer arrives, it can be life or death and that has to be looked at. If there is a home invasion like she was saying, you know, we have to look at all the circumstances but if you live in a house the last thing you want is somebody in your house doing damage to you or your family and you want the police in there as fast as you can. And I've gone into situations like that and they're not easy situations. And then finding the destruction that's left behind is terrible. But I think the point here is, and I guess the question goes to Janice because this has been very emotional is that, I see you as having concern about the hesitation in police. And you said you live in Meriden. Have you done

anything to I guess protect yourself beyond just the police?

JANICE COLANDREA: Not that that's your business, but yes, sir I have.

SENATOR CHAMPAGNE (35TH): Okay and I don't need to know the details or anything. Cause one of the points being made is I guess we are at an all-time high in this country for people going out and getting their permits because police, people are afraid of what's happening to America, you know, and the more I look at this Bill and the costs related to it, and I know this is just another form, or parts of this are just another form of defunding police and maybe that's what part of the topic should be. And it's not a fact that, you know, I disagree with anything because I believe a bad office should be held accountable and I know you do to. All right, thank you.

SENATOR WINFIELD (10TH): Thank you, Senator Champagne. Senator Kissel. Senator Kissel? Okay, let's move to Rep O'Dea and see if we can fix whatever issue is what Senator Kissel is having.

REP. O'DEA (125TH): Thank you very much, Mr. Chairman and thank you, ma'am for your testimony. I do appreciate it and just for clarification, you know, this is obviously a very emotional topic for many of us and my good friend from the 94th, I did not know the interactions with her plates on and getting harassed and obviously that's wrong for happening to anybody and we need to address that. And I certainly support legislation and many parts of this legislation to address the bad apples that we have, that some of whom are wearing a badge. There are bad people in all walks of life. I would

ask everybody to take a look at the case of a gentleman by the name of Tony Timpa who was a white male, who suffered horrific murders similar to that of George Floyd where officers had their knee on his back and neck for 13 minutes in Dallas, Texas in August of 2016 and a year ago the charges against those officers were dismissed and so I do think we need to look at this but as it affects all walks of life and I appreciate your testimony, ma'am in bringing to light, we want to make sure we don't throw out the baby with the bathwater and we make sure we keep the good officers and protect them and get rid of the bad officers. So thank you very much, ma'am for your testimony.

SENATOR WINFIELD (10TH): Thank you, is Senator Kissel able to speak?

SENATOR KISSEL (7TH): I'm okay on this particular matter. Can you hear me?

SENATOR WINFIELD (10TH): Yeah, I can hear you.

SENATOR KISSEL (7TH): Alright, so I was having a hard time figuring out raising my hand and that was like several speakers ago. I felt very bad for the woman that lost her son in the Department of Corrections. If she's still watching, she has my deepest sympathies and we need to look into that and Senator Winfield you and I and Rosa and Steven we worked on a Bill regarding people that are either highly hurt or killed in the custody of the Department of Corrections and so we can reach out in that direction but I think we have to stay focused on this and I'll check my, text messages but I'm glad that you caught the fact that. I don't know I was hitting a hand thing and just nothing ever happened, and so, anyhow.

SENATOR WINFIELD (10TH): Thank you. I will just remind everyone of the fact that we have over 150 people signed up to testify and I'm hoping that if possible we can ask questions judiciously and keep moving. I will just say to some of what we just heard that I had a similar experience and I think this is an opportunity to not only talk about what we've experienced but what other people have experienced and try to understand why they may see the situation in a different way. The next person we should be hearing from is Alexander Taubes. Are you there?

ALEXANDER TAUBES: Yes, hi, thank you. My names is Alex Taubes, I am a resident of New Haven. I am also a civil rights attorney and as part of my practice I represent the victims of police and correctional abuses in state and federal court. And I wrote testimony which I can refer to which has a section by section breakdown of the Bill, the good and the things that need clarification and the things that I think could be improved. But I just want to highlight two basic things.

The first is that qualified immunity is not about abolishing the police. Repealing qualified immunity is about abolishing police brutality. And by getting rid of qualified immunity you will ultimately save police departments, municipalities and the State additional money in the long-term because you will be removing protections for the bad apples while still allowing you to vindicate the rights of the officers who do the rights of the officers who do the right thing. And so abolishing qualified immunity is extremely important, of course the cost of insurance, the costs of satisfying the judgements and settlements should not be falling

directly on the officers, it should be borne by the departments and by the towns and they need to do their part to root out the bad actors and to deal with the situations that cause real harm in our communities because these settlements and these verdicts they are not just frivolous lawsuits, these are real harms that have occurred, real abuses that have occurred, not by the majority of officers but by certain officers who transgress the law.

And that's why I also want to call your attention very briefly to Section 30 on the Duty to Intervene because currently the duty to intervene is limited only to incidents of excessive force. That duty to intervene should be brought into all illegal or non-department, you know, non-department activity that is against department regulations or procedures. Officers should have a duty to intervene for example if there is issues with evidence being planted or evidence being, disputes about evidence not being turned over to the defense. There needs to be a duty to intervene in situations of official dishonesty regarding a police report or regarding any matter that comes in police conduct. And so urge you to pass the Bill that you have now as quickly as you can because it really truly is just a first step towards strengthening the laws around police brutality, police dishonesty. It is not the majority of officers, it is not all officers, and in fact this law will strengthen the police departments of Connecticut, their integrity, their relationship between them and the public that they serve, their independence and their ability to fight crime and improve public safety. So I urge you to pass this Bill as it current is written.

SENATOR WINFIELD (10TH): Thank you, Alex. Are there questions or comments from Members of the Committee? I don't see any but thank you for the work you've done on this, appreciate it. Have a great day. We have Kathy Flaherty next followed by David Demchak.

KATHY FLAHERTY: Good Afternoon. Good Afternoon, Senator Winfield, Representative Stafstrom, Representative Rebimbas and Senator Kissel, my name is Kathy Flaherty. I live in Newington and I am the Executive Director of Connecticut Legal Rights Project in Middletown, a statewide nonprofit that protects low income people with mental health conditions.

I am here testifying on this Bill because the community I advocate for interacts with law enforcement because we chose to criminalize poverty and we chose to criminalize behavior that is related to people's disabilities. Half of the people killed by police are people with a disability. It's the system that's the problem. The concern that I have, that I outlined in more detail in my written testimony is that this mental health screening is not what anybody is looking for. What law enforcement has told you is that they have to address the mental health needs of their officers because it is a stressful job. I will be first to admit, I have family who are law enforcement, it is a hard job. It is not a job I would want, that's why I'm not a cop. But screening in and of itself without more is pointless and it also reinforces that false link between violence and racism and mental health which I'm sure is not your intent but that is what the language as it exists does. What law enforcement needs is peer support, access to voluntary services and support, the same thing I'm

always there testifying on behalf of everybody in the community I advocate for because law enforcement are part of our community. Basically the screening before you get the job and the screening every five years or whatever the timeframe is that you put in there, that is not unlike what the Connecticut Bar Examining Committee did to me when I applied for admission to practice law in this State. What happened to me was discrimination and I will not be here advocating for you to subject anybody else in this State to that kind of a process.

The other concern that I really have is when you look at Section 18 of the Bill. Having the police study about whether somebody else should do their job I think that kind of predetermines what the outcome is because people won't voluntarily give up part of their job. But I also understand why the police and law enforcement are concerned because we are asking them to do a lot because we have made consistently over decades, really bad choices. There was a promise made when the State hospitals were closed that the money was going to be reinvested in the community based system of care. That never happened. So sending social worker on calls that force people into an underfunded system because it's basically what the social workers would do, is not what this society is looking for and not what activists and advocates and your constituents are asking.

So to sum up, I'd ask you figure out what your priorities are. Figure out if what you're doing is actually going to accomplish your goal. And if you've outlined it, it's actually very far from defunding police because unless you really provide the funding there are a number of unfunded mandates

in this and it is providing more money to the police. What we actually need is investment in our communities. Seriously, give me ten seconds and I'm done. Community driven solutions that meet peoples basic needs, things like decent, safe, affordable, and accessible housing in the communities of their choice, education and jobs and I just ask everybody who is watching please stop calling the police on people who are in emotional distress. There are other alternatives and we don't want more of our people to end up dead.

SENATOR WINFIELD (10TH): Thank you. Questions, comments from Members of the Committee? Thank you for joining us today.

KATHY FLAHERTY: Thank you.

SENATOR WINFIELD (10TH): David Demchak. Wendy Tyson-Wood. So, just so people know the order that I have is David Demchak, Wendy Tyson-Ward, Sharon Dalton and then Tamara Lanier. So is David here? Wendy Tyson-Ward? Sharon Dalton? Tamara Lanier? I see Wendy Tyson-Ward, go ahead.

WENDY TYSON-WARD: Okay, thank you. Good Afternoon, everyone. Thank you for this opportunity to come before you as speak. Thank you to the Senators and the Legislators as well as, and I'll move this so you can see me, I'm actually a little person today. There we go, okay. And I'll go right into my speech, it's short and to the point but it's very valid. Forgive me if I get a little emotional.

I am Wendy Tyson-Wood. I'm from Waterbury and on June 14th, I remember it like it was yesterday, it was a Sunday. My brother who lives in our first floor apartment was literally hit by a car. I heard

the crash from my second floor apartment and said to myself, that sounds really bad. I ran downstairs and as I arrived to the porch, my heart stopped there. On the cold, dirty floor cement lay my brother. He was hit crossing the street he crossed every day, thrown six feet in the air. He looked gray and lifeless. My brother who was filled with life was laying there. My granddaughter screamed and I was in shock. Here's where it got worse. Yeah, believe it or not, that wasn't the worse part. The police officer on the scene who was white, let the female white driver walk away. Her car was unregistered so it was impounded and her license was expired. That is still not the bad part. Let me repeat myself. She was white. Her car was unregistered and her license was expired. Again several witnesses saw her and reported to the police officer that she seemed to be under influence and looked like she was shooting up while driving. She was not detained, no tickets were issues to her. That's when I got sick. I questioned if the driver was any other color than white, would the office let them go? Fast forward. I read about a similar accident but the injured person was white and the driver of the car was colored. The officer not only arrested him but charged him at that time. So I ask you today what was the difference between the white victim and my wonderful loving brother? I ask you today how the police could respond so differently in my brother's case? This painful example is just one of many reasons why we need police oversight, accountability, and transparency. How many shattered lives need to be shared before it hits your door?

I am here because it hit my door too many times. I never have a choice. The color of my skin alone is determining fact how my arrest or detainment will go. I pray daily for my black and brown friends and family, the young black and brown men. I also pray that police officers understand that their mandate to protect and serve must be colorblind. Today my brother is alive but with unimaginable pain, loss of work, loss of livelihood, unable to speak without assistance and a list that would make you cry and pray. The light he used to give off to his family and friends is dead. He is alive but with no justice for those who paid. My family pays. We all pay as taxpayers. My ask today is simple. Today I need you to consider my brother, consider all who have been unfairly treated by the police, rogue police officers, I might add and vote really for this Bill because a vote against this Bill is yet another nail in the literal coffin of black and brown people in Connecticut. Thank you, Senator.

SENATOR WINFIELD (10TH): Thank you, Wendy. I see that Representative Walker has a question or comment for you.

REP. WALKER (93RD): Thank you, Mr. Chair and I will be very brief. I want to thank you, Wendy for coming and brining your experience to this conversation. I'm glad that we have people that are willing to come out and talk about their experiences from both sides but I am very glad that we now have a real dilemma. We have to figure out exactly how we make sure that all people have public safety, so thank you very much for this. Thank you, Wendy.

SENATOR WINFIELD (10TH): Thank you, Representative Walker. I believe that is all for the question. I

just want to thank you for coming. I know how painful it is to share your story, so thank you for doing so. Next we have Wendy, ah Sharon Dalton and Tamara Lanier. Is Wendy, I don't know why I keep doing that. Is Sharon Dalton here? I know that Tamara has her hand raised, is Tamara able to come on? Are we able to get Tamara on? [Pause] Okay, we're gonna work on that and then I see also.

TAMARA LANIER: I'm here. Can you hear me?

SENATOR WINFIELD (10TH): Okay, there we go.

TAMARA LANIER: Good Morning, I think I had the wrong blink. But to the Judiciary Committee, Good Morning, I am honored to be before you this morning. My name is Tamara Lanier. I am a retired Chief Probation Office. I am also retired Criminal Justice Committee Chair for the Connecticut NAACP and I am currently the Vice-President of the New London Branch. But I know my time is limited so I'll go down to a list of things that I want to talk about.

The first thing is the decertification process and I think the language in the Bill, although it expands upon it, it is important and civilians have a voice in the decertification process. As it stands now it appears to be a process that is initiated by the police. If civilians have a complaint of misconduct and if it's not supported by the police or the police administration that will not get before Posts so they need to have an avenue to get to Posts with their complaint. Also in terms of civilian review boards, I've heard that discussed this morning as well. It is important that be a mandate. We have been talking, the NAACP, has been talking publicly about the need to improve police community

relations. Those communities that don't have a civilian review board have learned recently that there are huge concerns as we've seen in the protests between the relationship with the police and the community.

And under Section 21-22 where they're talking about searches. I'm also a member of the Racial Profiling Prohibition Project where we have talked about having a signed consent form for searches. There is always a dispute, there is often a dispute when there are searches where civilians or suspects, I didn't give consent to search. A signed consent form would alleviate any questions related to the search. The language with the duty to intervene, I'm glad to see that in there but I also want to point to, and I think Representative Porter did build on that earlier that when officers have intervened it is with huge consequences to their livelihood, to their career so we are putting officers in a position where you're saying if you don't intervene you will be in violation of the law but if you do intervene you may lose your career. So we need protection for those officers beyond just retaliation statute because we know retaliation is real and it is rarely, rarely addressed where people feel that they have had proper redress.

There is also a law that talks about if an officer, for people who make false complaints or I think it is a false reporting law, I hear it often referred to as the Karen Law, but from what I'm hearing from others in law enforcement is the problem is in the language and specifically this specific intent language and what I'm hearing is that prosecutors, unless they have certain elements of the crime are reluctant to bring those charges. So in reading it

I think this specific intent language can be taken out. Also in terms of the racial profiling language. Those solely, those specific intents, those, the language that I call as disqualifiers make these charges in these complaints hard to firstly bring, and secondly the prosecutors are reluctant to charge them. So, you know, the language is in my mind not necessary so I would ask that you look at these languages particularly in the qualified immunity where you are talking about clearly established. Those are disclaimers where it gives pause for people, particularly prosecutors in charging that. And so, you know, where we have a concern about qualified immunity in the language we also have to look at cases.

SENATOR WINFIELD (10TH): Just so that you know, you are at the end, can you summarize.

TAMARA LANIER: Thank you.

SENATOR WINFIELD (10TH): You can finish.

TAMARA LANIER: With the qualified immunity I would say this, it’s not simply the language we also have to look at how the court interprets it. You can present a case where there is clear evidence of officer misconduct where they didn’t act in the color of the law but they’re still cloaked in qualified immunity. So we have to look not only at the language but also as how the court in interpreting the language. Thank you.

SENATOR WINFIELD (10TH): Thank you. I see that Representative Walker has a comment or question. Go ahead.

REP. WALKER (93RD): Sorry. Sorry, I didn’t lower my had. I’m sorry but thank you for your testimony.

SENATOR WINFIELD (10TH): Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, I just unmuted myself. Thank you, Mr. Chair. And I just wanted to as point of personal privilege say hi, Tammy. Thank you for your testimony and thank you for your service to our State.

TAMARA LANIER: Thank you.

SENATOR WINFIELD (10TH): Thank you Representative Blumenthal. I believe that's it. I just want to thank you. You get with us many times, thank you for coming back again and again to help us get it right. Enjoy the rest of your day.

TAMARA LANIER: Okay, and I just want to add that there are some technical problems with the links. I'm sure that the people that you are calling are probably trying to, but people were sent the wrong links. So the people that you're moving beyond, may have been sent the wrong information. So I just want to make you aware because I had a great deal of difficulty and if it wasn't for social media, I probably wouldn't have been able to talk today.

SENATOR WINFIELD (10TH): Okay, well we are trying and we will do what we can to make sure everybody gets to get on. Thank you. We next have Melissa Sullivan followed by and I may not be able to read this right, but I think it Dana Stewart, followed by Jody Barr. So is Melissa Sullivan around.

MELISSA SULLIVAN: Hi, Senator.

SENATOR WINFIELD (10TH): Hi, you have three minutes. Go ahead.

MELISSA SULLIVAN: Thank you very much. Thank you to the Esteemed Charis and Members of the Judiciary

Committee for hearing my testimony today. I am a lifetime resident of Connecticut and I wanted to speak out in opposition to LCO 3471 based on my communications with lifetime friends who are police officers. I believe that this is overreaching and the changes are unwarranted here in Connecticut.

I have testified in the State, on many times on varying issues and I also have a great deal of difficulty in the process of how we are actually proceeding with this legislation. I know that we are in the middle of a crisis and that we can't meet in person. But I have a real issue with how this is being conducted, how stakeholders are only being given 12 hours to testify, how they are being chosen and so I think this is a real issue and I don't, you know, know this isn't the legislative process having been through it several times. In fact this past session before we all went on break, we had the longest Public Hearing on record here in Connecticut with almost 24 hours of testimony and that's really how it's supposed to be done. I know, you know, it's long and it's a difficult process but it's what we owe our police officers here in Connecticut. It's the due process and how things work here. Having said that, you know, obviously we have some serious issues with racism in our country. If you watch the news we can clearly see we have a lot going on in our inner cities. We also see that our police officers are being brutally attacked, they are unable to protect themselves, being told to stand-down all in the name of the tragic death of George Floyd.

This is terrible for everyone. Racism should not exist in 2020. I, you know, listen to Representative Porter who I've talked to on many

other issues, many times. It breaks my heart to believe that a woman of color or anyone of color could be pulled over in our State and be a victim of racism, it just should not happen. However having said that, defunding police departments this is a monumental error. We need to train them. We need to give them more resources. We can't be punishing them. Since New Haven has taken this, you know, defunding of their police department they have already seen an uptick in crime. They have nine shootings in the last seven day, two of them being fatal and as we sit on this Zoom call right now, they are investigating a tenth shooting. This has to stop. This can't happen. Making officers personally liable and having them, you know, liable for their acts will backfire, it will lead to the resignation of good officers. They will retire even if they aren't ready to. Our police academies will see a huge decline in enrollment. We need our officers to be able to be who they are and defend themselves as well as the citizens of our State.

Someone mentioned throwing out the baby with the bathwater, that's exactly what we're doing. We are making and passing or trying to pass legislation that impacts everyone because there are a few bad people. We don't have a rampant issue in Connecticut. Yes, other states are seeing big time issues. But we are not here in Connecticut. Thank you, thank you for your time today. Appreciate everything that you are all doing to try, you know, change this for all of us.

SENATOR WINFIELD (10TH): Thank you. I know that Senator Kissel has a question or comment for you.

SENATOR KISSEL (7TH): Hey, Melissa can you hear me?

MELISSA SULLIVAN: I can, I Senator Kessel.

SENATOR KISSEL (7TH): Hi, Melissa. I remember when we first went to Starbucks several years ago regarding issues regarding autism and other advocacy issues. You've become just so vocal and so familiar with the legislative process, I just want to commend you for taking the time, getting in the line, understanding how this process works. I haven't had a ton of constituents thus far, this morning but I am so darn proud of you. I really am and you are articulate your views extraordinarily well and thank you for being a great constituent. And that's just what I wanted to say.

MELISSA SULLIVAN: Thank you, Senator Kissel. You know, I appreciate all the hard work that you and Representative Zawistoswki do in our district. I clearly know that, you know, we're not looking at an issue in our town of Suffield but I definitely think that we need somethings to change as far as racism is concerned and I just couldn't sit and be quiet. Just not a quite girl. [Laughter].

SENATOR KISSEL (7TH): Thank you so much. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel. Representative Walker.

REP. WALKER (93RD): Thank you, Mr. Chair and thank you, Melissa for your testimony. But I want to point out and I hear what you're saying but everything is changing in our society, how we do healthcare, we are doing Telehealth now. How we have teachers training in different things in mental health, how we address all of the things that are going on in families now because our society has

moved. It's like a river, it never stands still. So therefore what we have to do with every profession, no matter who it is, whether it be police, doctors, teachers, anybody even the way people conduct their services in their home, you have to make change. And it has to be adapted to what is going on in society. I will say one thing, I also have been pulled over as a legislator with plates, in my own district and questioned where did I get this car from, I don't want to go on about all those things because this is about this one Bill. So I appreciate your testimony but I ask you to understand that we have to make change and we have to grow and develop and the only way we can do it is be accepting some of the things that we see and try and figure out how to make it a better circumstance for all of us, not just for select bodies. So thank you very much for your testimony. Thank you. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you.

MELISSA SULLIVAN: Thank you, Representative.

SENATOR WINFIELD (10TH): I don't see anyone else. I just want to say this in response to the notion that you and some others have said I'm a State Senator and before that I was a State Representative but before that I was active in the community as you would refer to as an activist and I did organizing work. My activism started the year after Rodney King and I recognize that a lot of people this stemming from George Floyd but even with Rodney King what we saw there and what we've seen with the countless names that many people wear on their shirts, it's something that people have been saying for a very long time and the fact that they have not

been heard, the fact that people have not believed it could be possible doesn't mean that what we seen in this moment and the spark if you will is the genesis of this issue. This is a very, very, very long time and a very, very immovable issue. And with the work that the legislature is doing is responding to that. It's couched in terms of George Floyd and what we saw in Minneapolis but this is something that is an issue everywhere and it's not just an issue when someone is killed by the police, and God forbid that happens, this is an issue about how power is given and how it's used. And so I just want us to keep that in mind and I think that's probably the reason there is a gap between what some people are saying and what other people are saying and I just want people to remember that as we move forward with the rest of the day. Specifically to you, Melissa thank you for testifying and taking your time to be here with us today.

MELISSA SULLIVAN: Thank you, Senator. I appreciate your comments. I fully understand this is a long overdue discussion. I would just ask that we continue the discussion instead of passing legislation lets organize a taskforce, let's talk about this, let's bring stakeholders in the room. This is too important.

SENATOR WINFIELD (10TH): Thank you, Melissa. We have Dana Stewart listed next, Jennifer Jennings, and D. J. Harrison. Is Dana, oh Darren, maybe.

DARREN STEWART: Darren, sir.

SENATOR WINFIELD (10TH): Sorry.

DARREN STEWART: No, it's all right, it's fine. Good Afternoon everybody, Leaders and Members of the

Judiciary Committee my name is Darren Steward and I am the new President of the Connecticut Police Chiefs Association. I've been a police officer for 37 years and 12 as the Chief. I want to thank you for allowing me the opportunity to speak on this most important Bill before you and for the July 2020 Special Session, AN ACT CONCERNING POLICE ACCOUNTABILITY.

All of our 105 police chiefs including 95 municipalities departments, several universities and two tribes provide police services to 75 percent of our State population. Our departments range in size from ten officers to more than 450 sworn personnel. We all strive to hire quality officers. We recruit, hire, train for one of the most quality based systems in the country. We have one of the best, if not the best police academies in the country and they have worked very hard to train professional law enforcement officers. Our recruits are tested, vetted, investigated and must pass multiple interviews, psychological tests before being hired and they also have to pass a polygraph which many states do not do. Not every potential recruit makes it for many of the same reasons that each of us share in wanting to create great legislation that embodies the best selection, training, and retention policies. Rigorous FTO programs ensure that officers are ready to serve the communities and serve them well. The Connecticut Police Chiefs want you, want what you want which are the best and most responsive police agencies in the country. Unfortunately despite all of our best intentions there sometimes needs to be periodic reevaluations. We have evaluated the Police Accountability Bill in detail with our members and many police officers.

As law enforcement professionals we have the broad objective of designing the best system that meets the objective in practical applications at our levels. We must share the universal goal that we do not want problem people to be hired or retained as police officers. If they are not responsive and suitable for the public good or just plain criminals we don't want them. Most police departments are struggling to hire offices and I think other people that have called in has mentioned that, and many are leaving police work. Despite all our training and screening a problem can occur. This is the nature of human beings who can exercise bad judgement, circumstances that become out of control. Fortunately, I've had faith and knowledge that these events occur less in our State, thank goodness.

We want local police who know the local public. Brining in an outside law enforcement agency to quell a disturbance could exacerbate the situation. We like your idea to increase minority recruiting, increase training for specific circumstances and utilize specialty personnel in sensitive situations. There is great merit in treating all police equally under the law as well as emphasizing the actions that are acceptable under any circumstance that should people be unclear how they should act. We also support an established review of police actions by knowledgeable personnel. The Bill proposes the elimination of qualified governmental immunity in litigation matters, we have heard from even the CSP Union, Mayor O'Leary and we share concerns on this part of the Bill and also a lot of confusion on it. The elimination of this protection will make recruitment and retention harder, even impossible will ultimately foist the cost of reasonable police

errors on the citizenry in terms of higher tax dollars to pay the associated civil court judgements and attorney's fees. I know it was mentioned earlier, this needs further study and is of concern to the Chiefs Association.

Creation of a civilian review board at the municipal level is appropriate since there are many agencies that do not have a review process or body. More than half the municipal departments have some sort of oversight body and has knowledgeable personnel on criminal codes and law. A great example is.

SENATOR WINFIELD (10TH): You at the end, so if you could wrap it up.

DARREN STEWART: Okay, just to wrap up, we no longer. We will gladly work with you on any language changes. Thank you for the opportunity for allowing the Connecticut Chiefs Association to present our feedback. I know there is a lot more to the Bill that we have in my written testimony and I thank you for the time. I know the Zoom call is a lot different and technology can be our friend sometimes and sometimes it's not.

SENATOR WINFIELD (10TH): Thank you. I see.

SENATOR CHAMPAGNE (35TH): Sorry about that, you cut out for a second. Chief, I have a question. I'm concerned about some things that were said with the Rep and others about traffic stops that they were on and the way they were treated. Can you just tell me if it's somebody from the public that is mistreated how easy is it to get a complaint form from the police department, your police department?

DARREN STEWART: Well that was a policy that came out from the Post Academy a number of years ago

where you had the ability to, whenever a police officer pulls somebody over they have a card that they are given that they can, that will give the process to make a complaint. If there is indeed a complaint it can go to the police department, you can get their forms, I would guess most police departments have them online if not all. You can get them also usually at your townhall or at city hall and they are usually in most libraries that are located within your communities. So there is different locations that they are located so you can make a complaint, you can file them in many cases online and be completed that way and any report on racial profiling, if memory serves me correct, I could be wrong, has to be forwarded up to OPM or I believe the Chief State's Attorney's Office as well so that it is fully investigated.

SENATOR CHAMPAGNE (35TH): And bodycam, what happens as soon as you get a complaint with the bodycam information?

DARREN STEWART: If you have bodycams which I know a number of police departments in the State do not, I would say over half do not at this point, that footage would obviously be used to be reviewed to see exactly what happened during that interaction.

SENATOR CHAMPAGNE (35TH): Okay. Like I said those that did come forward and say they have a problem, that does concern me but I want to make sure that, you know, there is a way to file that complaint and to move forward and, you know, I had, sorry I've got many pages of notes here, but Wendy Tyson-Woods made the complaint that the office didn't do his job and I recommend that, you know, same thing with her, file that complaint, get whatever bodycam is

available and follow through because if that indeed is the case that somebody didn't do their job they need to be held accountable and that is the proper way to do it. Thank you, Chief.

DARREN STEWART: Thank you.

SENATOR WINFIELD (10TH): Thank you, Senator Champagne. Representative O'Dea followed by Senator McCrory.

REP. O'DEA (125TH): Thank you very much Mr. Chairman and thank you, Chief for your years of service to Connecticut and your residents. Just a highlight I was on Post for, I was a public member of Post for 10 years and we increased the training there for police officers. Just so everybody is aware it's 22 weeks of training plus another ten weeks for field training. Is that correct, your understanding?

DARREN STEWART: Yes, I believe that you're correct. When I came on it was 12 weeks so it's actually gone way up.

REP. O'DEA (125TH): So, yeah I was there when we added quite a few weeks to your training so, which I think is a good thing. I just want people aware, I think we've got one of the most trained municipal and state polices across the country. Would you agree with that statement?

DARREN STEWART: Yes, sir.

REP. O'DEA (125TH): Cause that's about eight months of training before an officer is put out on the street or on the beat alone, is that your understanding?

DARREN STEWART: Yes, it is and at times many of those officers don't make it during either the academy or in field training as well. We have washed out officers that were not suitable for the job and that's what an FDO Program is designed to, is to ensure an officer that is coming out of the academy is able to perform their duties and serve the public in a just and good way.

REP. O'DEA (125TH): And would you agree that qualified immunity obviously there's some officers, bad apples that we need to get rid of but would you agree that the qualified immunity as the Supreme Court in *Harlow* has said, allows an officer to try and be an active police officer and prevent crime and help others without the fear of retribution if he makes an honest mistake?

DARREN STEWART: That's my understanding of it and I believe Mayor O'Leary even said, he wasn't a criminal attorney, I'm not a constitutional attorney either but that is my understanding yes, sir.

REP. O'DEA (125TH): Well as someone who represented the State Police and the municipal police for ten to fifteen years, I can state that the qualified immunity does help the officers be an active police officer. So I appreciate your service, sir and thank you for your testimony. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Rep O'Dea. Senator McCrory followed by Rep Walker.

SENATOR MC CRORY (2ND): Thank you, Senator Winfield. I have a quick question and maybe you could consider it a comment to the Chief. Chief you stated that you feel as though you if you were to

have more "minority officers" that would make a difference. Is any evidence, documented evidence, that say that brining on more African-American or let's say, Hispanic, Asian officers will actually do anything in regards to making the situation better. And I'll say that because although many people have been referencing George Floyd, there have been a couple of people on this panel saying we know that, I know that, I know that everyone don't know that, this problem has been going on for many, many, many years and if your statement is if we just bring more diverse officers can change the situation, is there any data that says that? The reason why I say that and so many people reference George Floyd, the situation in George Floyd execution there was a black police officer on the scene, there was an Asian police officer on the scene and I believe there was, if I'm not mistaken a Hispanic office on the scene of that crime. So why would you think that just bring on more diverse officer will make this policing a little better. That's my first question and once you respond to that I'll follow up with another question regarding training.

DARREN STEWART: Well I think everybody, every police department strives to have officers on their department that represent their community and out there to know about what goes on in their communities, who they are interacting with and have an understanding of what's happening in their communities. And I know even in the legislation it's talking about more recruitment of minority officers to come into the police departments and to do that. So I don't know if there is a study been done about that. I think we'd have to look at someone, maybe the International Chiefs of Police

Association or some organization nationwide has looked to see if that has made some kind of difference. But I think what it boils down to, sir is the training of police officers, oversight, leadership, and at the end of the day it's about treating people fair and right, plain and simple.

SENATOR MC CRORY (2ND): So my second question would be in regards to training. I'm glad you can keep records on training, I think someone else just mentioned early about eight months of training. How much of your training is devoted to racial bias, understanding or equity and the second part of that is I know that if an officer fails certain tests when they are trying to become an officer, they are dropped from the opportunity to become. If a person, do you have an assessment for people, for officer who go through racial justice or bias training and if they fail that test, are they out of the loop of becoming an office also?

DARREN STEWART: I don't know all the answers to that question because the Police Academy itself, as far as the number of hours that they train there, I don't have that right in front of me when it comes to that. I know it is part of the curriculum that is there. I know every police department has to go through a recertification process, every officer, every three years which equals at minimum 60 hours and I know that at least in Eastern Connecticut there is two hours for every office has to go through the recertification training. At the police academy itself, I can't talk to that right now. I'm not quite sure the number of hours there but I am sure it has been increased over the years.

SENATOR MC CRORY (2ND): Well, finally my last comment, okay let's say we don't know the number of hours. Let's say its four hours. If an officer, goes through let's say implicit bias training and they completely fail it. Let's say there is an assessment and they completely fail it, are they still allowed to continue on in the academy?

DARREN STEWART: That would be a question for Post. I'm not sure what type of testing they do up there as far as at the recruit level. Like I said I went through the police academy almost 37 years ago, so things have changed as far as what the testing is up there right now. I am sure that if somebody has washed out of a particular program up there that they are taking the necessary steps to either retrain, reevaluate what's going on and if there is a problem, they take care of it at the police academy.

SENATOR MC CRORY (2ND): Thank you.

SENATOR WINFIELD (10TH): Thank you, Senator McCrory. Representative Walker followed by Representative Stafstrom.

REP. WALKER (93RD): Thank you. Thank you, Mr. Chair. Thank you, sir for your testimony. I think one of my colleagues talked about body cameras and body cameras can be the only valuable tool if we have them to actually address and make sure that equitability is presented. Do you have body cameras in your division?

DARREN STEWART: I do not.

REP. WALKER (93RD): Do not. Is there, and the reason why is because of the cost?

DARREN STEWART: It was cost to begin with and also the IT support and also personnel on the support side of it. We're taking a look at that right now. We've done a variety of different visits with our neighbors to have implemented a program to see what it is going to cost, what will it entail and also the IT support that we need inside our police facility to make sure that it's done. There is nothing worse than having a system that you want to work and it's not supported internally and that's what we have to do is make sure that if we have the video, I don't believe there is a police chief in this State that does not want the video when a use of force is going on or a complaint is made against the officer that we want that. We are in agreement with all of that. I think some of our issues with the dash and bodycam part of it, mostly the dashcam is how far the proposed Bill goes on how many vehicles, you know, we have ATVs, we even have horses I believe in some communities. I don't think you're gonna have a dashcam on a horse, you're not gonna have it on bicycles possibly or motorcycles, administrative vehicles a variety of different things where we're gonna take it. Especially if you have a bodycam that seems to be the best focus for police departments today is to have officers that are clearly in uniform, interacting with the public, knowing that they are police officers, have a bodycam there and also have the support on the end for this technology so that we can sustain it and have it available and have it ready and that's very important because we don't want to put people out there. I know there was talk earlier about somebody doesn't have it on or the batteries are dead or something like that. We want to make sure that when

an incident happens it's captured and captured for what it is.

REP. WALKER (93RD): What about making sure that they have nametags? Are you in support of that, making sure that all officers name takes are being held front and center so that they can be seen?

DARREN STEWART: Got it right here!

REP. WALKER (93RD): I guess the question, the feeling that I feel is do I feel like because of my color that people are going to take the circumstance that I may be involved in not because of my color but because of the circumstance that is happening. So if there was an accosting, if I was accosted by somebody or something like that, I would expect that the bodycam would help me in explaining and seeing the circumstances that had been placed on me and that is part of the reasons why it's for the police to be able to see if they are there at the time of the incident but also giving us other backup information for those incidents that are happening. And that's part of the reason why I think it is extremely important that we have bodycams and I don't like the idea of just using money as a way of blocking it. We have to figure out how to do it so we always have, everybody has an equitable representation in all of it. So, thank you, sir for your answers and your service. Thank you.

DARREN STEWART: Thank you.

SENATOR WINFIELD (10TH): Thank you. Representative Stafstrom.

REP. STAFSTROM (129TH): Thank you, Mr. Chair and thank you, Chief Stewart for being with us and for testifying on this important Bill. I guess just on

the body camera thing, I guess it's amazing to me that even though the Legislature has been working on this issue since at least as early as 2015, we still have as many municipalities in the State as we do that don't have body cameras. You know, it seems every officer I talk to certainly tells me, you know, they want it as much for their own protection as the public wants it in order to increase transparency and certainly I understand cost but this just strikes me as one of those purely Connecticut issues where if you've got a small town with a small department and you've got a town next to you that's bigger, team up and figure out how to do storage and share the cost because it's just, this one it just seems well past the time to be saying money is not an obstacle and certainly work on some grant funding in this Bill as well. But I guess my question to you is on, I think you talked in your opening statement about certainly a shared commitment like we see in this Bill, certainly many proponents and advocates are to kind of weed out the problem officers or the bad officers out of the force. And one of the complaints I often hear from Chiefs around the State and chief elected officials is just how hard it is to fire a bad officer and to, you know, get somebody who has shown a propensity for excess violence or has shown, you know, tendencies that make them not the type of person that we would want on our streets to stay on the force. You didn't specifically hit it head-on but is it fair to say that you and colleagues you've talked to are encouraged by the language in this Bill to give Posts additional authority to review those instances where there is an office who has used excess force, who has committed conduct not becoming of an officer and to where appropriate

after a hearing and due process to decertify that officer?

DARREN STEWART: Yes. Yes, I think Post is taken a number of steps over the last few years anyways to do that in many cases that are there. I think they even have a decertification list online of officers that have been decertified for a variety of different issues that are out there and we certainly support that end of it for a variety of reasons but if you have a bad officer that is not doing what they're supposed to be doing out there, or a criminal of some kind, we don't want them in police work.

REP. STAFSTROM (129TH): Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative Stafstrom. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chair, and good afternoon, Chief. Chief it's clearly as we've provided this proposal clear to us that there are a lot of financial mandates essentially in this proposal and certainly I think we've highlighted it already regarding cameras and storage as well as training aspect of things. And certainly I commend to those towns that have had the ability to fund and purchase just the cameras early on and even through the program that we previously had early on regarding reimbursements of those but in reality some of the other towns have had to make the difficult decisions of prioritizing what to fund and what not to fund and that may have fallen upon when we talk about priorities, not that issue is not a priority. I don't think anyone is going to disagree on that regard but maybe, you know, what's taking place in their towns versus some of the other cities

and towns throughout the State of Connecticut. So, you know, I certainly commend you and Post for the support in making sure that we could get this technology supported by these smaller towns and cities and that we could get the funding from the State that is necessary and crucial in order to provide everyone with these cameras and the ability to have the storage and the training that we're asking for in this proposal. So, you know, moving forward anything you can do certainly in putting that information together I know that we've got OFA looking at this piece of legislation, proposed legislation but again we definitely need to put our money where our mouths are and I think, you know, certainly again we all agree this is a priority and we just have to make sure that everyone has the ability then to obtain the same equipment that we're all seeking. And also I'd like to say that in recent discussions we've had with the governor's office if there is a collective bargaining power to collectively make these purchases in order to reduce the cost to our cities and municipalities that would be a great thing to, so again any information we can gather from the different police departments that already have the equipment which ones work, which ones don't, what even the replacement costs moving forward, all this information I think is crucial for us to make sure that what we're asking actually happens.

DARREN STEWART: Thank you, we appreciate that. Thank you.

REP. REBIMBAS (70TH): Thank you. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Representative Rebimbas. I don't see anyone else. I just make a comment and ask the question. I will say that part of this is a little bit frustrating for me having helped to bring us to the point where we passed the racial profiling fix and also the 2015 law that brought us the initial round of body cameras because every time, in each of those instances, what was testified to me by the Police Chiefs Association was that we should not be doing those things and later and there was an instance, I think it was 2017 where we hand an exchange on television. So it's a little bit frustrating because I always felt like these are the things we should be doing and later those things that are agreed upon in a sense because they come in and say these are the things that we're doing and these are good things so there is a level of frustration there I must admit.

But my specific question to you is about qualified immunity because you talked about qualified immunity and so if you can tell me what it is in the Bill that is confusing that would be helpful because as you know we are going to have further conversation about this?

DARREN STEWART: Well I listened to not everybody's testimony so far but there was a little bit back of what I think was Mayor O'Leary even said that there was some confusion. I even pulled up from the National Conference of State Legislators what would eliminating qualified immunity mean for states and local government and they have a publication on that, it's a little bit long, I won't read it here. But it basically is, at least in my mind is clearly established law that has been out there that police officers have qualified immunity unless they have

gone completely out of bounds, way out of bounds, and to figure this out I think is extremely important as career police officers out there today look at that and say what does that mean for my future in policing. What is that going to mean for me, my family and goes on out there when it comes to liability. Cause I think when police officers do get hired they are under the assumption that maybe false assumption that your community is going to support you financially if there is something that goes wrong. Police officers sometimes as we all know have to make split-second decisions that result in life and death. Unfortunately sometimes death occurs and it doesn't protect the bad cops. If there is a bad cop out there and they are completely way out there, it doesn't protect them and that's my understanding. But I think as we continue to talk about this and it seems to be one of the number one items at least in my mind that is something that we need to have further discussion on so we are all on the same sheet of music and what it means or doesn't mean so that there is no confusion.

SENATOR WINFIELD (10TH): Yes, and I appreciate that Chief and as a professional here I guess my question to you, it seems to me that you're suggesting that is that it shouldn't just be happenstance that it hits the officer. They should have to do something that was willful or deliberate which is specifically what the language suggests here. So that's why I keep asking and trying to get clarity around what is it about this other than the concept itself, which is fine, right. But other than the concept itself what about this is the part that causes the confusion?

DARREN STEWART: I think you hit it on the head is the concept itself immediately creates a look and go okay what is gonna mean in the future, what is the intent, what at the end of the day does this mean and I think that is where everybody has to come together and say are we on the same sheet of music, what does it mean for a police officer. They are completely out here and do something, this is what it means or if somebody is having one of those split-second decisions they had to make and they have to take a look at. That is something we have to take a look at I guess if that makes sense.

SENATOR WINFIELD (10TH): That makes sense and I thank you for testifying. I would just hope that everybody who is concerned about qualified immunity is taking a deep look at what the language actually says because it doesn't, the language doesn't function so that you just easily trip over this. But I appreciate your testimony and it's always useful to us hear from Representatives associated with the Police Chiefs Association. Thank you, I want to give it back to the Representative Stafstrom to continue.

REP. STAFSTROM (129TH): Thank you. Thank you for your time. Senator Kissel. Chief Stewart are you still there?

DARREN STEWART: Still here, sorry. I think Senator Kissel had a quick question late, sorry about that.

SENATOR KISSEL (7TH): Yeah, sorry. Thank you, Chairman. I've heard from several of my police chiefs and they've said, hey listen, whether you call 'em bad apples or bad actors, there's been stories like people selling marijuana that are dispatchers, people that have abused their wives

with guns to their heads, that have been fired and they say, hey listen, we try to get rid of these folks and the Review Board seems to be balanced against us and they get reinstated, sometimes with backpay, sometimes not and so what I've been told in the last couple of weeks, many times is like unless we try to change the Review Board everything that we do is gonna come to not. And so I'm just wondering what your perspective is on that?

DARREN STEWART: Are you talking about the Labor Board, sir?

SENATOR KISSEL (7TH): Correct, sir.

DARREN STEWART: That has been expressed by a number of chiefs that have had officers and personnel and they have been reinstated after they have gone through termination, so it is something that many municipalities have had to deal with that the police chiefs have come out and asked for termination and termination has occurred, excuse me, and at the end of the day, Labor Board reinstates and sometimes with backpay. So it is a concern, yes.

SENATOR KISSEL (7TH): Okay, and so my second question cause I know that I'm limited to two, is that, I don't want to disparage the Labor Relations Board or cast aspersions but, you know, a lot of Chiefs have told me, it's like whoever gives the most money to the governor, the governor makes so many picks and they tend to always like more often than not, maybe like more than 75 percent of the time, side with the officer. Now I'm not against the officers, but if you've got someone that is like really bad and this Review Board just reinstates them we are not gonna get to where we want to be

even with this Bill unless we somehow address that. I'm just wondering what's your view on that?

DARREN STEWART: Well I don't know the political process is, it's beyond me. I think that the Labor Board has their role in the process and that is sort of the cards that we are dealt right now as police chiefs that is part of a process in termination that's where it goes. I don't know the political end of anything up there or anything that goes on, I just know that if you have to go there, that's where you go and that's sort of the final authority, the last-step as far as the termination process goes. Whether that needs to be looked at or not, I don't really have a comment about that cause I don't deal with them, thank goodness, as often maybe as some other communities.

SENATOR KISSEL (7TH): I have a couple of more questions but I know I'm limited to two, so Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you. Thank you, Chief Stewart.

DARREN STEWART: Thank you. Next up will be Jennifer Jennings. Jennifer Jennings? Dr. Jay Harrison.

DR. HARRISON: Good afternoon. Hello.

REP. STAFSTROM (129TH): Good afternoon, go ahead.

DR. HARRISON: Good Afternoon, honorable Judiciary Committee Co-Chairs and distinguished members of the Judiciary Committee, my name is Dr. Jay Harrison. I am cofounder and CEO of Alta Vista Technology and we're a police risk management software company that is driving to change to make communities and police

agencies safer. I am here to talk today a bit about how technology can be use. I've heard a lot today about data based about tracking, about what to do once something has occurred. I'd like to talk to you about what can be predicted and how agency behaviors can be changed that will benefit both the community, the police agency, and the city.

Alta Vista technology was founded in 2017 because I'd actually read a Department of Justice article that mentioned the impact that some software that I wrote for the City of Detroit in 2010 had made such an impact. That software within five years resulted in 62 percent reduction in lawsuits, 69 percent reduction in officer related shootings, 64 percent reduction in fatal shooting over five years and 36 percent reduction in citizen complaints and in that time $5.1 million dollars was saved in annual lawsuits. That was a one-time thing. We've redone this type of technology, not just mine but this type of technology should be adopted because it has a predictive capability. What it does it has the capability using artificial intelligence to enhance your actual intelligence. It can look at many different aspects of officer behavior and then once it identifies something, sends them through a workflow. That workflow identifying that the office then talk to their supervisor, the supervisor determines whether the action was correct, if not they go through remediation phase.

We've talked a little bit about training. Training is part of that remediation phase so that the office can be monitored. What this ends up is having the office having a better quality of life, citizens having a better quality of life and the cities have a better reputation and community altogether. And

so what I'm advocating is there be budget allocated for not just personnel, not just policy but for advanced technology that can really be transformational for the behavior of the city of the police department and the citizens and actually everyone wins with it. So thank you very much.

REP. STAFSTROM (129TH): Thank you for your testimony. Questions from the Committee? Seeing none, we appreciate you being with us today. Next up will be Michael Fallon.

MICHAEL FALLON: Hello.

REP. STAFSTROM (129TH): Go ahead, sir.

MICHAEL FALLON: Thank you for having me members of the Judiciary Committee. This is one of the hardest things I've written. I grew up in a law enforcement family, my father worked his way up to the rank of Assistant Chief at the Hartford Police Department, afterwards he became Chief at the State Capital Police Department. As a kid I remember going with him on Friday's to pick up his check and I was awe of the superhero's that he worked around. They were funny and fun to be around. Men and women of all races with the same mission to make our community safer.

My dad sacrificed a lot and so did my mother, whether it was the weeklong surveillances, wiretaps, chasing drug runners across the State, he gave it all for my family and worked plenty of extra details to never let our family be without. Some would call that privilege but where I grew up it was called hard work. The kids at school thought it was cool what my dad did. Sometimes he'd ask me if anyone gave me a hard time, they never did. There was a

respect among all. I grew up wanting to be a cop my entire life because of my dad. I viewed him as a figure that stood between the monsters of society and those that could not stand up for themselves. I went on a ride-along in high schools and it solidified my life's journey would never be the same. Also in high school my dad passed away. I made it my mission to carry on his legacy policing at the highest standard. After four years of collage I became a police office at 21 and never looked back. All I knew is what I saw my dad do, work hard and treat people with respect. I saw a lot of other cops working hard as well doing all they could to keep the community safe.

Years have passed and if you would have told me the condition of law enforcement today, I would have never believed you. It's not that law enforcement has changed for the worse but everything around it has. The mentally ill used to get real treatment, now they just send us. Kids used to be taught respect now it's cool to be disrespectful and talkback. Supervisors used to back you when you were doing the right thing but now they accuse you of being wrong in order to appease the criminals that broke the law in the first place. Parents used to get mad at their kids for getting arrested, now they get mad at us.

The media used to highlight the positive contribution our profession gave to society now they either ignore it or twist the truth for controversy to line their own pockets. There used to be a common respect among criminals. If they got caught they understood you had a job to do but now it's our fault. If someone attacked a cop they were seen as such, now we martyr them and they sue us for

millions. We used to be able to testify in court and we were believe, not unless there is video from three different angles no one care what you have to say.

With all this talk about racism and racist cops, I've never, ever treated people differently because of their race. And while I know that folks who have never done this job will call me racist for saying this, all I've ever seen was two things, one criminal behavior and two cops trying to stop it. None of my coworkers took skin color into consideration. I've seen cops help and save any type of race, gender, ethnicity you can think of and while doing that used to mean something, no one cares anymore. I've been called every name you can think of, many of them with racial overtones, it's never come from cops. I watched African-American cops take the brunt of this, I even talked one rookie out of quitting after he was berated by protesters who had the same skin color as him. I've heard words I've never heard before being a cop, Uncle Tom, cracker, pig just to name a few. I've heard them thousands of times and never once did I see a police officer use them or retaliate against the person who said them, they just took it. Despite that it has been the greatest opportunity of my life to serve and do this job. I'd recommend it to anyone I see and I really hope one of my kids would do it one day, it would have been a fourth generation cop, but today all that is over. I wouldn't wish job on my worst enemy. I would never send anyone I cared about into what this profession has become today.

REP. STAFSTROM (129TH): Thank you, sir. You just conclude, you are at the three minute mark. Wrap things up.

MICHAEL FALLON: I'd like to summarize by saying that as a cop I am 1,000 percent for parts of this Bill that weed out the bad cops and destroy our good reputation. There is a heart behind a lot of our badges. I am seriously concerned about the parts of this Bill that keeps cops from doing their job proactively, prevent young educated men and women for signing up to be an officer. This job is my passion, it has been forever and it makes me think twice, so if this passes just remember what you guys did. Vote no to this version of the Bill.

REP. STAFSTROM (129TH): Thank you, sir. Questions from the Committee? Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I just have to thank you for your testimony. It comes through, your passion and that it's from the heart and certainly this is something that is close and dear to you and it's not over and we do care and we do want to make sure that all of the good parts in this proposal come through and that we provide you all with the tools and resources that we are asking for and that we hope will protect the community in an equal way. As you've indicated I think you are an example of the stellar officer that we want to make sure that all of our officers could certainly follow in that regard. And again, I understand and I think many have already said that there are potentially some very serious unintended consequences, confusion, clarity that we seek through this proposal and again I just want you and all the other officers, law enforcement officers out

there as well as the general public to know, we're listening. We are going to read through the testimony and we will try to do our very best moving forward with a proposal that we hope that we can all come together in a bipartisan manner. But I want to thank you for your testimony that was very heartfelt.

MICHAEL FALLON: Thank you, Ma'am. We'll be here. Call us if you need us.

REP. STAFSTROM (129TH): Thank you both. Seeing no further questions, thank you both. Next up will be Ann Massaro.

ANN MASSARO: Hi, my name is Ala Ochumare and you will give her time to me. I am from Black Lives Matter New Haven and thank you for providing this space for the community to share our ideas and opinions around this Bill. I'm here in support of LCO 3471 AN ACT CONCERNING POLICE ACCOUNTABILITY. I sent in my testimony so I won't spend a bunch of time reiterating what I sent in my email. But I just want to take my time to share around what the community, as I said, I represent Black Lives Matter New Haven, based out of New Haven as well as RACE which stands for Radical Educator, Radical Advocates for Cross-Cultural Education that is based in Waterbury. So the words and information that I'm sharing is coming directly from your constituents of each and every one of you Senators and Representatives and I want to thank specifically Robyn Porter for holding the space that I saw her hold earlier. And I want to share that the community is demanding qualified immunity, that qualified immunity is ended because it's not to harass or abuse or make police officers unable to do

their job, it's rather to, it'll create a way for police officers to do the job that they thought they signed up for. The community policing that I receive in the City of New Haven and I've received in Waterbury is not indicative of what many of the police officers have spoken to in this call. I have, the community policing that we experience in our community is violent, it attacks folks who may not have the right kind of social economic standards, status to advocate for themselves.

As I was beat up by the police officers and coming out of a bar downtown, I went and filed an IA Report and years later I was becoming an activist, we filed an FOI for these same IA reports as far as ten years and because the reports that IA get are still put in pencil my case was actually never on that record. So when, I believe Senator Champagne, that told the woman to just follow through and do everything that is on paper, that does not work for us in the community. I hear Senators speaking about money that it will cost for this Bill and I would encourage you all talk to the folks whose families have been abused, whose family members have been murdered and I'm almost done.

REP. STAFSTROM (129TH): That's the three minute mark.

ALA OCHUMARE: If anyone would like to know about community policing in New Haven I suggest you look up Oscar Rivera who was murdered in the police department in New Haven the day after our CRB received subpoena power. So we need this Bill to be put in action. Thank you very much for your time.

REP. STAFSTROM (129TH): Thank you, ma'am. Questions from the Committee? Seeing none, thank

you for being with us today. Appreciate it. Next up will be Jillian Webber. Monica Nugent. Wendy Gauthier. Josephine Faienza. Anna Tornello.

ANNA TORNELLO: I'm here. Hi, hello.

REP. STAFSTROM (129TH): We can hear you.

ANNA TORNELLO: Can you hear me?

REP. STAFSTROM (129TH): Yes.

ANNA TORNELLO: Okay. My name is Anna Tornello. I'm a sergeant and first line supervisor and President of the Wilton Police Union. I know you had already a lot of appeals to reason and I would like to give you a different perspective of the officers who actually wear the badge loyally and loyal every day to the oath that they took when they signed up for this physical and clearly thankless job. You hear me clearly? Okay, good.

First of all, I want to apologize for my accent. I'm a minority too even though it doesn't look like and also please understand that I'm saying, what I am about to say with the upmost respect for every single one of you. So I grew up knowing to look for a woman in uniform to feel safe and protected. I came into this profession to bring safety and protection to all the people in my community and never once want to hurt any of my fellow officers or myself denying assistance to anybody in need because of the skin color, or gender, religion or any other discriminatory attributes. Right now we're all acting on emotion and on a belief that police are murders. There is so much focus on police shooting, well I don't have to go in the data numbers that will easily disprove all that, but I would like to tell you that, you know, first of all when we became

police officers, we accepted all the risks that come with the job. We missed the children's birthdays, we don't celebrate the holidays that you all do with, you know, family and friends because when you celebrate we are there protecting your safety.

At this point we are the people that, we are the people that know that sometimes we might not be able to come back home again because of the shift. And we are the people in this pandemic that have been available to assist all of our citizens. We cheer them up. We want to do the birthday for the little kids that were locked up in the home, we go to medical calls, we do CPR on patients who we know that won't make it but we don't let the family members down. We are trained in crisis intervention and we're able to talk with the mentally ill that are in distress. We train to be able to reassure autistic children and I know that has been a concern by another speaker. We spend nights in the freezing cold looking for missing people. We also spend time, even recently, with a child who didn't even know that his little brother would not come back from the hospital and we cried with the family and alone after that.

But we also train, we are the same people that train to run full speak into a building, maybe a school where there is an active shooter. And we know all too well that would make us a very easy target but we hope that the little distraction of the shooter will allow a few more seconds for the hostages to escape, even if we know those few seconds can cost a life. And we will not even turn our backs to that building if the people in that building have a different color. We don't do that. We are not like that.

And I would really advocate for you to come with us one day right along, walk in our shoes before you convince yourselves that, you know, who we are and what we do and why we do it. I know this job has dangers and I accepted every single one of them. But having those dangers come from the people who represent the laws that we're called to enforce, I never expected that. And defunding the police doesn't always, doesn't only happen to financial defunding, you are taking away the enthusiasm and you kill the morale of all the good women and men that belong to the force. And I want to leave you with a thought, I heard confused young officers that are making the conscious decision that it is better to be shot and dead then deal with the plethora of wrongful accusations and shame that they will be put through even through no fault of their own so at least their families will survive. And I am here to tell you, everybody who is listening here, any injury to any of my brother and sister officers that will come from the impossibility and inability to ask, for fear of this liability, will be the responsibility of the legislator or not in a perfect Bill. And I want to conclude with a quote from Emerson, "*No change of circumstances can fix a defect of character.*" This to me means that no law will ever correct the deficiencies of evil harts especially when it cripples the potential of the good one. Yeah, That's that. [Muffled audio] Okay, yes, yes, absolutely. [Muffled audio]

ANNA TORNELLO: I don't hear the question.

SENATOR KISSEL (7TH): Hello.

ANNA TORNELLO: Hello. Hello, sir.

SENATOR KISSEL (7TH): Chairman Stafstrom did you call on me?

REP. STAFSTROM (129TH): I did, go ahead.

SENATOR KISSEL (7TH): Yeah, I just wanted to thank you, for your testimony it was really, really great. And I just want to let you know, I've been lucky enough to be a State Senator for 28 years, in my first term I took I think it was about a four hour tour with a State Trooper in Eastern Connecticut. To put on a bulletproof vest and start driving around rural roads at night and pulling cars over, it gave me the hugest respect for how scary your job is each and every day. I mean just pulling someone over, he had to tell me, you have to approach the car from this angle because if they have a gun they can easily turn on you and kill you. And so what you just said, just brought me back to that time, he is now retired Trooper John [Audio static] I think almost every legislator should do a tour, it doesn't have to be a full tour, but you should just get in a car, put on the bulletproof vest and just see what it's like because your job is incredibly difficult and I just wanted to thank you for your testimony.

ANNA TORNELLO: Thank you. I am wearing the vest right now, there it is [Laughs].

SENATOR KISSEL (7TH): And you're in the office. Thank you,

REP. STAFSTROM (129TH): Senator Haskell.

SENATOR HASKELL (26TH): Thanks so much, Mr. Chairman and thank you Anna good to see you. Thank you for your testimony today. I'm not sure, you know, how much time you've had to delve into this Bill admittedly 65 or so pages, but [Cross talking]

you and your colleagues would [Audio static] perhaps for mental health, body cameras or is there any part of this legislation that they're beneficial?

ANNA TORNELLO: Of course, we support any, any reform that is gonna improve our field because we want to bring the trust of the people back. We are the first ones who want to show you that we are with the people, we're not against the people and we want to just drop this us versus them mentality. It's not us. We want the bad apples out and I'm all in favor of the body cameras. I have a little support here. We wear body cameras. I love them. My coworkers love them, they helped us many, many times. I'm all in favor for the implicit bias because we, we like to think that we're not racist, okay we are absolutely not racist. Do we have, you know, heuristics, we use shortcuts, it's our brain using shortcuts, it not our fault. It's what every single one of us does, right, it's stereotyping and sometimes It's an unconscious level. We don't realize we do it, we like to think we love everybody just the same. Sometimes there is a little bit of fear and its reciprocal, let's be honest. Like people of color, I certainly understand it, and I feel for them, I am a minority member as well. I know what it means, you know, when you talk to somebody with an accent and they look at you and they think that you're coming from a different world. I'm sure that having a different color of the skin will make you more exposed to observation and things of that nature. However the stereotype is reciprocal. They are afraid of us just as much as probably we are afraid of them and that's why I always advocate for us to come together. Let's train together, come to the training academy, see

what we do, why we do it. See what we can do together to improve our relations. We don't come out of the house in the morning saying, um, who are we gonna shoot today. Absolutely because we have to live with that choice. I personally, I tend to forget that I have a firearm on my side. I am a trained negotiator with training crisis intervention, I love talking to people. Most of the time it resolves the situation but sometimes what happens next, it's not really what we decide it's the other person who decided that. Can we also come to an agreement that we have both roles and responsibilities that we have to try to match at some point. So that's my idea working together. And I support again, all the things that can improve our image absolutely. But please before you make a decision, come with us, ride along, train with us and look at what we do. See what we do and see how we can interact better, give us advice. I mean if you have a better idea, I'm open to it.

SENATOR HASKELL (26TH): Thank you so much. It was good to see you and thank you Mr. Chair for the time.

REP. STAFSTROM (129TH): Thank you. Thank you both. Next up will be Franklin Sykes.

FRANKLIN SYKES: Hello.

REP. STAFSTROM (129TH): Go ahead, sir, we can hear you.

FRANKLIN SYKES: Okay. Thank you. I can see you, I'm hoping you see me.

REP. STAFSTROM (129TH): We are.

FRANKLIN SYKES: Okay, good. My name I Frank Sykes. I am a citizen of Connecticut and I do, I did work at the State Legislature at some point so I'm familiar with the process so on and so forth and actually know some of the people on the Committee.

My issue really is about mental health and what kind of safeguards we have in place to protect people with mental health issues. I mean for example I have a son who has, you know, has special needs and so when he is given instructions or directives he sometimes has a problem, you know, obeying or, you know, obeying the instructions and so we have situations were even police who pull over in routine stops and the person or individual follows the instructions to the letter and still somehow leads to, escalates to violence or in some cases unfortunately death, and so I'm hoping that this Bill addresses ways by which we can, you know, when police pull over people with these types of challenges there is a way by which they can deescalate and thus essentially what my concern is because there is no reason why a routine stop should lead to violence and that is one of my concerns.

I also like to just mention some other aspects that I think can improve, you know, policing. I think, I hear people discussing this issue, okay just a few bad cops so, you know, the system, but we really need to focus on is on the model within which police people operate. We need to move from a model of escalations to de-escalation. We also have to strengthen police-community relations, okay and we also need to ensure that police who are serving in communities that they don't come from at least they understand the community. They know the history of that community, okay. And also we need proper

recruitment with emphasis on implicit bias training. And so basically those are the issue I want to bring to you today. I thank you for providing me the opportunity to speak and I'll be willing to take any questions.

REP. STAFSTROM (129TH): Thank you, sir. Thanks for being with us. Questions from the Committee? Seeing none, thank you very much.

FRANKLIN SYKES: Thank you, bye.

REP. STAFSTROM (129TH): Senator Winfield has a question.

SENATOR WINFIELD (10TH): So Frank, I've seen you but.

FRANKLIN SYKES: Yes, it's been a long time.

SENATOR WINFIELD (10TH): I just wanted to say to you because you focus in on mental health and the Bill that we did last year that is part of what we handed over to the taskforce because my understanding was that we don't do that. While we've seen several incidents, some of them have actually been those incidents in the list that we see nationally that made the news where these mental health condition and the lack of training it is unfortunate have been fatal. But I also wanted to thank you for pointing out, I didn't realize my camera wasn't on. I also wanted to thank you for pointing out that this issue just isn't about what we've been talking of because we tend to talk about the issues when someone is killed or severely harmed, but this issue, a lot more and as I said earlier it is about how power is given and how power is used and in certain communities power is used in such a way by police that it cause escalation of situations and it causes

misunderstandings. I stood in West Haven not too very long age and watched a situation that should not have become what it became, escalate because people who are agitated by action with the police earlier in the day watched police ignore them as they asked to file reports and while I had conversation with the police, they didn't see that as escalation. So when we talk about, we have to understand escalation isn't just when physical force is used, it's when power is used in such a way as to say to people who are already marginalized that we can stand in front of you, even in public, and ignore you. So I just want to thank you for pointing that out because I think we all have to shift the way in which we understand this conversation.

FRANKLIN SYKES: Right, and I just want to add one more thing. I think we, you know, the conversation is, you know, we want to revolve it around, you know, good cops and bad cops. But I think we want to focus rather on the system that will create bad cops, okay. You know, so we need to rather focus on the system rather than who is in the system. What is the system doing? Is it helping to create bad behavior or not? And I think that is where the focus should really be on, not really, just who, I mean who's bad and who's not. I think that's how we need to look at the framework within we should make this discussion. Thank you again for your time.

SENATOR WINFIELD (10TH): Thank you.

REP. STAFSTROM (129TH): Thank you, both. Next we will hear from Steve Kennedy.

STEVE KENNEDY: Thank you. My name is Steve Kennedy and a resident of Fairfield. I'm a former Airborne

Infantryman and Iraq Veteran, I am here today representing an informal coalition of Connecticut Veterans who believe police officers should be held to at least the same standard here at home as we were overseas. There is a lot in this Bill that seems reasonable to me as a starting point but I'll leave most of that to the more experienced advocates here. And I'll focus my comments only on the use of force standard because there is where we have some direct experience.

In Iraq we had strict Rules of Engagement that defined when deadly force could be used and also required proportionality in that force. The wording of the rules that governed my conduct in a warzone was centered on the conduct of the target of that force rather than on my perception or even some reasonable person's perception of that situation. When we use deadly force we needed to point to a hostile act or a demonstrated hostile intent by the target without consideration for our perceptions or fear. To me that's a big difference between having that directly in the language versus the kind of straight reasonableness approach that our current law and the drafted legislation takes. Focus on actions by the person subject to deadly force rather than anyone's beliefs would be significantly more effective in preventing the deaths of innocent civilians.

In a more specific point, Section 29, Subsection (c) makes an attempt to highlight certain actions, I think even there, there is some problematic issues. So, for example, the first item listed as whether the subject was armed. And I think as many officers would remind us that we have a constitutionally protected right to bear arms in this country and

Iraq was the same. Plenty of people carried weapons so we trained in responding to somebody raising a weapon and demonstrating hostile intent rather than someone simply in possession of the weapon.

Subsection (c)2 seems to excuse the use of deadly force in any situation where someone had a weapon or just appeared to have one. I'd also point out that we have an all-volunteer military and despite the higher standard that I point out here, 2.7 million of us have served in Iraq and Afghanistan so if you can't be held to that same standard that we had over there when you are dealing with us and our neighbors here at home, this may not be the right job. I mean I'm from a police family myself. This is a difficult dangerous job. I think the stakes are too high for us to be complacent. Using deadly force would not justify, destroys our communities, and makes all of us less safe.

I'd also just briefly echo some of the concerns about mental health assessments that some other advocates have raised. To me they seem to scapegoat those with mental health conditions for what are actually systemic societal issues. Those of us with PTSD are far more likely to harm ourselves or to be harmed by others than to actually harm anyone else. There hasn't been any study showing a like between PTSD and police brutality and this section seems far more likely to increase stigma and make it less likely for an officer to seek much needed treatment that would be to prevent any actual violence. I would urge you to remove that section as well. Thank you.

REP. STAFSTROM (129TH): Thank you, sir. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chair. Hi, Steve. Thank you for your testimony. Thanks for your work on behalf of Connecticut Veterans and your service overseas. I just kind of wanted to echo what you were saying. My Marines and I operated under similar Rules of Engagement to what you described in Afghanistan as infantrymen and I want to echo another point you brought up about PTSD and mental health, I think it is important to recognize especially with regard to PTSD some people have a perception that Veterans are more dangerous somehow because of that but that is not actually played out by the data so I think that it is always important to ensure that we do not fall victim to that stereotype. So, thanks very much, Steve. Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you, both. Further questions? Seeing none, appreciate you being with us. Next up we will have Josephine Faienza. Josephine? Okay, Kelly Moore.

KELLY MOORE: Thank you, Representative Stafstrom. Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas and distinguished Members of the Judiciary Committee, my name is Kelly Moore. I am the Policy Counsel for the ACLU of Connecticut. You heard earlier from my colleague Mel Medina about some provisions of this Bill especially qualified immunity.

As Mel told you eliminating qualified immunity would not generally put individual officers hook for large settlements since our State statues already include indemnification provisions requiring municipalities to indemnify their officers from paying out-of-pocket for judgements for civil rights deprivation.

One of the Members of the Committee pointed out that municipalities can't insure over the reckless, willful, and wanton conduct of employees. I just want to highlight that. If we are seriously concerned that police officers who purposely and maliciously deprive people of their constitutional rights will face civil liability, let's be clear. That's true and they should. Police and their supports raised very scary scenarios today that police will be afraid to stop school shootings or home invasions for fear of civil liability. That's not what we're talking about. Bad police officers who willfully violate civil rights, the ones that we all proport to oppose are the only one that will pay out of pocket. I submit that is a good thing.

Now I'll turn to two topics that my colleague didn't cover. First is the Inspector General proposed by this Bill. It is critical that there be a dedicated independent prosecutor in charge of policing matters in Connecticut and the Inspector General proposed in this Bill is therefore a good step for greater police accountability. This Bill clearly intends to create an independent prosecutor but the Legislature should make some changes to realize that intent. Chiefly the position should be a newly created Deputy Chief State's Attorney position for which the Criminal Justice Commission should oversee appointment, reappointment and removal instead of the current scheme which provide the Chief State's Attorney too much control over hiring and firing. Also if the independent. I'm sorry, if the Inspector General is given authority to investigate custodial death, that person should also prosecute those death regardless of whether force was a factor. Likewise if an Inspector General

investigation turns up evidence of police criminality outside of uses force the Inspector General should be mandated to include analysis, whether the offices involved violated department policy and/or state law and should recommend suspension or decertification.

Finally the Inspector General should be required to provide period status update on investigations of police uses of force. Secondly, finally Section 29 revises the standard for determining if police use of physical force was justified. This section intends to increase liability for police who wrongfully use force recognizing that the current standards contribute to few police every being prosecuted. To implement this intent, some additional changes would be helpful. First, we should assess whether the use of force was necessary rather than objectively reasonable. We should also make it more explicit that the entire police interaction rather than just the moment of violence should be considered when determining if the violence is justified. In addition, de-escalation used in this Bill is not defined. So we should do that so that police and public have greater clarity and certainty as to what is expected.

Finally the Bill should make necessity and proportionality required in every use of force rather than a subset of cases. Overall Section 29 as drafted.

REP. STAFSTROM (129TH): Ms. Moore we're at the three minute mark if you could just wrap-up/

KELLY MOORE: Okay, thanks. Section 29 as drafted is an improvement over the current use of force, additional changes would make it even better. We're

just ask this Committee to recommend this Bill and ask the General Assembly.

REP. STAFSTROM (129TH): Thank you, Questions from the Committee? Seeing none, thank you for being with us. Next we will hear from Danielle Morgan.

DANIELLE MORGAN: Good Afternoon, Senators Winfield, Stafstrom, Senator Kissel and Representative Rebimbas. My name is Danielle Morgan and I am here representing the Connecticut Psychiatric APRN Society and I want to thank you very much for having the opportunity to speak to this Bill.

Two aspects of the Bill that I want to talk about today, one has to do with the mention throughout the Bill of psychiatrists and psychologist as those folks who can provide assessment and care for police officers. And I want to introduce Psychiatric APRN as national board certified and specialists who provide psychiatric care and assessment for folks across the State of Connecticut and nationally. So I ask that you consider adding Psychiatric APRN in the Bill's language as those who can provide both assessment and management in the needs if meeting our honored police force.

Additionally I want to address the training of police officers particularly as it relates to their increasing interactions with members of our public struggling with mental health and substance abuse challenges as Mr. Sykes was speaking about earlier. National data states that upwards of 10 to 15 percent of all police contact with the public in the United States involves persons with serious mental illnesses. Police officers are often called upon by both community members and community mental health workers to enter people with mental health and

substance abuse problems gone awry. I have often as a mental health provider here in the State of Connecticut for the last 20 years in my career calling 911 and getting police help to get my patients transferred to higher levels of care in some very dangerous situations. And I've worked with police departments across the State and I want to talk really about a model in Fairfield, the Fairfield Police Department which is a CIT Model. But I think really needs to be replicated in every police department across the State. And under Chief Gary McNamara's leadership in 2011 he introduced this model and it's gotten National acclaim having a group of specially trained mental health officers that respond to these crises and transport patients with dignity and respect to the most marginalized population that we have and offer our officers the skill and training they need to manage de-escalation. So unfortunately I came late to the dialogue but had been listening to this and empower our officers to manage these crisis situations quite beautifully. So with that, those are my most pertinent concerns about the Bill and I laude you all for opening this dialogue.

REP. STAFSTROM (129TH): Thank you. Questions from the Committee? Seeing one, we thank you for being with us today. Next up will be Frank DeFelice.

FRANK DE FELICE: Good Afternoon, can you hear me.

REP. STAFSTROM (129TH): Yep, go ahead, sir.

FRANK DE FELICE: Great. My name is Frank DeFelice and first of all I want to thank the Judiciary Committee for holding this today's informative republic input. Just by way of introduction I was, I served as the Chair of the Public Safety

Commission for the Town of Durham for nine years and that included the Police, Fire and Ambulance and so forth.

In looking over the draft, I had a couple of comments, the first is it appears to be written very broadly, perhaps a little bit too much so. The second is that it would negatively impact law enforcement's ability to function effectively. The third is that it surely result in dramatically increased costs to municipalities and the fourth is that it would vastly increase the likelihood in the current retaliatory or unwarranted claims against police and the municipalities that they work for. The result of that would be in all likelihood either large expenditures or CRMA or whatever insurer the municipality uses would either have to raise rates dramatically to cover the costs of legal representation of decline coverage for these types of claims.

Specifically as I look at the draft I have some suggestion that you might consider and they relate to Section 40 where I would recommend the removal of the words "small arms, night vision devices and watercraft." I'll explain why briefly. Obviously, small arms is something that is frequently used by law enforcement and having a prohibitive prohibition on those just seems to run counter to the needs that they have on a daily basis. As far as night vision devices those are used during surveillance for criminal activities. And Watercraft, you know, a number of towns, most towns have the need for watercraft for police work when they have a lake and they have to get out there on an emergency basis or they have a drowning so watercraft I think is also appropriate to be removed.

The next specific recommendation relates to Section 41 which is a recommendation to remove the word "individual". Certainly if it is a class of individuals makes sense if there is a, you know, repetitious or broad based issue that needs to be worked on, there's a need to do that. However for an individual, an individual issue or an individual person, individual law enforcement agent that does become problematic. So those are my recommendations and basically that's my testimony so I appreciate the opportunity to give that to you.

REP. STAFSTROM (129TH): Thank you, sir. Appreciate you giving it to us. Questions or comments? Seeing none, have a great afternoon.

FRANK DE FELICE: Thanks.

REP. STAFSTROM (129TH): Next up would be Guy Clements. Janelle Morelli. Jennifer Cuevas. Fred Spagnolo.

FRED SPAGNOLO: Good Afternoon. Hello.

REP. STAFSTROM (129TH): Good Afternoon, we can hear you, go ahead.

FRED SPAGNOLO: Thank you. My name is Fernando Spagnolo and I am the Police Chief of the Waterbury Police Department. I believe that our States needs a police accountability Bill that provides more transparency and takes steps towards rebuilding public trust in law enforcement especially with regard to our black and brown communities throughout the State. This current Bill and much of its language provides a great foundation for the necessary changes to occur. I'd like to thank the Legislators in this Committee for their hard work on this especially in the areas concerning mental

health, diversity, minority recruitment, retention and promotion.

But as a law enforcement officer there are a few areas that still concern me deeply. The elimination of objective reasonable standards regarding the use of force is concerning. However more importantly the elimination of governmental and qualified immunity is grave to law enforcement. This will provide an unnecessary burden on law enforcement officers in our State. Each and every year police officers in Connecticut respond to hundreds of thousands of calls to service. Many of these calls require officers to make split-second decisions. Officers need to apply deliberate critical thinking skills that require them to make these decisions to protect the safety of the community and themselves and it's a daunting task. Holding officers personally liable would create a safety risk to the public. Officers will hesitate making decisions that once were considered objectively reasonable and protected by immunity. Some reform is necessary but taking away immunity from officers seems punitive to me. In essence this Bill will make it easier to file lawsuits against police officers and municipalities in State Court. My eliminating immunity police officers and their families will be impacted negatively. Another unintended consequence will be that cities and towns will be named in many more lawsuits and will be required to defend themselves. The direct impact on the community will culminate into the need for revenue sources to pay for this, these issues. That will land solely on the shoulders of taxpayers. Under this proposed Bill officers can act reasonably and in good faith and still be sued. Officers need the ability to

function with discretion to protect society as a whole without fear of losing their certification or being held financially liable in hindsight. In order to understand these implications fully the proposed elimination of governmental and qualified immunity requires significant research and study. Therefore this Bill should not be rushed into legislation. Police officers need support through mental health and a diversified counsel that governs standardized policies that they will perform under.

The overwhelming majority of police officer act under the color or law. Denying protections to those officers because of the actions of a few who may act willfully, wantonly and maliciously is simply wrong. There are already mechanisms in place to hold those accountable who act willfully, wantonly, maliciously. I am here to emphatically state that law enforcement wants to be part of this change, this positive change. This Bill should be sent to the Accountability Taskforce for a study to avoid unintended consequences and to study the financial impacts that will directly and negatively impact the safety of our communities and jeopardize the liberty of our citizens. This has to be done. Thank you.

REP. STAFSTROM (129TH): Thank you, Chief. We have a question from Senator Champagne.

FRED SPAGNOLO: Yes.

SENATOR CHAMPAGNE (35TH): Thank you, Chief. I've been asking about different parts of this all the way through and number one do you guys have body cameras?

FRED SPAGNOLO: We do not, we're actually in the testing process right now.

SENATOR CHAMPAGNE (35TH): Okay, hopefully you get 'em soon. But I want to go down to another part where it talks about the military equipment such as armored vehicles and anything else that you guys use that would be considered military grade, I'm still trying to decide what that is. Is that patrol rifles, is it whatever? But armored vehicles, can you just go quick why would a police department have an armored vehicle?

FRED SPAGNOLO: So through the 1033 Program, military equipment is available for police departments. We in Waterbury do have an armored vehicle, a mine resistant armored vehicle. That is used to transport a large number of officers when we are serving high risk warrants. It would be used in a situation where we would need to conduct a rescue mission of either a civilian that may be injured in an area that is unstable or a police officer that may be injured in an area that's unstable. We've also used it a number of times in our community during significant natural disasters where roads have been flooded or snow has been significant, too significant for public works to keep up with because these vehicles do have the capability of overriding that type of terrain. So they do provide some safety considerations for the public.

SENATOR CHAMPAGNE (35TH): Okay and I always think of what happened out in California in Beverly Hills when those two heavily armed with body armor guys attacked the police and police were going to gun shops to get guns and I mean dentists were fixing up the officers and, you know, we never want to be in a

position like that again when the police can't stop a large threat. And I also think of Columbine where they are getting the kids away from the school using the armored vehicles as a shield. So, you know, it's just another part, I think the whole Bill needs a lot of work. I don't think it is ready to go forward and I think many more members of our community including yourself, activists, everybody should be involved in the creation of this, don't you think?

FRED SPAGNOLO: Absolutely, I would really appreciate that opportunity.

SENATOR CHAMPAGNE (35TH): Thank you.

REP. STAFSTROM (129TH): Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Mr. Chair. I want to go back to your comments on qualified immunity and I may have gotten lost. I'm first going to ask you for clarification. I think you suggested that to get at a couple of bad apples or operating in a willful deliberate way, we're taking away immunity from everybody. Is that what you said?

FRED SPAGNOLO: I think that this, yeah it lowers the standards of qualified immunity. In other words officers that objectively reasonable standard would be eliminated and officers would be judged in hindsight for decisions that they had to make in serious circumstances.

SENATOR WINFIELD (10TH): I'm first asking you about what you said, not your interpretation. We'll get to that. I'm trying to be clear about what your testimony is. So I think in your testimony you suggested that in order to get at some individuals

we are taking away qualified immunity from all officers. Is that incorrect?

FRED SPAGNOLO: It, the language which is proposed to say the qualified and governmental immunity cannot be used as a defense.

SENATOR WINFIELD (10TH): Yes, but it cannot be used as a defense with certain conditions. Is that how you understand it?

FRED SPAGNOLO: Yes.

SENATOR WINFIELD (10TH): Right, so that would limit this to only those who violated those conditions correct?

FRED SPAGNOLO: I would assume so, yes.

SENATOR WINFIELD (10TH): And those conditions would be the things that you talked about in your testimony as wanting to see and some of those things already in place including willful, deliberate and misconduct type those things in Section 41, correct?

FRED SPAGNOLO: I think in the whole Bill it goes deeper than that Senator from my interpretation and I'm not an attorney, I'm just a police officer who is reading this and understanding that, you know, if you take an objectively reasonable standards away and your allowed to look at what a police officer did on an emergency situation and judge it at hindsight that he is open and the municipality is opened up to more lawsuits in the State Court and that seems to pose a problem to me. It doesn't seem quite fair and that would apply to all police officers just not bad actors.

SENATOR WINFIELD (10TH): And I appreciate that concept but Section 41 which is the section that

deals with qualified immunity comes into play with very specific things happening, not everything that an officer does and a lot of people come here today to say that the old Section 41 but when I ask them about Section 41 they talk about the Bill. And I am concerned about if we're going to be opposed and people can have whatever perspective that they have but if we're gonna be opposed to a section of the Bill that we be able to understand what your opposition is and I'm unclear given what Section 41 actually says, what your opposition to Section 41 is. But I appreciate you coming here today to testify, it's important.

FRED SPAGNOLO: Thank you.

REP. STAFSTROM (129TH): Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chair and thank you, Chief for being here and for your testimony. I appreciate that. I want to ask a couple of very quick questions on qualified immunity issue. One of them, in your testimony you seem to indicate that primary concern for officers around repeal of qualified immunity would be fear that they would be personally liable for a lawsuit, is that fair to say?

FRED SPAGNOLO: Yes.

REP. BLUMENTHAL (147TH): And what if State Law were to mandate that officers have to be indemnified so they would not be personally liable for any judgements against them unless their conduct were wanton or willful, that would assuage that concern wouldn't it?

FRED SPAGNOLO: That's my understanding. That's really what's in place now.

REP. BLUMENTHAL (147TH): Okay. And on the qualified immunity issue as well, so the way qualified immunity law stands right now in the Federal Courts is that in order for a right to be clearly established a court has to have previously decided a case with essentially the same facts, the same context and the same action by the officer and one of the problems with that is that because of qualified immunity a lot of, a lot fewer Constitutional decision are coming down from the courts on these sorts of issues cause they don't have to decide them they just have to say there was no previous case where we decided this so now we don't need to decide this one. And so that creates kind of a Catch-22. I guess it's a very general question which would be would you agree that just because there is not a previous court case saying the same circumstances that the officer did something wrong that, you know, that should be enough to prevent an officer from being held accountable, right? There are situations where an office should understand that an action is wrong and illegal and deprives someone of their rights they should be accountable regardless of whether there is a previous decision exactly on point. Is that fair to say?

FRED SPAGNOLO: It is, right that sounds like a matter of law, but it sounds fair to say the way you describe it.

REP. BLUMENTHAL (147TH): Okay, thank you very much.

REP. STALLWORTH (126TH): Representative O'Dea.

REP. O'DEA (125TH): Thank you very much, Mr. Chair. You know,, as chief thank you very much for your

testimony. As someone who litigated the qualified immunity for 15 plus years for the State Police and municipal police throughout the State I think I am qualified to opine a little further than probably you are and to address some of the concerns my colleagues raised. You know, I think it's, it may be unfair to expect you to answer the issues on the qualified immunity but let me ask it this way. Your understanding is that qualified immunity allows good officers to make quick decisions that maybe found later to have been wrong but at the time ala he was acting reasonably that he would be entitled to immunity and be immune from litigation. That's your understanding of the law, is that fair to say?

FRED SPAGNOLO: Yes, sir.

REP. O'DEA (125TH): And I would tell you that there is 40 plus years of Supreme Court Jurisprudence supporting you in that belief including Justice Thurgood Marshall in the *Harlow Decision* stating that the most important reason why qualified immunity should be allowed and continued is that the Court was concerned that the threat of lawsuit would chill law enforcement's conduct. Do you share that concern if qualified immunity were eliminated, share the same concerns that Thurgood Marshall had?

FRED SPAGNOLO: I do.

REP. O'DEA (125TH): And so I would just answer my colleagues to review, ask them to review the *Harlow Court*, the only Justice that dissented in that decision was eight to one, was Justice Berger the most conservative jurist and so I would simply point out to my colleagues that, you know, Justice Thomas and Sotomayor agree that we need to address qualified immunity but I don't think we should

follow Colorado when eliminated. We can address it when we put in the taskforce. But Chief, I want to thank you for your service to your community and to the State of Connecticut. Thank you, sir.

REP. STAFSTROM (129TH): Thank you. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chair. And thank you, Representative O'Dea you've just narrowed down what I was going to be speaking to the Chief about. So I think that was a very important to highlight obviously the history of the decisions of qualified immunity because it's not simply that there isn't a case out there, a previous case, as it was previously represented. But Chief, again you know, one of the things I want to commend you one in being one of the cities in the State of Connecticut is the community policing and programs, the PAL Program you guys have that certainly, you know, should be a model for the rest of the State of Connecticut. I also, Chief your point, I think, you know, it was being asked of you to kind of look at one section separate from the entire proposal and I think what you were trying to get at and I certainly don't want to put words in your mouth is that if we're looking at qualified immunity and that standard that we have in there, if we are changing the standards for everything else of whether or not it is objectively reasonable and whether it's an officer's split decision based on his or her training versus someone else that is outside of the profession that makes a big difference does it not?

FRED SPAGNOLO: It makes a very big difference, Representative.

REP. REBIMBAS (70TH): One of the other things concerning that we're talking about is lawsuits. It's not that we don't, I mean officers that are already those bad actors, can be sued. They are not immune to lawsuits in and of itself but essentially what we are doing here and we've said this in, it's not, you know, the first time in this Committee because we have all aspects of professions. There are frivolous lawsuit and unfortunately when we go down that path, you will have certainly attorneys who will want to settle because essentially that will be less expensive than going to the end to, you know, determine whether, certainly in this case, to convict an officer or obviously venerate the officer and that necessarily isn't the best results either but you are forcing settlements which still may lead that bad apple to be fully employed. So again I think this is certainly a dialogue that is much needed before to the continuation of the dialogue in that regard. And Chief, thank you for taking the time to be here with us today.

FRED SPAGNOLO: Thank you.

REP. STAFSTROM (129TH): Thank you, Chief. Appreciate you being here with us. I'm sure we all learned a lot of Constitutional Law through you, so appreciate you being here for that.

FRED SPAGNOLO: Thank you, sir.

REP. STAFSTROM (129TH): Next up will be Paul Bartomioli. Tom Curran.

TOM CURRAN: Good Afternoon.

REP. STAFSTROM (129TH): Good Afternoon.

TOM CURRAN: Good Afternoon, Committee. Thank you for allowing me to speak today. My name is Tom Curran. I've been a lifelong resident of Connecticut and I am a judicial, I am a justice impacted individual and a victim of police and prosecutorial misconduct. I submitted written testimony so I am not going to reread what was submitted. This is my first time ever testifying in my 61 years in this State. So I want to touch briefly on my experiences with six police departments and one courtroom the GA-2 in Bridgeport.

I believe my experience allows me to make recommendations on this Bill and I believe my experiences qualify me to serve as justice impacted individual on the Committee that you're proposing as a result of this legislation and I would like you to submit my name as somebody that would be interested in serving.

Briefly, I was arrested staring in 2012 I was arrested seven times over an 18 month period. It took me seven years to acquire, track down and learn that these seven charges that I was arrested for were duplicates and triplicates of complaints filed not only in the same police department but in area police departments. I learned that the State's Attorney's Office at the GA-2 in Bridgeport had all this information and proceed to prosecute me without just cause. That being said, I have a 75 page affidavit detailing everything. I don't want to rehash old business, I would like to speak, address Section 23 regarding Prosecutorial Responsibly.

It's my understanding that what they're talking about should already be happening. You only need to

sit one day through an arraignment docket at GS-2 in Bridgeport or that the Milford Court House where I frequent quite often. I've spent thousands of hours at both court houses just sitting in on cases and listening and learning. I've acquired all through the FOI process over 1,000 police reports from various towns in the Fairfield County area and tracked those cases from the original arrest day through its disposition and I find there.

REP. STAFSTROM (129TH): You've hit the three minute mark and I need you to wrap-up please.

TOM CURRAN: Most of what I put in, is in my written testimony. I thank you for allowing me to speak today. I would hope that you would read my written testimony and.,

REP. STAFSTROM (129TH): Thank you, we do have your testimony. Are there questions from the Committee? If not, thank you very much for being with us, sir. Appreciate it. Paul.

PAUL BARTOMIOLI: I'm here. Can you hear me?

REP. STAFSTROM (129TH): We can, go ahead.

PAUL BARTOMIOLI: Thanks. Excellent. I apologize for my error earlier. My name is Paul Bartomioli, nice job on pronouncing it by the way. I am opposed to this Bill. Once again the Connecticut Legislature is using a three pound hammer to hand a picture on a sheetrock wall. This is an issue that needs to be addressed in collective bargaining because that is where the problem starts. One of the effects of this Bill which depending on the vote of the Senate, may become law, I have no doubt that it will pass the House is the ABC exodus will continue, ABC anyplace but Connecticut. Only this

time you will lose veteran law enforcement officers that may be close to retirement, maybe thinking about moving out of the State and they are going to move someplace else and continue on in their careers and Connecticut will be poorer for that as well. The issue comes from the plantations we call the cities of Connecticut where respect for law enforcement has been steadily eroded over the years and to quote Rahm Emanuel, "The Democrat party once again is not letting a crisis go to waste." This whole thing is based on a lie of systemic racism. To the members of the Legislature I don't think that term means what you think it does. If there was systemic racism in Connecticut the entire General Assembly would be monochromatic. We are living under martial law life. The governor can issue edicts and people, fortunately for him, go along with it. We were told two weeks to flatten the curve of Coronavirus.

REP. STAFSTROM (129TH): Sir, I've got to interrupt you. I need you to stay on the Bill that's before us.

PAUL BARTOMIOLI: Okay, I apologize. Okay. This Bill is a travesty. And as I said, you know, it's a three pound hammer trying to hang a picture on a sheetrock wall.

REP. STAFSTROM (129TH): Thanks, sir. I think Senator Winfield has a question for you.

PAUL BARTOMIOLI: Go right ahead.

SENATOR WINFIELD (10TH): In your testimony you called our cities plantations, why?

PAUL BARTOMIOLI: Because they seek to keep people downtrodden under the guise of caring. Senator

Winfield, you're from Bridgeport if I recall, correct?

SENATOR WINFIELD (10TH): No.

PAUL BARTOMIOLI: No. Okay, I apologize for that. I am from Bridgeport, born and raised, Central High School Class of 1971 which meant I went through the summer of love known as the Democratic National Convention in 1968. I have four cracked ribs on my left side from sitting on the Haven Green in a peaceful, nonviolent protest.

SENATOR WINFIELD (10TH): Sir, are you answering my question?

PAUL BARTOMIOLI: Okay, no, I'm not. I apologize. My answer to your question is that the polices of the democrats that control the cities have done zip, zero, nada for the very constituents you claim to represent. What has the Legislature done.

SENATOR WINFIELD (10TH): Sir. Sir. Your terminology is problematic. Your terminology particularly given the distribution of black people in the State is highly problematic. And I would ask you, when you suggested to the Legislature as a whole that we don't understand certain terms, to revisit those terms and to think about the impact of what you have said has on people. Thank you.

PAUL BARTOMIOLI: You can take your social outrage, sir and enjoy it. You have no right to tell me how to speak.

REP. STAFSTROM (129TH): Thank you.

PAUL BARTOMIOLI: As long as I do not directly attack you. Have a nice day.

REP. STAFSTROM (129TH): Thank you, both. Next we will go with Neelu Pal. She had technical.

DR. PAL: I'm here. Can you hear me?

REP. STAFSTROM (129TH): Yes, we can. Go ahead.

DR. PAL: Oh, wonderful. Sorry, I had problems earlier. I am here as a private citizen. I am a resident of Wilton in Connecticut and I just want to present a personal perspective much like what you've heard from many other residents with the problems in seeking accountability from local police departments. There are plenty of police departments in Connecticut that have no process or procedures that are enforceable or enforced for receiving police complaints. I have submitted written testimony so I won't go into that, the details of my written testimony.

I spent about five years, and I'm still spending that time attempting to get accountability from a local police department which is in Wilton when their police officers and EMTs assaulted me. I actually have specific considerations which many people have brought up before which I think with strengthen this Bill. I fully support it but I think it needs to be strengthened. I am a mother, a trained physician, I am licensed in Connecticut and New York and I work in some of the most difficult locations in the world as a physician. I have seen what soldiers do and I have seen how war is conducted and the way that the police, local police departments, are approaching individual people is almost as if they are at war with their citizens. So from my background as a physician, one very important things that I believe should come back is that individual liability insurance must be mandated

for individual police officers. I've heard a lot of testimony where police officers are worried about their employment status, how are they gonna feed their families, etc. but personal accountability truly just comes about when people are held personally accountable. There are so many parts of the Bill that actually do that, but one of the best ways from, and this is a parallel example, when physicians are faced with caring personal liability insurance they act within standards of care, police as well will act within standards of care. I just want to say that I very strongly agree with Representative Bandon McGee on this and I heard the testimony of Kristin Hamlin was also raised a lot of good points. I'm just gonna end there because I really have nothing much more to add other than the fact that local police departments and local individual police officers are getting away with crimes in Connecticut because there is no procedural process for the complaints to be dealt with.

REP. STAFSTROM (129TH): Thank you, ma'am you've hit the three minute mark. I appreciate your testimony. Are there questions from any Members of the Committee? Seeing none, we appreciate you being with us today. Next up will be Alexia Castro.

ALEXIA CASTRO: Hello. How are you?

REP. STAFSTROM (129TH): Good, go ahead.

ALEXIA CASTRO: I am a police sergeant in Naugatuck and also the union president there. I've worked here for the past eight years and right now I am extremely afraid of what policing will be like if this Bill is actually passed. You know, this is also the sentiment of the police officers in my department that I work with. There are many good

things in this Bill like implicit bias training which we already do and actually our department is conducting next week, recruitment of minority officers, promotion of minority officers and even the duty to intervene. However, for me all of these positives are overshadowed by the section that like the qualified immunity. There is no doubt that good officers want to get rid of the bad officers. They hurt what we stand for and make it harder for us to do our jobs because people lose trust in all of us.

However this Bill doesn't accomplish that. We feel that it is a kneejerk reaction. Defunding the police is a complete mistake and there will be unintended consequences if this passes. On a personal note, I am a Puerto Rican woman, that was born and raised in Brooklyn, New York. My finance is a black man that was born and raised in Waterbury. We are both police officers and deciding to become officers was a no-brainer for the both of us. We both think that if we want to see change we need to be a part of the change that happens. If this Bill passes I cannot guarantee that I would remain in this field. You know, bringing in minority officers is a positive that I read in the Bill however you are going to lose current minority officers and good officers in general. I am a mom, I'm a daughter and a soon to be wife and my primary is to protect my family and if I have to walk away from this career, I will do so. I've always considered myself to be fair, respectful and make it a point to interact positively with the community I serve no matter what they look like. But this Bill as it is proposed would tie the hands of the good law enforcement officers and I am one that is not willing to stick around to witness the negative,

unintended consequences. Thank you all for this opportunity to talk to you and I hope you really take our testimonies as consideration.

REP. STAFSTROM (129TH): Thanks. Thank you, ma'am. Appreciate your testimony. And I assure you with everyone who has testified here today cause we are listening and taking all into consideration. I think the Representative of the City of Nagatuck, Ranking Member Rebimbas has a question for you.

ALEXIA CASTRO: Sure.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman and thank you for those words. I just needed to take the opportunity just to certainly say what I said on many occasions, you're such an asset to our community. Thank you, obviously, for taking the time and sharing your story and certainly your professionalism and experiences and what your sentiments and what many others have shared about what this proposal essentially the unintended consequences and again as I said, you know, I certainly look forward to working and taking everyone's comments and continue to work to make sure that those unintended consequences can be addressed as much as possible because the last thing we want it to have individuals such as yourself and your fiancé to look at your profession in any other way but the heroes that you are because unfortunately for, you know, as we refer to the bad apples but those bad actors and some town officials, police chiefs have taken action against but have come back for a variety of different reasons. That's what we need to get at and we certainly need to make sure we preserve the ones such as yourself.

One of the other things that I just want to quickly take an opportunity, a lot of my colleagues were unaware that there is accreditation standards too, for police departments and they were unaware of that. And I am proud that Nagatuck and several other police departments throughout Connecticut have applied and successfully obtained that accreditation and that puts a lot of training and polices and standards that we are all seeking. So we need to also make sure that the tools that are out there, those guidelines and policies that we're pushing for those, it's just not new legislation that we need to be seeking, so again thank you for your testimony and sharing your story.

ALEXIA CASTRO: Thank you.

REP. STAFSTROM (129TH): Thank you, both. Jane Mills. Robert Goodrich. John Healey.

JOHN HEALEY: Yes, I'm here. Can you see me?

REP. STAFSTROM (129TH): Yes, sir. Go ahead.

JOHN HEALEY: Okay, sir. Thank you. My name is Detective John Healey. I am President of the Brass City Local which represents the sworn personnel of the Waterbury Police Department. I'm a 23 year Veteran of the police department and I appreciate the time that this Committee has given me to talk of the concerns that I have for my members.

Having listened to the majority of this, this morning, I'm not gonna beat a dead horse about the qualified immunity. I do believe the confusion in what is written is simple for some to understand and no so simple for others as it stands and I believe it does need a little bit more of research. But I am not a legal expert on that point. I do know that

effect does ripple out to guys not performing or being scared to performing their jobs. That's evident, okay?

Also I wanted to bring up the decertification process which was also a very big concern for my members. In our collective bargaining unit we do have steps, I listened to people who've testified that said there was no protocol of getting bad cops. In the City of Waterbury you can call in a third party complaint and ask to be investigated. There are mechanisms in place, there are things that can be done. Our procedures are based on a more of a step of discipline, okay. Those things are in there. They are in there to get the bad police officers okay. I'll harp the same as the other people said it, nobody wants to work with a bad cop, nobody does, okay. Nobody sits a rollcall, I haven't heard anybody in 23 years plus saying, let's shoot somebody tonight or I can't wait to fight somebody tonight. That's the least of it. I've heard many guys say I hope I don't get a call tonight, is what I hear. To say that, you know, that's how people go into their shifts is really offset.

I also want to touch on the fact that Community Relations Division was brought up between the mayor and the chief. Not only does the Waterbury police department have those assets but they also have the assets with our Street Crime Units and other guys that have a really good touch with this community. And I can say that we're proud of that. So a lot of the stuff that I see, we don't have to deal with as the bigger cities do. I got off track, I apologize.

Most of my discipline is handed down by my Chief. The creation of the police civilian review boards and the broad stroke of giving the towns and cities these powers of how they want to do is not really an easy thing considering if one town is doing it one way and another town is doing it another way you are going to pit towns against each other okay. Discipline is rendered in our department by our Chief and that aspect is to keep morale in the place, okay. For some chiefs there is people that say that they can't fire a bad cop is not true. It does happen. You could be fired for an incident, it does happen, there is a protocol in place, okay.

REP. STAFSTROM (129TH): Mr. Healey, we are at the three minute mark, summarize.

JOHN HEALEY: Oh, I'm sorry.

REP. STAFSTROM (129TH): Summarize then Representative Cummings has questions for you.

JOHN HEALEY: Okay. I just want to say real quick that there is a ripple effect to this Bill and I do believe that it is kind of rushed. Such serious legislation as this should not be rushed. I appreciate everybody who worked on this and thank you for letting me talk.

REP. STAFSTROM (129TH): Thank you. Representative Cummings.

REP. CUMMINGS (74TH): Thank you, Mr. Chairman. John, thanks for testifying today. You mentioned that the towns could be pitted against each other if these standards were not the same for the Police Accountability Review Board, the community review board, can you talk a little bit more about that please?

JOHN HEALEY: Absolutely. If you were to have board that is elected in one city but appointed in another city or you had a board that gives civilians subpoena powers and does it in another city you'll have an effect of people constantly saying, well you need to have this because they have this. So if the problem is in one city but you're not having the problems in the other city, you'll have voices coming saying you need to do that to. That's the transparency level of what it is. And I think that has to really be looked at. Listen, we're not against the civilian review board but at the same time, Stephanie, if you have review boards that do education, those people have some sort of knowledge of education. If there is no requirement on these civilian review boards to have any knowledge of policing, if you're gonna do it for education, how could you not have it for public safety. And that would be something that I don't see in here, I know it's left up to the towns and cities, it's not really for the legislators here, but that's what I'm saying. That is the difference you're gonna see.

REP. CUMMINGS (74TH): So do you think it would be worthwhile to study these police review boards a little bit more closely before implementation?

JOHN HEALEY: Well I think the Legislator and the local government have to really have a more in dept talk, yes. Where we would come into a situation is where they would come into our collective bargaining unit and render out discipline. That would be the only thing we were against. I don't believe any of my officers want to hide from anything. So to say, you know, we wouldn't be opposed to is, but as long as they don't render into this collective bargaining agreement we have now, and that they do a little bit

more research on who they pick for these boards, I definitely agree with that, yeah.

REP. CUMMINGS (74TH): Thank you so much for coming out today. Appreciate it.

JOHN HEALEY: Thanks, Steph.

REP. STAFSTROM (129TH): Thank you. Senator Kissel.

SENATOR KISSEL (7TH): Thank you, Chairman Stafstrom. Sir, I've asked this question of a couple of folks earlier. I've heard from my police chiefs that they want to weed out the bad actors, bad apples, I'd like to say the real predators, I mean people that do bad things. And what they've told me is that it is the Labor Review Board that reinstates people, reinstates people with backpay and they don't know what to do about that. So we have this reform Bill and we don't address that. I'm not criticizing them, I'm not saying their bias, I'm just saying maybe Connecticut needs a new paradigm that if a Chief fires someone they can go to courts or some other avenue but this system seems to, and I'm not saying it's bad, or right, or wrong, or what but what I'm hearing from my chiefs are, we're trying to do the right thing and we can't like over 75 percent come back. What's your opinion on that?

JOHN HEALEY: Okay, I believe that you see that happen a lot when the chiefs don't utilize the progressive discipline in place. When you go from an incident like this guy is a bad guy, you know, but not something egregious, obviously if it's something egregious they can go right to that, okay. But you'll see people getting fired for where other people didn't get fired, that's where you see 'em getting their jobs back, okay. The Labor Board, I

have seen situations those chiefs have said, but I do believe that a lot of those chiefs don't utilize the progressive discipline that's in place now. That would keep the bad apples, the multi-misconducts off being police officers. Having it sorted out in two different levels at a city level and then going to Post is kind of like, you know, double punishing somebody. It just needs to be looked at and I agree, maybe there is a better process than the Labor Board but it would have to be a discussion, I agree with you.

SENATOR KISSEL (7TH): All right and thank you. And by the way, kudos to the City of Waterbury because you guys have been coming on strong and testifying and I really appreciate that. You guys have been extraordinarily insightful. The Inspector General model that we have in the Bill, you like, you don't like? Is it gonna bump up against other things? And by the way, I've heard from my mayor in my town of Enfield, he's concerned about the civil review, the civilian review boards. I think a town can do that already. I think we have towns that, cities that do that already by charter so I see that as sort of like a non-issue but the whole Inspector General, what do you think about that?

JOHN HEALEY: Well again, I think that something that when I was reading, hopefully I interpreted it right that somehow a person could be cleared within their city or municipality and go to this person and not be cleared. That was the only thing I would have to say. I don't think it would happen a lot. Knowing the way police chiefs and mayors are now, I don't think you're gonna see that too much but that was my only position other than the fact that they were going to be assigned out the Attorney General's

Office, I don't know, but I believe the Attorney General represents police officers in certain matters. I don't know that. But an oversight, an overall oversight on police misconduct, I don't think anybody would have a problem with that because I don't think you see a rampant problem that you have in other states, okay. I heard other Representatives mentioning we talked about Buffalo, we were talking about South Carolina, we were talking about other areas. Oversight into that, I mean one person oversight, I think could be a benefit, again something that would have to be tweaked a little bit, I think.

SENATOR KISSEL (7TH): I appreciate your insights and thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Thank you, Senator. And thank you, Mr. Healey for being with us. You know, I just. I have to weigh in, just quickly, on this conversation about sort of the interplay between one municipality and the next in consistency. And personally that's why I think this notion of having Posts be the one to decide who gets decertified for conduct makes some sense because in that instance where it's the chief or it's the citizen review board or the Inspector General or whoever it is, says we've got this office out there, can we just don't think this guy, this guy or this gal should be out on the road anymore. They go to Post with that and under the Bill Post has to deal with the Novo Review. They have to look at all the facts from the get-go and if they find by clear and convincing evidence that that person shouldn't be on the road, and again they're gonna be looking at these cases all over the State of Connecticut, not just from Waterbury, not just from Bridgeport, not just

Enfield and they say, yeah, this is the type of conduct that should take somebody off the road they should be off the road, not in just Waterbury but they should be off the road in Bridgeport, Enfield and shouldn't be able to go get a job in the next town so.

JOHN HEALEY: Are you saying just for like say one incident? I mean not an overly egregious incident or a combination of incidents?

REP. STAFSTROM (129TH): I think it depends. I mean in certain instance, yeah it could be one incident where.

JOHN HEALEY: I believe one incident, egregious thing you'll probably see the majority of chiefs.

REP. STAFSTROM (129TH): Yeah, or maybe you've got a couple of incidents that did show a pattern. I would just ask you to take a look at that language one more time. Certainly give us some feedback, send us an email.

JOHN HEALEY: Sure, sure.

REP. STAFSTROM (129TH): I just read it as actually its addressing some of the concerns in a way that is more uniform across the departments.

JOHN HEALEY: I don't want to be ignorant but can I ask you a question on that? Is there a due process point for that, like is there recourse for the officer?

REP. STAFSTROM (129TH): Yeah if the office is decertified there allowed. Number one, they are allowed to counsel and a chance to be heard under the Unified Procedures Act and if they are

decertified and they don't like that decision then have an appeal right to Superior Court.

JOHN HEALEY: Okay, thank you for clarifying that one. Appreciate it.

REP. STAFSTROM (129TH): Sure. I think it's an important point we keep coming back to.

JOHN HEALEY: I'll keep reading it. Thank you.

REP. STAFSTROM (129TH): Sorry to belabor that to the rest of the others. One other housekeeping note, as we're gonna move on and Senator Winfield and I are going to switch back, I just want to remind everyone again that if folks are out there, out watching and they want to submit testimony to us the way to do that is to send an email to judtestimony@cga - as in Connecticut General Assembly dot ct.gov and the Committee is still receiving written testimony on the Bill and certainly we will post it and the Committee will have that at its disposal. I also just want to note for the record that during one of the previous speakers there was a brief audio interruption, one of our members was moving from one location to the other and accidentally unmuted himself so he was not intending to be disruptive or interruptive of the individual who was speaking. But it was a technical deficiency as we all adjust to this new way of posting Public Hearings remotely. With that I'll hand the gavel back to Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Representative Stafstrom. Next we will hear from Nina Valenzuela followed by Paul Aurelia. Is Lena on? Lena? If not as Paul is on followed by Stephen McEleney.

Stephen will be followed by Abby Anderson. Is Stephen on?

STEPHEN MC ELENEY: Yes, I am.

SENATOR WINFIELD (10TH): Okay, you have three minutes.

STEPHEN MC ELENEY: Can you hear me?

SENATOR WINFIELD (10TH): I can hear everybody.

STEPHEN MC ELENEY: Can you get my picture up or no? We don't have video. There I am.

SENATOR WINFIELD (10TH): Okay.

STEPHEN MC ELENEY: Good Afternoon. Thank you for listening. Thank you for your patience. My name is Stephen McEleney. I signed up to talk as a citizen and I thought what I would bring to the table was the fact that since 1983 I've been representing police unions, many, many of them. I currently represent 10 different police unions throughout the State and I'm not here as an advocate, I'm not being paid, I'm not here as an attorney. I was concerned and upset about this legislation when I read it from a police officer's perspective and talked to police officers and knew that they were upset and wanted to be able to express that to you but, having, you know, John Healey, Castro, Fallon, Tornello they have expressed their concerns that this is kind of an anti-police officer legislation in a lot of its respects, not all, and they take it quite personally as though in fact the, what they hear on the line sometimes when they are going to some of these protests that they are racist, that as though the Legislature is accepting that premise which of course I believe you aren't. You don't believe that

all police officers are racist and I'm sure there are people who testified here today and people of color who have experienced situations but that doesn't mean that even the majority, it's a small minority that you might be talking about and you're not gonna cure that with legislation.

So I asked myself, I listened all day and try not to repeat. What is the purpose of this Legislation? It can't be to eliminate racism in police departments that I don't believe exists. I think the legitimate thing would be the bad apples that I keep hearing about. Yes, you should be doing, passing legislation to make sure that you don't have the bad apples. Well I've looked through some of these and I don't see the connection between the proposal and the bad apples. What I see is a connection between the proposal and all police officers. For example, and I know a lot of this, I'm not gonna beat it up, the immunity. Now I've heard the debate about the immunity. I'm no constitutional expert but I do know this cause I use logic and reason and that is that there is an attempt here to create greater liability by eliminating qualified immunity, right. Otherwise you wouldn't have it. And you're trying, to create more liability on the past of police officers for what they do. All police officers, not the bad apples, people make mistakes. And I also heard and I agree with the ACLU attorney that the Connecticut General Statue provides already that municipalities must indemnify police officers as long as they aren't intentional, malicious or reckless, in which care they are already on their own. So you're trying to create more liability for something less than reckless intentional which automatically then

goes to the municipalities to cover under Statute 7101 (a) cited in 7465. I don't get the purpose other than to create more liability for municipalities and as somebody who negotiates contracts with municipalities all the time, they don't need more liabilities. And so that doesn't connect to me to try to get the bad apples.

The other thing, the change in the deadly force, you're going to an objectively reasonable standard. I'm not sure what that means. I know the statute in Subsection (c) attempts to define it but it's not clear what objectively reasonable means. Who, who's the objective person, the family, the neighbors, the judge? What we have now is you look at it from what the officer saw at the time and we heard from the gentleman from Iraq. Well if I think the guy has got a gun and he's about to shoot me and he says he's gonna shoot me, and I shoot him, well shouldn't we be looking at that officer from that perspective? And now we have videos and there is a great tendency, I get it to second guess the officer because the video shows something that the office didn't see. Okay. But don't then judge the office upon what he couldn't see. Objectively reasonable, exhaust all alternative, no risk to a third party and a reasonable belief that it was necessary and remove the fact that a threat of physical violence is enough. How are you going to deal with a hostage situation?

SENATOR WINFIELD (10TH): Sir, you are up against your three minutes, please summarize.

STEPHEN MC ELENEY: I would like to, they want to ask me about the psychological. If you've been down that path, I have, on fitness for duty evaluations

it's going down the rabbit hole, the only way it can be done is to go back into the person's background which now becomes a report that everybody gets. The decertification I have a lot to talk about. Why you would ask for a taskforce.

SENATOR WINFIELD (10TH): Sir, sir. Please.

STEPHEN MC ELENEY: All right. And I'd be happy to answer the question about the SBMA. Thank you.

SENATOR WINFIELD (10TH): I know that Senator Champagne has a comment or a question.

SENATOR CHAMPAGNE (35TH): Thank you. I'm interested in your take, Stephen. I'm interested in your take on the decertification of the police office, can you expand on that?

STEPHEN MC ELENEY: Okay, sure. First of all, I don't. I get it's easy to pass a law, maybe it isn't so easy. I don't know about legislatures. But when you folks pass these laws with these words, we then have to deal with what the heck they mean and we end up in litigation upon litigation and fights. What does "undermine the confidence of the police force" mean? You've added that as a basis on which an officer can lose their career, not their job. Once you've lost your certification you've lost your career. I mean almost anything could undermine the confidence of a police department. Another thing you've added is false reports. It's already in the Statute for decertification. If your lie under oath you lost your certification. Now were talking about false reports. So I make a report and there is something that someone decides is false, I can't tell you the number of times I have seen officers get wacked for falsehoods which were mistakes. It

happens a lot. We all can do it. Our memories can fail. But now I'm gonna lose my career as a police officer because I didn't get something straight. I'd invite a question from Mr. Kissel about those cases of the SMBA that he referenced. I have handled both of those cases.

SENATOR CHAMPAGNE (35TH): All right, thank you. And I guess the other question somebody had mentioned it before and it kind of, it's the frivolous lawsuits, if we get rid of qualified immunity. That concerns me as a municipal leader because we're always being pushed to settle these cases out and if all of a sudden, you know, we're just being sued for everything and qualified immunity is taken away, what kind of liability, do you see this as a major concern, these frivolous law suits? That's what I should be saying.

STEPHEN MC ELENEY: I do. I have a lot to say about that. I heard all the confusion over that section. I have my own confusion over it. But to answer directly your question, Subsection (c)says not only can you sue but you're gonna get an attorney's fees. Well guess what that's gonna encourage. That's gonna encourage frivolous lawsuits because if you get a dollar damage you can get attorney's fees. So of course it's going to encourage frivolous litigation on the municipality's tab again which they can't afford.

SENATOR CHAMPAGNE (35TH): And I agree with that and I still believe that there is a lot of work that needs to be done on this Bill and I think the, we as a community should be coming together with all groups to work out something not so broad and

something that's actually going to work, I should say. Thank you.

SENATOR WINFIELD (10TH): Representative.

STEPHEN MC ELENEY: Would you like to hear about the two cases.

SENATOR WINFIELD (10TH): Sir, sir. Please. I will.

STEPHEN MC ELENEY: Okay.

SENATOR WINFIELD (10TH): I will tell you who is asking questions. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. And sir, I think your testimony was very informative and I think that the point raised regarding, and I've had obviously town officials tell me that they fired or in conjunction with the police chief fired law enforcement officers and they do go to the Department of Labor and through that process have been rehired. So if you could just briefly, because you had indicated that two of those cases were yours, and because I think that your testimony is very informative, and you've got personal knowledge, [Static interference] As a major issue the point that we're trying to get which is those bad apples not coming back to the police force. As briefly as you can and then we can ask you offline as well, if you could just highlight what the issue is and if there is anything that we can do to address that? You're muted, so you need to take your mute off. You're muted, you have to unmute yourself in order for us to hear you.

STEPHEN MC ELENEY: You. No. Is that better. Thank you. Yeah, it just isn't my experience. What

you have is SBMA and you have a management arbitrator, a labor arbitrator and a neutral. The neutrals are neutral. I mean these are people who are basically trying to please both sides sometimes. They don't want to be known as somebody who is going to buy a municipality and municipalities are much better organized than say CCM. So if word gets around about a neutral who is letting people back, who doesn't deserve to be back, that arbitrator is not going to be picked and what they really want to do, which is the interest arbitration proceedings. So to me it isn't broken. I have respect for these arbitrators, they rule against me and legitimately so. Briefly, one of the problems is the anecdotal remarks. The dispatcher who was selling marijuana, that dispatcher was not selling marijuana he went into his basement when he was having a hard time with his life and he smoked some marijuana, shortly, not long before we decriminalized it. So he wasn't selling marijuana. The gentleman, the cop with the gun that was accused of putting it to his girlfriend's head, yes he was. And then we have a hearing and a neutral arbitrator decided it was a he said/she said and he didn't believe her, he believed him. I mean why can't we have hearings like that with neutral arbitrators. I don't understand it. Sometimes chiefs get upset because they lose. We all do. I get upset when I lose. Chiefs get upset when they lose and then they go running to a legislator and say the system is broken. Well no, you lost.

REP. REBIMBAS (70TH): [Inaudible].

SENATOR WINFIELD (10TH): Representative Rebimbas we can't hear you.

REP. REBIMBAS (70TH): I said, thank you.

SENATOR WINFIELD (10TH): Thank you, Representative. Senator McCrory.

SENATOR MC CRORY (2ND): Yes, thank you. How ya doing Stephen? I just have a similar question. Have any of your clients lost their job because of a "false report?"

STEPHEN MC ELENEY: Yes.

SENATOR MC CRORY (2ND): Okay, good. I just want to say thank you for that one word. I forgot to actually we want to use one word. The other, the flip side to a police report ought to be a person could go to jail for the rest of their life. I'm sure you're aware that person go to jail for the rest of your life because of a false report, correct? Is that right.

STEPHEN MC ELENEY: No. I don't agree with that. First of all, let's be clear. Are we talking about a false report that's under oath or a false report that is not under oath? My simple yes was a police officer who wrote a report, actually was a memo, it wasn't even a police report to his supervisor about a cruiser accident.

SENATOR MC CRORY (2ND): I want to try to get moving, so I'm gonna, I'm gonna try to ask my questions very succinctly so that I can get short answers. Under oath or not, are you convinced that someone can go to jail for the rest of their life if police write a false report?

STEPHEN MC ELENEY: Oh, I'm sorry, someone else. Yes.

SENATOR MC CRORY (2ND): Oh, good. Okay so you do realize writing a false report is problematic, correct?

STEPHEN MC ELENEY: Yes and most police officers, police officer will lose their job for that and the law of the State of Connecticut is if you lie as a police officer you're probably not gonna get your job back and that is Supreme Court law, Connecticut.

SENATOR MC CRORY (2ND): Okay. So, so my, my I just want to make it clear that you're aware that a false report can potentially place a person incarceration for the rest of their life if it's done. Correct?

STEPHEN MC ELENEY: And if that happened, that cop should lose his job. Yes.

SENATOR MC CRORY (2ND): That's what I'm. Thank you. Thank you, appreciate it. Thank you, Senator McCrory. Senator Kissel.

SENATOR KISSEL (7TH): Can you hear me?

STEPHEN MC ELENEY: Yes, I can.

SENATOR KISSEL (7TH): All right, so the references to the marijuana and the officer with the gun to his wife's head.

STEPHEN MC ELENEY: Girlfriend.

SENATOR KISSEL (7TH): Very reminiscent to what former Chief Carl Sferrazza told me about this week. And I don't want to lose my two questions but your head nod is answering me. The Labor Review Board is not just Chief Sferrazza, it's a lot of police chiefs, are saying that is the buffer and you can say the neutrals are neutral, he told me, or one of them told me, they get like $750 bucks a day but

what I'm hearing anecdotally is that it tends to be very biased towards the police officer. And I'm not against police officers, you can ask everybody that has worked on this Bill with me, that's not wear I'm leaning. If we're gonna have true reform why do we even have that process? That is my first question?

STEPHEN MC ELENEY: Wow. Well I heard earlier somebody talk about, you know, due process and they were assured when that question came up that due process applies to the certification process. So I took that to mean that this panel believes in the idea of due process. But if I'm gonna lose my livelihood and my career I should have some due process. It shouldn't just be management deciding, your gone and I believe the facts to be this, and those facts are incorrect and I lose my career and with these police officers it's more than losing your certification. You lose your job with one department, you're not gonna get a job with another department. So I'm losing my career. Maybe these people put in 10, 20 years into this career and then they're accused of something and they don't have a right to due process to have some neutral person decided whether they did or didn't do it. I stand firmly in favor of that proposition.

SENATOR KISSEL (7TH): All right and so Mr. Chairman with your indulgence, my second question is this. One of the propositions in this proposed Bill, and we've spent in excess of 60 hours on this, and I'm not keen about everything, is the creation of this new entity called the Inspector General. And so the question now is, let's just set aside the Labor Review Board and let's have an Inspector General investigate these issues and its prosecutorial and if the officer ends up on the bad

side of the decision they can appeal to the Superior Court. In other words I'm talking to my chiefs and they are saying, hey if I've got a really, really bad person in my department can I just go this avenue as opposed to the current avenue and I'm just gonna say ancillary to that, if we have too many avenues they are going to bump up against each other. So I'm sort of like saying, the Inspector General theory, what do you think about that and would that afford an officer that I love, man or woman, they protect us, Thin Blue Line, due process if they can then appeal to the Superior Court?

STEPHEN MC ELENEY: Well maybe I'm confused and maybe I don't understand it. I didn't study the whole Act well enough, but I thought the Special Prosecutor was to deal with the criminal end. That they instead of having the State's Attorney from another jurisdiction be the one to head up the investigation using the State Police were now going to have a special prosecutor whose job it is to head up the investigation, I'm presuming still using the State Police. That is a criminal process and if that special, if I've got it right and if that special prosecutor then decides yes there is probable cause for an arrest, applies for a warrant to a judge and a judge signs the warrant then obviously under our United States Constitution and the Connecticut Constitution that officer is entitled to a criminal trial with all of the due process right that they have. Now let's say that office goes and gets convicted, well the office is gonna lose his job. If he's convicted all the police departments will fire you for a conviction of a felony. If the office is found innocent, not guilty, well that was by a standard beyond a

reasonable doubt. I can't imagine the chiefs are gonna want a standard of beyond the reasonable doubt, a very high standard, to be used to determine whether the office did it or not. The chiefs of police are gonna want the preponderance of the evidence standard and they are gonna want to then turn around, if the guy is innocent, and on the criminal end, and terminate them on the other end on a probable, excuse me a preponderance of the evidence standard in which case the office would have a hearing on that standard. So I don't see how you eliminate the two and I don't think the chiefs of police would agree with you, they would want the beyond the reasonable doubt standard to decide whether they can keep that cop.

SENATOR KISSEL (7TH): I really, sincerely appreciate your answer to that, it's very legalistic but as sadly as an attorney myself, I appreciate it. We have a yardstick and there is different methodologies, different methods of proof and [sighs] and we're, personally I'm in a quandary. There is tons of stuff in this Bill I love, there is a chunk of stuff I'm really concerned about, but your insights are very helpful and thank you Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel. I don't see any other questions, so I will thank you for joining us today.

STEPHEN MC ELENEY: Thank you for your time and listening.

SENATOR WINFIELD (10TH): Thank you. Before Abby Anderson testifies, Paul Aurelia is able to get on so we're going to have him testify as he is there now.

PAUL AURELIA: Thank you, Senator. I'm a nontechnical guy in a technical world, so I apologize.

SENATOR WINFIELD (10TH): Yes, you have three minutes.

PAUL AURELIA: Okay. Yep, Good Afternoon. My name is Paul Aurelia. I'm a retired police officer having completed a 26 year career. I am also a life-long resident of Connecticut. During the course of my career I engaged in physical confrontations with combative subjects and have had to use force in order to affect arrests and prevent people from harming myself or others. I understand some of the dangerous implications of some of the proposals you placed in this Bill. I will quickly point out a couple of items which I believe, if passed as currently proposed have the potential to cause harm to officers.

My concerns are really around officers being hurt. Changes to the threshold to use or justification of deadly force to a more restrictive standard may have the effect of causing officers to hesitate under circumstances where they can least afford to. The current standard, the Graham Standard, is reasonable and has been in place for years. Changing this long-held standard to one which is more restrictive an in my view too subjective will increase the odds that an officer hesitates while making a critical decision. The consequences may be deadly in some cases for officers. With subjective standards, the potential of criminal prosecution or decertification by Post placed into an officers decision making process, the end result may very well be an injured or dead officer.

The next objection I have is to any consideration of the elimination of qualified immunity or the implementation of civil causes of action against individual officers. Now I recognize that there has been some conversation, I've been watching this the whole day over whether this Bill does that or not, but I'm gonna talk about if it does. The removal of that immunity will have a devastating effect on policing in general. Officers will be prone to hesitation which in many cases will be harmful for lack of policing will cease, citizens will end-up being less safe and crime will rise.

To summarize, in my opinion, the items I pointed out will increase the danger to police officers. They will decrease public safety in general and will increase the overall crime rate. Police officers work tirelessly to make our society safer. They do a difficult job and they deserve our respect. Their job would be make untenable and virtually able to perform safely. Their career and their families financial wellbeing's would be threatened. I am asking you to reconsider some of the risk filled proposals I've talked about. This is a dangerous time for police officers. If this legislation is passed as written, in my opinion, you will make it a much, it will make it much more dangerous for officers and for public safety in general. That's what I have to say.

SENATOR WINFIELD (10TH): Thank you very much. Any questions or comments? Seeing none, thank you for joining us today.

PAUL AURELIA: I appreciate it. Thank you.

SENATOR WINFIELD (10TH): We will hear next from Abby Anderson followed by William Rousseau.

ABIGAIL ANDERSON: Good Afternoon.

SENATOR WINFIELD (10TH): Go ahead, you have three minutes.

ABIGAIL ANDERSON: Okay, thank you. Good Afternoon, my name is Abby Anderson. I am the Executive Director of the Connecticut Juvenile Justice Alliance. I appreciate the opportunity to be here this afternoon. The organization that I represent is a youth/adult partnership. We work directly with justice advisors who are 18 to 25 years old who come from the communities most impacted by the Justice System and by policing. We're speaking today to as the Committee to understand that police accountability is important but only one aspect of the work needed to address racial disparities and inequities in our State and communities. We believe this isn't about good or bad apples. It is about job description, priorities and who and which communities we view as assets versus which communities are seen as threatening. Real hard work must be done to reimagine what we mean by public safety and what we need to do to achieve that goal for every community. Most importantly we need meaningful work to quickly understand what elements of the current police officer job description can and should be moved to the responsibility of those who are not authorized to use lethal force.

Our testimony will let you know what young people told us they think about policing, their experiences and their recommendations and we call on your final Legislation too much more seriously and meaningfully limit the role of police officers through the use of exploring things like social worker, credible messengers, those who are trained in homelessness

and youth development but also in considering adding language that would eliminated the use of police officers in schools.

I will start my testimony today by reading from our most recent report *Ending the Criminalization of Youth, One Investment at a Time.* You will notice some of the recommendations, of the recommendations in our work, report which came from young people and their conversations over two years with their peers and community members are echoed in this legislation. They call for mental health services and supports for police officers. They call for helping officers learn how not to react from fear, stress or escalation and calls for evaluating when police response is not appropriate. *Young people mention that the fear of knowing that police officers are in complete control and can react off of impulse at any instance. "Most of them I come across yelling in your face and show you they're the man in charge" said one youth. "When police officers respond, physically or verbally, to situations out of fear, which can come from cultural misunderstandings or biases, or simply a person's experience from the past, those responses can be dangerous. We've seen these situations grow into serious ones, like the three civilians killed by law enforcement within the first month of 2020 in Connecticut. Since law enforcement has the power in most situations and officers get the benefit of the doubt, community members rarely get justice when harm is caused by law enforcement, and this includes institutional law enforcement.*

So here are recommendations to avoid negative interactions between police and community members. *Law enforcement should receive ongoing training*

around how to react in situations where they are under pressure or experiencing traumatic events. Their evaluation must address this area of their work. Communities could also stop relying on police when they aren't actually the correct people to respond. Police are often called to address school discipline, or people experiencing mental health crises or homelessness. That isn't their job and we shouldn't ask them to play the role of the social worker or service provider. Instead, local and state leaders need to invest their dollars in the most appropriate support people.

We can also work to repair relationships. It's very easy to put the blame on community members when there's a chaotic situation involving law enforcement, but we need to realize that the officers that are here to protect and serve our communities also have to do their own healing and be allowed to do their own healing before they can protect and serve anyone."

SENATOR WINFIELD (10TH): Abby, can you summarize.

ABIGAIL ANDERSON: Yes, sir. Many experiences lead to mental health incidences and we want to make sure police officers get the training, support and services they need. We would also like you to add, to take a look at Section 18 which askes our police departments to evaluate the feasibility of using social workers. We respectfully request the responsibility for conducting and submitting such evaluations should be with the municipality and not with the police themselves and that you broaden the scope from social workers to support people. Thank you.

SENATOR WINFIELD (10TH): Thank you. Senator Kissel.

SENATOR KISSEL (7TH): Hi, can you hear me?

ABIGAIL ANDERSON: I can hear you.

SENATOR KISSEL (7TH): Okay, great. So here is my question. It must be now about ten years ago that now Judge Eric Coleman and I then Chairman Coleman of the Judiciary Committee, we were trying to breakdown what is going down, why certain ethnicities were getting arrested and certain ethnicities were not. And so I came up with this idea, hey let's go to Hartford where the Capital was and Weaver wasn't available so we went to Hartford Public High School and we had a forum. And we invited a bunch of young people, you know, sophomores, juniors and seniors and said have you had encounters with law enforcement and what was your reaction with them. And what I learned and it was a surprising learn was that the Caucasian either male or female were sort of like in the middle. If they were African-American or Latino female, they bent over backwards with these kids, but if they were African-American or Latino males they busted these kids and kid after kid came up to us and testified or spoke and said that "they were really hard on us." Does that surprise you because that surprised me and it almost showed me like, if you're a minority in law enforcement you've got to prove yourself as a male and they were busting the kids in the cities far worse than they had to be.

ABIGAIL ANDERSON: I just want to be clear. Are you saying that you were talking to officers or to young people who were telling you that?

SENATOR KISSEL (7TH): It was a forum at Hartford Public High School and we were talking to young people.

ABIGAIL ANDERSON: Okay, it doesn't surprise me. I think Senator Kissel probably like you, it would surprise me more like 10 or 15 years ago before I was more involved in this work because my experience growing up as a white person and I didn't grow up in Connecticut but it was suburbs, you know, I was taught and I experienced the police who were there to protect and if they came around I should see them as somebody, you know, like, oh great they're here to help and that is the opposite of what we hear when we are in relationship and when I talk to my friends of color who are adults and the young people that I work with and as they speak to each other. So it doesn't surprise me at all. We are, the message we hear loudly and clearly from our colleagues of color is that they very much perceive that police see them as a threat and that when they see police officers they do everything they can to get out of the way, not be there. You know, I've had young people tell me that they don't get their drivers' license because they don't think it's worth the risk of what could happen if they are driving while person of color. That surprised me but it was that deep and that real, it's been a real lesson for me, Senator Kissel in listening to people whose experiences are different from my own. It has really made me have to reexamine sort of my own experiences and recognize that the lens I see things through isn't always the lens that other people are given or get to experience.

SENATOR KISSEL (7TH): I appreciate that answer. And Mr. Chairman, one follow up and by the way I'm going to take credit for that whole endeavor cause I put that together at Hartford Public High School and I would never have learned that lesson had I not

gone to the City of Hartford and asked the kids, you got to get on the ground at some point and ask the people that are interreacting. How do we solve that?

ABIGAIL ANDERSON: Well I think if, I'm happy to send you our repot because exactly like you said and you modeled, we went and asked them, what do you need and it's fascinating, you know, what they told us, Senator Kissel is that they are very clear what their communities don't have that other communities do, right. So they are very clear that when all of the schools went virtual that a huge percentage of their friends and families and younger sisters and brothers had no access. They didn't have internet access so they were trying to, you know, use one Chromebook for a family of three of four kids and they know that's not the same thing that happened in Darien, or Westport, or West Hartford or Avon. They know what opportunities for really good housing are available in other communities that aren't available to them. They know the availability of good jobs and economic opportunities that aren't available for them. Things as simple as, we had one young person tell us, "I just want to go roller skating" and the closest place to go roller skate from Bridgeport is in Waterbury and who can get to Waterbury from Bridgeport if you're, right. It's these kinds of things and so how I think we address this is by really looking at where we are investing time and resources and care because the young people have been very clear with us that this isn't only about money, it is about money, but it is also about value and who we care and who we are putting our time and attention into and really seeing it as assets, right. So what kind of afterschool activities are

provided, what kind of clubs and those kinds of things are provided and the ability, right, because they know that some of their peers in other communities have the privilege of being able to join the debate team after school instead of having to get a job to help pay the rent. And those are the kinds of things that I think, I know I never thought of until I started talking to these young people but they have sort of told us they feel like they get put into a Catch-22 where they might be 13-14 years of age.

SENATOR WINFIELD (10TH): Pardon me, I'm gonna ask you.

ABIGAIL ANDERSON: Sorry.

SENATOR KISSEL (7TH): [Laughs] Thank you, Gary. I just want to, can I just chime in and thank her for her answer. It's very informative, my first job was 14 picking tobacco here in the tobacco valley where I grew up in Windsor and you're singing my song.

ABIGAIL ANDERSON: I'll send you our report, Senator.

SENATOR KISSEL (7TH): I appreciate that. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel. Representative Walker.

REP. WALKER (93RD): Thank you, Mr. Chair and I will be brief this time. But I want to thank Abby for her testimony and I think what you shared with Senator Kissel, I think has a lot for people to really think about and ponder because it's important that we understand that a lot of the kids that seem to end up in problems with the police are kids that

have not had their voices embraced and so with your organization I'm hoping that we can have a better conversation especially going forward because I'm sure there are things like SROs and also how, the age of a child going that can actually be arrested in the State of Connecticut are things that having an impact on our community that can also be spread out so that we can have a better relationship with police and trying to make sure that we all have, we all have public safety in our communities. But thank you for your answer and Thank you, Mr. Chair for letting me have my two minutes. Thank you, Abby.

SENATOR KISSEL (7TH): Thank you, Toni.

SENATOR WINFIELD (10TH): Oh, always, Representative Walker. Thank you, Abby and I don't see any other questions. Thank you for joining us again, always appreciative of you to testify before the Committee. I just want to let people know that we are at Number 70 so we're doing okay. If we stay on target, ask questions that are targeted we can complete the mission here today and the mission is to make sure everyone who signed up gets the chance to testify. So just wanted a gentle reminder that let's ask questions about what the testimony is and try to only that. Laurie Sweet is next followed by Al Lucas so if Laurie Sweet is here, it is your opportunity to testify.

LAURIE SWEET: Can you hear me?

SENATOR WINFIELD (10TH): I can hear you, you have three minutes.

LAURIE SWEET: Okay, yes. So Laurie has yielded her time to me. My name is Jazz Murray and I am Jason Negron's sister who was killed by Bridgeport Police.

SENATOR WINFIELD (10TH): Wait, hold on, hold on. Who are you?

JAZZ MURRAY: Jazz Murray, Laurie has yielded her time to me, I said that I am Jason Negron's sister who was killed by the Bridgeport Police in 2017.

SENATOR WINFIELD (10TH): Is before you start is Laurie going to testify at some point later?

JAZZ MURRAY: No, no she had given me her slot.

SENATOR WINFIELD (10TH): Go ahead.

JAZZ MURRAY: So I am speaking in support of the Bill because I believe the officers need to be held accountable and shouldn't be held at a standard that is above the law. This is very personal to me because my 15-year-old brother was taken at the hands of Bridgeport Office James Boulay and the State's Attorney Maureen Platt and Kevin Kane justified his use of deadly force, not based on the entirety of the situation, not based on what other measures that could have been used and not based in relationship to his history of abuse. James Boulay had previously brutalized, he murdered my brother, he then bragged about murdering my brother and then he went on to brutalize multiple more people in Bridgeport again, so recently as in the last few months. Boulay is still currently for the Bridgeport Police Department and in 2017 when by brother was taken from me, since then I have seen many other people taken at the hands of police like Zo Da Del [Phonetic], Anthony Vega and Corbin Cooper. Each of these cases have different aspects

to them but something that is still seen is all of these officers are being cleared. We can even look at just abuse cases. I know many in Bridgeport and you can see repeated actions over and over again by the same officers and they are abusing their power and then nothing occurs.

So I just want to say we're truly in a state of emergency in Connecticut and across the nation and we can't wait any longer. We need an immediate change and right now there is a whole lot of gaslighting that's happening in this conversation about people who are truly effected by these officers' actions and the aspect of policing as a whole. So we need to be honest about what's really occurring in Connecticut. Off the top of my head I can just think of 30 people that have been murdered at the hands of Connecticut police and there has been no justice for their families. There is no accountability that's taking place in Connecticut right now for police misconduct and I've been hearing individuals speaking from their perspective that officers are actually, there is a process for them to actually be held accountable. That's not true. People are speaking from the perspective that law enforcement are actually carrying themselves to this website model statement that they have, that's not true. Like we are seeing this over and over again throughout all of Connecticut and something needs to change, something needs to happen and we can't wait any longer.

SENATOR WINFIELD (10TH): Thank you, Jazz. Can you do me a favor, can you state and spell your name just so we have it clear?

JAZ MELENDEZ (LAURIE SWEET): Yes. My name is Jazmarie Melendez, J-A-Z-M-A-R-I-E M-E-L-E-N-D-E-Z.

SENATOR WINFIELD (10TH): Thank you. Are there comments or questions from anyone? If not, Jazz thank you for coming to testify today and thank you for continuing to push this issue. I somehow accidentally crossed off William Rousseau even though he hadn't testified so William Rousseau is in the que and you have three minutes.

WILLILAM ROUSSEAU, SR: Good Afternoon, and can you hear me? I'll be like everybody else, can you hear me? Good Afternoon and thank you for holding the hearings. I just want to give you a quick feedback on a couple of issues. One was 7294(bb), which was supposed to be a modification to how police misconduct investigations were conducted. I believe I heard Chief Stewart articulate how they were to be conducted with leaflets at the townhall, library, etc. etc. I followed up Mr. Flaherty of the Post and asked why this couldn't be implemented and enforced universally to all police departments in Connecticut and come to find out, I guess 7294 (bb) was left up to the individual towns to endorse. I think we need to have the uniform police misconduct policy initiated by all police departments.

Second, I'd like to share with you why police officers aren't really excited about taking care of psychological problems. Most police officers fear discussing any psychological issues with anybody who may have the ability to relate that intimate and harm them. In my particular case I was 59 years old, I was taking some hypertension medications which caused me some issues. I was placed on a leave of absence, later fired. I appealed my

termination. I was sent to a regular physician. I followed up his determination that I was unfit for duty with a bonified occupational medical physician who found that I was fit to return to duty. I requested EAP, I requested inside duty in acknowledgement of some of the medical conditions that I had at the time and like I said, the town that I worked for ended up resorted to firing me. I had to appeal. I paid $25,000 dollars while I was out on termination without pay.

SENATOR WINFIELD (10TH): Mr. Rousseau, I guess that's.

WILLILAM ROUSSEAU, SR: Right, okay. That's why. That's way police officers would shy away from any kind of on the job psychological evaluation because it can be used to harm and remove the police officer from the job.

SENATOR WINFIELD (10TH): Thank you, Mr. Rousseau. Any comments or questions from Members of the Committee? I do not see any. Thank you for coming today offering your testimony. Thank you for being here. Up next we will hear from Al Lucas followed by Stephanie Roberge. Is Al Lucas here? Al Lucas? Stephanie Roberge and then Cindy Prizio. Is Stephanie Roberge here?

STEPHANIE ROBERGE: Yes.

SENATOR WINFIELD (10TH): Hi, Stephanie.

STEPHANIE ROBERGE: Okay. Thank you. I'm Stephanie Roberge and I am the President of the Connecticut Trial Lawyers Association. Thank you all for the opportunity to speak to this Bill which is an important piece of legislation that is long overdue. The CTLA strongly supports the proposed Bill.

Section 41 of the Bill which provides for civil liability for the deprivation of civil rights and importantly elimination of qualified immunity is a necessary component of the Bill that should not and cannot be removed from this legislation. And as the name states, this is an ACT CONCERNING POLICE ACCOUNTABILITY. True accountability requires consequences. And Section 41 provides for those consequences. It is the teeth behind the other important elements of this Bill. How can our citizens of color be assured that the polices and elements of this Bill will be followed. And if they're not Connecticut does not have a civil rights statute that would provide for a remedy. Rather immunity sends the wrong message. It protects an officer who has violated a victim's right by giving the officer a free pass. It sends a message that police are above the law. Section 41 of the Bill eliminates that and requires police officers to uphold the law. Our civil justice systems demonstrated that establishing consequences for wrongful behavior, provides a powerful incentive to encourage appropriate conduct. One of the main oppositions to this Bill appears to be addressed to this very section. Now I respectfully suggest that that is because it will have the greatest impact on accountability and the fear of lawsuits is being unfairly advanced in an all or nothing manner and as a reason to oppose this section of the legislation.

But lawsuits pursued under this Section are based abuse of conduct that the private citizens, particularly citizens of color of their civil rights. Victims will only be compensated if a jury determines that their rights have in fact been violated and only after a full and fair opportunity

afforded law enforcement to defend their actions. We should have faith in our Civil Jury System. We are a country of law and rely on our law enforcement. Police no doubt serve an important and necessary function but because of the nature of law enforcement police and police departments have an awesome power, the power to arrest, to use force and to even take life. That power should not go unchecked by our citizens and our communities and what most people fail to understand is that qualified immunity has eliminated the rights of our citizens to check that power because it prevents consideration by our jury. The jury systems serves as the voice of the people, the conscience of the community. Qualified immunity has removed the voice of the people from the equation. That power has gone unchecked and without Section 41 of the Bill, that power will continue to go unchecked. I therefore ask that you pass this Bill with Section 41 in it which is a necessary step towards real accountability.

SENATOR WINFIELD (10TH): Thank you. And I see that Representative O'Dea has a comment or a question.

REP. O'DEA (125TH): Thank you, Mr. Chairman and thank you very much for your testimony. Just to clarify though, now, I mean as someone who defended 1983 actions for 10-15 years, there are cases that get to a jury as it is even with qualified immunity. Correct?

STEPHANIE ROBERGE: Well, essentially no, not here in Connecticut. That is not fair. Under the qualified immunity in its present form what needs to be shown is the that in the essence, even if there is a right's violation in order for it to be, to

pass and avoid qualified immunity you have to establish that in the jurisdiction where this occurred that a precise conduct has already been adjudicated in that jurisdiction as to be subject to a right's violation. That effectively makes it impossible or virtually impossible to bring cases for civil rights violations. And what this current section of the Bill does is it, it's based upon our State Constitution so it provides the citizens of the State of Connecticut an opportunity when their civil rights have been deprived by police officers and by law enforcement to have that adjudicated before a jury. We do not have that right currently and those cases are not brought and those, those violations, those instances, the instances of misconduct are not evaluated and the importance here is that most of these cases when they are attempted to be brough they never make it to a jury. They don't even get that far. They are either dismissed or decisions made on summary judgement based upon the status of the law and that is the flaw here. We heard about a lot of discussion in earlier testimony about the Constitution rights of due process afforded police officers and they should be afforded. Police officers should have due process if they are being reviewed. But what about the Constitution rights of the citizens of Connecticut especially and particularly the citizens of color. Currently those Constitution rights are not being evaluated because they never make it through the courthouse door, they never make it to a jury because they are not given an opportunity to be reviewed. So what this Bill does, and this section of the Bill, what section of the Bill does, it will not open the floodgates for frivolous lawsuits. There are many safeguards and those of us who

practice law know that frivolous lawsuits are a vast minority in cases that are tried in this State and in the instances when frivolous lawsuits are filed there are safeguards in our judicial system to protect against that but what immunity does, is it is dangerous because we risk not having these things heard by the public and that is what qualified immunity needs to be overturned in this State. And that's why Section 41 of this Bill needs to be a part of this Bill because without it there are not teeth behind all of the good things that you are trying to accomplish with this Bill without accountability. Without an opportunity for review the citizens of the State, particularly citizens of color are left without a remedy.

REP. O'DEA (125TH): So I will just tell you, respectfully, you're wrong because I've actually tried numerous cases to juries on 1983 so I don't know what 1983 cases you've litigated but I've litigated hundreds of 'em and I've tried five to ten of 'em to juries. So I don't know, so there are people who are getting their cases adjudicated by juries. I represented the State Police in hundreds of cases and I represented municipal police throughout the State in hundreds of cases. So I don't know what you're talking about but I'm telling you right now, I litigated those to juries.

STEPHANIE ROBERGE: Well I think you know, Representative as an attorney that these cases are not, in large part not brought. They are many, many, many instances of potential violations of individuals civil rights but they're not brought because lawyers that do this work recognize that is a narrow possibility to overcome the burdens that have been put upon us by qualified immunity and you

keep bringing up the *Harlow Decision* and you should know that as an attorney that the *Harlow Decision* was not about police misconduct, the *Harlow Decision* involved an employment case and discipline of a presidential aide and if Justice Marshall were here to look at what has happened to qualified immunity based on that case, he would not support it and I think that you are aware of that too. So those types of questions are unfair. If we are going to have a real and fair conversation about what qualified immunity is, it's impact and what governmental immunity is then we have to fully explain the fact and have the fair questions posed. And you know, and you know, that governmental immunity in this State has rendered it nearly impossible to hold police accountable. For example even under municipal liability law, putting aside Constitution violations of civil rights but under municipal liability it has become nearly impossible to pursue a claim for these types of actions and I remember talking about police, there is recently a case where a young, 15-year-old, on a dirt bike with his friends riding through New Haven was injured because the police officer took the cruiser and drove it into the path of the 15-year-old riding their dirt bike. Now, question of whether that was excessive force and rendered that child, that 15-year-old who was thrown from that dirt bike and suffered traumatic brain injury never made it to the jury because under our current system in Connecticut that was subject to governmental immunity and because we don't have civil rights statue to provide for liability to those type of things, civil rights, there was never a determination by the jury and never could that be made as to whether the office drove their automobile in front of a 15-year-old on

a dirt bike can be considered excessive force and a violation of that teenager's civil rights. So what is important here is to understand that this is not going to open the flood gates what this does is allows to those situations, those situations that are egregious, that those situations be allowed to be reviewed and this will have not only an effect of promoting appropriate conduct by our police officers but it will also promote police departments to ensuring appropriate conduct, appropriate measures and ensuring that all of the things that are going into this Bill, things that came before this Bill and things that come after this Bill are in fact being implemented and if they're not, there will be consequences for them. Consequences will relate to action.

REP. O'DEA (125TH): So all I will tell you is that, you know, John Williams, who is a friend of mine, Norm Pattis they've all litigated thousands and thousands of excessive force and police misconduct cases for decades and so they would disagree with your statement that they don't go to a jury, cause they do and I've tried them to a jury, so I don't know what experience you have but, I will tell you we would be the only State besides now Colorado that would eliminate qualified immunity for government officials who knowingly or who not knowingly violate somebody's Constitution rights mistakenly, so anyway, Thank you, Mr. Chairman. I disagree vehemently with the characterizations that we don't have an ability to address policemen's conduct in the State of Connecticut cause we do. I have been, I've litigated them and so has John Williams, Elliot Spector and dozens of other lawyers throughout the

State of Connecticut. So thank you very much, Mr. Chairman.

STEPHANIE ROBERGE: If I may?

SENATOR WINFIELD (10TH): So we're not going to keep going back and forth. I get it. We're not gonna keep going back and forth. And I appreciate trying to clarify but there is a question or a comment from Christine Carpino.

CHRISTINE CARPINO: Thank you, Mr. Chairman, I have a question on a slightly different topic. I just want to clarify something I think you said earlier, I thought you indicated earlier in your three minutes that funds would only be paid out after an officer was tried by a peer, by a jury of his peers but if that is what you said, isn't it true that if a qualified immunity were waived wouldn't the simple increase of the causes of action be included and the increase in the number of lawsuits be filed drive up the cost no different than any other cause of action, the cost of defense and the fear of unknown is gonna cause towns and officers paying out to settle simply because they don't know what the unknow is going to bring. So the fact that costs are being paid to settle is still going to cost the individual, there is still as cost associated so the statement that funds will only change hands if an officer is tried by a jury of his peers, either I misheard you or perhaps I disagree with your representation.

STEPHANIE ROBERGE: Right. There's always costs associated with any type of litigation but to claim or to believe that this is going to somehow mean that every activity, for every action of the police is gonna prompt litigation this is what needs to be

proven in order to bring these cases. And so they're not going to be brought for instance of appropriate conduct. These are for cases of misconduct and the claim is that a jury will determine whether that conduct is appropriate. Whether the force was reasonable or not, whether force was excessive and that's built into our jury system and what was built into the law is that you have a Constitution right or a civil right to unreasonable, to unreasonable searches and seizures so a jury determines whether the activity is reasonable or excessive force. So a jury would determine if it's excessive and evaluate it pursue a case. These are the types of elements and evaluations that are undertaken all the time. But to believe that it's gonna open the floodgates and somehow place municipalities at fiscal difficulty this is the point because what will ultimately happen is that these cases will not be brought because it acts as a check on the way that police conduct themselves and the way that police departments conduct their supervision. So to claim that somehow this is going to result in a myriad of lawsuits and insurmountable costs I think is unfair and really when you look at the entire picture and look at our judicial system that it would do actually the opposite.

REP. CARPINO (32ND): I'm not going to dispute, and I know we're trying to keep a very quick timeline, but I didn't say it would open the floodgates, I'm just trying to make it very clear for anyone who is listening that the cost associated with these come into play long before a just renders a verdict and the individual who determines whether there is merit to a case and whether there is a dollar associated

with settling a claim, often comes into play long before there is a jury. As I to have had plenty of experience with juries and our judicial system here in Connecticut I think we're gonna have to agree to disagree as to what will happen but we can take that offline if this Bill proceeds. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Okay, thank you and Senator Kissel do you have a comment or a question?

SENATOR KISSEL (7TH): Yeah, can you guys here me?

SENATOR WINFIELD (10TH): Yes.

SENATOR KISSEL (7TH): All right, Attorney Roberge it's great to see you. Just want to let you back in the, oh man [Laughs]in the olden days when I first started law school in 1981, I was lucky enough to be one of two people that won the ATLA Competitions so I understand what it's like to march up the ladder as a potential litigator, competed in Philadelphia, one Best Brief in Northeast America and Wilmington, Delaware the following year. You are an outstanding advocate for your side but I just want to let you know this Bill is a moving target and the Co-Chairs and the Ranking, we've all agreed, I'm sort of limited to two hours but it may be three hours on Monday morning to circle back after this Public Hearing and digest all this public testimonies. So I hear where you're coming from and you're a fantastic advocate and I understand why you're the head of the CTLA and we've had many, many discussions regarding this Bill and other issues and I just want to say thank you for your advocacy but this Bill isn't finished yet and that's all I wanted to say. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel and are there other comments or questions from Members of the Committee? I don't see any. Saying that, seeing no other questions or comments, thank you very much for joining us today and providing us with your expertise. We are gonna, next we will hear from Cindy Prizio and then we skipped an individual who exceed his time so after Cindy we will hear from Shelton Tepert he is on and then we will hear from, it looks Shaenna Taylor. So, Cindy Prizio. Are you on Cindy?

CINDY PRIZIO: There I am, forgot to unmute. Good Afternoon, my name is Cindy Prizio. I represent One Standard of Justice. About seven years ago, eight years ago my son became justice involved and I'm here to say all the systems are broken and racist. I want to just comment on a gripping statistic that came out this week and I don't know where, it was on a radio show, I'm not sure if it was NPR but the largest rise of violent offense is the age groups of 12 to 16, 60 percent per year. That alone should make us pause and take what this Bill is doing very seriously. I support the Bill, the organization supports the Bill with some changes.

We want to make sure the acid test is there that the Bill meets transparency and accountability with teeth, accountability that sticks. I'm kind of tired of, in my years being around the Yellow Bee and the State the only people that we expect to have accountability are the people who are arrested and convicted as, you know, with the misdemeanor or a felony. Because I do believe police officers and corrections officers in some cases believe they are above the law and it is not one standard of justice. I, let's see, we believe in eliminating. We believe

in eliminating it, it hasn't even come up today, the chokehold. We feel that we should join New York and Illinois and other states that actually eliminate its use entirely. We'd like to see eliminated all qualified immunity and what's really critical to us is that it, the Bill, not only include peace officers but it include Department of Corrections staff. They are the most, the people inside our jails and prisons are the most vulnerable. They are beholden, they've not nothing, and they've not no oversight so when you have a grievance inside prison you're being evaluated or looked at by the people you have the grievance against. And I have to tell you the amount of physical and emotional abuse brought on by even if you have one bad apple and the one bad apple gets a mini-me, or two or three or such a bad apple that the whistleblower, the people are scared to go up against him. And so my experience is that a bad apple showed up for a parole hearing and said to the person who was getting looked at, "I knew you were getting denied, I just came in to see you suffer." Now that may not be illegal but what's that say about that persons humanity and this person has a track record in court and certainly amongst my people of abusing them physically and mentally. So I am here to say that I'm pleading with you to include corrections people.

SENATOR WINFIELD (10TH): You're at your time, please summarize.

CINDY PRIZIO: Okay, 30 seconds, right Gary? So part of the problem is that when you have a problem like this there is an arrogance and there is a protection, they protect each other so you can go to the Commissioner and I've been to several in the past five to seven years and your requests are

denied even though you do some research and you find out there is class action suits against the people. So when I say transparency.

SENATOR WINFIELD (10TH): Wrap up now.

CINDY PRIZIO: Okay, the last thing I'm gonna say, cause everybody knows one of my bees in the bonnet is restorative and transformative practices and today on the call I heard some defensiveness.

SENATOR WINFIELD (10TH): Cindy, close, please.

CINDY PRIZIO: Oh, I thought I was wrapping up. Okay.

SENATOR WINFIELD (10TH): You were wrapping up 45 seconds ago.

CINDY PRIZIO: I'm done. Please ready my testimony.

SENATOR WINFIELD (10TH): Yes, comments or questions from Members of the Committee? There are no comments or questions, thank you for joining us again, Cindy. Appreciate your advocacy. So is Shelton Tucker on? In the place of Robert Goodrich. Go ahead. I see the hand. Is Robert Goodrich, can we get him on? One second. All right, what we're going to do is see if we can get Robert Goodrich to activate and we will go to Shaenna Taylor.

SHELTON TUCKER: I had it on mute myself.

SENATOR WINFIELD (10TH): Okay, you're on.

SHELTON TUCKER: Yeah, we can hear you.

SHELTON TUCKER: Okay, I'm just clarifying again that Mr. Robert Goodrich yielded his time to me. I'm Sheldon Tucker, New Haven resident, I'm speaking as a resident. I was born and raised in New Haven.

I wholeheartedly support this police accountability Bill. I actually think that it is way long overdue and me personally I think more should be done.

I'm old enough to remember the era of the rapper scandal in LA and being from New Haven, and I also remember the era of the police squad that, actually it was a gang, on New Haven that was called the BDP, the Beatdown Posse where police would pull up and jump out on corners and beat down anybody that just couldn't get away. I remember the Billy Whites who actually ran a gang of rogue police through New Haven and terrorized New Haven for 15, over 15 years before he was caught in an FBI scandal. So I believe that police accountability is long overdue.

I hear different people saying that this Bill is rushed. I don't believe it is rushed at all. I believe that something like should have come at least a decade ago. We've been sitting down talking about and discussing police brutality for a longtime as if it's something new. We were shocked by police brutality when we say the beating of Rodney King in '92. I think it's time that we stop talking and apply something will give police a reason to do their job the way they're supposed to. We need something that is a deterrent. Right now with the way the laws are put in place right now, the backdoor is just open too wide. The backdoor, the same backdoor that rogue police can slip through, that a police office can slip through that's rogue, a police office that made a mistake could slip through that backdoor. It just the margin is just too wide, too easy for officers to shirk the duties and conduct themselves anyway that they want to on the street. And we see, from what's going on that this freedom that they've had is actually given

birth to this culture of police feeling that they don't have to be accountable when they go into our streets. So this is something that, actually is great for not only this State but for this country because the cultural policing for the future has to be changed. The way we've gotten to, where we are now, because of the court systems that absolve these police of any guilt regardless of the preliminaries of the case, regardless of what we see on the police cameras, the margin of escape is just too wide. And so I think that something like this needs to actually be strengthened in my opinion but I definitely wholeheartedly support this Bill.

SENATOR WINFIELD (10TH): Thank you, Shelton. Can you do me a favor, can you state and spell your name?

SHELTON TUCKER: Yes, capital S-H-E-L-T-O-N last name T-U-C-K-E-R.

SENATOR WINFIELD (10TH): Thank you. And Representative Walker has a comment or a question for you. Representative Walker.

SHELTON TUCKER: I'm listening.

REP. WALKER (93RD): Okay thank you, so I'm sorry, for your testimony. I'm sure you've been listening to some of the testimonies that we've had and several people have testified in a variety of different ways but one interestingly they feel that the, by some of the police accountability laws that we're trying to change would end up causing the police their inability to do their job. What do you feel about that?

SHELTON TUCKER: I understand the concerns of some police officers doing their job but I think it

should be understood that policing is a very serious job and they shouldn't fear that people are going to abuse the law because they have protections in place even without, they have current protections in place now that protect them from things such as frivolous lawsuits. I'm just concerned about the expectation of these things. The officers that aren't so concerned about the law handcuffing them so to speak. I'm concerned about that because it seems like there is an expectation of being a case where they have to shoot someone or have to assault someone. I'm kind of concerned about that, so.

REP. WALKER (93RD): Thank you and I hear you. Basically we need to have a little bit more restraint about options as opposed to going to deadly force.

SHELTON TUCKER: Yes, ma'am.

REP. WALKER (93RD): Thank you. Thank you for your testimony.

SHELTON TUCKER: Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative Walker. Representative Porter has a comment or a question.

REP. PORTER (94TH): (93RD): Thank you, Mr. Chair. And thank you, Shelton good to see you today. I wanted to ask you a question cause there has been some conversation around this Bill being passed and how it will, the impact it will have on the hiring of police. Can you just tell me how you feel about that and do you think that is going to be a deterrent if this Bill goes through or do you think it would encourage people, specifically people from

the community to at least think about policing in their community?

SHELTON TUCKER: Actually I think that police that go to work every day and are determined to do their job under the law and to protect citizens they really shouldn't have anything to be concerned about with this Bill. I think that it may affect hiring in a way that people that know that they're not up for the job may be concerned with takin the job but I think that people who are doing, you know, the good cops, I don't think that they would be concerned about this being in place at all because I mean this is a very dangerous job. I mean it takes a very responsible individual to be an officer. And they should be held to a very high standard when they have laws that allow them to use deadly force against unarmed citizens, I think they should be held to very high standards.

REP. PORTER (94TH): Thank you for that response Shelton and I appreciate it. And I do agree with how much is given, how much is required and they should absolutely be held to a higher standard and I also believe that the penalties should be enhanced. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Representative Porter. I do not see any other comments or questions. Shelton, thank you for joining us today.

SHELTON TUCKER: Thank you for having me.

SENATOR WINFIELD (10TH): Next we have again, I think it may be Shaenna Taylor followed by Rhonda Caldwell and Erik Kuranko. Is Shenna here? Rhonda Caldwell? Oh, there you are Rhonda.

RHONDA CALDWELL: Hello, how are you.

SENATOR WINFIELD (10TH): Yes, I'm good.

RHONDA CALDWELL: Right. My name is Rhonda Caldwell and I lead the movement for Police Accountability here in Hamden, we are also known as Hamden Action Now. I am also a member of the Hamden Democratic Town Committee and I am the Eight District Chair. Hamden Action Now is in support of this Act for Police Accountability here in Connecticut. And I want to start my comments by thanking Co-Chairman Gary Winfield and members of the Judiciary Committee and with a special thank you also to Representative Porter for your dedication and passion for this very important life-saving legislation that will be presented during Connecticut's Special Legislative Session.

So I want to say this with all due respect. While I've listened to the testimony surrounding policy and budgeting concerns and police being abandoned and absence of law enforcement due process rights in this Bill today, I want you to ask yourselves about the due process rights of our Connecticut victims who have died. Here is the black and brown experience in Connecticut policing, Paul Witherspoon and Stephanie Washington were shot on 13 times by Hamden Police Officer Devon Eaton on April 2019. Twenty-two years earlier Malique Jones was 21 years old in 1997, April he was killed. Anthony Chulo Vega was 18 years old in 2019 in April, four days after the Stephanie and Paul shooting, he was killed, okay. Jason Agrone in May 2017 at 15 years old, he was killed. And sadly Mubarak Soulemane 19 years old who was suffering from mental health conditions was also killed by a Connecticut State Trooper, January 15, 2020 all of which black and brown Connecticut citizens whose cases were decided

they were guilty excluding Stephanie and Paul the other folks I just mentioned received their death penalty and I would like the Judicial Committee to ask their families about their due process rights. These are just a few of the names of those that have been victimized at the hands of the violent, violence by Connecticut law enforcement. There are so many more cases I could also mentioned including the lethal high speed chase that ended in the violent and horrific death of Jerel Gibbs in August 2018.

While it is good to see that this legislation is finally being considered at this time, what is most disappointing is that it took Connecticut to witness the horrific murder of George Floyd at the hands of Minneapolis cop Derick Shovan to get to this day and that's a shame as many of the lawmakers involved in this Bill today were elected in office for decades and while watching case after case here in Connecticut of police brutality have been reported on the statewide media outlets as well as by protests and rally we are thankfully here today.

SENATOR WINFIELD (10TH): Rhonda if you could summarize the rest of your testimony.

RHONDA CALDWELL: I'm almost done. So I know you're probably asking yourself why would I bring up this past history of minimal action into Connecticut police violence it is because this fair and just legislation is just beginning. It's first of some legitimate attempt to address the police violence in Connecticut and make law enforcement accountable for their lethal choices. We will need a constant review of these laws because simple fact of police violence against Connecticut black and brown

communities is firm and grounded in white supremacy. I respectfully disagree with the attorney earlier, Attorney McEleney, I think his name was, we have been socialized as a country and racist ideals.

SENATOR WINFIELD (10TH): Rhonda.

RHONDA CALDWELL: This Bill is just the beginning and we have to take into consideration one big problem with it, the huge legal pushback that municipalities will be facing by the Connecticut police unions and their legal challenges.

SENATOR WINFIELD (10TH): Thank you.

RHONDA CALDWELL: Very expensive challenge for all municipalities.

SENATOR WINFIELD (10TH): Rhonda, please. Thank you. Are there comments or questions for Rhonda Caldwell? Representative Porter.

REP. PORTER (94TH): Thank you, Mr. Chair and thank you, Rhonda. Always good to see you. Very encouraged by the way you continue to advocate for the most vulnerable in our State. I know that you were wrapping up so was there anything else that you were trying to say as it relates to the validity and the need for this Bill?

RHONDA CALDWELL: I just wanted to mention again that this Bill is a wonderful start but we have to take into consideration we've already heard a lot of testimony from presidents from police unions around the State and that they will we do know, Hamden is specifically terribly financially challenged. They do not have the funds to fight these challenges in court so often times they will have to submit to whatever the police unions actually are challenging

which will negate this, the effectiveness of this Bill and the laws. So we have to consider that, that will be a future concern that the towns who do want to exercise some of these legality in this Bill will be faced with challenges from the police union.

REP. PORTER (94TH): Thank you for that, Rhonda and thank you for bringing that point up because, [clears throat], excuse me, there's been a lot of mention about the cost and what this is gonna cost municipalities and I want to put on the record what it's already costing municipalities and we are paying out millions in this State for police misconduct cases as you stated that are being settled. So I'll leave it there and thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Rep Porter. Are there comments or questions? If not Rhonda, thank you for testifying today and thank you for the work that you're doing. Is Erik Kuranko on? Erik will be followed by George Bryce who will be followed by Deborah Caviness and then John Zorn. Is Erik on? George Bryce, I see the hand for George Bryce. Can you speak, George? George will be followed by Deborah Caviness. Deborah will be followed by John Zor. John would be followed by Sana Shah. Sana Shah is followed by Rob Davis and Rob Davis is followed by Jim Lawlor. I can hear George. Can you speak?

GEORGE BRYCE: Yes, I'm here, sir.

SENATOR WINFIELD (10TH): Yeah, you have three minutes.

GEORGE BRYCE: Thank you, sir. The Bethel Police Union stands in strong opposition of this draft

Bill. This Bill seeks not only to limit a police officer's ability to do their job safely but it also seeks to penalize police officers who you expect to enforce the laws that you pass while never addressing the conduct of the offenders that necessitate the use of force to begin with. Use of force by police officers generally is the direct result of one of two realities. The officers protecting themselves of someone else from harm, or the officer is using for to effectuate a lawful arrest or command on a criminal offender who fails to comply with those lawful orders.

Every video or instance that can be pointed to in support of this Bill will undoubtedly start with an office asking someone to exit their vehicle, place their hands behind their back or to not resist an arrest. Some of these provisions are disasters that run counter to existing caselaw such as *Graham v Conor*. The idea that using deadly force will be judged after the fact on whether or not the person had a weapon rather than it was reasonable to believe they had a weapon would mean that the use of force could be found to be unreasonable based solely on the fact that the gun pointed at an officer was a BB gun even if the office did not and could not have known that. The idea of stripping immunity is another lesson in lawmakers and uninformed or deliberately obtuse interest groups attempting to further an ideology and not actually working to make policing more effective and safer for both officers and the community. Currently the Supreme Court has set a high bar for officers to be found liable but that does not mean that victims of poor policing go without compensation. In fact as everyone should know it means that officers cannot be personally

bankrupted by lawsuits that stem from decisions, and I quote, "Made in stressful and rapidly evolving situations." Officers are currently asked to make decisions and react in the field without the benefit of time or reference.

What is truly offensive is almost no one has had enough more courage to stand up and remind the public that a lawful order from a police officer is to be followed and that the time and place to fight that is in the courts not in the streets. Supporters of this Bill are kowtowing to a mob mentality and giving support to the idea that people can just fight back when they disagree. These actions put officers in danger as well as members of the public. Further the courts did not prosecute charges of interfering when a suspect fails to follow orders or assault on police officers when we are assaulted. Many times these charges are the first to be dropped or substituted. If this Bill is to be enacted into law where is the counterbalance. Will this Legislature increase the penalty for resisting arrest, assault on a police officer or escape from custody? If you're going to limit our ability to protect the innocent people from the offenders you are seeking to protect through this Bill will you protect the innocent by enacting a Castle Doctrine or Stand Your Ground Law so they can protect themselves while this Bill ties up our hands? If we in Connecticut want to see a rapid rise in crime and violence we can certainly mirror the mistakes lawmakers have made in places like New York and elsewhere. We have an opportunity to do better, to inform the public on proper police procedure and explain why the caselaw is the way that it is.

SENATOR WINFIELD (10TH): Mr. Bryce, summarize.

GEORGE BRYCE: Sure. I'd like to point out that there are roughly 375 million police citizen actions, interactions per year. The number of tragic interactions is amazingly low and it has led to the lowest crime rates in modern area. The truth is that situations like George Floyd's not a symptom of broken system, it is a tragedy. But it is a tragedy that it is so rare that it accounts for 0.000027 percent of what police do in a year. And you have to have courage.

SENATOR WINFIELD (10TH): So thank you for your testimony. Mr. Bryce. Thank you for your testimony. We will go to questions or comments. I see that Representative Palm has a question or a comment.

REP. PALM (36TH): Yes, thank you, Mr. Chair. My question to the gentleman testifying is if it's true that these incident happen because police officers lives are in danger, how do you account for the increasing evidence that, video evidence of people who are not resisting arrest who are in fact lying in prone position completely helpless who are being killed by police officers?

GEORGE BRYCE: Are you speaking specifically to the event of George Floyd?

REP. PALM (36TH): And others like him, yes. There is many.

GEORGE BRYCE: I would submit to you that the George Floyd incident is complete egregious and there is in no way, shape or form any way to justify that. There is none. And that's not what we're speaking to. We're speaking to the fact that this is a Bill

that looks to second guess and hold officers accountable and it creates a situation where it actually creates a risk to public safety because instead of officers acting to protect the innocent people they are now going to be worried about what the ramifications are. Again if you're talking about an instance of a, you know, George Floyd situation, there is no justification for that happened after Mr. Floyd as put into handcuffs. There just is none. And I don't think that any police office anywhere in the country has taken a position contrary.

REP. PALM (36TH): Well I would submit that those are more common, I mean, than we want to acknowledge and that even one death by that kind of overreach is inexcusable. So you're use of the word mob mentality would indicate that you feel a lot more over reactions on the part of the public which I respectfully disagree and I would also what you think of the National Police Misconduct Reporting Project which studied over 3,000 cases and concluded that fewer than half of police are convicted or serve time for criminal misconduct compared to about 70 percent of the public, it is about 35 percent for the police. So again if we do such a good job as a society holding so called rogue police accountable why do only half of them ever get brought to justice? Thank you.

GEORGE BRYCE: I wouldn't be able to answer that question cause I haven't read that study, so I'd have to look at the details of that study to be able to give you an informed answer on that.

REP. PALM (36TH): Okay.

SENATOR WINFIELD (10TH): Thank you. Thank you, Representative Palm. I thought I saw someone else, oh yeah I did. Senator McCrory.

SENATOR MC CRORY (2ND): Yes, can you hear me?

GEORGE BRYCE: I can hear you, sir.

SENATOR MC CRORY (2ND): Real quick, I got a 30,000 foot view question, specific question that I want your opinion. Social media I watched the video of a 10-year-old young black male, young boy, he was playing basketball in his driveway clearly and a police officer in his car drove by his house and when he saw the car, he hid behind his parent's vehicle. Doing nothing, by himself, why would you, what, why would, what do you think or why would you think a young man who is doing nothing in his driveway but playing basketball by himself, why would you think he was had to hide behind a vehicle if he was doing nothing when he see a police officer's car drive by?

GEORGE BRYCE: I have no idea. I mean.

SENATOR MC CRORY (2ND): You have no idea, if you have, if you have no idea. I will accept that answer because that is an answer. You have no idea.

GEORGE BRYCE: I guess, let me clarify what your question is.

SENATOR MC CRORY (2ND): My next question.

GEORGE BRYCE: Your questions, why did the child.

SENATOR MC CRORY (2ND): Excuse me.

SENATOR WINFIELD (10TH): Wait, wait. Wait, wait, wait. Let's not talk. Everybody stop. We're not gonna talk over each other. Senator finish your

point and then Mr. Bryce if there is a question there, respond.

SENATOR MC CRORY (2ND): I'm done with that question. I want to go to my next question. I do not need a response to that question, I was satisfied with the response I have. My second question is are you, are you aware of or do you know of, if the Fraternal Order of the Police made a statement in regards to the George Floyd assassination? Do you know if they made a statement about that? I can't. Did he hear my question?

SENATOR WINFIELD (10TH): I don't know. Mr. Bryce?

GEORGE BRYCE: I did, I'm sorry you had me muted so I couldn't answer.

SENATOR WINFIELD (10TH): Go ahead.

GEORGE BRYCE: I do believe that the FOP offered a statement, I don't have the statement in front of me so I couldn't speak specifically to what the statement said.

SENATOR MC CRORY (2ND): Okay, great because I couldn't find a statement denouncing that assassination. Thank you, Commissioner appreciate it.

SENATOR WINFIELD (10TH): All right, so I think Representative O'Dea you have a question or a comment?

REP. O'DEA (125TH): Just a quick question. Thank you, Mr. Chairman. Mr. Bryce, thank you for your testimony. Do you know the name Tony Timpa?

GEORGE BRYCE: Not off the top of my head, sir.

REP. O'DEA (125TH): So he was a 32-year-old man, unarmed, handcuffed by two, handcuffed and he actually was held down by the Dallas Police for 12 minutes and he died similar to George Floyd and I would submit to you that he was murdered as well and now obviously you're not here defending the actions of the Dallas PD or the police in Minneapolis for their improper use and murder in handling of the people in their custody, correct?

GEORGE BRYCE: Correct, absolutely. Those were egregious actions. There is no question about that.

REP. O'DEA (125TH): I guess my question to you, you'd be amenable to portions of this Bill that try to weed out the officers who commit such heinous acts and as I understand it you don't object to a lot of the portions of this Bill that try to address that, correct?

GEORGE BRYCE: I -- I object to a broad sword approach. I think that this is the type, particularly when you're looking at the complexities of police work, the complexities of having to make decisions on the fly, being faced with, you know, trying to protect your own life or the life of fellow officers or a member of the public that these types of things require a scalpel when we're getting into use of force, and -- and we also have to look at what created the use of force to begin with. Now, when you're talking about situations like George Floyd of the gentleman that you mentioned in Dallas, that application of force at that point is no -- is no longer valid. You can't justify it, and I don't think, again, you'd find any police officer that's gonna sit there and go, oh, that was okay. It's not. It's not okay.

REP. O'DEA (125TH): Yeah, the gentleman's name was Tony Timpa. He was a -- a 32-year-old man in Dallas, and -- and you know, we got to figure out ways to prevent those kind of deaths from happening again in the future, and I think -- I think working with POST we can -- we can do better, but -- and I've got some ideas, and hopefully, Mr. Chairman, co-chairman I can -- we can work together on addressing them, and I appreciate your testimony, sir, and thank you. Chairman.

GEORGE BRYCE: Sir, if I -- if I may to our point there?

SENATOR WINFIELD (10TH): Go ahead.

GEORGE BRYCE: May I just respond to that quickly?

SENATOR WINFIELD (10TH): Go ahead.

GEORGE BRYCE: I -- I agree with you on that -- on the issue of getting stuff done through POST, and I think part of what would be very helpful is to take experts in the field, experts in use of force, experts in various you know martial arts that have proven themselves to be beneficial like Jiu-Jitsu, and having that type of training and having those experts come in and actually inform us. I think that would be an excellent thing.

REP. O'DEA (125TH): And, I did do some training education on legal use of force at the academy, and would be happy to talk more about it with POST. Thank you.

GEORGE BRYCE: Thank you.

SENATOR WINFIELD (10TH): Thank you both. I -- I would just -- one second to see if there's any questions or comments. I -- I would just say that

we -- we should be careful about what it is where it's saying and whether it's as accurate as we feel it is that there is often a notion, particularly when I've done police accountability that we are going to make communities less safe than they currently are, but I think we have to take into account that many of the communities that we're talking about, if you ask the people within the community to tell you that part of their issue is the notion of safety when they interact with the police, and that has to be taken into account in a -- in a real way. I don't -- I don't think you can say it's safety because I'm telling you it's safety, and ignore the voice of the very people who are supposed to be receiving what it is you're -- the services that we're talking about, and I think -- I think that is often lost in these conversations, but I appreciate the -- the testimony that you had, Mr. Bryce.

GEORGE BRYCE: Sir. If I -- if I may agree with you on that point for a moment. I think that one of the most important points that we missed in all of these discussions is the importance on the dialogue on both ends, and I think a lot of the times, you know, we watch a number of videos on police interaction. We train our officers regularly. We actually have a thing in our agency where we do rollcall trainings at every rollcall, and we go over different scenarios that have happened, we watch a lot of different videos, and -- and it's why I brought up in the beginning of my testimony part of that is also an education aspect for the people in the communities that have that fear or -- or issue going on because many a times the issue is that there's a belief that out on the side of the road is

somewhere is the fight to have that argument, and that's what creates that -- that rise, if you will, in the escalation of the situation, and you know as well as I do that if -- if any of us just comply with lawful orders, there -- there's never then a justifiable use of force ever. You can never get to the point of justifying the use of force if someone's complying consistently.

SENATOR WINFIELD (10TH): Thank you for that, Mr. Bryce, and I will just end with this. Not all of the orders that are -- that we're talking about are lawful, and I recognize that many people say you can argue that later, but I -- I think that what I witnessed, a police officer took the lead that simply because they give an order it's a lawful order, and we think that's a conversation to have -- to have as well, but I will say this. I grew up in the Southeast Bronx, and -- and a lot of the focus is on whether or not people comply with the order, whether or not the -- the individual will do something to escalate the situation. When I grew up what I knew was not to engage with police officers, and the reason I knew that was because it didn't matter that I was doing something right or wrong, it mattered that I wore black skin. I traveled to the Bronx, to Manhattan to go to school when I first started high school, and when I was in the train station, they ordered us to stay away from the police because you are in the wrong, and that has nothing to do with anything that I did, and those are the parts of this conversation that aren't I don't think crystal clear to everybody who hasn't had that experience, so when I -- when I talk about understanding what the community means when they say that they are not safe, I'm talking about those kind

of things. I'm talking about when members of the community walk out of their house and see a police officer and should feel relieved but feel levels of stress because of the interactions they actually had, not because of what they've watched on tv, but again, I thank you today for coming to share your testimony, and I hope that you have a very good evening.

GEORGE BRYCE: Thank you, Chairman.

SENATOR WINFIELD (10TH): Thank you. We are going to switch back to Representative Stafstrom, and if Deborah Caviness is here, you are up next. If not, it will be John Zor, followed by Sana Shah, Rob Davis, and then Jenn Lawlor.

REP. STAFSTROM (129TH): Deborah Cav -- Caviness. John Zor. Sana Shah. Go ahead.

SANA SHAH: Dear Senator Winfield, Representative Stafstrom, and esteemed members of the Judiciary Committee, my name is Sana Shah, and I am the Chief of Staff at Connecticut Voices for Children. In consideration of time, I'll be reading a truncated version of our submitted testimony.

Connecticut Voices for Children urges the Judiciary Committee to pass LCO 3471, AN ACT CONCERNING POLICE ACCOUNTABILITY. Our current institution of policing continues to criminalize poverty and murder black people with near impunity. Connecticut needs to take immediate action to address a state-sanctioned violence and other inequitable policies that have harmed people of color in the country for centuries and employ strategies to redefine public safety. Racial disparity and injustice permeate every aspect of our criminal justice system. Implementing

policies that ensure justice such as increased transparency and accountability, eliminating police immunity and lawsuits, prohibiting military equipment, and other proposals outlined in LCO 3471 are instructive, harm-reduction strategies.

The link between implicit bias and the disparity between police interaction with white people and people of color is well-documented; thus, some form of assessment is critical to evaluate the impact of antibias training. Police union contracts in Connecticut can often hide evidence of police misconduct using collective bargaining process to avoid transparency. Increased transparency is critical to strengthen community trust and to hold police accountable. Race-based false police reports are a waste of taxpayer dollars, and most importantly put the lives of black people engaging in everyday activities at risk. Increasing the penalties associated with these false reports elevates the seriousness, which the state views these actions. Police departments in Connecticut have received nearly 800 military items through the Federal 1033 program in the past three years.

Research indicates that increased militarization through the 1033 program increases violent behavior from local law enforcement, which is why an aim should be to demilitarize police, creating a state-level civil cause of action against police officers who violate rights replicates the Federal law known as Section 1983. Replicating this law provides an important form of recourse for those who experience abuse from the police. Police violence is a public health crisis, but police officers are only one part of the carceral system. Our state faces another public health crisis caused by the Coronavirus,

keeping large numbers of people behind prison walls serves to negate collective efforts to slow the spread of COVID-19; thus, in addition to the passage of LCO 3471, Connecticut should halt detention and incarceration of youth unless they are determined to be an immediate and substantial risk to the safety of others and move to release the youth in state care to families and communities when possible.

Further, we are disappointed that the removal of armed police officers from schools is not included in the proposed legislation despite the negative impact of law enforcement officials have on black and brown children. To ensure the safety of our students, we hope the General Assembly will consider eliminating school resource officers and shifting funds towards improving student mental and behavioral health care. Thank you for your time and consideration.

REP. STAFSTROM (129TH): Thank you. Questions from the committee? Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. Just briefly. Thank you for your testimony. Just a quick question on the military items and equipment. Do you know the process that currently exists in the State of Connecticut in order to obtain one of those?

SANA SHAH: Um, I don’t know the whole process.

REP. REBIMBAS (70TH): Okay. Do you know at any time in the State of Connecticut an example that those were misused?

SANA SHAH: Um, I don’t know if there’s a particular time that it was misused in Connecticut, but I know

overall the research shows that it does increase violent behavior overall.

REP. REBIMBAS (70TH): Okay. And, I was just inquiring specifically regarding Connecticut. Regarding -- I believe you indicated in your testimony -- that you support removing resource offices from schools; is that correct?

SANA SHAH: Yes.

REP. REBIMBAS (70TH): Do you believe that the local body -- the educational system -- local body should not have the ability to make those decisions?

SANA SHAH: I believe that -- so not that I believe. Research shows that -- and we've done research on this, and I can send you that report -- that SROs actually their presence increases school-based arrests and the further criminalization of black and brown students, and so rather than spending the money -- so two to three SROs can cost a district up to $200,0000 dollars a year. It should be invested in counselors and social workers to create restorative practices and trauma-informed practices. There isn't a need for SROs.

REP. REBIMBAS (70TH): So, I'm well aware of the research regarding, and I think based on your -- what you just finished saying, then you don't agree -- you agree with banning, so you don't agree with the local municipalities making those decisions?

SANA SHAH: No.

REP. REBIMBAS (70TH): Have you been into a school where the resource officers exists and that the school walked you through and heard from the school

about the positive of having a school resource officer on -- on campus?

SANA SHAH: So, I actually used to be a teacher, an I've taught in primary urban centers, and I have seen the way that school resource officers have interacted with students, and they -- and I'm not saying that all school resource officers are harmful, but again, statistics show that they are more than they aren't, and my experience with school resource officers while I was teaching is they look at black and brown children like they are inherently violent, and make decisions to do so, and often times when schools are overcrowded and there isn't, again, social workers or counselors or there's just too many students in the classroom, administrators and teachers can often delegate discipline to school resource officers who then interact in a way which is disproportionate to how the student is showing up.

REP. REBIMBAS (70TH): So, you know, that's very concerning, what I'm hearing from you in a sense of what you're alleging that teachers are allocating to school resource officers because there are strict memorandums of understandings, and I guess I'm just gonna go back to my question. Have you walked into a school where a school resource officer exists, that the school has themselves indicated that it's a positive thing? Have you had that experience?

SANA SHAH: From -- from administrators or from teachers?

REP. REBIMBAS (70TH): You yourself. Because of the organization that you represent, have you had the opportunity to go to an actual school system -- a school where they believe that the school resource

officer is a positive? Have you had that opportunity to actually go to that school system, into that school, and have that communication and experience?

SANA SHAH: I have been in a number of schools, particularly in -- in Bridgeport, and I have heard a number of mixed reviews, and again, I'm not saying that every school resource officer if harmful, but again, the statistics show that they overwhelmingly are, and yeah.

REP. REBIMBAS (70TH): And, again, I can ask for statistics regarding Connecticut specifically, but I won't. I appreciate your testimony, and I guess the only concern I have in your testimony it's an outright ban where when you said there is mixed reviews, I would hate to have then those very good positive resource officers and experiences in those towns or school system than to go without that because I think that's certainly community policing one way, that what we're attempting to do is humanize officers, and having children be exposed to them in a most positive way in a safe setting as possible, so as you indicated, there are mixed reviews, and I think we should certainly then be cognizant of the issue of banning certain things, so --

REP. STAFSTROM (129TH): Thank -- thank you both. Thank you both. Senator McCrory.

SENATOR MCCRORY (2ND): Thank you. Sara, thank you for your testimony, and -- and let me give you some facts. First of all, I will say I do not support an outright ban of SROs, but however, let me give you some facts. I worked in a school system as a principal where we had SROs, and I also worked in a

school system where we didn't have SROs. And, I will tell you a fact is for the same behaviors that a child demonstrated in the urban school system where there were SROs, that child was arrested. In the other school district where they had SRO and it wasn't an urban school district, the child wasn't arrested. These are facts. There's data that shows back in 2011-12, and the compared the Hartford school system, the West Hartford school system, and the East Hartford school system, and they -- they showed you data that's clearly obvious the SROs in the urban school system where the children are black and brown the number of arrests were higher than in another school district where the children were not black and brown. Those are facts. That's my life experience, and thank you for your testimony, Sara. Thank you.

REP. STAFSTROM (129TH): Thank you -- thank you, Senator. Before we go on to the next person, I just want to remind folks here we're -- we seem to be going down and debating an issue that's not in the current bill before us. I understand the person testifying raised the issue that she would like to see it included in a final bill, but let's -- let's -- let's be a little cognizant of the clock here. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you. I -- I in listening to what you said, I -- one of the things I want to talk about were the police unions where you said that you had a problem with collective bargaining. Can you just go through that again? Is it your organization believes that you don't believe in collective bargaining?

SANA SHAH: Oh, no. We absolutely do, but we're -- what we're saying is that often times police officers are able to hide evidence, police misconduct, and so what we're asking for is increased trans -- um, transparency.

SENATOR CHAMPAGNE (35TH): Okay. And -- and [crosstalk] -- and how do you know they're hiding this -- this conduct? Do you have reports you can point to, statistics that you can point to that show this overwhelming hiding of this?

SANA SHAH: Yeah, so I can actually send you a report.

SENATOR CHAMPAGNE (35TH): So, you don't know -- you don't know it offhand?

SANA SHAH: I don't know the numbers offhand, but I know the -- the name of the report I can reference you, which is the Fordham Urban Law Journal.

SENATOR CHAMPAGNE (35TH): Law Journal. Okay. And, then the other thing was you talked about the statistics on the -- the SROs. And, where did you get that from?

SANA SHAH: The um -- the -- so our organization actually did that research, and we --

SENATOR CHAMPAGNE (35TH): Your organization.

SANA SHAH: Yeah. So, we actually released that report in 2019, and so I can also send that research over to you.

SENATOR CHAMPAGNE (35TH): Okay. And, they based that research on?

SANA SHAH: It -- yeah, it's based on Connecticut schools, and disaggregating the data, and I know

there was like a series of data walks conducted, and the community as engaged in this, and then we -- we found out that overall SROs had been harmful and from the perspective as 1) a person of color and as 2) as someone who was a previous educator.

SENATOR CHAMPAGNE (35TH): Okay.

SANA SHAH: One -- one bad SRO is --

SENATOR CHAMPAGNE (35TH): Okay.

SANA SHAH: One too many.

SENATOR CHAMPAGNE (35TH): Yeah. I'd be interested in seeing both of those reports if you could send them over to me that'd be great. Thank you.

SANA SHAH: I can do that. Yes.

REP. STAFSTROM (129TH): Thank you both. [Pause]. Thank you both, and thank you for your testimony. Next up will be Rob Davis.

ROBERT DAVIS: Hello. How you doing?

REP. STAFSTROM (129TH): Good. We can hear you, sir.

ROBERT DAVIS: Oh, perfect. Thank you. I appreciate you guys having me here today. Good afternoon everybody that's listening. Listening to this has been very educational for me, very educational, and I just wanted to make sure I said something on it, you know 'cause I see both sides of it being a police officer and also being a minority, so I understand the importance of this bill. I do. I do think there needs to be a little bit more thought into it before it's pushed forward. You know, obviously I see great things in it that come with the body cameras, where we talk about more

training improvement of minority recruitment, short periodic mental health checks for officers I think, and I'm missing definitely some of the positives that are in this bill to move forward. I think it definitely needs to be done. One of my biggest concerns would be to qualify immunity, and I know a lot of times people are misunderstood what that is, so I'm just going to go off of what I think -- and like I said I've been being educated for the last six hours, I've been listening to everybody talk.

One of my biggest concerns would be the topic involved in the removal of qualified immunity. I understand most people believe this is a protection for bad officers, but I disagree for the masses of good officers. To take away qualified immunity is a clear display of not caring or the lack of support for good officers and their safety, as well as the public, and many, not all cases officers can make mistakes while acting under good intentions to save or help or assist somebody. That doesn't warrant them losing everything or inheriting the financial burdens or the debatable -- for debatable accusations or incidents, and I'm not saying all of them, you know, or things don't happen. I'm just saying there are some debatable incidents. The emotional stress, the loss of life, their family's lives, your privacy, and etc. all for attempting to help the public and the community. That can't be fair in suggesting, so would be unrealistic. Such proposal of no qualified immunity leaves the public in a vulnerable spot, in an unacceptable spot, and for me, that's personal because the same city that I'm talking about I grew up in. I grew up in Waterbury, you know, I've been through numerous foster homes, both without my parents, so I

understand the struggle of minorities in the city and everywhere nationwide, so I do understand that, but taking away this qualified immunity leaves that same population very vulnerable that I care for.

Officers -- you know, speaking with officers as a supervisor, you know, I hear the hesitation, you know, and the less confidence the policing, which I don't like. You know, officers lack would have a negative impact on our inner cities and would promote chaos and anarchy in communities that you and I represent and other community leaders stand up for, and the things they stand up against. Many work continuously to improve the climate of our communities. Scared, nonworking officers would be a tremendous setback, and I think that's unfair to all -- all citizens because in most cases, we all work hard to achieve peace, but lack of doing will lead to the following questions that have always been answered by law enforcement on a daily basis, especially by the ones who are doing it right. Should I call the police, are they going to come and what can they really do? Questions that I and we as law enforcement officers have never hesitated to answer or second guess, and I never will no matter what.

I state this as an officer and especially as I'm watching as these officers across the country are being continued to be killed, just like black men, and I -- I totally understand that and I want to stress that -- are being killed and hurt in the line of duty, and I state this point lastly because you know officers are constantly thought of last to and heard from last because a lot of them bite their tongue on things because they don't want to be viewed at as -- as being a racist or saying

something wrong, and you know, I want to stress that. That's important, you know. Many officers today are operating under fear of being judged and scrutinized by public perception and media influencers for just doing their job. I think this is unacceptable. I think any loss of any human being is unacceptable, especially at the hands of something people don't belong doing.

REP. STAFSTROM (129TH): Thank you.

ROBERT DAVIS: I think -- yep. I'm sorry, sir.

REP. STAFSTROM (129TH): Thank you, sir. No, no, you're a little -- you're past the three-minute mark.

ROBERT DAVIS: Well, I apologize.

REP. STAFSTROM (129TH): No, no, no. Not -- not a problem at all. I appreciate your testimony. I appreciate your service, and for sticking with us through the day today.

ROBERT DAVIS: Okay. Thank you.

REP. STAFSTROM (129TH): Questions from the committee? Representative Porter.

REP. PORTER (94TH): Oh, thank you, Mr. Chair, and thank you, Officer Davis for your testimony today and taking the time to be with us. My first question is 'cause I -- I came in -- I had stepped away, so I didn't -- I didn't know if you stated, but what department do you work for?

ROBERT DAVIS: I'm sorry, ma'am. I work for Waterbury Police Department. I've been here for 13 years.

REP. PORTER (94TH): Okay. Thank you for that. And, the only thing I -- I did hear you say that the officers hesitate, and I just want to um say that for the record because in our communities and when I say our communities, I'm talking about black and brown communities -- often times when we need to call the police, we hesitate, and in many -- many -- in many instances, we don't call the police officers when we should call police officers because of the fear we have as citizens in the sense that they may show up, and we may end up dead, and that has happened more than once, a multitude of times. It has been reported in the news and sometimes not, just known in the community, so can you just speak to that because I'm -- I'm listening and I hear you, but I would love to hear your response to my concern as someone who just had to call the police because of an incident -- incident that was happening right outside my house,

ROBERT DAVIS: Yes, ma'am.

REP. PORTER (94TH): And I had to call the police because I needed to have a record of what was going on, and that was my way of creating a -- a trail so to speak.

ROBERT DAVIS: Yes, ma'am. So --

REP. PORTER (94TH): Thank You.

ROBERT DAVIS: No. No problem. So, as far as like calling the police, you know, and I'm saying that's how we think, you know, because -- and I apologize for that, and -- and as a minority, I'm -- I'm ashamed of myself for not doing more to change that perception of policing, you know, and I can only speak for my department and the officers I interact

with daily, you know. I would never let an officer do something bad under my watch ever because I understand what it's like to be on that other side too, so we do need to change that perception, and listen, I commend you guys for all the work you're doing on this bill here. I do. I really do, but honestly, I really -- I really want to change that perception, and I understand where you're coming from. I will never ever get away from that fact because I have children, you know, and I have family members that are still in the community, and you know, believe it or not, there are times when I run into situations that are bad like that, but I just want to emphasize there are good cops out there, and people shouldn't be afraid to call. They shouldn't be afraid to call because that's why you have people like me here, you know. That's why you have people like me here that are going to stand up for what's right and do what's right, and not allow these things to happen. I can't speak for the disgusting acts that other cops are doing across this country. I can't speak for that, but I just -- my big thing is this bill has been long overdue obviously, and I understand that. I just want us all to take some time out to really think about what we're doing because it does affect everyone. It affects my children, everybody who's watching this children, our lives, everyone, so I just really want to take some time out for people to understand that. That good cops will get hurt in the process just like good people get hurt by bad cops every day, and that's something that needs to change.

REP. PORTER (94TH): Well, thank you so much for your service, and like I said, again, for taking out the time to be with us and share your perception --

your perspective on this matter. Thank you, Mr. Chair.

ROBERT DAVIS: Thank you.

REP. STAFSTROM (129TH): Senator McCrory.

SENATOR MCCRORY (2ND): Yes. Thank you, [dictating cutting out] Officer Davis, and thank you for your service and the work you're doing, and thank you for coming to testify. The question is kind of simple. Is there anything in this bill that will prevent a good police officer from doing his job?

ROBERT DAVIS: So, I don't believe so, sir, but there are some -- you know, obviously people are hesitant when they see certain things, and this bill obviously needs to be explained to officers a lot better too.

SENATOR MCCRORY (2ND): Mm-hm.

ROBERT DAVIS: You know, I think a lot of -- I think there's a lot of points in here that people don't understand, and -- and you're hearing it from different people, and it gets very confusing. That's the only thing with the language. I'm not the smartest guy. I'm not a lawyer, you know. There's people who have called in and I'm like, wow. They're outdoing me as far as like thinking.

SENATOR MCCRORY (2ND): [Chuckling].

ROBERT DAVIS: Real far, and I like I'm very narrow-minded sometimes, but I do believe that you know it would -- good officers would hesitate because it's so quick and easy to be judged by people for actions. We're all susceptible to making mistakes. I do it all the time. I do it all the time, you know, and I just -- you know, I just want to make

sure that there is some due process when these things are coming up and things are happening, and -- and officers are getting treated fairly just as people should -- just as people should, so when I read through the bill, obviously, there's like concerning things, but listen, change is bound to come, and we have to accept it as police officers and do the right thing, and we have to accept that change. I just would like to see a little bit more time put into it where we could sit down and actually have these conversations with officers and hear their perception because out of the mass majority of them, officers are good people, not bad ones. They're not bad ones. We do have bad ones out there. Never say we don't. We definitely do, but those are the ones we need to get rid of, and I just think like with this bill it's you know can be very broad so to say, but you know, like I said, I believe a good officer can do his job, they would just be very hesitant on certain things.

SENATOR MCCRORY (2ND): Thank you.

ROBERT DAVIS: Yes, sir.

REP. STAFSTROM (129TH): Thank you. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I just want to take an opportunity to thank you for your testimony and being here just as the others had. When you apologized for not doing more, let me tell you that your presence here today speaks volume 'cause you're the prime example for, you know, everyone in public to see an individual who we want to make sure that we protect you obviously out in the community and your family, also yourself as a professional in uniform, and it's tough sometimes

striking that balance, so your perspective certainly goes a long way in that regard, so thank you so much for sharing. I do have just a quick question. I'm not sure if you're -- you're able to respond to it or not, but your understanding currently right now of qualified immunity, do you believe that if we do away with that right now that's gonna get to those bad apples that you know admittedly say that they're out there and they exist?

ROBERT DAVIS: I don't. You know, obviously, everybody should be held accountable for their actions, but it's tough. That -- that's -- there's other ways to weed them out, and -- and again, there's a lot of things in that bill that would week them out. There's definitely a lot of things in there that would week them out. I just thinking taking away that it takes away from a bigger group and a better group of officers, and you know, again, like -- like one of the callers stated, like of course people are going to slip through the cracks and things like that and bad officers, and we got to do a better job in all areas of getting rid of those people, and I think taking away qualified immunity that wouldn't be the answer for it.

REP. REBIMBAS (70TH): Thank you again for your responses.

ROBERT DAVIS: Yes, ma'am.

And, being here today.

REP. STAFSTROM (129TH): Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Hey, Sergeant.

ROBERT DAVIS: Yes, sir.

SENATOR CHAMPAGNE (35TH): I want to just hit up what you said before -- the hesitation. We've had officers across the nation -- 'cause we keep talking across the nation -- who have hesitated and they've lost their lives because of it. If whatever's in this bill, -- and I think the qualified immunity's gonna do it -- has an officer hesitate in a gun/no gun call, shoot/no shoot call, whatever we want to call it, that could cost that officer his life. Do you see that from the troops under ya? Are they starting to hesitate because of qualified immunity and the fact that you know right now most of them understand that they can lose their house?

ROBERT DAVIS: I do believe that, and nobody ever wants to show that 'cause obviously being a police officer you're put in a position to protect everybody, so nobody wants to say that, and they're gonna keep coming out and doing their job every day, but I do hear it. I can't say I see it right now because you know it's obviously not in effect, but you know, I do hear it, and -- and I try to still encourage guys you still got to do your job, but that's really difficult when you're talking about taking away something like that. It -- it's very difficult to go out there every day and say let me just know that I'm doing something right even though somebody can interpret it as being wrong --

SENATOR CHAMPAGNE (35TH): Mm-hm.

ROBERT DAVIS: And -- and just taking that risk, so it's very difficult. I haven't seen it yet from our guys at all because, again, you know I only can speak for our department. We've got hardworking people who care. We have a lot of people from the community within this department that care that are

never gonna stop policing, you know. Me being one of them --

SENATOR CHAMPAGNE (35TH): Right.

ROBERT DAVIS: Because I care about this community. I care about my family that's out there, my friends, you know, and I understand like you know I'm gonna still keep having to do what I have to do, you know, but it does -- again, I do think it's gonna cause hesitation. If you're asking me for the future, I do think it's gonna cause hesitation.

SENATOR CHAMPAGNE (35TH): Okay. All right. You know, I've been down to your police department while conducting investigations and you know I think you have a very professional police department down there. The -- how's -- my last part is with everything that's going on nationally, how's the morale of the police department?

ROBERT DAVIS: So, you know, I'm gonna speak just as a -- as a sergeant, you know, so you know obviously people are like man we went from a couple months ago everybody loving us to everybody hating us now, so you know obviously morale is hit or miss, right.

SENATOR CHAMPAGNE (35TH): Right.

ROBERT DAVIS: You know, it's hit or miss. Do I think it stops guys from doing their job? No. I don't. You know, I don't think so. Does it stop proactive police work? Yes. It does with everything going on nationwide. I drive up and down the streets all the time and like you know I shake my head because I am disappointed in some of the things that are taking place and that you really have no control over right now. You have no control over, you know, but again, I think we need to

revisit that and see what our roles and responsibilities are as police officers and educate these officers on doing it the right way too, you know, nationwide, and that's how you make that change.

SENATOR CHAMPAGNE (35TH): Absolutely. I agree with you on that. Right. And, I think this bill I think we can make better. I think it needs to sit down with all the stakeholders, and we need to go through it line-by-line, and make it a bill that's gonna work for everybody.

ROBERT DAVIS: Absolutely.

SENATOR CHAMPAGNE (35TH): Everybody within the community, everybody within law enforcement. I think we can come up with quite a good bill. Thank you.

ROBERT DAVIS: Absolutely. Listen, it's definitely a bill that needs to happen. Definitely. But, I just think --

SENATOR CHAMPAGNE (35TH): Thank you.

ROBERT DAVIS: We just have to take our time on it.

SENATOR CHAMPAGNE (35TH): Right.

REP. STAFSTROM (129TH): Thank you. Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Mr. Chair. Good afternoon. I think. Yeah. Still good afternoon, Sergeant Davis.

ROBERT DAVIS: How you doing, Senator?

SENATOR WINFIELD (10TH): I'm doing all right. I hope you're doing well. So -- so I just want to

start with a statement you made about going from everybody loving us to everybody hating us. I think I get the point you're making, but I think you know in and what you said in terms of your experience. I think you know that it's not the case that everybody hated police, but it wasn't the case that everybody loved police, particularly in a community that Representative Porter was talking about. I want to say to you that one of the things that makes these kind of hearings difficult for me, I keep hearing people comment about hesitation. What I remember -- 'cause I've done all police accountability stuff -- I remember trying to get body cams passed and being told that they want to be able to feel they're doing well but being also told that they don't want body cams [dictation cutting out]. I mean police without body cams [dictation cutting out] people walking [dictation cutting out] hesitate to move forward and take the actions that they need to take as police officers while right now largely even the police are saying that body cameras are a good thing, and so it's difficult when into this conversation I ask questions and don't get clarify what people mean, and I'm going to qualified immunity, so this is not a gotcha, of course. I just want to make sure that we're in the same place. Did you read Section 41 of the bill with the qualified immunity? Okay. So, what -- what is at question for me is -- I'm sorry.

ROBERT DAVIS: I'm sorry. It keeps going in and out. I apologize.

SENATOR WINFIELD (10TH): Okay. What -- what's at question for me is given that section 41 had a part in it that talks about willful, deliberate, [dictation cutting out], and also found it interesting in your exchange with Representative

Rebimbas where you said that you didn't believe this would [dictation cutting out] to people who are doing the wrong thing, but you were also saying [dictation cutting out] the officer is doing the good thing --

REP. STAFSTROM (129TH): I'm gonna interrupt. I'm gonna interrupt both -- I'm gonna interrupt both of you for one second. Um, Sergeant Davis, I think you may have your police mic on, your radio on in the background, and it's picking up some interference.

ROBERT DAVIS: I'm sorry. Let me just check one second 'cause I'm in the office. Really quick. Hold on one second, sir.

REP. STAFSTROM (129TH): Yeah.

ROBERT DAVIS: Okay. I apologize about that.

REP. STAFSTROM (129TH): That's okay. Senator Winfield, you have the floor. Continue your questions please.

SENATOR WINFIELD (10TH): Sergeant, did you pick up on what the question was?

ROBERT DAVIS: Yeah.

SENATOR WINFIELD (10TH): Please -- [background noise interference] [dictation cut out].

ROBERT DAVIS: I'm sorry. I couldn't -- I couldn't hear you. I apologize. It just keeps going in and out.

SENATOR WINFIELD (10TH): If you heard the question, go ahead and answer?

ROBERT DAVIS: I heard when you talked about qualified immunity, but I didn't catch the end of the question.

SENATOR WINFIELD (10TH): My question was given what the bill actually said in terms of the actions needing to willful, deliberate, or reckless indifference, why do you see this [dictation cutting out] all of the officers who really want to take [dictation cutting out] in his actions.

ROBERT DAVIS: Okay. So, like I stated before, you know, when I first started this. I'm being educated on a lot of things 'cause obviously I read things and how I interpret it might not be what it is, you know, unfortunately, but again that's why I'm listening like people like you and everybody else who's educating me on what these things are, but when I talk about qualified immunity and you talk about it more or less goes toward people who are doing bad things, right, taking that away it hurts bad cops or hurts cops who are doing -- not hurts cops -- it takes away that defense for bad cops. Again, now, when I look at qualified immunity -- and again I could be off on this too -- is when you take away qualified immunity, I feel like for every action or -- or accusation or charge of excessive force or something like that towards an officer, now because of not having that qualified immunity this officer's responsible for everything that leads up to this, you know -- the financial burdens of the attorney, everything, all these things that are going on right now with this officer, and then once it's overturned, you still have a fight when it's done, so that's when I look at it. I feel like it hurts good guys who want to do the right thing, or they make a mistake on the job, and it's not

intentional, you know, and -- and it happens. It does happen. I feel like if you make a mistake on the job, and you lose that qualified immunity, you're gonna lose everything because a mistake when you're trying to help somebody, and that's not a bad cop when that happens. When a good cop does something and makes a mistake 'cause we're all human, and that qualified immunity is not there, that becomes a problem. That becomes a huge problem.

SENATOR WINFIELD (10TH): I appreciate your answer. Thank you.

ROBERT DAVIS: Thank you, sir.

REP. STAFSTROM (129TH): Thank you, Sergeant. We appreciate you being with us, and your testimony. Next, we will hear from Jen Lawlor.

JEN LOLLAR: Hi, Steve. Can you hear me?

REP. STAFSTROM (129TH): Yep. Go ahead.

JENNIFER LAWLOR: I want to make sure. Okay. Thank you. Good afternoon, my name is Jen Lawlor. I'm a lifelong Connecticut resident. I'm a volunteer with Mom's Demand Action, a part of the every town gun safety fellowship program, and I am also now a survivor of gun violence. I am testifying today in favor of the Police Reform Bill because I believe this can and will save lives.

On December 9, 2018, I became acutely aware of how police can impact the lives of the communities that they serve. That was the day that my daughter, Emily Todd, was murdered. Eight days prior, she had called 9-1-1 because she had received text messages from someone threatening to kill himself. This

person was known to and suspected of attempting to kill another woman by the Bridgeport Police Department. On December 9, 2018, our law enforcement failed to protect my family. Law enforcement in this country not only fails to protect our citizens at times but in many communities has fostered a culture of complete mistrust of the government.

Just this year, we have seen this in Minneapolis with the murder of George Floyd and in Louisville with the killing of Breonna Taylor. These instances are not new to the minds of the countless black and brown friends and neighbors of ours. I believe this bill is a first step in improving that strained relationship. It makes a number of importance changes to the way police interact with our community, and I urge you to support this proposal for many reasons.

Namely, this bill will do the following: It will require implicit bias training for everyone. It will improve the use of force standards by making officers provide the use of deadly force is objectively reasonable under their circumstance, and there will be factors to make that determination. This bill will remove qualified immunity and provides that qualified immunity shall not apply to officers who deprive people of their civil rights including not following through on a 9-1-1 call. It addressed crisis intervention by requiring municipal police departments to study the feasibility of using social workers in responding to emergency calls in conjunction with the work that they are doing. It establishes a duty to intervene if an officer witnesses another officer using excessive force, and it requires that office to immediately report it. I

believe that is critical, and it establishes an independent review process by empowering municipalities to establish civilian review boards to investigate officer misconduct, which I also believe is critical.

As a survivor of gun violence, I know firsthand the role that the police can play in our communities, and also the harm that go wrong with policing goes array. Policing in our country has for generations fostered a dangerous environment for black and brown communities. We cannot deny that. I ask you here today to take a step toward improving the relationship in supporting this bill. HB 3471 has life-saving potential for many reasons. These reasons include but are not limited to include my 25-year-old daughter Emily who was trying desperately to seek help from the police and did not receive it. Had she received help during the 9-1-1 call, I am certain she would be here today. I strongly request your support of HB 3471, and I am happy to answer any questions that anyone may have. Thank you for your time.

REP. STAFSTROM (129TH): Thank you for your testimony, Jen. Questions from the committee? I'm seeing none. I appreciate you being with us today. Next up will be Charles Tyree. Charles Tyree. Oladotun Oretade.

OLADOTUN ORETADE: Hey, how's it going? You can just call me Michael or Michael Oretade. I am the CEO of Black Lives Matter 860. Thank you for having me here today. I heard a lot of good things today, and I've heard a lot of questionable things today. I heard a lot of things about issues with funding, especially. It sounds -- it sounded like -- it

sounds like a lot of people didn't read Trump's executive order that he passed on June 16. The order on Safe Policing for Safe Communities because it does have information, especially I want to say Section 5 talks about grants, so -- and -- and we need to put that information out to the Attorney General in order to get the grants that we need in order to get the funding for the programs that we want, and one of the programs that you guys mentioned in the bill was the mental health professional -- mental health unit that we are gonna need, but I'm just gonna dive into a few 'cause I know I only got three minutes, so I just want to go through my talking points.

First section that I wanted to bring attention to is Section 16. I don't feel like that is good enough for our police officers. It's not really respecting their mental health whatsoever. Once every five years isn't enough in terms of evaluation and really like considering their mental capacity and how they might be feeling. I think that therapy should be readily available to them and encouraged. A lot of police officers probably -- they have this complex that, you know, they can't -- they can't do that stuff. It's weak you know. They don't want to do -- they don't want to do a lot of these like weak things, and they don't want to be -- and I know there might be like debate on in terms of privacy and everything, but there's -- I feel as though police officers have a complex that might hinder them from actually getting the help that they actually need to take care of their own mental health, and especially with everything going on in the U.S. right now, I'm pretty sure a lot of police officers are under stress, so their mental health

does need to be taken more seriously. Every five years isn't enough.

As far as Section 17, I think it's absolutely imperative that we get a board for review in each town. If not, there needs to be an over -- overseeing board over the entire state. I think that needs to be a conversation that you guys need to have, and that -- that board needs to have a direct line to the DOA, which is the government audit and oversight committee, because there are chiefs and mayors -- I hear stories. I was literally out camping in Stamford and the mayor was saying some rotten comments to the people who were protesting there, and they're giving him documentation telling him to get out of the area, and no one's doing anything about it, so that needs to -- it need -- and they're protesting for Steven Barrier who was schizophrenic, who was murdered by the police. They need -- they need -- they need to -- they need to be held accountable. The chief and the mayor. Our mayor has been -- he has been pretty out here with us in having these open conversations, and it's not like that in every town.

Section 18, the evaluation portion is fine. A behavioral health dispatch must be on the scene in my opinion. If you think about it this way, I am very -- I am very for the -- the -- the defunding of the police, but I don't want to get rid of the police. I think that there just needs to be better responders to each of the issues that might be affecting --

REP. STAFSTROM (129TH): Sir -- sir, we're over the three minutes. I assume you've submitted the rest of your comments in writing to us?

OLADOTUN ORETADE: No. I have not.

REP. STAFSTROM (129TH): Okay. I'd encourage you to make sure if you got other kind of line-by-line or section-by-section comments that you get it to us in writing, so we've got it all, and certainly, that will be available all weekend.

OLADOTUN ORETADE: All right.

REP. STAFSTROM (129TH): All righty. Questions or comments? If not, thank you for being with us, sir, and -- and thanks for your activism, and I will, again, make kind of a PSA announcement that if folks have not had a chance to testify today and would like to have their voice heard on this subject, you have the opportunity to submit written testimony to jud -- judtestimony@cga -- Connecticut General Assembly -- .ct.gov, and we will be accepting written testimony all weekend. And, I'll just remind members of the committee as we move to the 5:30 mark here that we still have about 65 or so folks left to testify, so we got to remind folks to try to keep their -- try to keep their questions focused, and get through the rest of our list here. Next up we will hear from Patrick Ridenhour.

PATRICK RIDENHOUR: Good afternoon, everyone. Can you hear me?

REP. STAFSTROM (129TH): Yes, sir.

PATRICK RIDENHOUR: Okay. Good afternoon. It's Ridenhour. My name is Patrick Ridenhour. I currently serve as the Police Chief in the city of Danbury. I've served in three different Connecticut police departments starting as patrol officer and moving up the ranks to Assistant Chief in one and serving as the Chief in the other two. I'm a

lifelong resident of Connecticut, born and raised in Waterbury, living in the lower north end of the city for two-thirds of my preadult years. My experiences with police officers while I was growing up were both positive and negative. In my entire adult life minus one year working for the Waterbury public schools has been in law enforcement, and my career now spans more than 31 years. I'm the first Vice-President of the Connecticut Police Chief's Association, and although not representing them today, I serve on the Executive Board of the Connecticut Chapter of the National Organization of Black Law Enforcement Executives, NOBLE.

Generally, I support most of the provisions of this bill that hold officers accountable for misconduct provided there is a fair system of due process. I think it builds on the work this legislature has already done with regard to police accountability, work that I believe makes Connecticut a national leader in police reforms. However, there are some concerns that should be revisited to determine whether or not they need to be eliminated from this bill or at the very least clarified. As you can see from numerous speakers before me, the issue of qualified immunity is a major concern. I'm not an attorney, so I don't necessarily have a full understanding of it, but what I do believe is that it's not blanket immunity, so isn't there already a way to challenge whether or not a police officer's actions meet that standard? Removing or even modifying qualified immunity must be carefully considered against our ability to recruit, hire, and retain qualified personnel currently and in the future. Mandatory body and dash cam cameras are a good requirement with very few exceptions.

And, the bill should also revisit the sections regarding the use of surplus military equipment. Most of the equipment that police departments receive from the 1033 program are available for purchase anyway, and use of the program saves the municipalities a lot of money -- often tens and in some cases hundreds of thousands of dollars. Certain types of equipment are valuable for saving lives in a civilian setting that were once used for military purposes. I fully support periodic and regular mental health assessments for every police officer. Police officers are reluctant to ask for help, and this could be a valuable tool in identifying issues that could be addressed before something bad happens. However, the details of what that assessment means needs to be addressed. Who sets the qualifications for the mental health professionals, what is the scope of the test, what constitutes passing or failure, what are the consequences for failed tests, especially if the officer has already served in the department for a number of years without incident.

And, finally, there are provisions for justice impacted individuals to serve on various task forces in the post counsel, and I support this provision as I believe the voices of those impacted by the justice system should be heard. However, there was a question that I was asked to bring to your attention about whether or not there will be provisions for crime victims to serve? If this hasn't been considered, I would respectfully ask that they also be given a seat at the table. So, with that, I will entertain any questions.

REP. STAFSTROM (129TH): Thank you, sir, and certainly appreciate your testimony and going

through that with us. questions or comments for the chief? If not, thank you very much, Chief.

PATRICK RIDENHOUR: Thank you. Have a great day.

REP. STAFSTROM (129TH): Next up we will hear from -- I don't know have a first name -- a Mr. or Mrs. Rinaldi from the Hartford Police Union.

ANTHONY RINALDI: It's Officer Anthony Rinaldi.

REP. STAFSTROM (129TH): Okay Officer. You have three minutes. Go ahead.

ANTHONY RINALDI: All right. My name is Officer Anthony Rinaldi. I've been a Hartford police officer for 17 years, and now serve as the President of the Hartford Police Union. I represent over 430 members. After this bill was presented to the public, my members started to contact me immediately. After reading through it myself, I then understood why my members started to panic with the amendments in this bill.

As a police officer, we run towards danger with complete disregard for ourselves, to protect property, to protect life and property of others. When police officers are called to ack, the person in need is depending on the officer to help, and many times is counting on us to save their lives. Section 29 amends the way police officers are justified in deadly force situations. The way the law's amended, an officer would have to exhaust all feasible alternatives to use -- to use deadly physical force. These are split second lifesaving decisions that are made in the face of danger. Then the officer will be scrutinized because he or she was not objectively reasonable. I ask that our elected officials place themselves or their loved

ones in this situation. You want a police officer to save you or your loved ones or would you want the police officer to hesitate and possibly cause you, your loved one, or even our own officer's life because that officer hesitated or second guessed his decision. Police in the state of Connecticut are already under extreme scrutiny from the public and elected officials.

In Section 41, language in the bill repeals qualified immunity and governmental immunity for police officers. This will force police to only act when dispatched to a situation where state law or department policy will require officers to act, so officers know that they are open to civil liability and not protected by the government we have no reasonable -- reason -- reasonable choice in many situations other than to stand back. This will have a drastic impact in crimes. Crime rates will soar. Throughout several parts of the state, we have already seen a drastic uptake in violence crime. New Haven has seen this as of late with its worst uptake in crimes since 2011. This is damaging to police officers. This is happening without this bill in place. If this bill is passed in its current form, it will allow the criminal element to control our communities. No police officer will risk losing everything that he or she has worked so hard for just to be left unprotected by the government that hires him. Losing qualified immunity and governmental immunity will also have a significant impact on recruiting and retention of police officers. This is one of the most serious impacts of this bill. Finding qualified individuals to enter into the profession of policing has become a problem nationwide. The problem will only get

worse in this anti-police climate, further putting the public at risk. I ask you, our elected officials, to work together and make this bill more practical on all levels. This is not the time for knee-jerk reactions or (inaudible - 00:56:56). This needs to be a well-thought out process that includes the input of law enforcement and other important stakeholders that you will be hearing from today. Thank you.

REP. STAFSTROM (129TH): Thank you, Officer Rinaldi. I -- I just quickly -- you said you -- you have read and studied the use of force -- the changes to the use of force section of this bill; correct?

ANTHONY RINALDI: Yes.

REP. STAFSTROM (129TH): Okay. 'Cause there just -- there seems to be -- and -- and maybe this is folks unfamiliarity with the way these bills are -- are drafted and what a colon means versus comma, but I just want to be clear to you and to everybody else who has testified or is listening or is concerned about this. This exhaust all reasonable alternatives language does not apply in the instance where it's a bang, bang situation and you're faced with someone who's about to use deadly force on you an officer or a third party. There's a key colon and an or in line 1231 of this bill that I think, unfortunately, folks are glossing over, and not realizing that -- that there is two use of force instances. There's the use of deadly force when you're confronted with deadly force, and that remains relatively unchanged in this bill and in fact, tracks federal law. What changes is use of force in a situation where you are not faced with deadly force, and I think that's a key distinction

and a key point that -- that we all need to -- you're correct, take some time to understand because there seems to be a conflating of the two in the way folks are reading this language, and -- and I just -- I want to give you an opportunity to respond to that, but certainly, that's the way I read this language based on that colon and the or, which I understand may be a little technical and a little wonkish, but the way this is drafted.

ANTHONY RINALDI: Once again, I'm not -- I'm not an attorney. I don't pretend to be an attorney. Anytime we change language when it comes to this, it's gonna be sensitive and it's gonna cause some panic with not only myself but my members, and I think that's -- that's what could be happening here.

REP. STAFSTROM (129TH): Yeah. I understand. I just I think certainly part of the intent of this is our -- our language in Connecticut law has fallen behind kind of where the federal standard is, and the intent of this language I think is to bring us -- bring us more in line with that, but I know there are others waiting, so I will -- I'll leave it there. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman, and thank you, Officer for your testimony. And, I know that the Chairman tried to highlight that, and I think moving forward hopefully we could, you know, make sure that everything is clarified, but even based on the good Chairman's explanation of that, when you look at the wording all reasonable alternatives and you're left whether or not that was actually with, again, deadly force situations or nondeadly force. When you look at the word all there -- and again, I know the Chairman's saying

it's nondeadly force, so if we go with the explanation based on the good Chairman that it is nondeadly force --

REP. STAFSTROM (129TH): [Crosstalk]

REP. REBIMBAS (70TH): I'm sorry?

REP. STAFSTROM (129TH): Go ahead. Go ahead. We'll have plenty of time to debate it later after --

REP. REBIMBAS (70TH): Certainly. The -- the word all there, as an officer, would that be problematic for you? Because as you look at all of your options of what would be reasonable alternatives for any given situation, essentially I think you know commonly you could probably have a menu of ten, somebody else can arguably say, well there would have been twelve things that should have been considered as reasonable alternatives. Does that word all give you some pause and concern?

ANTHONY RINALDI: Yes. And -- and I believe that's what's gonna cause officers to second guess their next step in what they should do in those types of situations.

REP. REBIMBAS (70TH): Thank you. Because certainly and moving forward it's something that's been brought to my attention. I too have concerns regarding the word all. I think the intent that when we looked to reasonable alternatives certainly we want everyone to do that no question about it, but when you say all, I think arguably and debatably what would have been available to a particular officer in any given situation, what might be considered all for one may not be all for another, so that is something that hopefully moving forward we can have further discussion. Thank you.

ANTHONY RINALDI: Just so -- just to give a little example of this. Fourth of July night officers working in the north end had fireworks shot at them, and our officers used great restraint, and I don't know if that's a place to use restraint when somebody's shooting live fireworks at you -- illegal fireworks at you I should say. Matter of fact, one of our officer's uniforms caught on fire, so I -- I think that's where we're gonna start seeing an issue.

REP. REBIMBAS (70TH): Thank you for sharing that, and it's absolutely awful that that's the experience that any law enforcement official has to endure. Thank you.

ANTHONY RINALDI: Thank you.

REP. STAFSTROM (129TH): Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Representative Stafstrom. I just wanted to go back into your testimony because I think I heard something I may have heard earlier in the day about the reason for the increase recently in crimes in New Haven. Can you -- can you as it relates to this bill, can you tell me what you are saying there?

ANTHONY RINALDI: I think that police officers are stepping back, sir, and the criminals will notice that the police are stepping back and the enforcement is down, and they will use that to their advantage.

SENATOR WINFIELD (10TH): And, you were saying that happened why?

ANTHONY RINALDI: I think because police officers are seeing that the -- what's being written at the

state Capitol and it's making them nervous that they're not going to be protected.

SENATOR WINFIELD (10TH): So, you're saying to me that before anything has happened they're stepping back in anticipation of what's to come?

ANTHONY RINALDI: I think they're very nervous, sir. Yes. Yes. That's what I gathered from my -- that's what I gather from my members who are constantly in contact with me as this process goes.

SENATOR WINFIELD (10TH): And, I guess that doesn't gel with what the notion of what people have been presenting of what officers are today, but I will ask you this question. Why do you not think that that's occurring everywhere else then?

ANTHONY RINALDI: I can't speak for everywhere else. I can only speak for here, sir. From what I see, and from what I'm gathering from my members, and that's why I think it was important for this message to come across.

SENATOR WINFIELD (10TH): And, you represent where?

ANTHONY RINALDI: Hartford Police, sir.

SENATOR WINFIELD (10TH): And, how do you know what's happening in New Haven?

ANTHONY RINALDI: How do I know what's happening in New Haven? I work closely with the union president down in New Haven.

SENATOR WINFIELD (10TH): Okay. I ask 'cause you said you were -- you were hearing from your members. Thank you. Thank you, Mr. Chair. I just I want us to be careful about making assertion, particularly when we have certain positions because I think

people hear us and assume that what we're saying is accurate, and so I just want us all to be a little bit careful about making certain assertions. Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you, Senator. Further questions? If not, Officer, thank you -- thank you for being with us today, and for your service to the city of Hartford.

ANTHONY RINALDI: Thank you for your time, sir.

REP. STAFSTROM (129TH): Next up I have Jesse Stricklan. John Krupinsky.

JOHN KRUPINSKY: Uh, John Krupinsky here, sir.

REP. STAFSTROM (129TH): Go ahead, sir. You have three minutes.

JOHN KRUPINSKY: Thank you. Thank you all. I've been a police officer 41 years under current president of the current -- under current president of the Fraternal Order of Police State of Connecticut. I have members across all departments including federal and state law enforcement officers. I'm gonna try to go through this as quick as I can.

Qualified immunity I'll -- I'll take it a step further. I think that earlier we heard Chief Spagnolo talk about guys saying that they would back off. I can tell you I -- if I travels up through the ranks to the rank of chief, that's bad. I deal with the guys one-on-one from across the state, and guys have told me if qualified immunity is taken away, we're done boss. That's it. Guys are not gonna stick their neck out. There's another thing with qualified immunity and taking away -- if you

take it away, the big losses are going to be the citizens who may have received an award. If -- if someone were to win $10-million dollars against me, they ain't gonna get $10 million dollars, and the city insurance companies aren't gonna pay it 'cause they wouldn't have to anymore, so guys said, hey, it's not worth the risk. They're gonna stand down. And, we're seeing that in New York City right now where they get no back up from their city or state. You're seeing what's going on in those streets when officers don't be cops and don't do their job.

1033 program. If this happens, I hope all you folks are ready to go back to your mayors and ask for a lot of money. I can tell you -- I can speak specifically in Danbury. We have 75 patrol rifles we received from the government that we received after the Newtown school shooting. We received night vision that we use. Those rifles are for us to respond to active shooters. Everybody wanted active shooter training, we have it. You need the rifles to respond to that. If this bill passes, we've got to give back 75 rifles plus our night vision, and the chief that you just heard speak a little while ago is gonna have to go to the mayor and say I need 100 grand. Right now, cities are strapped because of the virus. I don't know where this is gonna come from. Watercraft. This is crazy. I don't know why that's in there. Watercraft. We have places all along the Sound departments that received watercraft from the military. This is lifesaving item -- items that they use to go out and rescue people that are drowning or rescue boats. They'd have to give them back. A new boat for that will be about $350,000 dollars.

Consent searches. I don't know why they would take that away, but that's gone. Changes to the use of force. Connors vs -- Graham vs Connor is the standard use across the country. We've seemed to have wiped that out. What I didn't hear in here is anything about training. I want change. Many of us law enforcement officers want change. There is nothing in here about training. One of the issues we have right now we have 40 hours of training per year -- every three years, mandated by the state. Zero hours in that training goes towards defensive tactics, and let's face facts folks. We're here because of officers putting their hands on people. If we're not training them how to do it, if we're not training them to do it safer, if we're not training them differently than how they've been trained, that will continue on. I want to see change, and I want to see real change. We also haven't addressed what can we do to go to the communities. I can tell you our community is working. I have zero problems with my community. I'm able to go into the worst sections of the city right now two days when everybody else was rioting, got out of the car in my community and was hugging me.

I want to implement some of the programs we're doing here statewide because they're clearly working.

REP. STAFSTROM (129TH): Thank you for your testimony. Questions from the committee? I'm seeing none. Appreciate you being with us.

JOHN KRUPINSKY: Thank you.

REP. STAFSTROM (129TH): Jeremy Stein. Jeremy you're on.

JEREMY STEIN: Thanks, Steve. [Clearing throat]. Co-Chairs Winfield and Stafstrom, Ranking Members Kissel and Rebimbas, and other esteemed members of the Judiciary Committee, I'm testifying in support of LCO 3471. As the murders of George Floyd, Breonna Taylor, Rayshard Brooks, and others have made abundantly clear, we must not only admit that police violence exist, but we must confront it head on. Eliminating unwarranted use of force, improving training, expanding transparency, shifting responsibility of non-law enforcement tasks from armed police officers, and most importantly holding police accountable for unjustified and unnecessary use of force are all areas where a stronger regulation can root out racial bias and its disproportionate and sometimes deadly impact on people of color. Equally important and connected is the -- is tackling the crisis of gun violence, especially as it impacts black and brown communities. We cannot escape the fact that police violence is gun violence regardless of whether the victims of police brutality were disproportionately black and brown Americans are actually killed or injured with a gun.

Rutgers Sociologist Frank Edwards who studies the relationship between civilians and law enforcement stated, "guns are the extreme logical end of what the whole training and whole repertoire policing is about. Referring to police officers force-oriented approach to problem solving, I can't imagine police acting the way they do without a firearm. As reported by the treace -- excuse me -- the trace, guns attend virtually all instances of police brutality, allowing officers to exercise force, little fear of resistance from victims or

intervention from bystanders. Law enforcement agencies understand this. In early June to help deescalate tensions at the protests in Washington D.C., the Pentagon ordered responding National Guardsman not to carry firearms or ammunition for fear that they would have repercussions that were deadly.

Police officers in Connecticut have killed 21 people in the last five years, largely by gun fire according to a current review of forced investigations. In 2017, police shot and killed 986 people, 22 percent of whom were black, even though African Americans make up only 13 percent of the U.S. population, but for the guns on the hips, a Minneapolis police officer, Derek Chauvin, and his fellow accomplices, and now new footage actually shows that Officer Lane drew his gun and pointed it at Mr. Floyd early in the encounter. However, bystanders might have intervened and George Floyd might be alive today.

Reforms of the sort included in LCO 3471 are designed to reduce police brutality, which will in turn reduce gun violence. It’s important to note that supporting these measures does not imply that all or even most law enforcement officers are racist or indiscriminate in their use of force, nor can we overlook how Americans laxed gun laws and rampant levels of gun ownership increase the danger of policing. Studies show that there are higher rates of police-involved killings in states with higher rates of gun ownership and weaker gun laws.

REP. STAFSTROM (129TH): Jeremy --

JEREMY STEIN: Partly because of the --

REP. STAFSTROM (129TH): Jeremy -- [crosstalk] -- Jeremy --

JEREMY STEIN: Civilians --

REP. STAFSTROM (129TH): Jeremy --

JEREMY STEIN: [Crosstalk] police encounters police shoot and kill nearly 1000 Americans every year, so we are asking that you continue your leader -- to be a leader on gun violence prevention and other lifesaving legislations, and that you support this important legislation.

REP. STAFSTROM (129TH): Thank -- thank you. Questions or comments from the committee for Jeremy -- for Mr. Stein? I'm seeing none. Thank you for being with us?

JEREMY STEIN: Thank you, Steve. I appreciate it.

REP. STAFSTROM (129TH): Rich Benham. Karen Peterson. Leanne Harpin. Ms. Harpin, you go ahead. You have three minutes.

LEANNE HARPIN: Can you hear me?

REP. STAFSTROM (129TH): Yep.

LEANNE HARPIN: Okay. Great. Good afternoon, members of the Judiciary Committee. I am here today as just a concerned citizen from Fairfield to express my support for LCO 3471, AN ACT CONCERNING POLICE ACCOUNTABILITY.

Since the beginning of June, we have witnessed across the country an uprising of people from every walk of life and every zip code not just demanding justice for the murder of George Floyd but seeking an end to the litany of extrajudicial police killings of black, brown, and other marginalized

Americans. The United States is an outlier when it comes to police shootings, arrestings, and incarcerating of people compared to similarly developed nations. According to the Bureau of Justice and Statistics the rate of people who die in police custody in the U.S. is 12 per 100,000 arrests. That's more than double Australia's rate and that's six times of the United Kingdom's, and when it comes to police shootings in the U.S., it's about 1000 -- about 1000 people were shot dead last year by the police in 2018. That's a rate of about 31 per 10-million people. By comparison, Germany's that same year was 1 per 10-million, Sweden's was six 6 per 10-million, and United Kingdom's was 1 per 10-millioin as well.

Police in the United States also arrest about 3 for every 100 people according to the FBI's own statistics, and Australia is 2 for every 100, and the UK it's 1. Of those confronted who are arrested by the police, black Americans are four times more likely to be subjected to force, a key complaint of the protestors who are marching across the country, and black men have a 1 in 1000 chance of dying at the hands of the police according to the National Academy of Scientists, which is about the same mortality rate as the measles and they make up about a third of the U.S.'s prison population despite being only an eighth of the U.S.'s total population.

And, dovetailing to what someone else mentioned here about the mentally ill. A study that was done by the Treatment Advocacy Center found that people with untreated mental illnesses are 16 times more likely to be killed by the police during an encounter with them rather than the general population. This is a problem no other developed nation on earth has

except for us, and reform I think is long overdue. This bill won't solve generations of racial inequity, but I think it's an important step in the right direction when it comes to earning public trust and stopping the killing of marginalized people at the hands of the police, and one crip -- uh, postscript I would like to add is I keep hearing people use terms over and over again if you've got apples. That's not the full expression. The full expression is a few bad apples spoils the whole barrel. In fact, I'll close off with a quote from the actor and comedian Chris Rock where he said, "Some jobs you can't have bad apples. Some jobs everybody has to be good at what they do like an airline pilot. American Airlines can't be like most of our pilots like to land. We just have a few bad apples that like to crash into the mountains. Please bear with us." Thank you.

REP. STAFSTROM (129TH): Thank you. Thank you for your testimony. Questions? I'm seeing none. I appreciate you being with us. Um, is George Kain available? George Kain?

GEORGE KAIN: Yes, sir.

REP. STAFSTROM (129TH): All right, sir. Go ahead. You have three minutes.

GEORGE KAIN: Thank you very much. I appreciate it. By way of introduction, my name is George Kain, and I'm currently a Professor of Criminal Justice at Western Connecticut State University, and I've served as the Police Commissioner in the town of Ridgefield for over 20 years. One of the issues surrounding possible new legislation has been to establish civilian review boards to monitor and/or investigate alleged incidents of police misconduct

including excessive use of force. English parliamentarian, Sir Robert Peel in 1829 said that the police are the public and the public are the police. In my agreement with him on the need for the public to be a part of policing, I also believe that there is no need to "reinvent" the wheel in this regard and that civilian oversight is already incorporated into the duties and responsibilities of police commissioners, which in fact are the civilian oversight boards of police departments in Connecticut. The language can be found in Connecticut General Statute Section 7-274 to 7-279. The State saw fit to clearly establish the duties and responsibilities of the police commission because it's critical to the effective operation of a police department while also being responsive to community needs. They ensure that municipalities are not only properly services by their police departments, but that the policies and procedures are regulated by civilian oversight to protect the rights of all citizens and to preserve the integrity of the police department. Surprisingly, most towns and cities in Connecticut do not take advantage of the authority already granted to them by State statute. For those that do, the Board of Police Commissioners is placed at the top of the chain of command of a police department and exercises authority over the operation of a police department. For that reason, it's advisable that police commissions be elected officials rather than merely appointed, although many police commissions are currently appointed in Connecticut. If any change in the civilian oversight model is needed, it's on this provision. Police commissioners should be elected. If appointed, there's a risk of political

influence that may undermine the duties of police commissioners.

So, in closing, my point today is simply this. If civilian oversight is necessary, we should be mandating that those towns and cities that do not have civilian oversight should adopt provisions for the creation of police commissions. The tables has already been set so to speak, and those towns and cities that already have police commissions can assist those that do not. The Police Commissioner's Association of Connecticut and our state colleges and universities that have criminal justice programs can assist by providing a venue [phone ringing] for the kind of training that may help commissions to carry out their mandates. Thank you very much.

REP. STAFSTROM (129TH): Thank you, sir. Appreciate your testimony. Questions or comments from the committee? I'm seeing none. Thanks for being with us today.

GEORGE KAIN: Thank you.

REP. STAFSTROM (129TH): Oh, wait. Mr. -- Mr. Kain, if you're still there, you can unmute yourself. Mr. Kain. All right. We have a late hand from Senator Haskell, so Senator Haskell, go ahead.

SENATOR HASKELL (26TH): Thank you, Mr. Chair. I apologize. I couldn't find the button. George, good to hear from you. Thank you for testifying. I just wanted to get clarification on one matter. I know you've been very involved in civilian review boards in Ridgefield. I wanted to see if you supported the portion of this legislation that would empower those civilian review boards with subpoena authority?

GEORGE KAIN: We already have subpoena authority. It's already in the statute.

SENATOR HASKELL (26TH): In other words, you feel it's not a necessary part of the legislation?

GEORGE KAIN: Well, I think it probably needs -- I think police commissioners may need to be trained a little better like we're asking our police officers to be trained, but I think commissioners need to understand that they have the authority to conduct investigations, issue subpoenas, and hold hearings, and I -- I know that not many do. I know we've done one or two in Ridgefield, but I -- I think that's part -- that's part of the problem is that we don't understand that the authority is already vested in statute.

SENATOR HASKELL (26TH): Understood. Well, thanks so much for your testimony, George. Thank you, Mr. Chairman.

GEORGE KAIN: Thank you all. Take care.

REP. STAFSTROM (129TH): Thank you. Thank you both. I'm going to turn it back over to Senator Winfield now.

SENATOR WINFIELD (10TH): Representative Stafstrom, where did you leave off? I'm not sure where you left off.

REP. STAFSTROM (129TH): Oh, you know what, I'll get it. Um, next up is Charles Stango, followed by Lewis Chimes.

SENATOR WINFIELD (10TH): I got it now. Is Charles Stango on?

CHARLES STANGO: Yes. Hi. Chairman Winfield, thank you. Chairman Stafstrom, thank you for having me here today. I'll be brief. I am a 22-year prosecutor and a currently also the President of the Connecticut Association of Prosecutors. Both of those entities submitted written testimony, so I will rest on the written testimony. I'd like to praise this body for the laudable and wide-ranging agenda of reform they've put forth. My concern is that when you have such a wide net cast what happens is sometimes issues arise that maybe you didn't even foresee, and actually, as I've gone through it a couple of times in addition to some of the issues that we've outlined in our testimony, I can give you one example, and that is Section 30 of the bill talks about accessory liability for officers who don't act to stop. Another officer engaged in an unjust use of force. The concern I have is that in a situation like that what's gonna happen is there is gonna be potentially a detriment to investigations of these type of situations because all officers who were there and maybe were witnesses to the concerning conduct, if they're looking at the potential of being tried as an accessory, accused and tried as an accessory will be less likely to give information to the Inspector General or the Deputy Chief/Inspector General, whatever this body decides to have the person be that does these crimes, and as a result, the -- the quality of the investigations would suffer. They wouldn't be enhanced by that particular section of the bill. That's just one of many.

Certainly, I know it's a work in progress, and you are all working extremely hard under very tight time constraints, and so I will get out of the way. I

offer my help if there's anything that we as prosecutors can do to discuss these issues going forward. You know, I will entertain any questions that you have right now, but for the time being, like I said, that was just one of the un -- unforeseen circumstances that came up as I was going through this information. A lot of the other unforeseen circumstances have been articulated by Chief Colanelo, as well as the Connecticut Association of Prosecutors in its testimony. Thank you.

SENATOR WINFIELD (10TH): Thank you. Representative Cummings.

REP. CUMMINGS (74TH): Thank you, Mr. Chairman. Thank you for coming out today, and Mr. Stango. And, can you tell me a little bit about what the unforeseen ramifications may be for the removal of qualified immunity that we've heard so much about today?

CHARLES STANGO; Well, the qualified immunity obviously there's been a lot of talk about that. with regard to prosecutors in -- of my Connecticut Association -- Association of Prosecutors had on for a moment the wording in subsection 2, letter b of that particular section is no police officer acting alone or in conspiracy with another or any other individual acting under color of state law. The concern that I have for that is that we are potentially as prosecutors working under the color of state law and dealing with the prosecution of crimes and other criminal prosecution business, so I would certainly be concerned that there may be someone out there who wishes to use that particular term and phrase to make a frontal assault on the end

of qualified immunity for prosecutors as well, so that is something certainly I think has a maybe an unintended consequence of the wording of the bill. I know there's been a lot of talk from police officers, and you know about -- about the -- the affects that the removal of qualified immunity would have on their ranks, but that's something as the president of the prosecutors union that we are concerned with, and I guess the one other thing I'll leave you with is with regard to the qualified immunity is what's gonna happen I would foresee is municipalities are going to have to provide essentially malpractice insurance, liability insurance for the officers as part of their compensation package, and I think that would be a significant cost for the local taxpayers. I will entertain any other questions you have, and I really appreciate you taking time out to hear from the public on this.

SENATOR WINFIELD (10TH): Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you, and you know I want to follow up on what you just said with the qualified immunity. If it's being removed for officers, shouldn't we be looking at that across the board, you know, keeping everything on -- on a fair pace here, and like I've heard so many people say that the way it's presented it really wouldn't be a big deal, but if it's not a big deal, then you know we should look at everybody that has qualified immunity from this point forward.

CHARLES STANGO: Senator, I think the classic slippery slope argument, which I think I was convoluting to, and that is where does it stop?

And, look I get it. The -- there -- there -- what I've seen -- I have two teenage daughters who -- who have really been snapped to attention in dealing with the -- the -- the happenings going on across this country, and so we have a lot of debates here in the House. Under the circumstances here, this sets the potentially a strict liability standard for those of us in law enforcement. It -- it specifically names officers here, but under the color of state law can be us, could it be corrections officers, parole officers, probation officers, bailiffs --

SENATOR CHAMPAGNE (35TH): Judges.

CHARLES STANGO: I mean I -- that's a concern obviously, and I know that -- that the -- that the goals of this bill are pure. It's just that sometimes when you're moving so fast and you're under such time constraints and you're really casting such a wide net you have some situations like this that arise, so yeah. I think that's certainly a concern going forward for -- for all of us involved in the process of all trying to do as -- as pure a job as we can do in -- in serving the public.

SENATOR CHAMPAGNE (35TH): Thank you. And, my whole point on this is you know we've got to look at this, like you said, for everybody, and we don't want to you know basically point out one -- one outfit, but when I first started as a -- as a policeman many years ago, I arrested somebody and they had a wrap sheet that had 17 arrests on it, and you know as well as I do in today's terms that's nothing. I mean when I left the job eight years ago, I had some with 70, 80, 90 arrests, and those numbers are going

to be eclipsed at this pace. I mean you've probably seen people over 100 already, and that creates a problem.

CHARLES STANGO: I got the high numbers, but -- but you know, I think we try to take each -- each arrestee, each person that comes in to my GA -- I work in Milford GA 22 -- we try to take them one at a time, and look at each case in isolation, but certainly, yeah. I mean the concern that we have is -- as we go forward with regard to the qualified immunity is you're worried it's gonna extend out to others, but -- and also, like I said, there are various aspects to the bill that -- that may actually have the adverse effect to what this community really wants, and that is police reform that helps police and the citizens of the State of Connecticut alike.

SENATOR CHAMPAGNE (35TH): I agree, and I think some more money should go into you know rehabbing in our prisons to prevent this, you know, these multiple arrests that we see on a pretty regular basis. Thank you.

CHARLES STANGO: Thank you, sir.

SENATOR WINFIELD (10TH): Thank you, Senator Champagne. I don't see any other questions, so I will thank you for joining us this evening.

CHARLES STANGO: Senator, thank you.

SENATOR WINFIELD (10TH): Thank you. Next, we'll hear from Lewis Chimes, followed by it looks like Raji Sundararajan. Is Lewis on?

LEWIS CHIMES: Yes. I am. Thank you. Thank you, Senator Winfield for -- and members of the

committee. My name's Lewis Chimes. I'm an attorney working in Stamford, Connecticut. I'm a former prosecutor, and I have been representing indivdi8uals in civil rights cases and also employment discrimination cases for approximately 30 years. I also want to add that I am -- have represented over the years as many dozens of police officers, and -- but I urge you today in the strongest possible terms to pass section 41 of the police accountability to abolish qualified immunity. There is no current effective state law remedy or federal remedy for police misconduct that protects -- and then again I think the focus here is African Americans who have been the victims of pretext stops, profiling, and the things and worst is people are getting killed while they're in police custody. I think George Floyd's murder created the unique moment. I think for the first time people throughout the country and also in Connecticut white people for whom the police are almost uniformly a positive part of our lives. I've never had problems with the police and have always been -- never had any difficulty with them in 60 years and neither have my children. I don't know that any black citizen of Connecticut who has children would agree with me. There is a unique difference in perception between the white and black communities, but I think what happened with Floyd has crystalized both the white and black communities for those of us in the white community to see what the black community has been experiencing for decades. I think if you do not pass this bill, if you pass it over for further discussion, the current focus on these issues which caused this special session are going to dissipate. I think the status quo and you've seen them today

will coalesce, and we will never provide a meaningful remedy for victims of police misconduct.

I will offer you certain reasons why you should pass 41 as part of this bill and not wait. The first is to understand its purpose. Any civil rights bill is a deterrent. It's a remedial bill to remedy past conduct. The purpose it gives teeth to every other part of this section. Without it, there is no meaningful enforcement mechanism. It is designed to do exactly what its opponents complain about. If their police officers violate the civil rights of -- of individuals --

SENATOR WINFIELD (10TH): I'm going to ask you -- I'm gonna --

LEWIS CHIMES: They pay for it.

SENATOR WINFIELD (10TH): I'm gonna ask --

LEWIS CHIMES: Yes.

SENATOR WINFIELD (10TH): I'm going to ask you to summarize because you're at your three minutes.

LEWIS CHIMES: I'm at my three minutes? Um, well, I have a bit more if -- if you'd allow me, but second, I want to talk about --

SENATOR WINFIELD (10TH): I'm going to ask you to summarize 'cause if I give you latitude to keep going, I have to -- I'd have to do it to everybody.

LEWIS CHIMES: All right, so second is transparency. I think that there is nothing else in this bill that allows victims to bring their cases to court where -- in public courts where they're subject to scrutiny and nothing else allows the victims in this case to get the discovery they need to uh, uh, to prove or

disprove those cases. The third would be fairness --

SENATOR WINFIELD (10TH): Okay. I'm gonna -- I'm gonna allow for questions, and I may ask you a question too. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chair, and thank you Attorney Chimes. It's good to see you here today, and thanks for all your work in Stamford. I had a couple of questions, which I'll try to condense into one, and I guess you discussed this a little bit, but could you explain why qualified immunity poses such an obstacle to accountability through the courts, both state and federal, maybe how it's changed over the years if that's been your experience, and -- and could you explain why it's so important to have a measure of accountability in court as opposed to other venues?

LEWIS CHIMES: Sure. So, what -- what this bill does is treat civil rights actions against police officers the same as civil rights actions in any other context, so for example, there's no such thing if a worker sues the state or the municipality for discrimination, there's no such thing as qualified immunity. The issue is whether or not there was discrimination and what were the damages, and -- and all this bill does is put victims of police misconduct on the exact same level as other victims of whistleblowers, victims of discrimination. The issue in -- in any case involving police misconduct should be did the officer violate the civil rights or the rules that protect the victim and did the victim suffer damages caused by the violations. It doesn't stop the state or anyone else from defending them. It's not to say that people aren't -- there

aren't going to be cases that they're going to lose, but it -- all it does is creates a fair remedy. I don't think that there's going to be a big upswing in it because of it. I mean there's many more cases of discrimination in workplace than there are in police misconduct. I have no doubt that there -- that all the horrors that -- that are described are just not going to happen, so a police officer who is well trained and -- and -- and properly overseen by his command is not going to violate the law. I mean what qualified immunity does is it creates a protection that goes beyond, so for example, qualified immunity protects an individual who -- who wants to stop a black driver in a high crime neighborhood or maybe in an all-white neighborhood. That stop might -- is illegal, but qualified immunity says, no. If he reasonably believed that he had a good basis for it, but we don't want him to make that stop. We want him, if anything, to err on the side of not making these kinds of grotesque stops, and qualified immunity has been protecting that for 20 or 30 years. The same -- you still have to prove -- the plaintiff in these cases are still gonna have to prove that there was a violation of his rights, and the good officers are never gonna have that problem, so I don't think it preserves the problems of bossing the police witnesses in many of these cases have talked about.

REP. BLUMENTHAL (147TH): Could you just explain how it's -- how it works to be currently an obstacle?

LEWIS CHIMES: Sure. So, how qualified immunity works is it prevents the case from even getting to the point where you can get discovery or a trial on merits. It basically if you -- if the defendant moves for -- to throw the case out based on

qualified immunity, the litigation is not about any -- any wins. Then the case is over and there's no hearing. If he loses, then the defendant gets to appeal to the second circuit, tying the case up for years, when we have to decide whether or not there was a reasonable basis or whether the law was clear. Instead of dealing with the issue of whether the civil rights law or the specific law was violated, so all we're doing is a simplifying the process. I mean think about in a discrimination case if we had qualified immunity. Discrimination is hard to prove, but let's assume that it was a defense that the person themselves didn't think they discriminated against. You're never going to be beat. You can't prove that, and that's the problem with qualified immunity in these lawsuits. Uh, as long as the police officer reasonably believed he was following the law, he's protected. That's not the standard that we should be applying.

REP. BLUMENTHAL (147TH): Thank you, Lew, and thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Representative O'Dea.

REP. O'DEA (125TH): Thank you, Mr. Chairman. Counsel, just a couple questions. What percentage of your practice -- I see on your website -- is police misconduct and excessive force?

LEWIS CHIMES: So, I'm not -- I turn down a lot for sure because they're difficult.

REP. O'DEA (125TH): But -- but you've tried it -- you've tried them; correct?

LEWIS CHIMES: Yes.

REP. O'DEA (125TH): So -- so there are cases where -- so a qualified immunity only protects officers where rights were violated, and they were not clearly established; correct?

LEWIS CHIMES: No.

REP. O'DEA (125TH): So, in other words --

LEWIS CHIMES: No. No. That's not correct.

REP. O'DEA (125TH): Well, tell me -- tell me what cases you got to a jury on. Did you ever win a case of police misconduct?

LEWIS CHIMES: Yeah. I've settled all my cases of police misconduct, counsel, so --

REP. O'DEA (125TH): Okay. So, there --

LEWIS CHIMES: Or -- or I didn't bring them frankly. A lot of them I haven't brought, but the standard on qualified immunity is -- is yes if the rights were not clearly established is one, but the other is -- is you know if reasonable officers could disagree as to whether they were violating the rights -- not the standard of did he or did he not, the simple standard that it should be, but whether reasonable officers might disagree as to whether he did. Well, that -- that's -- you're always going to find officers who are going to say, yeah, that was a reasonable belief, so that is just an insurmountable barrier in these cases.

REP. O'DEA (125TH): But that's not true. You've -- you've gotten settlements. I've tried cases to juries. I've seen people win cases against officers firsthand, so it's true that cases do get to juries despite qualified immunity; correct?

LEWIS CHIMES: Some do, but many don't.

REP. O'DEA (125TH): All right --

LEWIS CHIMES: And, frankly, -- and in those cases often qualified immunity will just knock out critical evidence in the cases. So, if I can give you some examples of cases where I could not take it because of qualified immunity, you know -- a man is accused of murder and he's incarcerated for 13 months, and the prosecutor suddenly drops it. The warrant is -- is clearly has got huge problems, but I know I'm not taking that case because the -- the police are gonna be protected by qualified immunity. I'm not saying I wouldn't win that case, but I certainly should be -- that person who's been incarcerated for 13 months has a legitimate right to -- to question what happened and have it determined whether or not his rights were violated in the warrant. A black and a white couple are stopped in a store when merely because another store -- a black and white couple in stealing from that store. I mean I couldn't -- I can't win that case on qualified immunity, but clearly the fact that they're being stopped and detained is an issue, and so those are examples of cases that can't go forward.

REP. O'DEA (125TH): So -- so you're saying there would be an increase in litigation involving police and governmental misconduct?

LEWIS CHIMES: Yeah, but I don't think there's going to be frivolous litigation. Look, the point of it is -- the point of any civil right statute is to provide -- incentivizes the police department to get rid of the bad apples and to get rid of and to train their officers. If a police department is going to

pay for the violations of civil rights by their officers, they're gonna be motivated to make sure they know the rules and they don't violate them, and they're going to be motivated. If they know their police officers are bad apples, they're gonna get rid of them 'cause it's gonna cost them down the line, so yeah it might, but it's a cost well worth it given the issue we're in.

REP. O'DEA (125TH): Do you think there are other ways to do it other than through eliminating qualified immunity?

LEWIS CHIMES: I think a lot of -- I'm not really going to comment on how do you train -- how do you retrain the police. That's certainly beyond my thing, but obviously, all of those are a serious part of it, but you need qualified immunity for four reasons. I think the black community is entitled to a remedy where they are in open court, where's there's transparency, and the claims can be fairly litigated, unlike internal police procedures which are gonna be shielded from the public. I think there's a lot of distrust about the public, but I agree. No. I think there are other things -- considerations that should be included. This is just one piece that we need the teeth of this piece to make the police departments who are going to be resisted to change, make the changes that you're trying to do here.

REP. O'DEA (125TH): Do you agree that eliminating the qualified immunity the Supreme Court said that it was concerned that it would chill lawful law enforcement conduct with the threat of lawsuits?

SENATOR WINFIELD (10TH): Rep. O'Dea, I -- I'm not gonna cut you off, but I'm just gonna remind you

that we have quite a few people who want to ask questions as well?

REP. O'DEA (125TH): Fair enough. Counsel, listen, you've got an excellent reputation. I never had the opportunity to try any of these 1983 cases against you, but I -- I -- I think you're selling yourself short on your abilities to successfully litigate these cases even with qualified immunity, but thank you, Mr. Chairman, for the time, and thank you, sir, for your testimony.

SENATOR WINFIELD (10TH): Thank you, Rep. O'Dea. We'll hear from Senator Lesser, followed by Representative Rebimbas.

SENATOR LESSER (9TH): Thank you, Mr. Chairman, and thank you Attorney Chimes for your -- for your testimony. I just wanted to get a sense how long have you been involved in -- in police brutality cases?

LEWIS CHIMES: I would say -- I mean I can't go back -- I mean I certainly at least 15-20 years.

SENATOR LESSER (9TH): Okay. Thank you. The --

LEWIS CHIMES: No. In fairness, probably my -- I do -- mostly I do employment discrimination, but I've also done this. Frankly, I've represented a lot of police officers who are not hesitant to assert their civil rights, and perhaps, they should be as sensitive to victims of police misconduct having an equal say in court as they are, so.

SENATOR LESSER (9TH): The -- the reason I'm asking is because the -- the section 1983, you know, dates back to the Civil Rights Act of 1871, the third Ku Klux Klan Act, and qualified immunity was adopted I

guess in the 60s, but really didn't apply -- wasn't really applied to police brutality cases I think until around 2005, so I guess what I'm sort of wondering is it such a recent development as I understand it in -- in being applied to police brutality cases, has the application of the doctrine of qualified immunities in your experience increased or decreased the amount of litigation? You know, we're hearing this allegation that it would increase frivolous litigation. I'm just wondering as we've seen this relatively recent doctrine being applied, how -- how is that affecting, you know, the volume of the litigation in -- in your mind or your --

LEWIS CHIMES: So, qualified immunity is -- is -- first of all, it's not constitutional. It's something that was judicially created. Initially, it was really about sort of the high-level systems to the President, and you know eye-level offices. It has only recently been extended and you know to police officer and especially line police officers -- relatively recently, and I think frankly if you look at the evolution of it, it's just been twisted out of -- out of recognizable shape. I mean I don't think many judges or lawyers who do this really even can explain it in a coherent way. It's -- it really just gives an erroneous amount of discretion to get rid of these cases.

SENATOR LESSER (9TH): Thank you.

SENATOR WINFIELD (10TH): Thank you, Senator. Representative -- Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I'll try to be brief. Thank you, Counsel. I think this exchange has been very, you know, enlightening and informative in that regard, but a question for

you. I believe you had indicated that you stated that by getting rid of qualified immunity that we're deterring bad actions. Would it be your position that qualified immunity should not exist for any profession?

LEWIS CHIMES: I think -- well, that's beyond the scope of this. I think this bill was drafted, again -- and I think Chuck Stango raised a concern that I think should be put aside. First of all, prosecutors and judges don't need qualified immunity. They have absolute immunity, so I can disagree with a prosecutor's decision, and I can disagree with the judge's decision, and you cannot sue them, so that's not affected in the least by this. There's no slippery slope. This, you know, is very narrowly focused on police, and it's narrowly focused because this issue of the treatment of the black community by police officers is what this session is all about. There's nothing in this bill that extends it beyond the police and focus on police misconduct. That's --

REP. REBIMBAS (70TH): I appreciate that comment, but because of the blanket statement that qualified immunity needs to be removed because it will deter bad actions certainly is a very broad statement in that regard, and I think based on your response, it sounds like that you do believe that whether it's all complete immunity or some type of qualified immunity that that would not be a statement that you would make for other professions. With that said, the only other --

LEWIS CHIMES: No. No. Actually, if I can? I don't -- I would have to look at how the application of it in the --

REP. REBIMBAS (70TH): That's fine. So, you'd have to look at it, so it's not a -- you know, but again, you're -- as we sit here today, we're looking at this only, and it's your belief that by taking away qualified immunity that it's gonna deter action, but again, you're not ready to make that for any other profession as we sit here today. One of the other comments that we --

LEWIS CHIMES: I -- I -- I think what I said is that it's going to --

SENATOR WINFIELD (10TH): Excuse me. Excuse me. I know that we're going back and forth, but if she asks you a question, I think you should respond. I don't want the exchange to keep going back and forth.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. One of the other things, -- and again, I don't want you then to answer it if you can't -- I know earlier you said you didn't want to comment on training, but there was an exchange that there are other ways of getting to these, you know, situations where it may be perceived that someone's rights are being violated, and again, I do believe that that would be through training and these cameras, and when we're talking about the increase in litigation in that regard and you also, I believe, said that it would be hard to prove certain things. So, your example of the couple that may have been stopped allegedly based on race, without qualified immunity certainly those complaints can be filed, should be filed, and they would get beyond any type of summary judgement on qualified immunity. It would then proceed. Whether or not it proceeds to a jury or gets settled out, we won't know, and I'm sure that's gonna depend

on the facts and circumstances and the evidence. Would you agree with that?

LEWIS CHIMES: I would agree that I think every case should depend on the facts and circumstances, absolutely, but also every case should see the light of day, and -- and you know, have it determined.

REP. REBIMBAS (70TH): Sure. And, so I guess my -- my issue regarding that is -- and I believe, again, it's conceited that the additional cases that will proceed forward opposed to being then expunged with qualified immunity is going to be in existence, and I disagree with the comment then you know the additional funding to proceed with those cases will then week out the bad apples or the bad actors. I think we can certainly do that through the training, and then we're gonna have the cameras in order to review and hopefully address those internally opposed to having to bring every single case into court, and use even practitioners, we prefer that they don't go to a jury because we know that it's costly, and it's emotional, and there is lots of unintended consequences even at that, so you know, again, I just want to thank you for the dialogue. I thought it was very informative, and I think you actually highlighted, you know, the slippery slope that this does increase more litigation, and -- [Crosstalk].

LEWIS CHIMES: Well, I -- I -- I -- may I respond?

REP. REBIMBAS (70TH): So, thank you.

LEWIS CHIMES: May I respond?

SENATOR WINFIELD (10TH): Representative Rebimbas, do you --

REP. REBIMBAS (70TH): It was more of a statement based on the exchange that took place. Thank you.

SENATOR WINFIELD (10TH): Okay. Let me see if there are other questions or comments from the members of the committee. If not, thank you very much for joining us, and -- and --

LEWIS CHIMES: Thank you for listening.

SENATOR WINFIELD (10TH): Sharing your expertise with us. Next on the list is Raji Sundararajan, followed by Jerard Cunningham, and Janee Woods Weber. Is Raji on? Jerard?

JERARD CUNNINGHAM: This is Jerard on. Can you hear me, sir?

SENATOR WINFIELD (10TH): I can hear you. You have three minutes.

JERARD CUNNINGHAM: Okay. I wanted to thank you for allowing me to call in. I do hope you appreciate not having to look up at my nose hair and double chin cap, and I -- I do also want to thank the committee for -- for giving the Lewis Chimes Law Firm the very first infomercial being run on this new bill. Got a problem with the cops? Call Attorney Chimes. Anyway, our -- our current situation in general and unfortunately with this legislation in particular reminds me of that line from the old Rolling Stones song "when every cop is a criminal and all the sinners saints" And we might call parts of this bill sympathy for the criminal, and I've certainly heard a lot of profiling of the police and all races of people today, especially by -- off and on by Mr. Chimes there.

So, I rise in opposition to the portion of this bill that removes qualified immunity, and I also oppose to -- to really the absurd, the insane idea of having convicted felons rather than victims of crimes sitting on a board in judgement of police. To me, removing qualified immunity it handcuffs the police for the benefit of the criminal. But, my opposition is not based on my support for the police but rather in recognition of the violence and the bloodshed and the mayhem that will surely follow. Much testimony is given today about the hold up of police unions in some of the riots that had occurred, but statements was made of the violence and the looting and the mayhem and the murder that these police were confronting on the streets. I mean just today -- or just recently we saw the chief of the NYPD beaten over the head with a cane and he was also bloodied by another attacker, and today, that other attacker was released without bail. We saw bats being delivered to the site of this peaceful protest, and I point this out because this is one of dozens or hundreds of stories of violence and mayhem and murder and arson and looting that have occurred over the last six weeks, and to link this discussion exclusively to the murder of George Floyd but ignore the violence against David Dorn or against the police is madness. It's -- it's totally irresponsible to miss the whole story. Hundreds have been shot, thousands murdered including precious children. Say the name Dave McAtee. Say the names Sincere Gaston. Say their names. They were killed too. Little lives matter.

And, my point is in my opinion it's murder. It -- it's not the -- it is -- what's going on is the true face of criminal justice reform, it's the true face

of police accountability legislation, and it's the true face of defunding the police. So this, the violence that I believe will -- already has happened. You don't have to believe me. Look around the country. It's not an unintended consequence. It's an intended consequence. And, just very quickly, I read the testimony of an Officer Brian McMahon. I don't know him, but I want to echo an important part of what he said. That removing qualified immunity means that every decision he puts his entire family at risk, and that creates hesitation, and with hesitation, those are crimes that won't be stopped, those are lives that won't be saved --

SENATOR WINFIELD (10TH): Mr. Cunningham.

JERARD CUNNINGHAM: And, it doesn't take --

SENATOR WINFIELD (10TH): Mr. Cunningham, you're at your three minutes. Please summarize.

JERARD CUNNINGHAM: Well, what my point is simply is that this opens the door. We see a ton of corporate money, millions and billions falling into social justice organizations, and you could see grievance mongers standing up at a police station, throwing rocks, filming them with their cameras, and when they get arrested, they now run to the Lewis Chimes Law Firm, and they have a suit.

SENATOR WINFIELD (10TH): Thank you, Mr. --

JERARD CUNNINGHAM: So, if you --

SENATOR WINFIELD (10TH): Thank --

JERARD CUNNINGHAM: Must look at the impact on people.

SENATOR WINFIELD (10TH): Thank you. Are there questions or comments for Mr. Cunningham? Representative Porter.

REP. PORTER (94TH): Thank you, Senator Winfield. Not really a question, but I do want to comment on, you know, part of what he has stated in his testimony, which is something that a lot of people tend to bring up, you know. [Clearing throat]. The looing, the violence, the things that we're seeing in communities, particularly communities of color, and I just want to put it on the record that the things that we are seeing are actually the things that we have been taught. This country was founded on looting, looted it from the Indians, looted black people from Africa. The violence. Let's talk about the slave patrol because that is what this is rooted and grounded in, so let's talk about the history of policing and why we have the symptomatic problems we do in black and brown communities because somebody stated that earlier. They talked about let's talk about why the police are in the communities. Why the police have to respond the way they do. There are several reasons why, but this is centuries old, and if we're gonna talk about it -- [Crosstalk].

JERARD CUNNINGHAM: Well, how does that explain black-on-black violence?

SENATOR WINFIELD (10TH): Mr. --

REP. PORTER (94TH): I'm sorry. I'm sorry.

SENATOR WINFIELD (10TH): One second. Mr. Cunningham. Representative Porter is speaking.

JERARD CUNNINGHAM: Yes, sir.

SENATOR WINFIELD (10TH): When Representative Porter is speaking, she is speaking. When she ask you the question, you get to respond to the question, but we are not going to talk over each other.

JERARD CUNNINGHAM: Okay. It sounded like a statement. That's why I chimed in.

SENATOR WINFIELD (10TH): And, if she's making a statement, she's allowed to make the statement and finish.

JERARD CUNNINGHAM: Understood.

REP. PORTER (94TH): As I was saying, Senator Winfield, and thank you for that is that if we want to see a change for real in the way that cops have to show up and police in communities, then we are going to have to change the way that the behavior is, and it's on both sides. Let's be honest about it, but we are talking police brutality. We are talking about people who were sworn, have taken an oath to serve and protect and uphold the law. We are not talking about good cops. We're talking about rogue cops. We're talking about cops that create -- that commit crimes, and this is in every profession. You have rogue people, so let's not act like this doesn't exist. It does, and all I'm saying is if we're gonna talk about it, let's tell the entire truth, and let's take it back to the history on how this country was founded and how it was created, and how the violence and the lynching was created. It's learnt behavior. If it's what you see black and brown communities doing, we learned it from white America. We were subjected to this from the very onset, and it's not a question, it's a statement, and I will rest here. Thank you, Senator Winfield.

SENATOR WINFIELD (10TH): Thank you. Senator Kissel.

SENATOR KISSEL (7TH): Yeah, hi, Mr. Chairman. I just got to respond to my friend Robyn Porter. Hey man, you know, my people came over from Ireland after the famine. Irish need not apply. Why are you just blanketing all Caucasian people with a racist bigotry kind of notion? I'm really sort of offended. I bit my tongue like all afternoon, all morning, but this sort of like characterization is offending me now, and I just want to let you guys know we're talking about this bill, the provisions of this bill, how it impact all the people of the state of Connecticut, and please do not state that because I was just born Caucasian that I'm some sort of a bigot 'cause that's not fair, and I would never say the opposite in the other direction. That's all. Thank you.

SENATOR WINFIELD (10TH): So --

REP. PORTER (94TH): Senator Kissel. I'm sorry. Just let me respond, Senator Winfield. Senator Kissel, with tremendous respect, I want you to know that is not what I was saying, sir. That is not what I -- I am not painting a wide brush, I'm not throwing all white people in the same boat. That is not what I'm doing. I'm simply stating the history of this country and responding to the good gentleman's mention of violence and looting and where that came from, and to talk about your immigration -- you migrated here with -- with dreams, big dreams. We didn't. My people were born here enslaved. We didn't have dreams -- American dreams. We didn't -- we didn't feel like we were coming here to prosper. We came over here packed

like sardines on boats, subjected to inhumane treatment, and we are still suffering from that, so please, no. I am not painting a wide brush. I am not saying that all white people. I'm talking about the people that brought us here. I'm talking about --

SENATOR KISSEL (7TH): Rob -- Rob -- Robyn. Robyn. Robyn. The potato famine was not a dream. It wasn't a dream. Okay. I wasn't a slave back when my ancestors weren't a slave, but the potato famine that wasn't a dream ship. Okay. It wasn't a cruise.

SENATOR WINFIELD (10TH): Okay. Both -- both of you. We're gonna end that conversation because that's not advancing the conservation that we are having here on this bill. We can have that conversation separately. [Sigh]. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I think based on the fact that you pulled it back I will then refrain from making comments, but I do think that we do need as members of this committee as well as what we expect from the public to be cautious of our words and how it may or may not affect others, and I think we've, you know, tried that to the best of our abilities, but we should not be judging individuals who come before us and talk about facts of what they observed currently as well. I think that is pertinent to the bill that's before us. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Senator McCrory.

SENATOR MCCRORY (2ND): Yeah. Thank you. I got a simple question. Yes or no -- actually, simple yes

or no question. Mr. Cunningham, do you think there's room for police reform in Connecticut?

JERARD CUNNINGHAM: Part of the bill, yes. Absolutely. Certainly, the cameras, certainly studying them, but I also know it's not a -- it's not a free option. If you will -- if you handcuff the police, sir, there will be more dead people. That's the simple fact. We see it everywhere. We saw it in Baltimore following the Freddie Gray riots. We see it in Chicago. We see it in New York. We see it in Portland, Oregon. If -- it would be great if we could do this without a cost, but there's a cost --

SENATOR MCCRORY (2ND): I'm --

JERARD CUNNINGHAM: As a nonlaw enforcement person, as a citizen, I'm trying to say keep in mind the cost 'cause when the violent crime goes up, it'll be directly attributable to this bill.

SENATOR MCCRORY (2ND): Okay. Thank you.

JERARD CUNNINGHAM: In my opinion.

SENATOR MCCRORY (2ND): And, my last -- my comment is -- and this is not a question. You do realize since the 1960 -- 50s that every uprising -- you call them riots. I call them uprising --

SENATOR WINFIELD (10TH): Senator --

SENATOR MCCRORY (2ND): Seated by a police shooting of a black man in this country, so knowing that and knowing the fact that the Federal Bureau of Investigation has already documented that white supremist has infiltrated law enforcement as a country, I do and you do agree that police reform is

needed. Thank you for your commentary. I appreciate you coming. Thank you.

JERARD CUNNINGHAM: Thank you, sir.

SENATOR WINFIELD (10TH): Are there other comments or questions? All right. I don't see any. I will -- I will just say this. I think that we always attempt to be careful about what we say and how it comes across so that we express the meaning. I do think that to talk about this bill without talking about how we get to the situation that we're in, it precipitates the bill, and that is not the incident with George Floyd. It is the history of the interaction between the police and black communities and communities of color would be to not be having a real conversation. And, as I said earlier about this being about power being given and how it is used, the distribution of power, I think it's particularly important that we understand what that has meant, and what it has meant in communities of color, not -- not in the 1800s, not in the early 1900s or mid-1900s, but in present day America, and without doing that, I think it's impossible to understand why this bill is as important as it is to the people who are working to pass this bill. Mr. Cunningham, I thank you for joining us today, and enjoy your evening.

JERARD CUNNINGHAM: Likewise. Thank you, sir.

SENATOR WINFIELD (10TH): So, next on our list, we have Janee Woods Weber, Bernadette Schmoelzer, and Donna Veach. Is Janee here? Bernadette? Donna? After that would be Steven Cousin. Is Steven on?

STEVEN COUSIN: Good evening. How are you?

SENATOR WINFIELD (10TH): Oh, I'm doing well. You have three minutes.

STEVEN COUSIN: Okay. Thank you to Senator Winfield and to the members of the Judiciary Committee. My name is Reverend Steven Cousin. I'm the pastor of Bethel AME Church in New Haven, and I also serve as encouraging ambassador to the New Haven Police Department. I just want to thank Senator Winfield, Representative Stafstrom, Representative Rebimbas, and Senator Kissel for their diligent work on this comprehensive police accountability bill. Given the times that we are in, I think that it is admirable that you have both sides of the aisle coming together to work on common-sense solutions. There are things I do like about the bill. I do like the police officers undergoing mental health assessments. I do like the recertification of officers due to the use of inexcusable excessive force, and I also like the civilian review board with subpoena power. There are some things that I think we can actually discuss or have a debate in terms of what I believe is missing. We could look at raising the age for the requirement of police officers from 21 to 24. We could also look at the education requirements from a high school diploma to a minimum of Associate's degree. Regarding this issue regarding qualified immunity, for -- I understand the police department and officers how they feel, they put their lives on the line every day, and they feel that they do not get the credit and that deserve, and that is dually noted. I will also say that to the African American community when tragedies do occur between law enforcement and communities of color we are nervous that it will be A) Charge is brought or B) A conviction of the

officers that were implicated and the event, and for us, we can talk about bringing charges but it's rarely the officers get convicted of these crimes.

Now, we know that officers make split-second decisions every single day of their lives where it's really life or death, but if you look at what happened with Eric Garner, look what happened with George Floyd. George Floyd case it was 8 minutes and 46 seconds. That was not a split-second decision. Look what happened with Freddie Gray where officers were acquitted and even now the Attorney General, Keith Ellison in Minneapolis is saying that we need to tamper down our expectations with the officers that were charged for his murder, and so I would just urge this board -- this body -- I understand this conversation, and I know it cannot happen overnight, but let's really have an open debate. Let's have an honest conversation about where we are as a country. I believe that right now we are on the cusp of something great, but it's only up to us if we're able to take advantage of it, and so I urge you let's stand on the right side of history this time. Thank you so much.

SENATOR WINFIELD (10TH): Thank you, Pastor Cousin. Is there other questions from members of the committee? If not, thank you for being here and listening all day and coming in and giving us your opinion. Have a great evening.

STEVEN COUSIN: Thank you. You too.

SENATOR WINFIELD (10TH): Next, we have Cassi Meyerhoffer, followed by Orsella Hughes, followed by Reverend Kevin Taylor. Is Cassi here?

ALA OCHUMARE: Hello, Cassi is conceding her time to me. My name is Ala Ochumare. You may have originally saw me earlier, and again, I am representing Black Lives Matter New Haven. I am going to read the testimony of Jeannia Fu who represents Connecticut Bail Fund.

"I want to speak on qualified immunity. Qualified immunity allows police to dictate what is true, so this means that police say and believe -- what police say and believe is allowed to arbitrate justice even when they are the ones being investigated. Police always say they are acting in good faith. They always say they reasonably believe they had to do whatever it is that they do, but as Representative Robyn Porter said, the institution of policing is deeply racialized and always has been. In the eyes of police officers, it is objectively reasonable to punish and kill, enslave black folks who were seeking freedom from slavery. This is one of the primary origins of police in America.

In 2018, the Institution of Police and Waterbury State Attorney Office decided it was objectively reasonable for Officer James Boulay to shoot and kill 15-year-old Jayson Negron. A year later, the Fairfield State Attorney's Office decided it was objectively reasonable for five officers to fire on three black youths driving in a car who were defenseless and terrified. Noah Young was only 18 at the time, Caleb Tisdol was 15, like Jayson, he was hospitalized for four days, and Zoe, 20, was killed by police gunfire. If we want police to be held accountable in this day, we cannot rest on laws and policies that make it so that police get to set and get to decide what is fact and what is true. If you look at really in any case of police brutality

that has been taken on and decided by the state, police always use objectivity to protect themselves and justify their violence. The state always takes their words to be true, and this is why Connecticut police can engage in all sorts of warfare on black and brown and indigenous communities with the protection of law. I support this bill because it will eliminate qualified immunity. We need to take away police officer's ability to justify their violence on the basis of their own stories, of their own versions of objectivity. I believe no profession should be allowed to dictate reality this way, especially not a profession that has power to take human lives, a system that has been at war -- at war with black, brown, and indigenous folks ever since it was created.

The war police have raged on black and brown people not only in Connecticut but across the country is genocide. We need to recognize that. We have to recognize that. We need to pass this bill which will be a small step, a very small step in our state to end all forms of state-sanctioned violence."

SENATOR WINFIELD (10TH): Thank you. Can you -- can you state her name again and spell it for the record?

ALA OCHUMARE: Jennia Fu. J-E-N-N-I-A F-U, and she represents Connecticut Bail Fund.

SENATOR WINFIELD (10TH): Thank you. Are there questions or comments from members of the committee? I didn't think so since she's not actually here. I want to thank you for reading her testimony for us. Oh, wait, wait. Representative Porter has a question.

ALA OCHUMARE: Thank you, Robyn.

REP. PORTER (94TH): Welcome Ala. I'm sorry. Hold on. Turn the other one off, Robyn. I'm sorry. I got two devices going here because my internet service is acting up, but I just want to say thank you for being with us today, and thank you for reading that testimony, and I know that you're speaking on behalf of her, but since we have you here and all the work that you do in New Haven with Black Lives Matter, it would be remiss of me not to ask what your take is on this bill and how you feel about what we're trying to do in the State of Connecticut right now around police accountability?

ALA OCHUMARE: I fully support this bill.

SENATOR WINFIELD (10TH): I'm sorry. Ala, before you answer that question, can you restate your name again?

ALA OCHUMARE: Yes. My name is Ala Ochumare. I am a resident of New Haven, Connecticut. You can spell my name A-L-A O-C-H-U-M-A-R-E. Again, from Black Lives Matter New Haven, and I am a New Haven resident.

SENATOR WINFIELD (10TH): And, I will just say this to Representative Porter. Ala actually testified earlier for -- for a while, so --

ALA OCHUMARE: No one asked me any questions, though.

SENATOR WINFIELD (10TH): I understand that, but I'm -- I'm just letting Representative Porter know that because you've already testified, and I don't want us to extend the time very much more.

REP. PORTER (94TH): Thank you for that, Senator Winfield. I just didn't realize that.

SENATOR WINFIELD (10TH): So --

ALA OCHUMARE: Well, I can still answer your question shortly.

SENATOR WINFIELD (10TH): One second -- one second, Ala. I cannot hear what Representative Porter is trying to say.

ALA OCHUMARE: Unmute yourself, Robyn. Please.

REP. PORTER (94TH): I was just saying thank you to you, Senator Winfield. I didn't realize that Ala had actually testified earlier because I've been in and out of the public hearing, but if -- if I could ask to just have her briefly state how she feels about what we're trying to do here today, that would be greatly appreciated. Thank you.

SENATOR WINFIELD (10TH): Ala -- Ala -- Ala, I just want to tell you I'm gonna give you about 30 seconds because --

ALA OCHUMARE: I gotcha. I got you. What I think that this would mean is the begin to preventative measures in our cities. What folks are speaking to what police do after harm has been committed and harm is taking place in our cities, what we're asking for this bill will set the tone for cities to begin to create transformational justice practices and restorative practices not only in schools but in the community, and we need this bill to set the tone and foundation for that.

SENATOR WINFIELD (10TH): Thank you, Ala.

REP. PORTER (94TH): Thank you, Senator Winfield, and thank you, Ala.

ALA OCHUMARE: You're welcome.

SENATOR WINFIELD (10TH): We have Orsella Hughes, Reverend Kevin Taylor, Shannon Leslie. Is Orsella here? Reverend Taylor? Shannon Leslie? Dan Lage?

DANIEL LAGE: Good evening.

SENATOR WINFIELD (10TH): Yeah. Go ahead. You have your three minutes.

DANIEL LAGE: Thank you, Senator Winfield, Representative Stafstrom, members of the Judiciary. My name is Dan Lage, partner criminal defense lawyers, civil rights attorney at Ruane Attorneys in Shelton. One of my favorite shows on tv is First Take on ESPN. I'm always impressed with how Steven A. Smith and Max Kellerman fit so much content into such short periods of time. I'm going to try to do so, and in the supplementation of my written testimony, which focused on Section 41, qualified immunity, and I'm going to do that by telling three quick stories. These are real stories from real court rooms in this country. Not all of them deal with police misconduct. However, they understand why qualified immunity is a theory of law that needs to be abolished.

The first from 2007. A prisoner in Texas committed suicide. The prison officials had known about previous attempts. They made no efforts to treat this individual. They made no efforts to stop or prevent this individual from committing suicide again. Eventually, he was successful. The parents brought suit and qualified immunity tossed the case out. Why? Because the court decided that there was

no previous case citing a deliberate indifference to a serious medical need that specifically addressed suicide. That one change in fact tossed out this case for that family.

The second involves a 10-year-old boy in July of ’19. The court found that qualified immunity applied in a situation where a police officer chased a suspect into the residential backyard where a birthday party for a 10-year-old boy was being held. The officer chased the suspect and ordered everyone in the yard to lay on the ground. They all did, of course. The family dog -- his name was Bruce -- made his way to his 10-year-old buddy, and as he was doing so, the officer who was courageously stupid enough to fire a shot at a dog who was walking away from him and posed no threat to him missed. Who did he hit? The 10-year-old boy -- shattered his kneecaps. Qualified immunity shattered that case. Why? Because the court decided that in a separate case in the same jurisdiction where a person was ordered to lay down on the ground prone, that didn’t necessarily violate a clear established area of law because the previous case involved someone who was ordered to lay down on their knees with their hands up.

The final case and the most disgusting case comes out of Colorado. It involves a 4-year-old girl. The Department of Social Services, I think, in Colorado had received an anonymous tip that this young girl was being abused. The tip was not corroborated, but they decided that the only course of action was to order this 4-year-old girl to be stripped searched and photographed. There was no warrant. There was no police officer present. There was no alert to the parents. The girl goes

home and says, mom, dad, I don't want to go back to this place because they make me take my clothes off. Qualified immunity resulted in that case being dismissed because even though we had Stafford in 2009 where the Supreme Court decided it was unconstitutional to order a strip search of a minor in a case involving drugs, because that case involved drugs and this case involved suspected abuse, it wasn't a violation of clearly established law. Perhaps the most surprising thing about that case was that there wasn't a prosecution of the parents for assaulting the person that photographed their child. That case comes out of Colorado. They fixed the problem. I hope this committee does the work that it needs to do to fix it in Connecticut as well. I welcome your questions. Thank you.

SENATOR WINFIELD (10TH): Thank you very much. Are there questions or comments from -- from members of the committee? I do not see any. I want to thank you for coming today and testifying before us. have a great evening.

DANIEL LAGE: Thank you, Senator. You too.

SENATOR WINFIELD (10TH): We have next on the list Jocelyn Hart Lovelace, Margaret Goodwin. I'm sorry?

RICHARD CLARKE: Richard Clarke, and I'm sitting in the place of Jocelyn Hart Lovelace.

SENATOR WINFIELD (10TH): I'm sorry. Who are you?

RICHARD CLARK: Richard Clarke with Jocelyn Hart Lovelace.

SENATOR WINFIELD (10TH): Okay. Hold on.

RICHARD CLARKE: Okay.

SENATOR WINFIELD (10TH): After that, we have Margaret Goodwin, and Matthew Olson. Mr. Clarke, you have three minutes.

RICHARD CLARKE: All right.

SENATOR WINFIELD (10TH): Before you start. Restate your name and spell it.

RICHARD CLARKE: I am Reverend Dr. Richard Wesley Clarke, Bethel AME Church, Norwalk, Connecticut, and President of the Interdenominational Minister's Scholarship of Norwalk and vicinity. Early on I heard the testimony of Rhonda Caldwell. She cited several Connecticut residents who were victims of some police mistreatment. (inaudible - 02:23:01). For over 400 years and counting, this nation has continued to struggle for equity and justice for people of color. People of color have been literally gunned down when the situation could have been handled without escalation of the laws of like. There has in some cases people not doing the right thing, but should the resulting consequence have been death by execution without regard to human life? Let's look at some past examples.

Walter Scott shot five times in the back as he fled from a police officer. Freddie Gray killed while in the back of a van by police. Sam DuBose, unarmed black motorist killed after a routine traffic stop by a police officer, and I can go on naming those who have been victimized. I kindly request that we pass the bill LCO No. 3471 into law that would allow our people to feel safe and secure in their community. Thank you.

SENATOR WINFIELD (10TH): Thank you, Reverend Clarke. Are there questions or comments of any

members of the committee? Okay. Great. Thank you for coming to testify. We appreciate you spending part of the evening with us. Have a great evening.

IONA SMITH NZE: Chairman Winfield. I'm sitting in for Reverend Kevin Taylor.

SENATOR WINFIELD (10TH): Hold on -- hold on one second. So, I was about to go to the -- back to the Kevin Taylor, so what we're -- so Kevin Taylor, and you're in his place. We'll -- We'll --

IONA SMITH NZE: Yes.

SENATOR WINFIELD (10TH): Be next, and then we'll go to Margaret Goodwin, Matthew Olson. We have Robert Davis on the list, but he testified earlier, so that's the order. When you begin your testimony. State your name and spell it so that we have that.

IONA SMITH NZE: Thank you. Thank you, Chairman Winfield and Chairman Stafstrom and to the distinguished members of the Judicial Committee. My name is Reverend Iona Smith Nze. I-O-N-A. Smith S-M-I-T-H. Last name N like Nancy, Z like Zebra, E. I live and vote in Bridgeport, Massachusetts. Oh, Massachusetts -- Sorry. Connecticut, and I am here this evening in order to support LCO 3471, AN ACT CONCERNING POLICE ACCOUNTABILITY. I have submitted written documentation, but I am asking on behalf of over 200 families in the oldest African American church in Bridgeport, Connecticut, Bethel AME Church, for a stronger use of force standard.

The bill should require that any use of deadly force is necessary rather than the current standard of objectionably reasonable, that you would consider inspector general hiring and firing and that this inspector general be appointed by the Criminal

Justice Commission, that there be a public right to record police and it would ban police officers from taking cell phones or other recording devices without a person's consent or warrant, and finally, police failure to record even with police body and dashcam as adopted by police departments, too often use of force incidents do not get recorded.

I represent these 200 families who by oral history and written documentation are witnesses to centuries and generations of brutality and injustice, and at the words of Howard Thurman, teacher/preacher, "We simply want the desire to live a fundamentally unchained life, especially those who stand with their backs against the wall." Those that I'm talking about are the poor, the disinherited, and the dispossessed. Historically, institutionally, empirically, and systematically, people have stood in America with their backs against the wall. I stand in support of every citizen of the largest city in the state of Connecticut where there are 8902 residents per square mile. I stand in support of those who are experiencing and witnessing police brutality against all black and brown people, who are saying that enough is enough.

Finally, distinguished panel, I urge you not to be distracted today, this evening by estimating the funding that will be required in order to consider this new legislation. As you consider the moral imperative of this potentially groundbreaking legislation, this bill begs enforcement of the long overdue need to promote officer restraint and officer accountability. Thank you.

SENATOR WINFIELD (10TH): Thank you, and can you one more time a little more slowly state your name and then spell it. They didn't quite catch it.

IONA SMITH NZE: Yes. My name is Iona Smith Nze. I-O-N-A. S-M-I-T-H. N like Nancy, Z like zebra, E.

SENATOR WINFIELD (10TH): Thank you. Are there questions or comments from members of the committee? If not, I want to thank you for coming this evening to testify and sharing your -- your opinion with us. have a great evening.

IONA SMITH NZE: Thank you. You do the same.

SENATOR WINFIELD (10TH): Thank you. We next will hear from Margaret Goodwin, Matthew Olson, and then Donna Veach was unable to get on a couple of people ago. We'll hear from Donna after that. Is Margaret Goodwin on? Matthew Olson? Donna Veach? Okay. Leona Klerer -- Klerer? Michelle Voigt? Joseph Gaylin? Nicole Cruz-Glacken?

NICOLE CRUZ-GLACKEN: I'm here.

SENATOR WINFIELD (10TH): Okay. Nicole, you have three minutes.

NICOLE CRUZ-GLACKEN: Hi, everyone. I just want to thank everybody from the Judiciary Committee for their time and allowing us the opportunity to speak. [Laughing]. I had a lot of thoughts before it was my turn, but I've been here all day listening to everyone, and so now I have other thoughts. I just want to say I do appreciate certain Representatives and Senators who have addressed the treatment of people of color in this country. I think we need to understand that this is why we are here today, and although we have different perspectives depending on

your race or your profession, that historically people of color in this country have been mistreated and marginalized and subsequently abused by police, and although what I think is on the forefront of our mind is George Floyd. I believe that, unfortunately, his death was a catalyst that resulted in this -- what has been called uprising. I do not believe that is a negative term because I believe that when people are oppressed they should up rise.

I am in support of this bill because I believe it -- it addressed accountability and although we're talking about, you know, the use of force and you know, possible choke holds and other things that are used to possibly deal with people who are coming into contact with police officers, the original thought that I had was about the initial contact with police officers, and somehow there's an understanding that people who come into contact with police officers are immediately criminals when there are people who come into contact who are sometimes provoked by officers, and I think that initial contact is sometimes what results in the escalation, and I think the escalation from the very beginning can be avoided by not harassing people, and we have seen that in instances of driving black or walking black or talking black or just being a person of color, and that is greatly concerning to me as a woman of color and an 18-year-old son who is black and recently -- although he did not tell me when it happened -- he was walking to work, going to Dunkin Donuts, wearing his uniform, and five o'clock in the morning, mind you 18-yedars old going to work that shift, and he was stopped by a Ledyard police officer, and he was asked where he was going, and

like I said, it wasn't something that happened fairly recently, but knowing that as a mother when it did happen, it was heartbreaking because I cannot help but wonder what would have happened if my son were scared and decided to run, and I think that also is related to resisting arrest. I think it is a human instinct to self-preserve, and when you know that you are being stopped for no other reason other than being black, knowing the history that black people have had in this country, it is not resisting to preserve your own life, and I think that that fault falls on the police officers who engage in that initial contact, which is unwarranted possibly -- I'm sorry. I can't hear you.

SENATOR WINFIELD (10TH): Oh, sorry. That's my fault. I was just trying to say to you that if you could wrap up, summarize your testimony.

NICOLE CRUZ-GLACKEN: Yep. Absolutely. I believe that can be avoided by that initial contact, which could be the initial escalation of situations that may result in unlawful, possibly unethical use of force. Thank you.

SENATOR WINFIELD (10TH): Thank you very much. Are there comments or questions from members of the committee? I don't see any, but I want to thank you for joining us and -- and sharing your testimony, and the story of your son. I know how difficult experiencing that is, and sharing it is, so -- so thank you very much. It helps to -- to flush this out. Next, we have Bradford Seely, Nicholas Trigila, Len Suzio. Are any of those people here? Bradford Seely, Nicholas Trigila, Len Suzio? Then we have Stephen Samela, Florencio Cotto, Juan Fonseca Tapia.

JUAN FONSECA TAPIA: Yes, sir.

SENATOR WINFIELD (10TH): Okay. So, are you Juan Fonseco Tapia?

JUAN FONSECO TAPIA: Juan Fonseco Tapia, yes.

SENATOR WINFIELD (10TH): Sorry [chuckle] about not pronouncing your name correctly. Okay. So, you're gonna get your three minutes, and Representative Stafstrom's gonna take over for a while.

JUAN FONSECO TAPIA: Okay. Um, first of all, my name is Juan Fonseco Tapia. I am a resident from Danbury. I am currently serving in the Air Force, and I am representing myself today and QUEST, Queer Unity Empowerment Support Team, which is an organization that advocates for queer youth based out of Waterbury. I have a testimony that I will send. I have had -- I have been listening to the whole hearing, and there are some things that I would like to address, and make you think about, especially some of the Senators that had been here and are intentional about the work that you want to do. I appreciate that, but there has been a lot of gaslighting throughout the hearing, and it's important to address that, and I think that if you are still coming to the table and having conversation through the lens of the white person and not understanding the oppression and the white supremacy that black and brown bodies have experienced in this country, then there is a lot of work that we need to do. I support this bill, and it's the first step to fight for racial justice and racial equality in this country, but again, I think that for those members that have talked about and about how this is an anti-police environment that we're living in. It's not an antipolice

environment. It's an anti-white supremacy environment that we're living in, and we need to understand that the corrupt policing system that we have was verted by white supremacy, and we need to have that conversation, and we need to look -- we need to frame the conversation around that when we are looking at legislation.

These panels shows the fact that there are not a lot of people of color at the table making the decisions and making the legislations that we need in this country, so I urge all of those that are at the table to take a step back and look at the policy that you're creating through a racial justice lens because you are not doing that. You're here to represent us, and for someone -- Senator Rosa -- I can't remember your last name -- some of you should be ashamed of yourselves. Some of --

REP. STAFSTROM (129TH): Sir -- sir, I got to -- I gotta jump in. I gotta ask you to reserve your comments to --

JUAN FONSECA TAPIA: I --

REP. STAFSTROM (129TH): On the bill and not to make any sort of personal attacks towards any member of this committee, particularly the ranking member.

JUAN FONSECA TAPIA: This I will -- I will -- I will stop, and these are not attacks. I would just encourage all of you to look at the policy that you are introducing through a lends of justice, and that is not being done, and I think that we need to address that. Yes. There are things that are great in this bill, and there are some things that are not.

REP. STAFSTROM (129TH): Okay. Thank you, sir. We'll -- we'll look forward to your written comments on specifically what --

JUAN FONSECO TAPIA: I will answer any questions that any of the members might have.

REP. STAFSTROM (129TH): Representative Rebimbas. You're on -- you're on mute, Representative.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I look forward to reading the written testimony, if you've provided it, in that regard. I just -- you know the mutual respect that you have asked of the members of this panel, I just wanted to let you know that you may not be able to see all of their pictures, but the Judiciary Committee actually I'm very proud of the fact that it's highly diverse in that regard, and many of us have our own personal stories, our own personal family members and friends, so again, I think it's a mutual respect that if we do ask that people don't prejudge that that's also the same from the public, but I thank you obviously for taking the time to be here, and I can tell you're very passionate about this issue, as well as many of we are as well. After the long hours that we've been dedicating to this and rightfully so because it's our duty and responsibility, and we look forward to continuing to do that, so thank you for being here and your testimony. Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Thank you, Representative, and --

JUAN FONSECO TAPIA: Mr. Chairman, and again, I want to thank all of the member that have actually taken the time to be intentional on the --

REP. STAFSTROM (129TH): Uh, hold on.

JUAN FONSECO TAPIA: Thank you.

REP. STAFSTROM (129TH): I think Senator Kissel wants to say something. Senator Kissel.

SENATOR KISSEL (7TH): [Clearing throat]. Hi.

JUAN FONSECO TAPIA: How are you, sir?

SENATOR KISSEL (7TH): Good. Were you criticizing me?

JUAN FONSECO TAPIA: I am just -- all I'm asking is for all of the members, again, I think that taking a step back and all the members and including the members of color to taking a -- creating a framework around racial justice on the policy that we're making, especially when it comes to police accountability. I think that we need that, and some of the comments that I have heard from some of the members makes me feel that that is not -- it's not been done by all of the members in this committee.

SENATOR KISSEL (7TH): Well, all right. So, let me just respond. I've got a 24-year-old son and a 16-year-old son. My 16-year-old laughs at me and he says, yeah, you're red faced, so I'm not of color but just a white pasty Irish kid, but let that be said. We spent a huge amount of time on this bill. There's only about uh and I'll leave my co-chairs and Rosa I think there's like 7.5 percent that's sort of amorphous. We did a ton of great stuff, and at the end of the day, I don't have any doubt that given their huge numbers the democrats can push through. I think -- I'm gonna be quite honest, I'm just gonna like spill it out right now. I think the House goes in next week, they push through this

bill, the absentee ballot bill, and the other bill regarding insulin, and then they go out cine dais. That's my guess. Then, the next week when the Senate goes in I could have the best amendment in the world, and they will say, that will kill the bill, we love it, sorry, too late, so sad, bye. So, that's sort of the political paradigm that I find myself in right now this afternoon. Please don't get me wrong. I don't want to be accused as a bigot or a racist because that is like the farthest thing from my life. We have tried to go so far, but conversely I think law enforcement raises a lot of important issues. Their municipal costs, there is exposure to personal liability. If we want to broaden the ranks to bring in people from a variety of ethnicities, we're gonna move them away, so that's not gonna work, so I hear where you're coming from. I love -- I love the fact that people want a perfect world, but you're never gonna get a perfect world. We can do much better, and I'm more than willing to work as hard as I can to get much better, but what offends me if I was born Caucasian and my first job at 14 was working at Windsor in -- in the town of Windsor where I was growing up picking tobacco, four towns away Martin Luther Kind, the good Reverend was picking tobacco 20 years before me. You know, I think there's a lot to be understood about history that people just rush into the situation and they don't understand the historical paradigms, and you know, I'm sorry if I get miffed about the Irish Famine. The Irish famine -- and I think I'm part British too, so they hurt the other side, created craziness in me -- but that was horrible. That was -- I mean that was a famine. That was a -- a predisposed famine on an entire country. There was no coming to America looking at

Lady Liberty. I don't even think she was there at that time, saying we're coming to America. It was like we don't want to die, and so, you know, I understand that African American, Latinos, others don't want to be criticized on their skin color, please don't judge me on my skin color as well. That's all I'm asking.

JUAN FONSECO TAPIA: Co-Chair, can I respectfully respond to that? Briefly?

REP. STAFSTROM (129TH): It's up -- it's up to the Senator. I don't know if that was a question or statement. Senator Kissel.

SENATOR KISSEL (7TH): It was a statement, and I'm -- I don't want to belabor this, but I'm happy to hear what he wants to say.

JUAN FONSECO TAPIA: Um, sir, again, my statement is not meant to alienate anybody, and I understand that when it comes to policy everyone needs to come to the table and have a real conversation -- critical conversation, and you and I could have a conversation -- a real critical conversation on race, but I understand that that is not the main focus of the bill. However, I understand that when it comes to legislation both parties need to work together, and those parties need to work with their communities, and I am here representing my community, and I know that you are a white person, and I know that you didn't choose to be a white person. However, I am telling you because I am a brown person and I have experience that the different treatment that I have experienced different treatment with law enforcement, and all -- many other systems. As I said, I am in the U.S. Air Force, and I have experienced all of those things

even within my field, so I -- my comments and my testimony is not meant to alienate anybody because at the end of the day, I do understand that as you said, you are sitting in that chair, which holds power, but I want you to understand my perspective. I want you to actually listen to the people of color, to black people, to all of those members that are dying every day and continue to die, and then look at the framework or -- and approach the policy that you're making through that lens. That is what I'm saying. I know that we need to work together, and as I said, just because I made the comments that I made at the beginning of my statement, it needs to be addressed, and that's why I'm saying looking at the bill -- and I know that there are going to be a lot of changes because I know how this works, but looking at those changes to --

SENATOR KISSEL (7TH): [Crosstalk].

REP. STAFSTROM (129TH): All right. Guys --

SENATOR KISSEL (7TH): Thank you for your service to our country.

JUAN FONSECO TAPIA: Thank you, sir.

REP. STAFSTROM (129TH): I'm gonna cut it here. All right. Senator Lesser.

SENATOR LESSER (9TH): I thank you, Mr. Chairman. You know, I hope that you know folks are not familiar with the Irish potato famine that they research that history. It is a sad element of world history and arguably an act of genocide. I think the important distinction, the difference between that and what we are talking about today is that this country is no longer dealing with the legacy of that, but we are dealing with the legacy of slavery

and institutionalized racism, and I think that that really emphasized why we're dealing with this bill 400 years baggage that's specific to the legacy of people of color in America, and I think that we should focus on that specific issue, and I'm glad that chairs and rankings have worked on -- on this legislation. I'm hoping we can focus on that and understand that that's really what motivates us to be here today. And, with that, I'll --

REP. STAFSTROM (129TH): Thank you, Senator. Thank you for your comments on that, and thank you, Mr. Tapia for your testimony here today.

FLORENCIO COTTO: Florencio Cotto, sir.

REP. STAFSTROM (129TH): Uh, yeah, before we do that, we skipped -- actually, no. Let's do that. Florencia Cotto was next, followed by Stephen Samela.

FLORENCIO COTTO: May I begin?

REP. STAFSTROM (129TH): Go ahead, sir.

FLORENCIO COTTO: Good evening, members of the Judiciary Committee. I ask that you hear what I have to say as you've heard so many speakers prior to me. My name is Florencia Cotto. I am a police officer. I am a minority. I am the President of the New Haven Police Union. I have been a police officer for the past 14 years, serving 12 years as a patrol officer, and the last two years as union president. As police, we need to protect our citizens, and you as elected officials need to also protect us, the police.

What causes great concern from this proposed legislation is the haste in which it was presented.

Portions of this bill inexplicably tie the hands of not only New Haven police officers but officers within this state. As a minority officer who was born, raised, and educated in New Haven, this proposed legislation can potentially strip my family and I of everything. Many portions of this bill tell the hard-working officers in this state what they do on behalf of the community is not wanted. To put this in context, due to concerns of this legislation, the police -- a police officer from New Haven who is a young minority bilingual officer has decided to resign. This young officer who has a criminal justice degree and believed his mission in life was to serve others will abruptly end his career.

Unfortunately, for New Haven and its residents, there are more officers looking to do the same. Many of these officers are the ones who directly reflect the community for which they serve. I believe this bill will have unintended consequences, which will directly result in a more dangerous community. If this legislation is passed in its current state with changes to qualified immunity, to legal standards for justified use of force, POST decertification and suspension, civilian rewards, police officers standard and training council the result will end proactive policing. Officers young and old will leave this profession in mass exodus causing a ripple effect for the foreseeable future. If you take police out of the equation, the result will be death and despair.

Just in the past ten days alone in the New Haven community, there -- there has been witness of 12 persons shot and three homicides, two coming on the same day. As you see, crime has more than doubled

in our cities. My fare is that we will look -- we will mirror New York City or Chicago. These departments were not given a choice and their -- and their streets are now full of crime, murder, and chaos. With the sense of safety, we will not -- without the sense of safety, we will not have thriving businesses. Please do not fool yourself, crime will eventually affect neighboring towns where you live as well. If you vote for this bill, you will be tying the hands of police officers, especially in life and death situations. Please understand good officers as well as unions want bad officers to be gone just as much as you do. Bad officers only cause problems for both the community and the department for which leads to more mistrust of the police. However, this bill does not deter bad officers. Instead, it hurts recruitment and retainment of good officers -- retainment of good officers. If the committee wants to pass a bill that makes real changes, which does not hurt the profession as well as the community, the way to do that is working together with the police to affect real substantial change, not behind closed doors.

The silent majority in the state of Connecticut want police presence in their communities for protection.

REP. STAFSTROM (129TH): Mr. Cotto --

FLORENCIO COTTO: You are setting the tone for how we move forward. Thank you for your time.

REP. STAFSTROM (129TH): Thank -- thank you, and I certainly understand your passion and -- and thank you for your service to the city of New Haven, but I -- I do have to take exception on behalf of myself, and I believe the rest of the leadership of this committee that this bill was put together in haste,

and unfortunately, you're not the first person who has lobbed that type of allegation today. As Senator Kissel I think articulated and others have, there's been a deliberative process over the last several weeks to put together a bill that would be released for public input and comment, which is what has happened, and that is the legislative process. You know, when you craft legislation, you can't have hundreds of people in a room putting pen to paper, so yes. There are four people who put pen to paper and then released a bill for public dissection and comment, and I just want it very clear to you and to others today who have testified that nothing about this process has been in haste. It was a deliberative researched feedback from respected caucuses to put out a product that is now up for public inspection and debate, and that's the normal process we follow as the legislature.

SENATOR KISSEL (7TH): Chairman Stafstrom, I want to agree with you on that. We've spent probably over 60 hours on this process, over a course of more than a month, and it hasn't been in haste. I wish it was hastier, but it hasn't been in haste.

REP. STAFSTROM (129TH): Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you, Mr. Chairman. I just wanted to thank you for your testimony, and certainly, I can understand how it may seem like that this was, you know, four people behind closed doors. The thing that we can hopefully take some comfort in is you've got four individuals who truly believe in this commitment and are attempting to work in a bipartisan manner. By no means is this a proposal that anyone of us had said that we, you know, support 100 percent, but to your point, we are

holding this now, so we are trying to hear from the many others that we haven't had the ability maybe to speak directly to, and I certainly, you know, appreciate you taking the time and specifically your history and your -- your situation in your profession and sharing that because that is a perspective certainly that in addition to all the information work we've done, we need. We need. So, this is part of that process, and we're happy to obviously be able to do that in the most respectful manner and having you participate in that is certainly important. So, I appreciate your taking the time and sharing with us obviously your experience and your testimony here today.

REP. STAFSTROM (129TH): Thank you, Representative. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you. I want to follow up on something I heard from New Haven, and basically, I heard there was a shooting down there and the neighborhood came out confronting the officers, told them to leave. Can you give us a little information on that?

FLORENCIO COTTO: {Clearing throat]. Yes, sir. One evening, I believe during the overnight shift, which is our midnight shift, there was a shooting, some individuals I believe were shot in a vehicle. police assistance was called through the 9-1-1 system, and as officers responded, there was a group essentially yelling at officers "we don't want your help." And, to be -- and to be quite transparent on the 9-1-1 tape, it was said, "please send the ambulance and not the police" for this shooting victim. Ultimately, the shooting victim succumbed to their injuries and they died, but during that

period of time, officers were surrounded. They were not able to get to the body -- or the shooting victim I should say, in a timely manner, and things like that are what New Haven officers are dealing with in this present day.

SENATOR CHAMPAGNE (35TH): And -- and that's what I've heard, and -- and to be honest with you know we're gonna throw this legislation right in the middle of that, throw a little bit of fire on top of what you guys are already dealing with, and I feel real bad for what's happening down there, and I've been kept apprised of it pretty regularly, and now we're gonna -- you know, if this qualified immunity gets in, you know, it's gonna spread rather fast that don't worry cops can't do anything to you, you can sue 'em, and ten what are the officers gonna do. They're gonna back off, you know. I mean we're seeing it. We're seeing it everywhere just like you said. Look what's happening in New York. The leaders in New York are now demanding we want those officers back, in Atlanta, all across the country, and it's creating a disaster. I don't want that here in Connecticut. I know you don't. Nobody does, but I think we're -- we're doing something right now that's creating a problem. What we need to do is take a step back, meet as a community. Yeah, we can't put 100 people in a room, but we can get some of the biggest stakeholders, come up with a bill, come up with a way to do this in a way that benefits everybody, and I don't mean benefit in a way that everybody's gonna get something form this, but -- but put it in place so that it works. I think that's the most important thing. Because we've heard from a lot of people. Yes, you know, that the poor communities, the -- they -- they're

being overlooked, they're not being treated well. Well, let's get representatives from there, and let's get together and figure this out once and for all, and I think we can if we work together. Thank you.

REP. STAFSTROM (129TH): Thank you, Senator. Further questions? I'm seeing none. We will move on to -- thank you, sir, for your testimony and for sticking with us. We are going to move on to Stephen Samela.

STEPHEN SAMELA: Hi, everybody. Good evening. First, I want to thank Senator Winfield, Senator Kissel, Representative Stafstrom, and Representative Rebimbas for the hard work you've done on this, and thanks to the Judiciary Committee for putting this together. I know it's been a long day. I've been right there with you, so thank you.

I'm a board-certified behavior analyst with Connecticut Behavioral Health. I have a Master's degree in Autism and Applied Behavior Analysis. I work in special education programs across the state, and my brother is also significantly impacted by Autism. I want to expand a little bit on what the President of Special Education -- Special Education Equality for Kids of Connecticut testified to earlier this morning regarding people with developmental disabilities and their relationships with the police.

In 2018 -- excuse me. Yeh. 2018 the CDC reported that 1 in 59 children in the United States would be born with Autism. That's about one and a half percent. However, people with Autism are about seven times more likely to have negative interactions with the police than narrow typical

individuals, and that situation is even more concerning for people of color who have also developmental disabilities. So, there's been notable instances across the country where people with Autism, specifically people of color, have been arrested, shot, physically taken down because they're acting suspiciously in public when they're engaging in repetitive motor movements and vocal scripting or tantrum behavior.

In my professional experience, I've seen school resource officers and police officers come into schools and unknowingly mishandle situations with elementary-aged students who are engaging in aggression or other maladaptive behavior. The reason police-style techniques are not used by us in schools is because they're not the most least restrictive intervention. They don't focus on de-escalation or at least from what we can see, and do not maintain the dignity of students. We don't do face-down prone holds, for example. it can also cause or trigger significant traumas that escalate maladaptive behavior, so Autism is a broad spectrum. However, there is some commonalities in presentation across many individuals. Some individuals don't respond to verbal commands, some run away, some might engage in behavior that's interpreted as aggression, which have led police to respond likewise, so I strongly believe that reforms in policing, in accountability, must require that police officers should not only receive extensive training on Autism, developmental disabilities or behavioral disabilities, but also demonstrate competence in identifying and engaging with those individuals, and training should come from mental

health professionals or experts in the field like social workers, psychologists --

REP. STAFSTROM (129TH): Pardon me, Stephen. Can you wrap up. You're at the three-minute mark.

STEPHEN SAMELA: Sure. Got it.

REP. STAFSTROM (129TH): All right.

STEPHEN SAMELA: Understand difficulties in -- in complexities with policing every day. I, of course, don't believe that police are intentionally trying to harm people with disabilities --

REP. STAFSTROM (129TH): Thank you. I think we --

STEPHEN SAMELA: We're trying to make them more independent. They're gonna be in our communities and it'd be great for you guys to be able to identify them.

REP. STAFSTROM (129TH): Great. All right. Representative Rebimbas.

REP. REBIMBAS (70TH): Hey, Mr. Chairman. Mr. Chairman, I just want to take a quick opportunity to thank Steve who comes from my great home town of Naugatuck, taking the time that you indicated that you've been listening, though appreciate you taking the time. I thought I'd share with you the good thing is regarding we're kind of revamping and we put other criteria in place for individuals who would serve on POST, and I along with my fellow colleagues had pushed, and we have in there that it will be someone hopefully with the qualifications of developmental disabilities, as well as physical disabilities, and I know through this testimony here today we heard that it was pretty much important to have victims on there as well. That's certainly

something I've been championed for quite a bit, so I think that makes sense to have that, so again, POST is very important. That's where all of the, you know, certainly policies come out of, certainly for training, so it's very important that they are represented on that, so thank you for highlighting that. It certainly will be addressed. I know you touched a little bit about resource officers. Do you -- do you -- are you in favor of eliminating school resource officers?

STEPHEN SAMELA: Um, I -- I agree to an extent with the woman who testified earlier who was talking about the -- the challenges with having school resource officers, especially in more urban schools. I think that comes down to an individual district's decision. I think that we -- I've worked in inner city schools in Connecticut and pretty affluent schools in Connecticut as well. I know that -- I know that school resource officers make families and maybe even school staff feel more comfortable. They don't necessarily -- and -- and the ones that I have come in contact with were mostly, you know, good, and when we gave feedback, they'd accept it. The issues that we have is that when they feel like they need to jump in and we have an individualized plan for a kid that has not just Autism but maybe emotional disturbance or some misconduct disorder, and they might do something to their base instincts is appropriate, but is not in line with our plan, so I think that extensive training is appropriate, and you know, working -- schools working with their local -- police departments working with their local school district I think would be very helpful. You know, I think that in this case it should be a

community decision, but I mean I'm not in a position to make that decision.

REP. REBIMBAS (70TH): Thank you. And, are you also in favor of doing away with qualified immunity?

STEPHEN SAMELA: I don't see how that's relevant.

REP. REBIMBAS (70TH): It's part of the bill. It's Section 41. Did you have an opportunity to read it?

STEPHEN SAMELA: Not -- yes. Not the whole -- not the whole thing, and I've learned a lot from -- from listening to all the experts on this, and I am looking forward to going back and reading it with the -- the knowledge that I've taken from listening to experts in law and experts in -- you know, advocates, and -- and all of your comments. It would be great to look at it from that lens, and you know, my purpose here is to talk about advocating for people with developmental disabilities.

REP. REBIMBAS (70TH): And, based on your actual knowledge currently right now, do you -- are you in favor of qualified immunity coming out?

STEPHEN SAMELA: I don't want to make -- I don't want to make a comment on something that I don't -- that I haven't looked with all this new knowledge and all this new information and all this great conversation. I want to look more into it.

REP. REBIMBAS (70TH): I appreciate that. That's a very, you know, important point of the bill, and I just wanted to make sure if you had a position regarding it that you were able to articulate it. Thank you.

REP. STAFSTROM (129TH): Thank you both. I'm seeing no further questions. Have a great evening. Thanks for being with us.

STEPHEN SAMELA: Thank you. Thanks for having me.

SENATOR KISSEL (7TH): Well, I had a question.

REP. STAFSTROM (129TH): Oh, I'm sorry. You did. My apologies. Senator Kissel.

SENATOR KISSEL (7TH): [Clearing throat]. Thank you, Mr. Chairman. I've advocated for folks with kids with Autism for a number of years. Melissa Sullivan was here probably like five hours ago. I'm just wondering what is your suggestion because I hear it. Do you just believe that law enforcement should have better education regarding individuals with Autism?

STEPHEN SAMELA: Yeah. I think that -- so for example, I was -- I have an in-home client who has Autism in a town that doesn't have a local police department. They have a resident troopers, and I was able to have a good conversation with this -- with the trooper there because 9-1-1 was being called because of a -- the kid's getting bigger and more aggressive, so there's some things that I just wanted to make sure that you know okay let's not do these sorts of things even though -- 'cause I've made mistakes with this guy too. I want to make sure that we are -- you know, we have a plan, shared the plan, and been working really well together. Thankfully, we haven't had to use his services, but I think that conversations with at least on the level of schools and level of children we need to have some communication between the school districts and the -- the police, and specific students that

might, you know, come up as a -- might come up as issues. So, I think that, you know, there's that part of it. I think that more training or more I guess education on Autism, developmental disabilities is important, and not just that but you know the signs of behavior or at least the way of, you know, shaping -- trying to figure -- essentially, what I do is try to figure out what the kids are doing or what the kids are trying to get through their behavior, so what I would like to see is police look at someone who might have Autism, reactive attachment disorder or Schizophrenia or whatever, to say, okay. What is he looking for? What is he trying to get? How can we replace this behavior? I mean it's a lot, and you know, we do this every day and we still have to go back to the drawing board. I'd just like to see more focus on that and more communication between mental health professionals and the police.

SENATOR KISSEL (7TH): I really appreciate that answer because I'm very sensitive to that issue. There's just like way more people in my district that have this issue with their children or some of their children than you would ever believe, and I know you're aware of that as well, and thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Thank you.

STEPHEN SAMELA: Thank you.

REP. STAFSTROM (129TH): Senator McCrory.

SENATOR MCCRORY (2ND): Thank you, Mr. Chair, and thank you young man for your testimony. I just want a point of clarification because Mr. Chairman you -- previously, there was a conversation about SROs, and

I explained my living experience by it, so -- but the fact of the matter the concept of removing SROs from school districts -- I read the bill thoroughly, and maybe I missed something, but are we discussing or having a conversation about SROs in a bill that it doesn't exist? That's my question to you, Mr. Chairman. Because I don't think the concept of removing police officers from school --

REP. STAFSTROM (129TH): We're trying not to. We allowed a little bit of leeway to some folks who wanted to see that added to this bill as it moved forward, but you're correct. We're getting a little -- we're getting a little later in the hour here. We should move on.

SENATOR MCCRORY (2ND): Right. So, there's no conversation about SROs, removing police officers from our schools; correct? In this bill as it stands right now?

REP. STAFSTROM (129TH): There's -- there's no language -- there's no language about the school resource officers in this bill.

SENATOR MCCRORY (2ND): Thank you.

REP. STAFSTROM (129TH): Thank you for clarifying, Senator. We're gonna move on. Thank you, sir, for being with us. We're gonna move on to Michelle Voigt.

MICHELLE VOIGT: Good evening. Thank you, members of the Judiciary. Thank you for hanging out this long day and giving me this opportunity to speak to you. My name is Michelle Voigt. I am from Greenwich, Connecticut. I am a survivor of gun violence with a professional background in community-based social services and rehabilitation.

For two years, I have volunteered supporting survivors of gun violence here in Connecticut. I am testifying today in favor of the police reform bill in front of you because I believe this bill can and will save lives. I also believe it is an initial step to restore community trust by increasing accountability and training of those whom swear to protect and serve. Through my work with survivors and their families, I've become acutely aware of how lives can be altered by the actions and decisions of police officers. I have been supporting Jenn Lawlor who spoke earlier this evening, mother of Emily Todd who was murdered in Bridgeport in December 2018. Emily was a bright light, a local Bethel girl with a big heart who always saw the best in everyone. Emily worked as a therapeutic recreational assistant dedicated -- and dedicated herself to assisting people and patients with dementia. Her kind loving nature will forever be in the hearts and minds of those who knew her. Emily was empathetic, creative, and a nurturing soul. Eight days prior to her death, Emily called 9-1-1 for help. She reported that the man who ultimately ended up murdering her was sending her text messages threatening to kill himself and that he had a gun. The 9-1-1 call lasted an hour and fifteen minutes. I along with Jennifer Lawlor and her sisters have listened to the recording of this call. It's agonizing to hear Emily's sincere concern and care for a man she had just recently met. The police located the suicidal suspect within hours, and a high-speed pursuit ensued. It was shortly called off as a lieutenant said, "if he's gonna commit 42, he's gonna commit 42." Basically, saying if he's gonna kill himself, he's gonna kill himself. The Bridgeport Police Department never followed up after the 9-1-1 call or

the high-speed pursuit despite knowing the identity and the whereabouts of the subject. I cannot help but suspect that the officers involved in that pursuit did not care about his suicide threat, possibly due to the color of his skin. Had the police department followed up, Emily Todd would be alive today. How does a mother live with that? how many mothers here in Connecticut are asked to live with the death of a child due to police action or inaction. How does Jennifer Lawlor or the other mothers receive justice and create positive change to protect others when qualified discretionary municipality immunity protects the police department from all civil liability? I ask for your support of this bill and most importantly Section 41, civil cause of action against certain police officers.

In order to erect systematic injustice and increase trust with our black and brown communities, we must allow the aggrieved and the violated the right to seek civil justice. We know justice serves more than the victims. It creates change. This bill has life-saving potential for people like Emily Todd. Thank you for your time and thank you for your consideration.

REP. STAFSTROM (129TH): Thank you for you testimony. Questions from the committee? I'm seeing none. We appreciate you being with us tonight.

MICHELE VOIGT: Thank you.

REP. STAFSTROM (129TH): Next up we will hear from Joseph Gaylin. Joseph Gaylin still with us? If not, we'll move to Len Suzio.

LEN SUZIO: Good evening, Representative Stafstrom and members of the Judiciary Committee. This is Len Suzio, a former colleague of yours. Unfortunately, my camera's not working on my computer, but I think you all probably remember what I look like, and I haven't changed all that much in the last two years. I'm here to testify tonight regarding legislation or bill 3471, and before I comment about what's in the bill, the bill itself is an attempt to address the shortcomings in law enforcement in the execution of its responsibilities including the Department of Correction, and I would suggest that a section be added to the bill to address the DOCs failure to disclose information pursuant to PA15-216, which mandates the disclosure of the thousands of crimes being committed by early-release prisoners who have been discharged from Connecticut prison under Connecticut's Risk Reduction Earned Credit Program. I would urge you to take that into consideration as part of this legislation.

I'm going to now address things that are in the bill because time is short. 1) The implementation or the effective date of October 1 of this year seems like a very, very short notice for such very dramatic and significant changes, changes that are very, very dramatic in many ways including potential cost to municipalities and to officers -- law enforcement officers themselves. It's also a form of an unfunded mandate because even though there's a provision for some grant -- grant money in it, the bill as I read it mandates implementation of its various provisions even with -- if a municipality doesn't have any grant money provided for that purpose. Today, you've heard plenty of anecdotes about police abuse of its power, and certainly, we

all witness the -- the disgusting killing of George Floyd in Minnesota, and I don't think there's a person I know that wasn't totally disgusted by what they saw -- cold-hearted execution of sorts by a law enforcement officer who seemed to not be bothered at all by what he was doing as he squeezed the life out of George Floyd, but I have not seen anything or I don't know if the committee's got any comprehensive study of the problems that are addressed by the bill or allegedly addressed by the bill. I would like to know if you do have any comprehensive study certainly we can always find bad actors in any given situation. I know in my community, Meriden, I know many of the law enforcement officials personally. They're a diverse community both ethnically and racially, and in the 39 years I've lived in Meriden, I think there's been four or five incidents regarding the abuse of force, and that's a rather small number over that long period of time. Not that any, even a simile incident is acceptable.

I also want to just comment about the prohibition against military equipment. I understand you don't want tanks running through the community, but night vision goggles seem to me to be something that the criminals themselves have access to. Why should we deny our law enforcement officers equipment that could be essential to protecting them as they engage in potentially armed criminals? Now, I also am concerned about the impact of the professional liability insurance because most police officers don't make a lot of money, and the cost of professional liability insurance can be very prohibitive, and if it's passed onto the communities, it becomes another expensive mandate that's unfunded by the state.

And, then finally, I just want to talk about the -- the -- what's the term I'm looking for? I think that the intensions -- this is not an all or nothing bill in my opinion. There's some very good things in it, things which I would support. There's things in it I have some grave concerns about, and there's certainly some elements of it that I would urge you that you -- you postpone the effective date so that the various municipalities and law enforcement agencies around the state have time to simulate it, and the taskforce that's an essential part of the bill -- this is my last comment -- the taskforce should itself be tasked with the responsibility to address some of these issues including the timing of the implementation. I thank you very much for the opportunity --

REP. STAFSTROM (129TH): Thank you --

LEN SUZIO: To speak to you tonight.

REP. STAFSTROM (129TH): Thank you very much, Mr. Suzio. Um, questions or comments from the committee? I'm seeing none. We appreciate you being with us tonight. Next up, we will try Joseph Gaylin again, who I thought was on. Joseph Gaylin?

JOSEPH GAYLIN: Hi. I'm here now.

REP. STAFSTROM (129TH): All right.

JOSEPH GAYLIN: To Co-Chairs, Senator Gary Winfield and Representative Steve Stafstrom and esteemed members of the Judiciary Committee, thank you for the opportunity to testify in support of an act concerning police accountability. Today, I'm speaking as a member of the steering committee of Stop Solitary Connecticut, an organization dedicated to ending the use of solitary confinement, a

practice often condemned as a kin to torture and one that the UN recently cited in Connecticut. I want to echo Representative McGee's sentiment that we cannot begin a conversation about police accountability by watering down this bill. We need to sit with uncomfortable notion that transformative justice will require reorganization, new forms of responsibility and a different allocation of resources. To that end, I want to highlight three sections of the bill that will likely require even more robust reforms than what is already called for.

First, the draft bill will ban practices that inflict wanting and unnecessary violence during police stops. Banning these practices is long overdue, but similar practices such as choke holds, in-self-restraints, and solitary confinement must also be banned in the Department of Correction.

Second, the draft bill would eliminate qualified immunity for police officers. This component of the legislation is essential. However, the abolition of qualified immunity must also be extended to correctional officers.

Third, the draft bill would call for the creation of an Inspector General appointed by the Chief State's Attorney. The Office of the Inspector General must be entirely independent from the police, which will not be possible in the State's Attorney's Office. The Office of an Inspector General must also be charged with monitoring and investigation correctional officers. In our perspective, correctional officers and police officers are actually two sides of the same coin. I urge the legislature to implement an act concerning police accountability. However, this also must include

correctional officers. Thank you for your work on this legislation. Black lives matter and incarcerated lives matter.

REP. STAFSTROM (129TH): Thank you, Mr. Gaylin. I just want to point out to you two quick things if I could. One, the update to the deadly physical force standard in this bill does expressly apply to DOC employees and also the Inspector General would be charged with investigation any death in custody including custody within the Department of Corrections, so I think on -- unless I'm missing something, I think on at least two of your points, this bill does hit on those topics.

JOSEPH GAYLIN: Yeah. Absolutely. If I can just respond to the --

REP. STAFSTROM (129TH): Please do.

JOSEPH GAYLIN: Yeah. The -- the notion of investigating deaths only after ex post facto in our perspective is not nearly sufficient. Really, we're talking about oversight of institutional policy and correctional performance so that we can prevent this in the first place, so we -- we would definitely want an oversight body for the Department of Correction that is something that is external and independent. This is something which the state of Connecticut really has almost none of, and it's actually an outlier in comparison to the other 50 states. And, then also just regarding use of force in the Department of Correction, we think that should be expanded obviously to consider solitary confinement and inactive torture really and also choke holds to be something that is not allowed in the context of correctional settings.

REP. STAFSTROM (129TH): Okay. Further questions or comments from the committee? I'm seeing none. Thank you for being with us.

JOSEPH GAYLIN: Thank you.

REP. STAFSTROM (129TH): Alexia Castro. Ava Schmoelzer. Schmoelzer? David LaManna. Germano Kimbro. Mr. Kimbro? Betsy Gara. Nicholas Frattini. Alex Kawa. Valerie Horsley. Harold Brooks.

HAROLD BROOKS: Hello. Can you hear me?

REP. STAFSTROM (129TH): Yes, Mr. Brooks.

HAROLD BROOKS: Good evening. Thank you for the opportunity to speak. My name is Reverend Harold Brooks. I'm the Associate Pastor at Beulah Heights First Pentecostal Church in the city of New Haven. I'm also a longtime city resident of New Haven born and raised. I am also a union member. I am the Vice President of the Connecticut Chapter of Coalition of Black Trade Unionist, and I'm here in support of this bill in its entirety, specifically with Section 30 and also qualified immunity. Just a few points I'd just like to make out to you. Considering the long-term systemic racism with regards to policing, I think that the committee and those that are responsible for putting this bill together did an exceptional job. I think the bill can go much further, but thank you for what you have done. I just asked those of you that are considering not passing this legislation, I need you to view this legislation through the lens of black and brown people, through our experiences of being oppressed. I granted that a number of you may not have had that experience, that may not be your

reality, but your neighbor, your friend, your boyfriends or girlfriends, they have had that experience, and so it's important that you view this legislation through their lens, particularly in that this bill helps stop some of the criminalization of people of color for minor offenses such as stopping and frisking individuals, detaining people for no apparent reason just because of the way they look, maybe because of the way they're dressed, and they're being suspected or looked as if they look suspicious.

Policing policies in our communities aren't the same for other communities, and I think you have to understand that from the perspective of black and brown people that when we're dealing with police or the police is often called on us just for doing mundane things -- walking down the street as one mother testified. I've been here just about all day, and I've been hearing some of the comments from police officers, from regular citizens, and from advocates for the bill on both sides, but I'm asking as a minister of the Lord's church, I'm asking as a civil servant, I'm asking as a man of color that you view this bill through my eyes. I grant there are a number of good officers, some of which spoke today. I think Officer Cotto is one of the exceptions. I think he's a bright guy. I like him very well, but I think that what we've heard today is really fear mongering. Criminal acts have been going on, so I'm not going to waste my time talking about white-on-white crime. I'm not going to waste the time to talk about other things that are not drimane to this bill. I want to talk just about policing policies that aren't drimane or aren't utilized in the same fashion in our communities, and so I would like you

all to consider supporting this bill. I support it in its entirety, and I want to thank all of your all that had a hand in putting it together, but I will tell you that I'm in support of this bill, and I hope you do the same.

REP. STAFSTROM (129TH): Thank you -- thank you, sir. Questions or comments from the committee? I'm seeing none. We appreciate you hanging out with us til this hour. Senator Winfield.

SENATOR WINFIELD (10TH): Yeah [clearing throat] -- yeah. So, thank you Harold for testifying. We're going to now move on with the next person I have on the list is Stacy with an N as the last name. It's number 131, followed by Angela Bellas, Al Mayo, and Christie Jean or John. So, is Stacy here? Angela? Al? Christie?

CHRISTIE JEAN: Hi. I'm here. Can you hear me?

SENATOR WINFIELD (10TH): I can hear you. You have your three minutes.

CHRISTIE JEAN: Great. Good evening, and I just want to thank all the members of the Judiciary Committee who have given me and others an opportunity to speak in favor of this bill. two things, and I just want to keep it short because my written testimony has been submitted, but first, I don't see any language in sections dealing with implicit bias or concerning the POST revocation or suspension of recertification process that addresses officers who have affiliations under a membership with hate organizations. If we can do drug screenings and mental health evaluations for officers every so often, than I think surely we can take a deep diver into officer's social media or

public facing accounts to see whether they've bene having participation or membership in hate organizations such as the KKK, which I believe constitutes conduct that undermines the public confidence in law enforcement.

Secondly, if qualified immunity is removed from this bill as it continues to develop, then this legislation should be renamed because there won't be true accountability. The current state of the law has become such that most cases cannot overcome the burden of qualified immunity, and with the advent of a state law cause of action that eliminates qualified immunity as a defense, litigants who have been deprived of their constitutional rights stand a fighting chance at getting justice and recourse, and to address this notion that officers will be disincentivized to perform their job for fear of liability and losing their homes because of the risk of punitive damages, I don't quite understand that concern. I read this legislation as having limited applicability, only awarding punitive damages for conduct found to be deliberate, willful, or done with reckless indifference. How does a good officer deliberately, willfully, or reckless -- or with reckless indifference violate someone's constitutional rights. It doesn't track. The concern I hear from officers saying this is too broad or it's gonna have unintended consequences of penalizing good officers for honest mistakes sound like their worried about accidentally being negligent on the job, and this bill from my reading, doesn't even reach those sort of negligence claims, which do represent a good number of the actions that are brought against police officers.

And, under our current discretionary act of governmental immunity standards, those cases are largely unsuccessful and in rare cases -- and in the rare cases that they are successful, the municipalities indemnify them, so this idea that this legislation will somehow make it impossible for officers to do their job and unjustly punish them for making innocent and human mistakes so that they're fearful to lose their livelihoods, I find to be disingenuous. It strikes me as confused rhetoric, and talking points that conflate separate issues. I'm not sure whether this bill reaches all governmental immunity for officers. Trust me, I'd be thrilled if it did, but if this -- but if this is merely eliminating immunity in the context of a new state law civil rights action, then it would only be reaching those problematic officers who would be liable for their intentional depravations and violations of civil rights, and if --

SENATOR WINFIELD (10TH): Christie, I just want to say to you that if you could summarize your testimony that would be great. You had three minutes.

CHRISTIE JEAN: I'll end there. Thank you so much for all of your work on this legislation.

SENATOR WINFIELD (10TH): Thank you for your testimony. Are there questions or comments from members of the committee? I don't see any, but thank you for that testimony. It was very clear and -- and easily to understand, and have a good evening. We next have on the list -- we're gonna go back to Angela Bellas. I was told that she was able to get in and followed by Jenna Sun, Josh Pawelek,

and Kimberly Rice. Angela, are you able to speak? Okay. What about Jenna Sun.

JENNA SUN: Hi, Senator. Can you hear me?

SENATOR WINFIELD (10TH): I hear you well. You have three minutes.

JENNA SUN: All right. Thank you. Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Rebimbas, and distinguished members of the Judiciary Committee, my name is Jenna. I'm an organizer with March for our Lives and high school senior from Suffield. I'm here in support of LCO 3471, but today can't be the end of the road. In the first 20 days of this year, three residents were killed by the police. Peaceful protestors have been met with policing wielding riot gear and pepper spray. We cannot deny that police violence and racism exists here or that either is a lost cause. I support the reforms in this bill like demilitarizing and eliminating consent searches, but they aren't enough. Minneapolis Police Department values procedural justice, bias trainings, and the usage of body cameras just as proposed in this bill, yet George Floyd was murdered. The officers who murdered Eric Garner ruled that the choke hold used on him was not a choke hold. We must focus on divestment rather than harm reduction, which would reallocate some funds to schools, health care, and food and housing security. Issues like drug use and homelessness should not be met with a police response, and we should better equip the services that can properly handle them.

Divesting these funds don't compromise public safety as I don't think society right now can be defined as safe when black people are kept in check through

intimidation. Divesting is also not radical. The current idea of radical might be the future's vision of just since the abolition of slavery and voting rights for women were once seen that way. In fact, the LA Mayor moved to reallocate $150-million dollars from his city's nearly $2-billion dollar policy budget, and we can have the courage to follow suit.

I've learned the inextricable ties between police violence and issues that my generation mobilizes against such as gun violence. I've heard opponents weaponize trauma and speak out on behalf of survivors such as citing the Sandy Hook tragedy to justify leaving policing untouched. To me, this movement is more about the intersections of injustices, not citing mass shootings, which account for one percent of all gun deaths to discourage support for these reforms. I'm used to legislators issuing thoughts and prayers in response to shootings, a cycle that continues with black lives. These words are not often backed with action and intent, but last year, I witnessed three historic pieces of gun safety legislation pass. I believe we can achieve justice with a matter of when and how many lives it will take. I support this bill for its measures of accountability but certain sections must be further built upon. I do think this is a step in the right direction. I encourage the committee to recommend this bill with the ACLU of Connecticut's proposed amendments from earlier and ask that the General Assembly passes it. Thank you for your time.

SENATOR WINFIELD (10TH): Okay. Thank you, Jenna. Senator Kissel.

SENATOR KISSEL (7TH): Hi. Hey, Jenna. Can you hear me?

JENNA SUN: Yeah, Senator. Hi.

SENATOR KISSEL (7TH): Hi. I've been lucky enough to be your Senator probably since the day you were born, representing Suffield for the last 28 years. You did a brave job. You articulated yourself well. We may not agree on all the issues. That's okay, but you make me super proud, and your whole family should be super proud of you as well. I know that the leadership of this committee's gonna circle back on Monday morning. I may have two hours, they may want three hours. We'll see how that goes, but based on tons of public testimony including yours, we're gonna recraft the bill a little bit, but I just want to say thank you for taking all day to wait to testify because your voice matters.

JENNA SUN; Yeah. Thank you for your patience all day.

SENATOR KISSEL (7TH): Oh, no. The patience is all yours, and thank you. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you. Senator Haskell.

SENATOR HASKELL (26TH): Hey, Jenna! I just wanted to echo my colleagues comments and thank you for your patience before you testified today. I also -- your words brought back something that we haven't talked a lot about in the course of testimony, which is the importance of the section concerning studying the use of social workers to respond to certain 9-1-1 calls, so I just wanted to get your thoughts on that section and see if it was something that you supported?

JENNA SUN: Yeah. For sure. I -- no. I definitely support it 'cause I think like as I kind of touched on it earlier, like I don't think it's ultimately a police officer's responsibility to be the first responders for everything, especially things like mental health crises. I think there are just better people to respond to them, not because of their like -- not because of their like -- I guess like personality or like sentiment, but it's just like a matter of training and like um just like prioritizing the safety for like everyone involved.

SENATOR HASKELL (26TH): Awesome. Thank you so much, Jenna.

JENNA SUN: Yeah. Thank you, Senator.

SENATOR WINFIELD (10TH): Thank you, Senator Haskell. Representative Porter. Representative Porter.

REP. PORTER (94TH): [Dictation cutting out].

SENATOR WINFIELD (10TH): You're having a hard time with your audio, Representative Porter.

REP. PORTER (94TH): Can you hear me?

SENATOR WINFIELD (10TH): We can hear you.

REP. PORTER (94TH): Can you hear me?

SENATOR WINFIELD (10TH): Yes. [Pause]. I don't think we're getting you.

REP. PORTER (94TH): [Dictation cutting out].

SENATOR WINFIELD (10TH): No. Are there other questions or comments? [Child in background]. I'm seeing none. Sorry about that. Thank you very much for your testimony.

AL MAYO: I'm here. This is Al Mayo. I'm here. I'm just letting you know I'm here. Okay?

SENATOR WINFIELD (10TH): Yes. I'm going to call you next.

AL MAYO: Okay.

SENATOR WINFIELD (10TH): We -- we have Al Mayo in queue. [Child in background]. He -- shh -- he got skipped because we didn't have him on at the moment, but Al Mayo, you are next. You have three minutes.

AL MAYO: Hello. You guys hear me?

SENATOR WINFIELD (10TH): Yes.

AL MAYO: Oh, there you go. You see me now? Okay. I've waited all day. Here I am. I am full support of this legislation you guys got going through. I've heard from many people, which has been annoying to me, people claiming these type of issues that are happening across the country are not happening here in Connecticut, which is totally crazy for people to say that. The people who are saying this are people who don't face this issue whether they're in Connecticut or Arkansas. If you ask brothers -- which I've asked many times -- you ask any brothers and sisters out there, they raise their hand if they've been a victim of racial profiling or injustices by the police, every hand goes up. This is a fact. It happens all the time, and there's no accountability from the cops. I can quickly share an experience that I had recently with the Ledyard Police Department where I caught the police officer on video stalking my car. 'Cause one thing I always say is that every black American needs is dashcam video. It's very important, so I got this. The cop drives by my vehicle, sees I'm turning left, pulls

over up the road to wait for me and my family to pass. As soon as I pass, he pulls me over. I got this all on video. Pulls me over and gives me a ticket like I was nothing. You know what, I said to him give me my ticket so I can get out of here and make a complaint. This officer took his -- must of went zoom speed to try to beat me there. I get there. He tells me I'm in the wrong parking spot, so he runs upstairs to tell his story first. Long story short, I make an official complaint. I provide the video, and what happens? Nothing. Nothing happens, and that's why these officers are not afraid to do whatever they want to do on camera. They're not afraid because there's no accountability. They're not held to it. It doesn't matter. You could film them beating somebody. They don't care and they'll look right at you and do it, so the fact that they're getting away with this over and over again, anybody who is brown or black can attest that this happens here in Connecticut every single day. I might be a black man with a uniform on as a firefighter, but outside of work, I'm just a black man in a BMW, and we face this every day whether you're 22 or you're getting old like myself who's 42, so we need to put accountability to this. We need to stop playing games, stop coming up with reasons that they do what they do, and pretend like they're the ones that are -- their lives are at stake on a daily basis because that's not actual. Although, we don't have killings every day in Connecticut by the police, we have what happens that affects us more and more and more and that is the illegal stops, illegal cases that they put upon us. I'm tired of it, so we need to do something, so I'm looking out for your guys to do something. Thank you.

SENATOR WINFIELD (10TH): Thank you, Al. Are there questions or comments for Al? I don't see any, but thank you. It's good to see you, and 42 is -- oh, wait. Senator McCrory.

SENATOR MCCRORY (2ND): Al. Can you briefly talk about that experience that you had as a black man, and not -- I just want to talk about the psychological effects that has on you as a man and as a father and if you have a son. Can you explain to all the other people in Connecticut the conversation that we have with like young men, especially young men about -- about the surviving that encounter that they will have? You just be as brief as possible 'cause I know it's getting late in the night. Thank you.

AL MAYO: Okay. Yeah. No problem. Okay. So, one thing that happens that is a fact for any black man or black female is our stomachs turn because we are petrified, and may not be petrified that we're gonna be shot and killed, but we are petrified that a case is going to brought against us and we're going to be arrested, so the feelings are 100 percent real. We all have stories. You can pretend like you don't have a story. You can be Candice Owen and pretend that you're not a victim of racism, but the reality is you are and we're petrified, so as a black man, when I get pulled over, my questions are like oh my God what am I gonna do if I get arrested? I have a black son, I have children with me, and I've still been treated as nothing. I'm a career firefighter, and outside of my uniform, what am I? We all know -- just a brother in a BMW, and those are the words I'm gonna use, but the -- the fear is 100 percent real. I am 42 now, and I have gone through it for

25 years, and I'm still petrified today as I was when I was 22. It's real.

SENATOR MCCRORY (2ND): Thank you.

SENATOR WINFIELD (10TH): Thank you, Senator McCrory. Senator Kissel.

SENATOR KISSEL (7TH): Hi. Thank you for testifying. First of all, I just want to let you know 42 is young in my opinion.

AL MAYO: [Laughing].

SENATOR KISSEL (7TH): So, let's just put it in perspective. You're driving a BMW. I've never been able to even get close to that kind of car, and you're a firefighter.

AL MAYO: Yes.

SENATOR KISSEL (7TH): I don't know what jurisdiction, but thank you for being a hero.

AL MAYO: Thank you.

SENATOR KISSEL (7TH): My -- my biggest question is I had said many, many hours ago. I did a study with now Judge Coleman, then Senator Coleman, and it seemed like different officers behaved in different ways. So, Caucasian officers male or female were sort of like in the middle group. African American or Latino women were like way more overbending to try to be accommodating, and yet, the African American police officer -- and I sort of wonder like are they trying to prove something to their colleagues or something, so I'm just wondering what your opinion is of that idea?

AL MAYO: Um, okay. So, I'm actually seeing it on a frontend, on a career job, and I do see it, and I do

see it like that. So, often times, we have black officers that are more aggressive around their colleagues. They're trying -- they're trying to find approval within their colleagues, and so they're more aggressive against the other blacks, and it justifies their actions, which I don't like. I can't stand. I've faced it myself, and it's real. People pretend it's not. 'Cause we all can pretend it's not, right. We can all lie to each other and say, no. It doesn't exist, but it does exist, and it happens on a regular basis. I think personally, my personal opinion is they're doing it to appease their other co-workers. They're saying, oh, look. Bobby Smith over there he knows how to handle them brothers like it's okay, and it's not okay. It's not.

SENATOR KISSEL (7TH): So, what the young people at Harford Public High School were telling us, in your opinion, is an actualized fact, and you've seen it in your own lifetime? Your young lifetime.

AL MAYO: [Laughing]. Yes. Yes. In my lifetime, I've seen it -- um, you know what if I had more time, I could go on with more stories. I was stopped in Old Saybrook years ago in scrubs. I was in scrubs with Quest Diagnostics. I was stopped because I was told drugs are in the city and I'm in scrubs, and the guy pulled me out of my car because he said he saw weed in my car, and I'm laughing 'cause I think he's joking. It wasn't a joke. He pulled me out of my car, said there was weed in my car, and then asked me can we search your car. Now, what kind of intelligence would tell me can I search your car if you saw weed in my car, right. And, I know there's no weed because I've never smoked weed in my life, and no one in my car drives my car. I

was taken out of my car and told there was weed in my car, and then asked to search my car. After it was all said and done, I went through hell, I gave them no permission to search my car. I drove out of there feeling like this, and that's often how it happens. Why was I subjected to that in scrubs? Black male at the time -- not in a BMW, in a beautiful Acura, and it happens all the time. Damn us for driving a nice Acura. Damn me for driving a BMW. You know.

SENATOR KISSEL (7TH): [Laughing]. You've got really good picks of vehicles. I want to thank you for risking your life. I mean being a firefighter -- I have a friend, Paul Bosiano [phonetic]. He was a Bridgeport firefighter. I don't know how firefighters do it or any -- any of those folks. You know, right now, it's like police, firefighters, EMT, but if you're walking in every day and you're fighting COVID-19, God bless everybody's souls.

AL MAYO; Listen, I signed up to give my life in event of an emergency, and I'm all well for that. I didn't sign up to give my life in a traffic stop. I mean let's be honest. That's not how anybody wants to go, and not because of a blinkers out or because I'm being stopped because I have drugs. Why does it have to be they think I have drugs? I've been on the job -- if you guys know, you Google Al Mayo, I've been on the job, I came on the job under huge scrutiny of getting fired in the academy, so it goes beyond the police. It doesn't end, and something needs to be done, and everybody else is pretending like it doesn't happen. I've heard many, many testimonies, and they are blind or they're just pretending it doesn't occur.

SENATOR KISSEL (7TH): Thank you, Chairman Winfield.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel. Senator McCrory, your hand is still up from before I'm assuming? Uh, okay. So, thank you, Al. it is good to see you, and I do agree with Senator Kissel, 42 is not very old.

AL MAYO; [Laughing]. Well, thank you. Thank you guys.

SENATOR WINFIELD (10TH): So, at this time, -- at this point, we are going to -- I was told a couple of people who could have had problems getting on. We're going to see if they're available. James Long, are you here? Valerie Horsley, are you here?

VALERIE HORSLEY: I'm here.

SENATOR WINFIELD (10TH): Okay. How are you?

VALERIE HORSLEY: Can you hear me?

SENATOR WINFIELD (10TH): Yeah. I hear you. You have your three minutes.

VALERIE HORSLEY: Okay. I just want to thank the Judiciary Committee for fighting for this legislation this year. I am here to testify in support of this legislation, which requires police accountability and gives Connecticut I think a leadership role in the nation in terms of addressing what we all know is a nationwide problem of you know some as we've heard all day bad apples really using force against young children really in Connecticut is what we've seen. I first sort of paid attention to this when Jason Negron was killed in Bridgeport, and his family was affected by his death, and in this country, I always grew up knowing that we had due process if there was a crime being committed,

and even if Jason Negron was -- he never got due process because he was killed by the police in that -- in that time. I was also surprised when I went in support of the family to support them in a march in Bridgeport at the sort of militarization of the police that I witnessed. I have never seen the police look in form like the military like I saw in Bridgeport in trying to manage the crowd, and so I really appreciate the crowd management policy that's a part of this bill because I really do think that that's a place where we could see some changes in -- in Connecticut. I also wear a hat where I'm a councilperson in Hamden, and I've seen how negotiations with contracts can reduce transparency, and so I also appreciate the effects of the collective bargain piece -- bargaining piece of this legislation.

And, finally, I think two -- two other pieces that I really think are very strong in this bill are recruiting minority police officers. In Hamden, we have a large population of people of color, black and brown citizens, and we have very few police officers on our force that are of color, and I think we can do a lot to sort of recruit police that look like our community, and so I appreciate that that's in this bill. I think we also have experts on police and recruitment efforts in Connecticut, that work in the University of New Haven or live in our state that we could use to sort of help with some of these taskforce that will be established by this bill, so thank you so much for taking this effort on, and I really appreciate the work of the committee, and I'm -- I'm hoping that we can pass this so that we can have a safer community for all

of our residents, not just the white citizens in -- in our state.

SENATOR WINFIELD (10TH): Thank you. Representative Porter.

REP. PORTER (94TH): Thank you, Senator Winfield, and thank you Valerie for your testimony this evening. Thank you for hanging in there. I know you've been with us all day.

VALERIE HORSLEY: Yeah. [Laughing].

REP. PORTER (94TH): I just want to ask you -- yeah. It's been a long day, but I think it's -- it's been fruitful on both sides of this issue that we've been able to hear from people with different perspectives, and with that being said, is there anything that you believe we can do to make this bill better? Through you, Mr. Chair.

SENATOR WINFIELD (10TH): Go ahead. Answer the question.

VALERIE HORSLEY; Um, you know, I think that I do appreciate the -- the -- the indication that sometimes what police are responding to are better affiliated for social workers, but in dealing with municipal budgets, we often don't have the funds to support social workers over police officers, and so I really think that how that is going to be played out at the municipal level could be laid out in a better way, and that could be supported through additional funds through other departments for instance or requiring that police departments have an entirely separate social work effort for instance, but I think overall this bill really captures strongly what we should start with, and

then from there, we can see what needs to be added as we go forward.

REP. PORTER (94TH): Thank you, Valerie for that response, and thank you again for taking your time to stick with us and -- and to have your voice and the voice of Hamden heard.

VALERIE HORSLEY: Yeah. Thank you.

REP. PORTER (94TH): This evening (Crosstalk). Thank you, Senator Winfield.

SENATOR KISSEL (7TH): Hey, Robyn, you know I still love you, but --

REP. PORTER (94TH): I love you more, Kissel.

SENATOR KISSEL (7TH): [Laughing].

SENATOR WINFIELD (10TH): Thank you for joining us this evening, Valerie.

VALERIE HORSLEY: Yep. Thank you, guys.

SENATOR WINFIELD (10TH): Enjoy the rest of your evening.

VALERIE HORSLEY; Yeah. You too.

SENATOR WINFIELD (10TH): One -- one more person who we heard was on -- Nicholas Frattini. Are you there?

NICHOLAS FRATTINI: Yes. I'm here.

SENATOR WINFIELD (10TH): Okay. You got three minutes.

NICHOLAS FRATTINI: Thank you. I was listening all day, but now I had to go to work, but I -- I guess just thank you for giving me a couple minutes here. I'll try to be brief. I'm a New Haven -- proud New

Haven resident, and I just wanted to come on and speak in support and amplify the voices that we did hear from Black Lives Matter New Haven earlier today in support of this bill with a few changes. I would say that I speak for the majority of New Haven when we say that we don't feel safer when there are more and more police on -- on our streets, and I would also say that the -- that in terms of qualified immunity -- that's one of the main things that is not fully in the bill yet, but it was being pushed for, and I want to express my support for getting rid of qualified immunity. So, hopefully, that is quick and easy, and just to amplify the voices that you've already heard. Thank you.

SENATOR WINFIELD (10TH): That -- that was great. Let me see if there are any questions. I don't see any, but thank you for sticking around all day and you're going to work and still sticking around. I really appreciate it. Enjoy the rest of your evening.

NICHOLAS FRATTINI: Thank you. Bye.

SENATOR WINFIELD (10TH): So, next on the list is Josh Pawelek, Kimberly Rice, Alycia Gray -- Gay, Amy Therrien. So, is Josh around?

JOSH PAWELEK: Yeah. I'm here. Can you hear me?

SENATOR WINFIELD (10TH): Yes. I see you. Go ahead.

JOSH PAWELEK: All right. So, members of the Judiciary Committee, Chairs Winfield and Stafstrom, Ranking Members Kissel and Rebimbas, thank you for this opportunity to speak in support of LCO 3471. I am the Reverend Josh Pawelek. I'm the minister of the Unitarian Universalist Society East in

Manchester. I'm a leader with Moral Monday Connecticut, and a resident of Glastonbury. I am profoundly grateful to those who drafted this bill in the midst of a national reckoning with our country's white supremacist history and its ongoing legacies of racism, especially the legacies that pertain to policing. You have crafted legislation that addressed the liberality of abusive over policing in black and brown communities in our state. Thank you for your dedication to making right what has long been wrong, and when I say that I mean not with police, I mean with policing.

On April 2, police in Manchester murdered a young unarmed Puerto Rican man names Jay Soto. I've had the privilege of getting to know Jay's family and offering what support I can as a local pastor. No family should have to endure what they endured. On April 2, two parole officers arrived at Jay's mother's house where Jay was living. Jay became angry when the officers served a warrant for a parole violation. He said he had a gun. His parents assured the officers he was unarmed and suffering from PTSD. The offices nevertheless made decisions that led to CREST, a militarized swat team, coming to the house. Jay's parents continued to explain he was unarmed and experiencing a psychiatric crisis. They offered to bring him out of the house, but officers ignored them. CREST successfully negotiated with Jay to surrender, but four officers -- four shot and killed him as he exited the house. Section 18 of this bill points us toward the use of social workers to respond to certain 9-1-1 calls. In this situation, a social worker could have made a huge difference. Jay would be facing the consequences of his parole violation,

but he would be alive, his family would not be living with the emotional horror of this death. Their house would not be riddled with bullet holes. I say the bad apples argument is a distraction. The problem we face is a set of outdated policing practices and structures that result in over policing of black and brown communities. These results are well-documented, and I am confident the vast majority of officers regret these results, yet often feel powerless themselves to make change. This bill, if enacted into law, will make policing safer, and more reliable for black and brown communities, and as communities come to trust that misconducting officers will be held accountable, I believe it will actually make policing safer and more reliable for police. At Black Lives Matter rallies we chant "hands up or don't shoot. These are words that name the truth that current policing practices often fail to protect and serve black and brown communities. By taking this reality seriously, this bill will enable police to better serve and protect all Connecticut residents regardless of racial identity. Elected officials now have the opportunity to be leaders for racial justice, not only in Connecticut, but across our country. I urge you to take this bold moral action. Please vote in favor of LCO 3471. Thank you.

SENATOR WINFIELD (10TH): Thank you. Are there comments or questions from others? Rep. Porter.

REP. PORTER (94TH): [Dictation cutting out].

SENATOR WINFIELD (10TH): Rep. Porter, we're having --

REP. PORTER (94TH): [Dictation cutting out]. Can you hear me now?

SENATOR WINFIELD (10TH): Yes.

REP. PORTER (94TH): Okay. I'm switching in-between laptop and cell phone, but I have no questions. I just wanted to thank the good gentleman for his testimony today, and just speaking what I feel is truth to power, so thank you, Mr. Pawelek, and thank you, Senator Winfield.

SENATOR WINFIELD (10TH): Thank you, Rep. Porter. Are there questions or comments from other members? I don't -- I don't see any, so Josh, thanks for joining us this evening.

JOSH PAWELEK: Thank you. Have a great night. Thanks for being here.

SENATOR WINFIELD (10TH): Next, we have Alycia Gay, Amy Therrien, Christopher Donston. Are any of those people, Alycia, Amy, Christopher? There is Quashondra Thomas.

CHRISTOPHER DONSTON: Chris is here.

SENATOR WINFIELD (10TH): Christopher Donston. Okay. You have three minutes.

CHRISTOPHER DONSTON: Thank you. Good afternoon, and thank you for taking the time to listen to my testimony. It's been a long day for everyone I'm sure. I've been a police officer for the town of Watertown for the last eight years, and currently assigned as an SRO. There are currently 39 sworn police officers employed by the town of Watertown. We also hold the highest level of accreditation from POST. I have been listening to everyone's testimonies from the beginning, and shocked that so many think that police officers are not held accountable for their actions. I read stories from

the media of officers across the country being disciplined, losing their jobs, or even being arrested for misconduct, including officers in Connecticut, so the statement regarding officers not being held accountable for their actions I feel is false. I strongly believe that if this bill passes there will be a mass exodus of law enforcement officers throughout the state. There are many flaws with this bill. Many of them feel more like a punishment to law enforcement than reform. This bill is an absolute betrayal to law enforcement. How can we as a great law enforcement family be judged as a whole on the actions of a few bad police officers?

Police departments have been trying to improve procedures through recruit, retain, and promote minority police officers. The problem we are facing is that minorities are not applying for the position of a police officer for reasons that are unknown. One could only speculate that's due to the loathing that minority groups have towards law enforcement, a minority that is interested in becoming a police officer may think twice for fear that he or she's betraying their own. Over the past few weeks, I have been with many of my fellow minority officers, and I've heard the nasty and horrible comments directed at them at these peaceful protests. They have been told that they are traitors and they betrayed them. Also, why would anybody want to become a police officer during these times. Between the bashing and horrendous betrayal that we receive form the media and the new laws trying to be put in place by politicians, society has lost all respect and faith in law enforcement. When has it become okay with society to disobey lawful law orders by a police officer and then attack those officers, and

then the offices be the ones that get in trouble? As a solution, we as a society have to come together to eliminate this animosity. The changes to the use of force in Section 29 create an unnecessary and even dangerous situation for a police officer. These changes are now requiring the officer exhaust all feasible alternatives to the use of deadly physical force. Does this mean that an officer must articulate that he showed physical presence, tried to speak to the individual, went hands on with the individual, then used a baton or OC spray, a taser before he even had a chance to use his gun? There are situations where an officer will not have the time to use all his tools, and use the tool that originally believes will affect the arrest.

Qualified immunity is supposed to protect police officers against false claims of misconduct. Qualified immunity may decrease and possibly eliminate police misconduct, which is what the idea is, but it will also decrease police proactivity. With the elimination of qualified immunity, suggestions have been made that police officers will now have to obtain their own insurance at personal cost like doctor’s do. This personal cost will not financial be possible with our modest salaries. Simply put, we cannot afford to be police officers. I think people have a misunderstanding of the 1033 program. In my opinion, the program was designed to provide law enforcement with equipment that could assist them with conducting their job. This program is an insurance policy for what if scenarios. Police departments across the state have acquired military vehicles and weapons for the worst case scenarios, and is only used in those situations. Losing this equipment will only put society and

officers at greater risk of not being able to defend themselves when they are involved in an active shooter situation -- national disaster, barricade a suspect, or serving a high-risk felony arrest warrant just to name a few.

In conclusion, if this bill were to be made into law, police officers will no longer be proactive but reactive. We will be walking on eggshells with every interaction we have with the public, and we'll start to second guess ourselves with a split-second decision has to be made. There will be a mass exodus of police officers leaving departments and the public at risk. The pool of qualified candidates will decrease as well because no one will want to risk their lives for what little we have left. At the end of the day, our main goal is to protect and serve our community, and to make it home safe to our families. This bill will only make that goal even harder and deter future candidates from applying. If we are being asked to change the way we conduct our jobs, then society should also consider reform. Society has to be held accountable as well. This bill cannot pass under its current language and further discussion and research should be conducted. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you. Senator Kissel.

SENATOR KISSEL (7TH): [Clearing throat]. Hi. Can you hear me?

CHRISTOPHER DONSTON: Yes, sir.

SENATOR KISSEL (7TH): All right. So, I just have one quick question because time's running out. I live in Enfield, I serve seven towns here in North

Central Connecticut. We were really lucky to have former Chief Carl Sferrazza, who had our police department certified -- I forgot what they did, but it was like very, very high certification, and we inherited from Connecticut State Police, former Colonel Alaric Fox, who's now our chief, so [clearing throat] in talking to Chief -- former Chief Sferrazza, he said, "if these kinds of initiatives move forward -- and you said that your department is highly certified as well -- I mean would it just be helpful if more police departments were certified on these programs? I don't know if they're national programs. I'm not really an expert in that, but I know that they were highly regarded -- they're highly regarded in Enfield, and you just at the beginning of your statement you said that your department is highly certified as well.

CHRISTOPHER DONSTON: So, the Watertown Police Department is -- has the highest level of accreditation from the POST Academy. The POST sets out guidelines, policies, and details how a police department should be structured and how they should operate. Department to suggestion on how they should be operated and in Watertown's case, we follow those suggestions to the letter. We have policies that fit their models, that also follow a lot of other models that are throughout the state, and by doing so, that gives departments certain levels of accreditation, and that also allows us to get more funding to do other things such as DUI checkpoints, traffic control, things of that nature, so it just puts our department as a much higher standard than everyone else's, and it also should attract more candidates knowing that we follow what

the state recommend or what POST recommends when it comes to policies and other things like that.

SENATOR KISSEL (7TH): And, I'm sorry, Chairman Winfield, but I just want to follow up because here in Enfield I think what we're doing is we have national certification and you're talking about POST, and I'm just wondering what's the distinction?

CHRISTOPHER DONSTON: I would have to get an answer for you to that. We do have one of our lieutenants who is in charge of maintaining the accreditation that we have with POST, so I don't have the answer for you for that, but I could look into it for you if you like, and like I said, we do have a lieutenant that I work with that is in charge of keeping our accreditation up to standards with POST.

SENATOR KISSEL (7TH): Thank you. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Kissel. Senator Haskell.

SENATOR HASKELL (26TH): Thank you so much, Mr. Chairman, and Officer Donston, thank you for your patience. I know it's been a long day, and I'm grateful for the work -- for the good work that I -- I very much believe you do --

CHRISTOPHER DONSTON: Thank you.

SENATOR HASKELL (26TH): In your capacity in law enforcement. I just wanted to narrow in on the qualified immunity portion because I've been learning a lot about this over the course of today, and I just -- I -- I am surprised by your perspective that you think it's going to be a judgement of have a negative implications on all law

enforcement as opposed to individuals, so I guess rather than make a statement, I want to make a question. Do you think that qualified immunity as it's currently applied and interpreted is an appropriate legal standard when we're dealing with what are sometimes -- even if it's in very rare circumstances egregious violations of constitutional rights? And, before you answer, let's talk about the specifics of how it's actually being used, so let's look at Corbitt vs Vickers, which the court applied qualified immunity because they said an officer could not have reasonably known that shooting a 10-year-old child in the back of the knee while repeatedly shooting at a family dog that by the way wasn't threatening anybody was against the law. Now, I -- I think more highly of our law enforcement officers than the court chose to do in this situation, and I think that an individual officer should be held responsible for actions like that, so -- but qualified immunity says otherwise, so I guess my question is do you really think that that's an appropriate incentive to judge officers when as you point out so many officers do so -- such exceptional work every day in our community. Shouldn't -- shouldn't we hold them to a higher standard?

CHRISTOPHER DONSTON: Well, we already are held to a higher standard the way I look at it. We use qualified immunity to protect ourselves more for the false accusations that society does put on us. I could speak for myself that there are times that citizens will come and make complaints against our officers, and with the introduction of the body cameras, they've actually helped us. things like that is why qualified immunity is put in place is to

protect officers from being falsely accused of police misconduct. I can't speak on behalf of that case that you referred to because I don't know the exact details, but again, the qualified immunity is there to protect officers from doing their job. The society has asked us to perform a task for them to keep them safe and to provide them with some protection, and we have to be protected ourselves, and by removing qualified immunity from that, that's one less thing that we're protected from now, so again, it goes back to my point where an officer who is typically proactive pulling motor vehicle stops, searching for drugs, doing things of that nature, is going to be more reactive and not want to make those proactive stops because if he does and something were to turn south, and now that officer has to conduct himself in a manner that he feels is justified at that time, but now is later determined to be excessive use of force or a civilian review board who comes in who has no previous law enforcement knowledge or experience is now telling us that he should -- the officer shouldn't have done that, again, it all comes down to what the office was doing and how things were going on at that time. We got to focus on what was going on at that specific time, and not try to Monday night quarterback it later when everyone could sit down, look at the cameras, really sit down and talk about it. Officers very rarely have second -- multiple seconds to think about a decision and have to make a split-second decision.

SENATOR HASKELL (26TH): Thank you, Officer Donston. If I might be permitted just a very brief follow-up, Mr. Chair. It's -- it's then my understanding that the benefit of qualified immunity is that it

protects both individual law enforcement officers but probably more than likely the municipality is going to identify them from these frivolous or perhaps you know incorrect or -- or various lawsuits, so if that's the case, I'm not sure that qualified immunity is actually doing its job. Again, Law Review Journal studied a little under 1200 1983 cases and found that in cases where qualified immunity could have actually been used, it was used in less than four percent of those cases, so I understand that municipalities need a certain amount of protection, and I understand that law enforcement officers face an incredibly difficult job, I'm just not sure that qualified immunity is actually doing what the court initially intended for it to do.

CHRISTOPHER DONSTON: You could be accurate in that statement. I also feel that a lot of times when officers are being sued and charged with incidents of misconduct, a lot of times, the towns will just decide to settle instead of actually following through with taking things to court or through trial because of the expense. Sometimes, it's a lot cheaper just to settle with somebody, give them a set amount of money, and then not pursue them any further because of the lawyer fees and court fees, things of that nature, so I understand what you're saying, but I also think that it -- the number could be screwed a little bit because of the fact that a lot of times when qualified immunity would fit towns just decide to settle to save money from being spent frivolously on trials and things of that nature.

SENATOR KISSEL (7TH): Okay. Thank you, Mr. Donston. Thank you, MR. Chair.

SENATOR WINFIELD (10TH): Absolutely. Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH): Thank you. I'm going to follow up on the same thing that Senator Haskell was just talking about, and that's the fact the qualified immunity. The -- you know, the fear -- or I shouldn't even say fear. The issue that I see in -- in both my jobs is -- is not those that where there is a complete violation. It's all the frivolous lawsuits and the hopes that the departments will settle out, especially in the smaller towns that -- that you know we don't have a huge law budget, and because of that, I think that's the important reason for qualified immunity, but you know [sigh] there's got to be other ways we can handle this rather than going directly at qualified immunity. I'm listening to some of the -- the complaints that people have made, especially the firefighter, and he went in and filed a complaint, and that bothers me that -- that he didn't hear anything, and I'm thinking why didn't we go that direction? Why do we not require police departments -- somebody files a complaint, they have to respond within 14 days, is -- you know, is an investigation on, was the investigation looked at, was it done, and then go on from there because you know most departments do an investigation when you file a complaint, but qualified immunity is going to cause -- it is going to cost municipalities a large amount of money, and you know CIRMA, which is like -- I think I said this earlier this morning -- they cover most towns in Connecticut, and they came across, and they said, this can be an astronomical number to us, and -- and you know, coming off of COVID, coming off of -- of our budget restraints, I don't know if

that's the direction we want to go. You know, I know a lot of attorneys talked about no we should do this, we should do this. Well, you're gonna make off of this, but you know, I guess this wasn't even a question. It was a statement, so I'll end it there.

SENATOR WINFIELD (10TH): Thank you, Senator Champagne. I will just say to all of the members that is it nine o'clock, and we can actually get through the list, so I would just hope that you would be aware of the time when you're asking questions. Senator Lesser.

SENATOR LESSER (9TH): Thank you, Mr. Chairman, and I will try to be -- try to be very brief. I -- I heard what the Senator Champagne just said, and I appreciate his comments that we all want to reduce the number of frivolous cases. I think that's an important thing, but I have a question for the officer. I appreciate your testimony and sharing your experiences from the Watertown Police Department. I have a hypothetical question though for you, just drawing on your expertise. If you -- if there was an officer in your department who had a suspect seated with his hands raised, and then let a K9 onto the -- attack the seated suspect, would you think in that situation -- that hypothetical situation a civil rights lawsuit would be appropriate against the officer?

CHRISTOPHER DONSTON: I -- I wish I could answer that for your hypothetically, but I do not know what the rules are with engagement with a K9 because I'm not a K9 officer. Our K9 retired years ago, so I can't speak to what the rules of engagement are. Do I agree with a K9 attacking somebody with their

hands up and not showing any threat? No. I do not. I do not think that is right, but again, I don't know what the rules of engagement are, and -- but the limited details you provided, I can't really give you a great answer.

SENATOR LESSER (9TH): So, the suspect is seated with their hands up, a police officer has a K9, allows the K9 to attack the seated suspect with his hands up. Those are the details that I have available.

CHRISTOPHER DONSTON: Again, I don't know what was the reason for the stop, why are their hands up, did they show that they had a weapon prior, what's the reason for that person to have their hands up to begin with?

SENATOR LESSER (9TH): They're a suspect. They've been -- they've been detained, they have their hands up --

CHRISTOPHER DONSTON: For what though? For what? Was it a motor vehicle stop because they ran a stop sign or did they just commit a burglary or a robbery of a bank?

SENATOR WINFIELD (10TH): So -- so I'm gonna --

CHRISTOPHER DONSTON: Sorry.

SENATOR WINFIELD (10TH): I'm going to intercede because he answered the question to his ability, so --

SENATOR LESSER (9TH): The reason -- the reason I'm asking is because I think we've had a lot of discussion about you know legal concepts. We use words like qualified immunity, and I think there is a sense. I understand it. I've heard from many,

many officers in my district and from around the state who are concerned about litigation. I think understandably so, but I think it's important that we be precise about what the terms that we're fanning about meet because nobody wants a frivolous lawsuit. I don't want officers in my district harassed by a frivolous lawsuit any more than anybody else on this committee does, but I think it's important, and the specific fact that I decided is also important because last month the Supreme Court threw out a case in which an officer allowed a dog to attack a suspect seated with his hands up because the only case that they could find -- that the lower court could find involved a suspect lying down with a dog attacking a prone suspect and saying that those were not comparable cases, and so there was no way for the court to evaluate whether or not that was an appropriate use of force. I think that is a little silly, and I don't think that that's a frivolous case. I think that what we are seeing is a lot of legitimate cases dismissed, and that undercuts confidence in the police department. I absolutely want to work with police departments to deal with frivolous cases, but I think we should be clear about what we're talking about. Thank you for your answers, and thank you for the committee's time, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Senator Lesser. Are there other comments or questions? I'm seeing none. Thank you very much for coming to testify and spending your evening with us.

CHRISTOPHER DONSTON: Thank you.

SENATOR WINFIELD (10TH): I'm going to now call on a couple of people who were skipped who I have been notified are potentially present. Shannon Leslie.

SHANNON LESLIE: I am here.

SENATOR WINFIELD (10TH): You have three minutes.

SHANNON LESLIE: Thank you. I just want to say thank you to all of the Senators and Representatives here in the Judiciary Committee for taking the time to have this meeting. I know we've all been here for a long time, so I appreciate you taking this time to listen to everyone. I would like to say that I'm a resident of New Haven, and I know that my community takes safety very seriously and community safety very seriously, but I don't think that police are necessarily making us feel safer, so as has been said by a couple of other speakers, there's reluctance to even call the police now because of the harassment of black and brown communities and the historical legacy of policing, so I think it's really important that when we talk about community safety, we talk about it as a wholistic approach, so things like affordable housing and health care are really what make communities safe and opportunities, and so policing is not the only way to talk about safety, and I think that's been echoed by a lot of people, so I do want to support this bill and amplify again what has been said by Black Lives Matter New Haven. They have proposed amendments to this bill that would strengthen it as a first step to ensuring community safety, so I'd like to amplify what they have said. They've shared it in their written testimony, as have I, and so I just want to make sure that it's known to the committee that

there is really broad support for those amendments and those measures.

And in terms of qualified immunity, which has bene discussed a lot, I think that that is a really important step to hold police officers accountable for the harm that they are causing. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you very much. Are there comments or questions from members of the committee? If not, thank you very much for spending your evening with us and coming to testify. Is Kimberly Rice on?

KIMBERLY RICE: Yes.

SENATOR WINFIELD (10TH): You have three minutes.

KIMBERLY RICE: Hi. I wanted to say good evening. I'm not sure why I'm sticking. Is it okay? Is the sound okay? I wanted to say good evening, and I would like to start by thanking the Judiciary Committee for holding these public -- this public hearing, and allowing me to speak in support of Bill 3471. I would like to share that both my brother and father are Veterans who deployed in major conflicts, and both have earned medals. I would also like to share that both have been beaten by the police, and my brother was falsely arrested.

In 2018, my brother was arrested by the New Haven police without probable cause. In addition, they released his personal information to the media. His name was published in the press without any conviction, trial, or verification of the facts. Even after all the charges were dropped and his innocence was declared, the media continued to run the story. To date, the New Haven Register and the

Connecticut -- and Connecticut NBC refuse to remove the story even though they have the facts. I believe the media outlets who engage in this sort of complicit behavior should also lose their immunity. My brother's arrest without probable cause was a violation of his civil rights that led to loss of income, emotional and psychological stress, and an assassination of his character that he has not been able to be compensated for due to qualified immunity. Can you imagine deploying on behalf of the United States [dictation cuts out] violated, and no way to be legally compensated? I ask you why do doctors and nurses have malpractice insurance? Why are they held accountable when making a mistake? Why are police officers who knowingly engage in criminal activities by violating civil rights unnecessarily using excessive force and engaging in false arrest -- why aren't they being held accountable? When these unethical and immoral acts occur -- activities occur, they not only impact those individuals but also their families. They have spouses and children, brothers and sisters and parents who are also impacted in ways that are unimaginable. I am an innocent bystander who is now also aggrieved by the actions of those officers in -- by the New Haven police in 2018. I have lost pay, my pension, my seniority, and my retirement have also been impacted by the false arrest of the New Haven police, and I too have no way to be compensated for my loss. Their illegal criminal action has cost the police officer nothing -- his pay, his pension, his healthcare, nor his character have been called into question. POST has done nothing around his certification. In fact, two weeks ago at a rally the same arresting officer was on camera saying, "So what." So what that I

destroyed your life, so what that you lost income, so what that your family's been impacted, and there has been no personal cost of this officer. I don't see anyone -- the Police Chief of New Haven, I don't see POST, I don't see anyone looking at these officers and how they conduct themselves, and that the attitude results in so what, and why should he care? He has no personal accountability.

SENATOR WINFIELD (10TH): Okay --

KIMBERLY RICE: I would like to also say that --

SENATOR WINFIELD (10TH): Ms. Rice, you are -- you are at your three minutes, so can you summarize, wrap up?

KIMBERLY RICE: Yes. Absolutely. This is about being black, and this is about the criminalization of black and brown bodies. We do not work eight hours a day. We are black 24 hours 7 days a week. That means wherever we go we have to deal with being criminalized, and whatever we do as we have seen time and time again. I would also just like to say that I support the NASWs recommendations on reforming policing. They have a revision -- a revised -- revision of it on June 24.

SENATOR WINFIELD (10TH): Ms. Rice --

KIMBERLY RICE: I would also like to say that --

SENATOR WINFIELD (10TH): Ms. Rice --

KIMBERLY RICE: Can I just say --

SENATOR WINFIELD (10TH): Ms. Rice -- Ms. Rice.

KIMBERLY RICE: Yes.

SENATOR WINFIELD (10TH): We are towards the end, and I would love to --

KIMBERLY RICE: Thank you. Thank you so much. Thank you for allowing me to speak.

SENATOR WINFIELD (10TH): Are there comments or questions from members? Rep. Porter.

KIMBERLY RICE: Thank you, Mr. Winfield, and I just want to say thank you Kimberly for being here and sharing our brother's story and yours as well. I am very familiar with that story, and I was actually on the scene two weeks ago and had that conversation with your brother as we were trying to deescalate that situation and the trauma that he experiences running into that office out there when that statute was coming down, so I just wanted to -- to recognize you for that, and to validate your story and what happened to your brother, and you know, we've been there, we've discussed it, and I am sorry for the outcomes and that there has been no justice to date, but that is the purpose and the reason for this bill, Kimberly, and it is our hope that after almost 12 hours now of listening to testimony on both sides of this issue that we are better informed and more well informed, and we will be able to move forward from this time to make decisions that will bring equity to what we're dealing with when it comes to policing, especially in black and brown communities, so I just want to say thank you and God bless you, and keep -- keep the faith. Let's remain hopeful that --

KIMBERLY RICE: Thank you very much.

REP. PORTER (94TH): Eventually we're gonna get where we need to be in this situation, and thank you, Senator Winfield, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Are there other comments or questions? If not, thank you very much for sharing your story with us. It helps hear from more real people. I now have on my list Alycia Gay, Amy Therrien, Quashondra Thomas, Larry Rice. If none of those people, I then have Kerry Ellington --

KERRY ELLINGTON: Here.

SENATOR WINFIELD (10TH): Oh. Hey. Hey. Okay. So, Kerry, you have -- you have three minutes.

KERRY ELLINGTON: I am in support of bill LCO 3471. This bill needs to be strengthened, and it's urgent. We are in crisis in black and Latin communities across Connecticut. Police play judge, jury, and executioner. Distractions of police in my community leave people murdered, killed dead, and police officers fail us with impunity. Here's a list of over 30 names of people killed by police in Connecticut in the last four years: Jose Soto, 27, was killed after being shot countless times by four officers of Manchester, Wethersfield, and Enfield PD on April 2, 2020. Edward Gendron was shot and killed by Waterbury PD on January 20, 2020. Mubarak Soulemane, 19, was shot and killed by state police on January 15, 2020 after being chased recklessly by state police at a high-speed chase, and hunted down by police over allegation of carjack. Justin Griffin was killed in police custody by the Milford police on January 5, 2020. Michael Mayko, 30, was shot and killed by Asonia PD on January 2, 2020. Steven Barrier, 23, was killed by Stamford PD on

October 23, 2019. Alphonso Zaporta was shot and killed by Hartford Police Department on July 26, 2019 after being pulled over for a minor traffic stop. Andrew [inaudible -04:33:39], 25, pedestrian was killed at the result of a high-speed police chase by Hampton police on January 21, 2019. [Dictation cutting out]. Luis Martinez, who was 17, was a passenger in a car and was killed as a result of a high-speed police chase by Madison Police Department over an allegation of property theft on March 20, 2019. Jarelle Gibbs a passenger was killed after being ejected from a car window by Hamden police on August -- August 17, 2018 after [dictation cutting out]. Gordon Cooper was a passenger, 18, was killed after being ejected from a car window on the highway as the result of a high-speed police chase by Bridgeport and the state police [dictation cutting out] had life-threatening injuries. This lethal [dictation cut out] over an allegation of property theft on June 14, 2018. Zoe Dodwell [phonetic], 20 years old, a (inaudible - 04:34:38) artist was shot over 28 times, once in the head killed by five (inaudible - 04:34:44). Noah Young, 18, and Caleb Tisdol survive this massacre, this [dictation cutting out] of property theft, a stolen car. This was on December 14, 2017. Susan (inaudible - 04:34:56), a bystander, 60 something years old, was killed by [dictation cutting out] police when (inaudible - 04:35:01) struck and killed as a result of a high-speed police chase. This police chase was due to the crime and dark tinted windows and illegible license plate. The date was August 29, 2017. Jason Negron, 15, was shot multiple times by Bridgeport Police, seen terrified and afraid, unarmed in his car. Jason was breathing

while he was put in handcuffs, neglected of medical attention., and Bridgeport Police --

SENATOR WINFIELD (10TH): Kerry -- Kerry -- Kerry --

KERRY ELLINGTON: Yes, sir.

SENATOR WINFIELD (10TH): One second. How many -- how many names do you have left?

KERRY ELLINGTON: I am going through the names. I have about 15 more names after this.

SENATOR WINFIELD (10TH): Okay. Let me -- let me -- let me pause for a second. You have about 25 more seconds left. Can you make sure you get through the names, and then we may have -- I think we have some questions for you.

KERRY ELLINGTON: Jason was murdered May 9, 2017. His body was left on the cold concrete for six hours. Joseph Rachenberger [phonetic] was 19 and (inaudible - 04:36:03), 18, killed by Danbury Police on May 6, 2017. Thomas Gezotis was shot and killed by Suffield Police on April 13, 2017. Deon (inaudible - 04:36:12), 23, was a pedestrian killed as a result of a high-speed police chase by Groton Police March 28, 2017. (inaudible - 04:36:20), 22 was killed as a result of a high-speed police chase by (inaudible - 04:36:23) Police on January 26, 2017. [Dictation cutting out] killed by [dictation cutting out] police as a result of a high-speed police chase over an allegation of property theft January 2, 2017. Tiffany Fitzgerald was killed by Danbury Police over a high-speed police chase that was over an allegation [dictation cutting out] on December 1, 2016. David Anderson, a bystander was killed sitting idle in his car as a result of a Bridgeport police chase.

SENATOR WINFIELD (10TH): Okay. Kerry -- Kerry --

KERRY ELLINGTON: Bridgeport --

SENATOR WINFIELD (10TH): Kerry --

KERRY ELLINGTON: Yes, sir.

SENATOR WINFIELD (10TH): Pause. Pause for a second.

KERRY ELLINGTON: Yes, sir.

SENATOR WINFIELD (10TH): I'm going to check to see if there are any questions for you. Rep -- Representative Porter has a question for you or a comment.

REP. PORTER (94TH): Thank you, Senator Winfield. Kerry, you stated on the onset of your statement that there were things that we could do to improve this legislation. Could you speak to that and tell us what it is you feel it is we need to do to strengthen this?

KERRY ELLINGTON: We must change -- make the language stronger and the use of forced law. It's not objectively reasonable. It is not strong enough. It's going to continue to leave people dead after interacting with police in our community. First, it should only be absolutely necessary and absolutely necessary must be defined and must be defined through a racial justice lens. It must be absolutely necessary and must be an imminent threat. If Dyllan Roof can walk after murdering nine people and get a bullet proof vest and get arrested and -- and [dictation cut out] treat him and use life-preserving skills -- all these names that I just named, the young children were unarmed should be met with that same life-preserving force. The force we

should use against preserving [dictation cutting out] that officer used when they encounter like mass murderers. They must [dictation cutting out] in this bill the elimination of -- of -- of immunity. We must eliminate that clause. We must mandate civilian review boards across the state, and we must mandate it with subpoena power, and they must be fully elected, not appointed, by the people of the municipalities. There's more -- excuse me. I'm sorry. There's just a lot to get through and like I said, it's a crisis, so there's a lot of anxiety and a lot of -- my blood pressure has been raised all day listening to a lot of the gaslighting on this call that suggest that police violence doesn't happen here in our state, and that -- and the system is not rotten, but it's only a mere few bad apples. That's completely inaccurate. There's a pattern of policy and procedure of -- of no one on the force ever being unjustified in its youth in our communities on black and brown residents, and every amount of preservation of life is used when they encounter white residents in the state. This is racial justice issue, this is a matter of racism. It must be beat out, so this bill must be strengthened, and it must be strengthened through a racial justice lens. We must sit at the table with [dictation cutting out] families [dictation cutting out] in my contact list. I have countless mothers over the past four years who have lost their children due to toxic police officers coming in and playing judge, jury, and executioner in our communities, and remaining on our streets. This is why our country is running their political cost. {dictation cutting out] cost on this call. There's a political cost to doing nothing. We see that across our country, and the last thing I'm going to

say about it - the harder it is for us to be heard, the louder we will get. We're definitely not finished with this bill, and we will show up and demonstrate whatever we need to to get the strength that we need in this bill. This is not a matter of politics. This is a matter of life and death in my community and communities in black and brown and working for communities across the state, and I hope you will take this seriously, and I thank you for your time. I thank Robyn Porter and Gary Winfield and Tony Walker for your leadership on this bill.

REP. PORTER (94TH): Thank you, Kerry, and I just want to, you know, acknowledge the great work that you do here in the city of New Haven and your efforts, and actually, your accomplishment in leading Black Lives Matter, and I appreciate all that you brought to this conversation this evening, and I just want to say thank you for hanging in there and for -- for taking the time, you know what I'm saying 'cause it's been a long day. It's been emotional. It's been a bellyache, a heartache, and -- and yeah. We -- we're here and we're doing this, and I really do appreciate you showing up and speaking your lived experience as a black woman in the state of Connecticut and your experience out here on these streets, boots on the ground out here with the community, experiencing what we experience and you know, our relationship with one another and as we try to survive, so I -- I really do appreciate you. I appreciate your voice, and Senator Winfield, I thank you for the opportunity to ask this question and expand on her experience. Thank you all.

KERRY ELLINGTON: Thank you.

SENATOR WINFIELD (10TH): Thank you, Rep. Porter. Kerry, I will just say to you that this is -- this is a forum that sometimes people get frustrated with because it doesn't really amount for everything that we feel like we need to do in this moment, but I will say to you thank you for what you presented, thank you for reading those names 'cause those names could -- could be forgotten, and -- and -- and I think it's important that people feel that passion because I know that during the day I've been getting texted by people and asked questions about how are you able to sit there like that and experience that like that, but I will tell you when the camera goes off, it's a different story, so you -- you help to bring part of the story here, and I know that sometimes rubs some of us the wrong way. I get it, but -- but the work you do is important both here in this moment and in our home city of New Haven, so thank you for staying here with us tonight and doing what you are doing. Are there any other comments or questions for Kerry? I'm seeing none. Again, thank you so much for your work to uplift and -- and remember the people who -- who have died, and the struggle that we have here.

KERRY ELLINGTON: Thank you, and we will be out to demonstrate because we must eliminate qualified immunity. Thank you, Gary. Thank you, Robyn.

SENATOR WINFIELD (10TH): Thank you. Okay. So, we have Richard Wesley Clarke. We have Annette Perzan. We have Thomas Pelletier. We have Marcus Spinner.

MARCUS SPINNER: Hello.

SENATOR WINFIELD (10TH): Hey, Marcus. You have three minutes.

MARCUS SPINNER: Okay. Senator Winfield, Representative Stafstrom, Representative Porter, and to all of the members of the Judiciary Committee, I want to thank you. We see all the hard work you've put in on this bill and all the hard work that you did today being here all day, and so I just want to say we see you. Before we begin, I want to stress my opinions on my own, and they don't reflect that of my employer. With that being said, I've worked at Whiting Forensic, an inpatient forensic psych hospital. I currently work in acute inpatient psychiatric unit, and I've done community-based mental health, and I say that before I speak in regards to Sections 3 and 15-16 mental health assessments for police officers, Section 8 evaluation of social workers responding to police calls, and Section 19 and 20 body cams, dashboard cams, etc. I just want to say that tasking police officers in doing what they do -- responding to car accidents, responding to homicides, responding to domestic violence calls. Those are traumatic incidents, and it's frankly inappropriate to task someone with seeing such violence every single day and then providing them with limited mental health supports. With that being said, I think we need to strengthen that portion of the bill by increasing the rate from once every five years, which is frankly useless to once every three months. I think it should be required to periodically check in. We have to break down the stigma that people have in engaging with mental health treatment.

Last session SB 8-24 also mandated that police officers check in with a licensed mental health professional after using deadly force. Police officers use deadly force in an instant where they

fear for their life. If you fear for your life, that's a traumatic incident, and therefore, you should speak with a mental health professional prior to returning to work. Section 18 imbedding social workers within police departments, that's wrong. We can't imbed them in police departments. That would tie them to the same internal forces which make police officers less than likely to speak up when they see others commit an act of misconduct. Instead of imbedding them in police departments, defund from the police and invest in the community. Year after year, you and not you Senator Winfield, but you state legislature continue to cut funding to education, continue to cut funding to mental health and community programs in order to address the budget, and we're saying stop cutting funding from those programs. Cut funding from the police. That's what defunding from the police means. Reduce their budgets.

Additionally, I want to say I can't stress enough that social workers can't work in the police department. That will harm the relationship between the black and brown community and the mental health system. There's already a tenuous relationship there because the mental health system as it exists is racist, and we need to improve that relationship, but imbedding them in the police department is going to cause irreparable harm. People won't trust social workers if they work for the cops.

And, then lastly, body cams. Any government system or institution which has authority and custody over human beings needs cameras. The Department of Corrections needs cameras, the Department of Developmental Services needs cameras, the Department of Mental Health needs cameras in all of their

inpatient units, and local jails like the Stamford Police Department, the New Haven Police Department, and the Hartford Police Department they also need cameras too. With that being said, body cams should never be able to be turned off. They should be on at the beginning of your shift to the end of your shift, and if you turn off your body cam, that should be evidence of criminal intent. Turning off your body cam is evidence of criminal intent. I've worked under cameras 8 hours a shift, 16 hours a shift, you can do it, I did it. I did it, you can do it too.

And, also I want to say that I do not support any body cam legislation that doesn't include a carveout that bans facial recognition software. I think this is critical. If we mandate body cams on police officers but don't reflect on the future of policing and technology and facial recognition software, we're gonna do irreparable harm. Thank you for your time today. Black Lives Matter. Thank you. Thank you for all the work that you do.

SENATOR WINFIELD (10TH): Thank you, Marcus. Comments or questions? Representative Porter.

REP. PORTER (94TH): Thank you, Senator Winfield, and Marcus, I just want to thank you. I know you personally. You have actually interned for me. I know your heart and your intent. I know your service and how you are community-oriented and also have a passion for people and a love for community, so I just -- no question for you. I just really wanted to thank you for hanging in there for over 12 hours and taking this, you know, seriously. That was a commitment that you made, and I just wanted to honor

you in this moment for doing so, so thank you and thank you, Mr. Co-Chair.

SENATOR WINFIELD (10TH): Thank you Rep. Porter, and I don't see any others, so Marcus, let me just thank you for hanging in here with us for -- for nearly 12 hours, and also for participating because you participated by contacting me on a regular basis, and that's -- that's what we need to make these things happen and make this work, so thank you again for showing up and for always being involved in what we're doing. So, we are getting closer to the end, and then I'll go back and check a couple of names that may be there. We have Franca Parra-Polimeni. Well, actually I see Germano Kimbro. Are you able to talk now, Germano?

GERMANO KIMBRO: Yes. Good evening, Gary.

SENATOR WINFIELD (10TH): Okay. Three minutes.

GERMANO KIMBRO: Can you hear me? I just want to thank you for your leadership and in hosting this forum and everyone who has participated, and I really was sitting back wondering what can I offer to this conversation, you know, that we haven't already heard, and that you know this is not an event but it's a movement and that hopefully, you know that those that are on the opposite ends -- because it's not a black and white issue, right, and that this is something that needs to evolve. I mean born and raised in New Haven. I'm a mental health worker for the Department of Mental Health and Addiction Services. I worked as a community clinical, and one of the things that we're trained to do is how to take down and restrain, you know, clients that become violent because you kno9w psychotic conditions, and I don't understand why,

you know, police training isn't allowed to do the same thing. there's a difference between you know police officer's ability to fight crime and I hate to hear that extreme, you know, but most of the video that I see you know have been traumatizing or over the years to the point where I can't even watch them anymore, and I see unarmed men and women being brutalized and killed, you know. I grew up here in New Haven, and I remember some of the images, you know, as a child, you know with police dogs and fire hoses being turned, and my father became a Black Panther member, you know, back in the 60s, and he fought against police brutality and oppression. I was a part of the Malik Movement over 20 years ago when Malik was chased down from East Haven into New Haven. He was boxed in and he was executed, so there is no doubt in my mind that we have some serious issues going on in law enforcement, but I think that I have to yield to Kerry Ellilngton's comment about, you know, this being the conversation about, you know racism, that police brutality is rooted in racism and it's a difficult conversation to have. However, if we're gonna move the needle in terms of any kind of justice and fairness in this issue, we -- we need to have the difficult conversation around race and racism and you know, I heard Senator Kissel talk about earlier about his potato experience and him not being a racist, you know, but there's -- there's a difference between being a direct racist and somebody that benefits from white privilege, and so you may not have or think that you're a racist or have any racist intent, but the mere fact that you're white and in this country you have certain advantages that you take advantage of whether you -- whether you choose to or not. There is institutional racism and

there's systemic racism that you benefit from regardless, and if I went out and I robbed a bank for a million dollars, and I gave you a hundred thousand dollars [clearing throat] you take that hundred thousand dollars and do whatever. You didn't rob the bank, and I'm just using this as an example, but you benefitted from it, and that's what happened here in America that you know America has been looted, you know, they rob -- they rob all around the world and for the soul benefit of white people benefitting.

You know, my anxiety is high, and so I may not even be explaining this as clearly as I want, but there are certain privileges that whites benefit from in America, and until we can look at these advantages or you're willing to accept the fact that you have certain advantages and privileges in this country that you're not willing to give back. You know, we're -- we're going to be struggling to move closer to the middle of finding a solution, and so what I'm really about is not pointing a finger or blaming. Youi know, I'd like for us to be able to find some solutions and move closer to the middle. You know, it's not about you know police can't do their job, or -- or whether or not we have a bill that holds them accountable. You know, but both sides need to be able to see the reality of what's happening and be willing to come up with fair solutions, and so I'll conclude with that.

SENATOR WINFIELD (10TH): Thank you Germano. Are there comments or questions from members of the committee? Rep. Porter.

REP. PORTER (94TH): Thank you, Senator Winfield, and thank you Germano for sticking in here tonight

and actually coming back on to having your voice heard. Your father was a {inaudible - 04:53:57) man. I can't even put a word to him the power that he represented in this city. He was actually pivotal in -- in my son's trial, and -- and you know, he wrote a letter and that's something that I'll always remember and treasure. We talked about the Black Panthers and what they brought to this community, and that history and legacy that you stem from and what you have said here tonight has not fallen on deaf ears, and I don't have a question for you because I know where you're coming from, but I just wanted to take the opportunity to thank you and let you know that I appreciate your presence on this call tonight. Thank you, Senator Winfield.

SENATOR WINFIELD (10TH): Thank you. Senator Kissel.

SENATOR KISSEL (7TH): Hi.

GERMANO KIBRO: Hi.

SENATOR KISSEL (7TH): I know we're down to like the last half hour. I have to respond to the way you characterized my potato experience. You're talking about a famine that affected an entire country. People were wiped out. I'm sort of conflicted because I think I'm part English and part Irish, but the Irish couldn't even eat the own -- the potatoes that they grew on the land, and they would watch their children and loved ones die there, and so then they fled Ireland in a mass exodus, many of them to America where they were treated like dirt. So, you know, were they slaves? No. Is there a comparison? Yes. There is. Indentured servants? Yes. Does America have an exemplary history? No. So, I think there's a lot of stuff here that we

could talk about, but I would hope that we can just focus on the bill because that's sort of where we are instead of the last 400 years of history, but I would just ask just as a guy, please don't minimize my ancestry because I am not about minimizing your ancestry, and that's all I'm saying. Thank you.

GERMANO KIMBRO: Can I briefly respond, Gary?

SENATOR WINFIELD (10TH): Germano, because we are trying to finish in the next 20 minutes, and we have like seven people left, I would -- I would ask that unless there are questions with answers if we don't go back and forth. I -- I understand [dictation cut out] trying to, but -- but we're trying to get everybody through, so.

GERMANO KIMBRO: No problem.

SENATOR WINFIELD (10TH): Yeah. Thank you, and thank you for spending so much time with us this evening. Next, we have a couple of people left to go, so I'm going to read off Jennifer Jennings. I see -- I have seen is back with us. Larry Rice is back with us. Franca Parra-Polimeni, Bob Lion, Vanessa Suarez. So, is Jennifer -- can Jennifer speak?

JENNIFER JENNINGS: Yes. Can you hear me?

SENATOR WINFIELD (10TH): Yes. You have three minutes.

JENNIFER JENNINGS: Thank you very much, and members of the Judiciary Committee thank you very much for holding this hearing. being here for 12 hours has definitely lent it's fair share of problems with technology, so I appreciate the aids in the office for being able to get this together. I've heard

that words of policy and procedure thrown around several times throughout the day. The introduction of this bill in itself in special session in a budget year is entirely unprecedented. Special session as you're all aware is used usually for unfinished tasks for the year that have already been properly introduced, and in this case maybe even responding to the pandemic at hand. We are in a state of emergency for what is a health pandemic. However, this bill and this line has become very blurred. It seems to be used as a vehicle to circumvent the legislative process to have us all in, to have it go through the various committees with multiple hearings as it's advancing certain political agendas. Police accountability is not a small issue. It's one that should not be taken lightly. It impacts every resident in the state of Connecticut. In its current form and intent right now, this police accountability bill is counterproductive with the intent to aid the officer of the public being missed. I fear without the legislative process and procedure that we have to invite experts, advocates, and opponents to appear before each committee whether it be Judiciary, General Law, Labor, Public Safety, and provide the testimony, we're robbing the public the right to ensure that all interested in the either passage or rejection is afforded proper opportunity. Legislators are not experts in each field. It is the role of the public to inform them on subject matter that they don't have an understanding of.

And, without hearing from the various police departments, it goes to talk about the next issue we were discussing as boots on the beat. I don't -- I have an understanding of the legislative process

having been a lobbyist, having worked in that building, having great respect for everything you do up there on a regular basis. Understand how this process works. I'm also the wife of, the sister of, the granddaughter of a police officer. As an LEO family, I can't even begin to explain how catastrophic the removal of qualified immunity would be. Should we discuss it and removing it from teachers? Should we discuss removing it from social workers? I mean there are flaws across the system in every aspect in every career, but to remove qualified immunity amongst police officers would uproot civil society as we know it. I am simply asking that the entirety of this bill be vetted through a proper legislative process and all safeguards and come back in January when it should have been introduced. There certainly needs to be far more available to monitor the mental health of our law enforcement officers to recognize and provide assistance needed in the aftermath of service-caused despair, but for those who know this building, every year a bill is brought up about PTSD and the trauma that these officers see on a daily basis. It is despair from the hazards of their job --

SENATOR WINFIELD (10TH): Jennifer, we've --

JENNIFER JENNINGS: And, every year --

SENATOR WINFIELD (10TH): Jennifer We've reached the three-minute mark. I need you to conclude, please.

JENNIFER JENNINGS: Okay. Then I'm simply asking that this bill be put off and reintroduced --

SENATOR WINFIELD (10TH): Okay.

JENNIFER JENNINGS: In proper legislative manner back in -- in January.

SENATOR WINFIELD (10TH): Questions from the committee? I'm seeing none. Thank you for being with us. Next up, I have Larry Rice. Larry Rice. Vanessa Suarez.

VANESSA SUAREZ: I'm here.

SENATOR WINFIELD (10TH): Go ahead, Vanessa. You have three minutes.

VANESSA SUAREZ: Good evening. My name is Vanessa Suarez, and I'm an organizer at Connecticut Bail Fund. We are testifying in support of LCO 3471, which introduces much needed police accountability, and we believe these measures should include DOC staff. We work on a daily basis with people who will be significantly impacted by this bill. This includes youth who have been shot by police and who are currently facing criminal charges and women who have undergone sexual and physical violence at the hands of law enforcement. This includes people who have contracted COVID-19 in jails and prisons that have been denied all health care and undocumented community members targeted by police for their status, and people who have been brutalized and tortured in immigration detention. Much of what this bill covers should already be in place. However, this bill also contains some harmful provisions that need to be amended in order to provide meaningful changes. One example is Section 30, police officers must always be required to intervene when witnessing or being in the presence of other officers who are causing harm or using force on community members. Police officers who are complicit in the assault or murder of community

members [background conversing] are never held accountable. When New Haven Police officer, Jason Santiago [background conversing] -- excuse me. Can I continue with --

REP. STAFSTROM (129TH): Yeah. I'm trying to figure out where the background noise is coming from. [Background noise]. Go ahead, Vanessa.

VANESSA SUAREZ: Police officers who are complicit in the assault or murder of community members are never held accountable. When New Haven police officer, Jason Santiago, used homophobic language, punched and kicked Luis Rivera in the groin. None of the three officers present intervened. In fact, Officer Michael Hinton who assisted Officer Santiago turned off his body camera and was subsequently suspended for only 15 days. The two other officers, Officer Phillips and Sergeant Guluzia [phonetic] who were involved in the entire altercation and arrest and failed to stop Officer Santiago from brutalizing and degrading an innocent man received no disciplinary actions whatsoever. Any police officer who fails to intervene must be terminated immediately and required to engage in reparations for their complicity in the violence. It is egregious that killer cops are protected while so many of our community members are criminalized and incarcerated without due process, and at the same time, we have no faith in the criminal justice system holding police accountable, so we must highlight that the criminalization of individually violent cops does not address the structural violence of every law enforcement agency in our state.

Regarding Section 21, restricting the ability of police officers to have power over personal and vehicular searches is a good step towards reducing the power of police; however, parts of this section also pose a serious danger to the safety and wellbeing of the undocumented community.

REP. STAFSTROM (129TH): Ms. Suarez -- Ms. Suarez, I gave you a little extra time because of the interruption, but I need you to -- to --

VANESSA SUAREZ: Okay. Lastly, the harmful provision that we cannot support is Section 29. The fact that this bill is discussing when police are justified in taking a human life is shameful. The government is never justified in killing our people. The idea that police use force to make themselves more safe is not true when we have seen police use life-preserving skills when responding to white male mass shooters like Dylann Roof. In that case, police never found it necessary to use force even though Dylann Roof --

REP. STAFSTROM (129TH): Thank you.

VANESSA SUAREZ: Had murdered people --

REP. STAFSTROM (129TH): Thank you, ma'am.

VANESSA SUAREZ: But when police interact --

REP. STAFSTROM (129TH): We have --

VANESSA SUAREZ: I'm sorry but more time was taken from me in that.

REP. STAFSTROM (129TH): I was -- I was watching it. I apologize. Thanks. Well, make sure to please submit your written testimony.

VANESSA SUAREZ: I already have.

REP. STAFSTROM (129TH): Okay. And, I'll -- I'll say again for folks just please make sure if you didn't get a chance to testify today or you didn't get to say everything you wanted, be sure to submit your testimony in writing jud, J-U-D, testimony@cga.ct.gov, and I know the committee will be looking at it over the weekend. Are there questions for Ms. Suarez? If not, thank you very much for sticking with us. It's been a -- been a very long day, and -- and we appreciate it. James Long.

JAMES LONG: I don't want to testify. I've just bene listening all day. I'm good.

REP. STAFSTROM (129TH): Okay. Is there anyone else on the participant panel who has not testified? If so, raise your hand, and we're gonna check with the administrator as well. Madam Administrator, anyone we've not gotten to who has signed up to testify today.

SENATOR KISSEL (7TH): We've got a good ten minutes to go.

DEB BLANCHARD: Larry -- Larry Rice was there but then he came off and then Kimberly Rice was on, so I'm not sure if he --

REP. STAFSTROM (129TH): Is Mr. or Mrs. Rice available? Mr. --

DEB BLANCHARD: No. He's off too now.

KIMBERLY RICE: Oh, so I -- I just spoke, um --

REP. STAFSTROM (129TH): Okay. Okay. Great. Thank you, ma'am. Anyone else? I'm seeing a hand for Reverend Smith. Reverend Smith, didn't you testify earlier today? Iona Smith.

IONA SMITH NZE: Hello.

REP. STAFSTROM (129TH): Who --

IONA SMITH NZE: Yes. I'm here in the place of Reverend NZE. My name is Reverend Delacor [phonetic]. Permission to speak?

REP. STAFSTROM (129TH): I need -- I need the name, sir. Were you signed up to testify?

IONA SMITH NZE: I'm in the place of Reverend Nze.

REP. STAFSTROM (129TH): Okay. But, Reverend Nze already testified.

IONA SMITH NZE: Yeah. But, I -- but we're moving other people ahead, so I'm here.

REP. STAFSTROM (129TH): Sir, I can't. Unfortunately, we --

IONA SMITH NZE: She spoke in the place of somebody else.

REP. STAFSTROM (129TH): We've been pretty -- unfortunately, there's a bunch of people who would have liked to testify who didn't sign up in time, so I'm sorry. I can't -- can't allow you to testify at this point, but you certainly should feel free to submit written testimony to us, and we'll be sure to take a look at it. Anyone else who signed up to testify, Madam Administrator, that you're aware of that we haven't gotten to?

DEB BLANCHARD: I think that's it.

REP. STAFSTROM (129TH): Okay. All right. I'm hearing nothing else. I would like to --

SENATOR KISSEL (7TH): Hold on, hold on, hold on. I want to commend you, Chairman Stafstrom and Chairman

Winfield, and Deb Blanchard and all the support staff and my counterpart, Rosa. This has been a marathon, but I thought it was conducted exemplary, and I really just want to give you huge praise from myself for doing such a great job in a virtual hearing.

REP. STAFSTROM (129TH): Senator, it was certainly a -- a historic and different and unique way to conduct a public hearing, especially on a bill of this magnitude and -- and of this importance to our state as -- as we sit here in this particular moment in history. Before I -- before I turn it over to Senator Winfield to close it out, Representative Rebimbas.

REP. REBIMBAS (70TH): Well, I just echo the sentiments that the good Senator indicated. I want to thank both the chairs and all the members of both the public, as well as the committee for participating in this process.

REP. STAFSTROM (129TH): Well, thank you both, and thanks to our administrator. I will turn it over to Senator Winfield to close it out.

SENATOR WINFIELD (10TH): Thank you, Representative Stafstrom. I -- I don’t have much to say. I want to thank the public for allowing [child in background] -- allowing us to do this hearing in the way that we did -- you’re hearing my kids in the background -- and -- and for being patient with us. I know this is an emotional subject. I know this is on your televisions every -- every day right now, and -- and we get it. We’re trying to listen. We’re trying to craft a bill that actually represents a response to moments that effect you

all, and with that, I will call an end to this public hearing. Thank you.