



Legislative Testimony
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Written Testimony Opposing Senate Bill 123, An Act Increasing the Penalty for the Intentional Injury of a Police Animal or Dog in a Volunteer Canine Search and Rescue Team

Senator Bradley, Representative Horn, Ranking Members Champagne and Green, and distinguished members of the Public Safety and Security Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to Senate Bill 123, An Act Increasing the Penalty for the Intentional Injury of a Police Animal or Dog in a Volunteer Canine Search and Rescue Team.

Under current Connecticut law, a person who intentionally injures or kills a police or search and rescue dog is guilty of a class D felony.¹ Class D felonies are punishable by at least one year and at most five years of incarceration.² This is a serious penalty and the current punishment for this offense is equivalent to the penalties for animal cruelty and dog fighting.³ This bill proposes to increase the penalty for intentionally injuring a police or search and rescue dog to a Class C felony, carrying up to ten years of incarceration.⁴

While no one wants to see any animal injured or killed at the hands of a human, doubling the potential penalty for this category of offense is not the answer. Mass incarceration over the past four decades has been driven in large part by increasing

¹ Conn. Gen. Stats. § 53-247(d) (2020).

² See Christopher Reinhart, "Connecticut Penal Code – Updated and Revised." OLR Research Report, Mar. 7, 2012, available at <https://www.cga.ct.gov/2012/rpt/2012-R-0134.htm>.

³ See generally Conn. Gen. Stats. § 53-247 (2020).

⁴ See Christopher Reinhart, "Connecticut Penal Code – Updated and Revised." OLR Research Report, Mar. 7, 2012, available at <https://www.cga.ct.gov/2012/rpt/2012-R-0134.htm>.

the lengths of prison sentences.⁵ Longer prison sentences have persisted, despite strong evidence that “lengthy prison terms are counterproductive for public safety as they result in incarceration of individuals long past the time that they have ‘aged out’ of the high crime years, thereby diverting resources from more promising crime reduction initiatives.”⁶ Moreover, longer sentences do not appear to have any significant deterrent effect.⁷ Systems that have reduced sentences – notably, the federal criminal system – have not noticed any effect on public safety.⁸ In short, there is no empirical evidence to suggest that doubling the penalties for intentionally injuring a police or rescue dog will deter injuries or make the public safer. The lack of evidentiary support coupled with the fact that injuries to police dogs occur extremely rarely in Connecticut demonstrate that this proposed change is neither needed nor wise.

The ACLU-CT is dedicated to ending mass incarceration. That effort requires that the General Assembly continue making progress towards reducing the number of people who enter the criminal legal system and reducing the amount of time that people who do enter the system serve. The legislature will not achieve that kind of progress if it increases penalties for crimes without any real justification to do so. This bill, however, attempts to do just that. The ACLU-CT thus opposes it and urges this Committee to do the same.

⁵ Jeremy Travis, Bruce Western & Steve Redburn, *The Growth of Incarceration in the United States* at 70. National Academies Press (2014), *available at* <https://www.nap.edu/read/18613/chapter/5>.

⁶ Marc Mauer, “Long-term sentences: time to reconsider the scale of punishment.” Sentencing Project, Nov. 5, 2018, *available at* <https://www.sentencingproject.org/publications/long-term-sentences-time-reconsider-scale-punishment/>.

⁷ *See id.*

⁸ *See id.*