

# Judiciary Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-5055

**Title:** AN ACT STRENGTHENING POLICE DATA REPORTING REQUIREMENTS.

**Vote Date:** 3/26/2024

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/6/2024

**File No.:**

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### SPONSORS OF BILL:

Request of the Governor Pursuant to Joint Rule 9

### REASONS FOR BILL:

This bill was created as a result of the data audit completed by the Connecticut Racial Profiling Prohibition Project. The bill seeks to address falsified records entered by law enforcement officers, and creates a penalty structure as well as reporting requirements for Chief's of police.

### SUBSTITUTE LANGUAGE:

The substitute language makes a change in section one to make it applicable to any person making a false statement in a law enforcement record rather than just a police officer. The substitute language incorporates requested changes of the Chief State's Attorney in section three which clarifies that the individual knowingly made a false statement and refers the case/conduct to the appropriate state's attorney instead of the Chief State's Attorney. Finally, the effective date is changed in sections two and three to October 1<sup>st</sup>.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Governor Ned Lamont, State of Connecticut:** He testified in support, stating that this would provide data that is crucial to ensuring public trust and safety. He commented on section one, stating that although intentional misreporting by a law enforcement official is already a violation of ethics, it is not currently a crime, and this bill would seek to remedy that situation. He supports section two as there are no requirements currently to submit reports of false records to the Chief State's Attorney and limited requirements to the Police Officer Standards and Training Council, which this bill seeks to fix.

**Patrick Griffin, Chief States Attorney, Division of Criminal Justice:** He testified in support, stating that he believes the bill will strengthen public trust in state and local law enforcement. He states that section one does not introduce any new legal considerations, rather codify existing knowledge that a law enforcement official cannot knowingly submit false

information or data. He supports section two, adding the crime listed in section one to the list of circumstances that could lead to the revocation of an officer's certification. He also supports section three's intent but hopes the language is amended to ensure the state's attorney is notified as soon as it's possible.

**Ronnell Higgins, Commissioner, Department of Emergency Services and Public Protection:** He testified in support, stating this bill would ensure there are consequences for any law enforcement official that would knowingly misreport data. The Commissioner stated, "that even one officer would misreport data is unacceptable." He states that he understands how law enforcement officers may feel this bill is unfairly punitive towards them, but he believes it closes any gaps in the law that occur during the rare occasion of intentional misreporting by an officer.

#### **NATURE AND SOURCES OF SUPPORT:**

**Connecticut Police Chiefs Association:** They testified in support of the sentiment of the bill but offered amendments to the language. They believe that section one should be changed to reflect anybody that intentionally falsifies police records. They also support the changes offered by the Chief State's Attorney on the language in section three.

**Werner Oyanadel, Policy Director, CWCSEO:** He testified in support as this legislation would seek to bring more equitable practices to law enforcement. He specifically thinks the false reporting aspect would be a good tool to combat the 2023 findings of State Troopers falsifying records. He testified that this bill would seek to rebuild the trust that has been eroded by the 2023 traffic stop findings.

#### **NATURE AND SOURCES OF OPPOSITION:**

**Brian Anderson, Legislative Director, AFSCME Council 4:** He testified in opposition, stating that he believes this bill will erode the trust between legislators and law enforcement officials. He stated that the police have been asked to demilitarize but the system in place set up by the Police Officer Standard and Training Council is akin to a military court martial which leads to a lack of fairness for law enforcement officers. He believes there is already enough penalizing officers.

**Rep. Vincent Candelora, 86<sup>th</sup> Assembly District, Connecticut General Assembly:** He testified in opposition on the grounds that he believes this unfairly targets police officers as the language could be clarified to include anyone who falsifies a police record. He believes this sends a message to law enforcement that they are not supported by the legislative body.

**Florencio Cotto, President, Police Officers Association of Connecticut:** He testified in opposition on the grounds that this bill is overly punitive towards law enforcement. He stated that similar legislation in other states has resulted in the unintentional consequence of the "fear and reluctance among officers to engage in proactive policing activities." He also stated that the punitive measures to be implemented would not address the root causes that contribute to this issue. He is concerned about potential recruitment and retention issues that may come up due to the possibility of committing said crime.

**Reported by:** Murray Cento

**Date:** 3-22-24