Good morning Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein, and members of the Labor and Public Employees Committee. Thank you for the opportunity to testify in support of HB 5055, An Act Strengthening Police Data Reporting Requirements, and thank you to the committee for considering this Governor's bill. The proposal contains critical changes to ensure integrity of our state’s law enforcement data.

In 2022, public reporting focused on data quality issues in the State Police’s internal case management system, caused by inconsistent or inaccurate reporting of traffic stop information. Over the last two years, the administration has prioritized responding to this issue by commissioning an independent investigation and engaging in a detailed audit and reconciliation process with the team at the Racial Profiling Prohibition Project. The independent investigation, conducted by former U.S. Attorney Deirdre Daly, identified several legislative recommendations, which are contained in this bill. The Governor’s Office appreciates the assistance of the Chief State’s Attorney and his team in crafting the language before you.

The integrity of our law enforcement systems must be beyond question because we rely on this data to ensure that we are keeping the public safe. Crucially, we also use the data to track our progress in ensuring the absence of racial profiling. The bill is intended to be narrow and capture only intentional and deliberate misconduct by law enforcement officers. It makes two changes:

Section 1 makes it illegal to submit a false statement in a law enforcement record. While it is a clear violation of professional and ethical standards for a police officer to submit a false report, our laws do not currently make it clear that this intentional subversion of the public trust is a crime. This bill creates a class D felony for intentional misstatements in a law enforcement record that are intended to mislead a public official.

Section 2 requires reporting of possible crimes committed by police officers to the Chief State’s Attorney. There are currently limited reporting requirements involving the submission of false records to the Police Officer Standards and Training Council (POST), and no reporting requirements to the Chief State’s Attorney. The section also creates a clear reporting policy structure: information relating to truthfulness must be disclosed to POST, and all evidence of possible criminal conduct must be reported to the Chief State’s Attorney.
The Governor’s Office understands that concerns have been raised about this bill by some law enforcement groups: whether the language is duplicative of existing statute, and whether the penalty for false report is at the appropriate level. While we believe that the bill as drafted effectively addresses the issues highlighted over the last couple of years, the Governor’s staff remain available to discuss the bill, clarify any ambiguities, and ultimately ensure the language is appropriately tailored.

Additional details regarding the bill can be found in testimony from DESPP and from the Chief State’s Attorney. Thank you for considering this proposal and for providing the opportunity to testify today.