

Connecticut General Assembly
Logistics
Subcommittee
Police Transparency & Accountability Task Force

Rep. Joshua Hall, Chairperson



c/o Judiciary Committee, Room 2500
Legislative Office Building
300 Capitol Avenue
Hartford, Ct 06106

Minutes
Wednesday, November 4, 2020
5:00 p.m., via Zoom

Attendees: Joshua Hall (Chair), Chief William Wright, Tanya Hughes, John Szewczyk, Melvin Medina, Stephen Saloom, Bishop John Selders, Shafiq Abdussabur

Others: Ken Barone (CCSU), Andrew Clark (CCSU), Deb Blanchard (Judiciary Committee), Renee LaMark Muir (CCSU), Peter Kochenburger (UCONN Law)

I. Convene meeting and welcome

- a. Chair Hall convened the meeting at 5:05pm. At the request of the chair, members and guests introduced themselves.

II. Approve October 27, 2020 meeting minutes

- a. The meeting minutes were not available and will be reviewed at the next subcommittee meeting.

III. Short-Term Priority Discussion

- a. Ken Barone reminded members that Public Act 20-1 mandates that we determine, "whether any of the grounds for revocation or cancellation of a police officer certification under section 7-294d of the general statutes should result in mandatory revocation by the Police Officer Standards and Training Council, as opposed to discretionary revocation." In reviewing the new POSTC policy provided to members, in Appendix A of the report, Section 2.B. outlines the 11 areas that constitute grounds for suspension, cancellation, or revocation of an officers certification (the language models C.G.S. 7-294d (c) (2)). The policy language states that the council, "may" cancel or revoke certification if there is a finding in one of the 11 stated violations. Based on the legislative question, it would appear that members should be weighing in on whether any of the 11 violations should be changed from "may" to

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“shall” cancel or revoke certification. All current offenses are discretionary revocation due to the “may” language. The statute currently requires a “de novo review” of all violations being considered for suspension, cancellation, or revocation and there must be “clear and convincing evidence.” Section 5.B of the policy outlines four violations where a department “shall” report the violation to the council for consideration of revocation. Mandatory reporting simply triggers the suspension, cancellation or revocation process, but does not mandate decertification.

Renee LaMark Muir shared the police decertification draft findings and recommendations documents written to help guide our discussion. The document provided draft findings and recommendations on the process to revoke police officer certification. The document includes an overview of the process to revoke police officer certification and highlights issues that correlate to the decertification that may require further review by the subcommittee.

Members discussed a conviction for a felony or drug possession violation pursuant to Connecticut General Statute §21a-279 shall be grounds for automatic decertification by the Police Officer Standards and Training Council (POSTC). If an officer resigns or is terminated from a law enforcement unit or DESPP before a conviction has become final, he or she shall surrender certification to POSTC and may not be hired by another law enforcement unit until a final disposition of not guilty or dismissal of those charges by the court. An automatic decertification may only be appealed to POSTC by the certificate holder if (1) the conviction is overturned or vacated by the court, (2) the certificate holder is employed by or has a valid offer of employment from a law enforcement unit or DESPP, and (3) the chief of the employing law enforcement unit or DESPP commissioner provides written support for reinstatement of the holder’s certificate.

Members also discussed having POSTC develop a best practices model for conducting internal investigations that should be adopted by law enforcement units and DESPP. POSTC should also develop a curriculum and provide training for officers assigned to internal investigation units. The curriculum should recognize the difference in roles and responsibilities between investigative staff and command staff. POSTC decertification process is dependent upon the internal investigation conducted by the law enforcement unit or DESPP referring the case. Having a best practice model adopted throughout the police departments statewide could ensure a minimum level of competency and consistency that may

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still incorporate differences among collective bargaining agreements, organizational and political cultures, and local communities.

Lastly, members also discussed POSTC reporting to the Office of Policy and Management (OPM) any municipal police department chief or DESPP commission who fails comply with its mandated reporting policy. OPM would then have the authority to withhold state funds to such municipal police department or DESPP. Additionally, there was discussion on methods for reporting misconduct by a police chief and other reporting mechanisms to the POSTC.

- b. The Chair requested that the subcommittee table discussion regarding Section 41 of the accountability act and any recommendations for government immunity to our next meeting.*

IV. General Discussion

- a. There was no further discussion.*

V. Announcement of time and date of next meeting.

- a. Next Tuesday, November 10th at 5:00 p.m.*

VI. Adjournment

Meeting was adjourned at 6:50 p.m.