

Logistics Subcommittee Recommendations (12/29/2020)

Recommendation: Police Department Accreditation

It is recommended that Section 44 of Public Act 20-1 be amended to remove the requirement that all law enforcement units be required to obtain and maintain CALEA accreditation by 2025. Alternatively, the law should require that all law enforcement units must obtain and maintain the Connecticut Police Officer Standards and Training Council (“POSTC”) Tier III accreditation standards by 2025. All law enforcement units should achieve Tier I state accreditation by 2022 and Tier II accreditation by 2023.

Rationale:

An Act Concerning Police Accountability, Bill 6004, requires that all departments satisfy the CALEA standards. Currently, 24 of 92 departments in Connecticut are CALEA certified. CALEA is designed to be a voluntary program. There is an annual cost to obtain and maintain accreditation. The annual cost varies from between \$5,000 and \$8,000 depending on the size of the agency.

The process for obtaining CALEA accreditation begins with a review of departmental files by a trained Compliance Service Members (CSM). CSM’s review approximately 25% of the department files each year. On-site assessments are conducted by a trained team, typically led by an active or retired police chief or other high-ranking professional. Assessors are not associated in any way with the agency being reviewed and come from another state. On-site visits are scheduled for two to three days to verify compliance. Assessors conduct interviews with staff, observations, ride-alongs, building tours, community interviews, and a public hearing. Additional focus areas that are pre-determined are also reviewed. Any issues previously identified by the CSM are also reviewed. A comprehensive report is completed, reviewed by CALEA staff, reviewed by the CALEA Commission, and a hearing is held. During the hearing commissioners can ask questions of the agency and then decide on accreditation or reaccreditation.

Connecticut has developed its own tiered accreditation program, overseen by the Police Officer Standards and Training Council (POSTC). There is no annual cost for a department to obtain state accreditation. Agencies are assessed by local assessors where directives, policies and agency activities are reviewed. The Tier III state accreditation standards are robust and have additional state specific standards. The state should continue to find ways to encourage and incentivize CALEA accreditation, but the program should remain voluntary. A mandated state accreditation program would help to ensure standards are more uniform across departments in Connecticut. The state should consult with POSTC to ensure that funding is available for the increased number of agencies that would need to be accredited under this program. Additional resources will be paramount to the success of the state program. There will need to be ample staff and trained assessors to manage the increased demand that will come with a mandated state program. POSTC should develop

a plan for phasing departments into the accreditation program and a plan to manage reaccreditation on a rotating schedule.

Recommendations in response to Section 12(a) (11) of P.A. 20-1: “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”

Recommendation #1:

It is recommended a conviction for a felony, while employed as a police officer, shall be grounds for mandatory decertification by the Police Officer Standards and Training Council (POSTC).

Recommendation #2:

It is recommended a conviction for a drug possession violation pursuant to Connecticut General Statute §21a-279, while employed as a police officer, shall be grounds for mandatory decertification by the Police Officer Standards and Training Council (POSTC).

Rationale

The task force has been asked to consider whether any of the grounds for revocation or cancellation of a police officer certification should be mandatory, as opposed to discretionary.

Connecticut General Statute 7-294d states that the Police Officers Standards and Training Council may cancel or revoke certification under the following circumstances:

1. The certificate was issued by administrative error
2. the certificate was obtained through misrepresentation or fraud
3. the holder falsified any document in order to obtain or renew any certificate
4. the holder has been convicted of a felony
5. the holder has been found not guilty of a felony by reason of mental disease or defect pursuant to section 53a-13
6. the holder has been convicted of a violation of section 21a-279
7. the holder has been refused issuance of a certificate or similar authorization or has had his or her certificate or other authorization cancelled or revoked by another jurisdiction on grounds which would authorize cancellation or revocation under the provisions of this subdivision
8. the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used a firearm in an improper manner which resulted in the death or serious physical injury of another person

9. the holder has been found by a law enforcement unit, pursuant to procedures established by such unit and considering guidance developed under subsection (g) of this section, to have engaged in conduct that undermines public confidence in law enforcement, including, discriminatory conduct, falsification of reports or a violation of the Alvin W. Penn Racial Profiling Prohibition Act pursuant to section 54-11 and 54-1m.
10. The holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used physical force on another person in a manner that is unreasonable, excessive, or illegal.
11. the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have committed any act that would constitute tampering with or fabricating physical evidence in violation of section 53a-155, perjury in violation of section 53a-156 or false statement in violation of section 53a-157b