765 Asylum Avenue, 2nd Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

Written Testimony on Senate Bill 133, An Act Concerning the Prohibition Against Hiring Police Officers Dismissed for Malfeasance or Who Resigned While Under Investigation

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

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to Senate Bill 133, An Act Concerning the Prohibition Against Hiring Police Officers Dismissed for Malfeasance or Who Resigned While Under Investigation.

The ACLU-CT is committed to ending police violence and racism in policing in all forms. Accountability measures alone are not enough. Connecticut must also divest from policing and reinvest in programs that build strong and safe communities. Policymakers must reduce policing's responsibilities, scale, and tools to build an equitable future for all people in Connecticut. To that end, the ACLU-CT was supportive of much of the work done by the legislature in Public Act 20-1 but has always emphasized that the bill constituted a first step. It also constituted a significant compromise bill, with police supportive of many of its provisions including many of the provisions vesting additional authority and power in the POST Council.

Accordingly, efforts to round out the work begun in Public Act 20-1 are important. This bill takes a good first step by making it clear that police employees who resign while under investigation cannot be certified by the POST Council, nor can they be hired by any law enforcement unit except upon a hearing that demonstrates that

the employee either did not resign during an investigation or was exonerated of the malfeasance. We caution that exonerations based on internal investigations are not widely perceived by the public as being reliable or free from bias, and we encourage the Committee to spell out what, precisely, constitutes an exoneration for purposes of certification. We also note that Section 1(g)(2)(C) contains too narrow of a definition of excessive physical force. Almost no investigations into deadly force conducted pursuant to section 51-277a result in a finding that a police employee's use of deadly force was unjustified. Changing this subparagraph to include either the existing language of "repeated use of excessive force" along with the proposed language of "use of physical force in a manner found not to be justifiable after an investigation conducted to section 51-277a" would capture more of the kinds of police violence that formed the entire impetus for Public Act 20-1. We are happy to work with this Committee to ensure that the language of this bill constitutes a helpful step away from harmful policing.