



Legislative Testimony

765 Asylum Avenue
Hartford, Connecticut 06105
860.523.9146 (T)
www.acluct.org
info@acluct.org

**Written Testimony Supporting
Proposed House Bill 6662, An Act Concerning the Revocation of Pensions of Police
Officers Who Commit Any Crime Related to Employment and
Proposed House Bill 6663, An Act Concerning Police Misconduct**

Senator Gomes, Senator Miner, Representative Porter, and distinguished members of the Labor and Public Employees Committee:

My name is David McGuire, and I am the executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of Proposed House Bill 6663, which would establish meaningful accountability for police officers who use excessive force, and Proposed House Bill 6662, which would allow for the automatic forfeiture of a police officer's pension if he or she is convicted, pleads guilty, or pleads no contest to a crime related to his or her police employment.

As an organization committed to justice and freedom, the ACLU-CT strongly supports due process rights and second chances. We also, however, advocate for government transparency and accountability, and we strongly prioritize policies that prevent government-sanctioned discrimination, violence, or abuse. We therefore support these measures, which would provide greater accountability for police who misuse their positions as government employees.

Police are government employees who have difficult, demanding jobs. Officers who fairly and justly enforce public safety perform an important public service, and communities deserve and want police who protect everyone equally. Communities therefore entrust police with extraordinary powers, including the discretion to use lethal and non-lethal force, and the ability to limit others' freedoms by enforcing laws. When an officer resorts to discrimination, violence, or otherwise abuses the powers of his or her office, it not only violates the trust placed in that officer—it undermines the community's faith in law enforcement. This jeopardizes public safety, and it hinders responsible police officers' abilities to perform their jobs. This is why we as a state need to continue striving to create meaningful police transparency and accountability.

Deterring police misconduct and holding police accountable to communities therefore benefits police and community members alike. Connecticut General Statutes §§ 1-110 through 1-110d allows state courts to revoke or reduce the pensions of government employees who are convicted of certain financial crimes related to employment. The law's limited scope, however, does not provide recourse when a police officer violates public trust by abusing his or her extraordinary powers to discriminate against, maim, or kill a community member.

Recent high-profile incidents in Connecticut have shown the need for strengthening Connecticut's pension forfeiture law to include provisions for police pensions. In 2015, the state revoked the pension of Aaron Huntsman, a former state trooper who stole money and a gold

chain from a dying motorcyclist after a crash. In this case, the law worked as it should, and Connecticut was not forced to pay the pension of someone who violated community trust by stealing from a person in desperate need. It begs the question, however, of what would happen in cases in which a police officer's misconduct was not financial. Unfortunately, we do not need to look far for answers. This past October, Litchfield state police arrested Sean Spell, a former Hartford police officer, on assault charges stemming from an incident in which he stomped on a handcuffed man's head during an arrest. Spell had been the subject of at least fifteen public complaints, including a sustained assault complaint, before the incident. Yet he was allowed to retire while still under an internal investigation, and he will be allowed to draw an annual pension of \$129,977 from the city of Hartford. Similarly, in 2014, Joseph Lawlor and Elson Morales, two Bridgeport police officers, pled guilty to charges stemming from an incident in which they kicked and stomped a prone man. Although a court required them to resign from their positions in the police department, both were eligible to collect pensions from the city.

Police brutality incidents like these undermine public trust in law enforcement, and lack of police accountability further erodes it. According to one recent national poll, nearly half of Americans believe that police are generally not held accountable for misconduct. Communities are watching, and they deserve police forces that fairly, justly, and wisely protect and respect all people. Police officers deserve to work with and for competent colleagues. Connecticut must adopt accountability systems to ensure that dangerous officers are not allowed to assault with impunity.

I urge you to support Proposed House Bill 6662 and Proposed House Bill 6663.