



State of Connecticut

SENATOR KEVIN C. KELLY
SENATE REPUBLICAN LEADER

21ST DISTRICT

LEGISLATIVE OFFICE BUILDING
300 CAPITOL AVENUE, SUITE 3400
HARTFORD, CONNECTICUT 06106-1591
www.SenatorKevinKelly.com

HARTFORD: (860) 240-8800
TOLL FREE: (800) 842-1421
FAX: (860) 240-8306
Kevin.Kelly@cga.ct.gov

Testimony

Senator Kevin Kelly
Judiciary Committee
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Senate Bill 305

Senator Winfield, Senator Kissel, Representative Stafstrom, Representative Fishbein and members of the Judiciary Committee, thank you for the opportunity to submit testimony in support of Senate Bill 305 AN ACT REVISING STATUTES GOVERNING ACTIONS BY THE POLICE, PROACTIVE POLICING AND ENHANCING RECRUITMENT EFFORTS.

This proposal is a component of "A Better Way to a Safer Connecticut," a legislative package offered by Connecticut Senate Republicans to prevent crime and address opportunity and root causes of issues within our communities. The package was developed over many months of outreach work communicating with advocates, community leaders, law enforcement, social workers, and many other stakeholders to develop a comprehensive approach that includes justice reforms to improve crime response, support law enforcement, and remove barriers to intervention services, as well as policies to address the root causes of crime including issues related to trauma, education, housing and jobs. The full package is available at www.SaferCT.com.

The package of proposals the Judiciary Committee has raised in Senate Bill 305 focus on the third component of the Better Way to a Safer Connecticut plan which aims to support law enforcement and safe communities.

Before I discuss the specific proposals detailed in this third component of the plan, I want to emphasize that I do believe it is critically important to have a multipronged plan to address crime, justice, and opportunity in our state. While other portions of this Safer Connecticut plan have been raised by other committees, I must underscore that this package is intended to be a holistic solution. The sum is far greater than its parts. If we want to accomplish the significant changes that addresses the root causes of crime as well as response, then we must consider all these policy proposals together. We need a holistic approach to accomplish this goal, including all three components of our proposed plan: 1) crime response, 2) prevention and opportunity, and 3) police support and safe communities.

Justice reforms and opportunity must go hand in hand. You cannot address one without the other. A safer Connecticut starts with a stronger Connecticut. It starts with an economy that can support jobs and housing, build hope, and create a path to success for young people. It starts with services to address trauma. It starts with proactive policing, appropriate consequences for high-risk repeat offenders, and ensuring our justice system has the tools to successfully rehabilitate. As we heard from advocates, community leaders, and law enforcement alike, if we are talking only about data and detention, we have

already lost. If we are only talking about preventative services, we are missing the need to address serious criminal activity and stop crime now involving high risk repeat offenders. We need action on both fronts. We need all voices working together to make our state a safer place for every family in every city and town.

With that, I thank the committee for the considering the following proposals. I also remind members that these reflect just one pillar of the multi-layer approach we need to not only respond to crime but to prevent it.

- **Law Enforcement Officer (LEO) Pipeline Pilot**

Connecticut police forces are shrinking due to increased retirements, recruitment issues, and officers exiting the force early. We propose creating a pilot program at participating universities with the goal of recruiting individuals to pursue law enforcement careers at the state and local level. The pilot program is a partnership between Connecticut universities and law enforcement mentors and pairs criminal justice majors with law enforcement mentors. Once the participating student graduates, they are guaranteed a job with one of the participating law enforcement agencies in the state.

- **Expand Explorer Programs**

We propose expanding successful "explorer" programs by creating a high school elective program focused on learning about law enforcement in which a student can earn credit to graduate. These programs have been successful in multiple communities in building interaction and involvement with young people and officers to build better community relationships. This program can be modeled on ROTC programs, PAL programs, or the Adult Citizens Program that has seen success.

- **Funding for Social/Data Intelligence**

Investigations and proactive policing have become very much data driven and intelligence driven in recent years. Social media and online data can help officers prevent crime before situations escalate. We propose focusing state support on ensuring funding is available to assist police departments in budgeting for the modernization of intelligence tools.

- **Pursuit Changes**

Allow for use of stop sticks, a tire-deflation device used by law enforcement to safely and quickly stop a vehicle. Currently, stop sticks are only allowed when pursuit is authorized. We propose recategorizing their use as a way to allow for appropriate usage in preventing further crime and reckless driving.

- **Revisions to 2020 Police Bill**

This proposal also contains four targeted revisions to the 2020 police bill to refine the legislation, while preserving its core intended goals. The 2020 police bill was drafted with haste, rushed into passage, and many will tell you had a chilling effect on policing. The rushed process led to even the biggest supporters of the bill reopening the policy and making multiple changes to the bill last year, in recognition of the fact that the bill was far from perfect upon passage and raised many issues. This bill before us today proposes further modifications focused on cleaning up the bill, while maintaining its core provisions to hold bad actors accountable. I fully support many elements of the 2020 bill including its core goal to eliminate bad actors and support minority police officer recruitment. But the hastily drafted bill needs further revisions to remove the chilling effect felt by officers and enable law enforcement to do their jobs, protect all

people, and recruit a diverse workforce of officers. The specific revisions proposed today include:

- Revise Qualified Immunity Law: Amend subsection (d) of C.G.S § 52-571k to allow governmental immunity to be a defense except in cases where an officer is acting in a manner evincing extreme indifference to human life, and to permit interlocutory appeals of a trial court's denial of the application of governmental immunity.
- Consent Searches: Refine the ban on consent searches to permit certain ones, following criteria such as the law enforcement officer has reasonable and articulable suspicion that weapons, contraband, or other evidence of a crime is contained within the vehicle, and that a law enforcement officer who solicits consent to search a motor vehicle shall, whether or not the consent is granted, complete a police report documenting the reasonable and articulable suspicion for the solicitation of consent.
- Duty to Intervene: Strike the phrase "unreasonable, excessive or" where it appears in C.G.S § 7- 282e, to ensure an officer is only criminally liable for failing to intervene in another officer's use of force if that force constitutes a crime
- Decertification: Strike in C.G.S § 7-294d the vague language allowing for decertification for conduct that "undermines public confidence in law enforcement," but leaving intact the specified examples (discriminatory conduct, falsification of reports, or violation of the Alvin Penn Racial Profiling Prohibition Act).

I also encourage committee members to read the entire package of proposals that are part of our Better Way to a Safer Connecticut, available at www.SaferCT.com.

In addition to the above policies, parts 1 and 2 of our proposal include the following concepts:

- Increase information sharing and modify standards around detention orders
- Require next day court for juveniles to expedite access to services
- Ensure current programs are effective in addressing recidivism rates
- Better recognize when a juvenile needs enhanced services and supports available through the adult court system, with the protections of the Youthful Offender docket in place.
- Support for community programs focused on trauma, truancy, mediation, and mentorship
- Workforce development programs
- Partnerships with schools and local businesses to create a pipeline to careers
- Summer jobs program
- Vocational program recruitment
- Safe housing policies