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Written Testimony Opposing Senate Bill 217, An Act Establishing a Unit Within the Division of State Police to Investigate Crimes and Criminal Acts Committed by Extremist Groups

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 217, An Act Establishing a Unit Within the Division of State Police to Investigate Crimes and Criminal Acts Committed by Extremist Groups.

The ACLU-CT recognizes that if we are to transform the harm that policing has inflicted on communities of color across the country, we must begin by reallocating funds spent on policing into programs, services, and resources that actually make our communities healthier and safer. Connecticut must also work to limit the roles, responsibilities, and presence of police in marginalized communities.

At the same time, the ACLU-CT is an organization dedicated to racial justice. We recognize that white supremacist violence has been on the rise for years in this country and here in Connecticut, and the government has done far too little to combat it. Black people,¹ Latinx people,² Indigenous people,³ Asian people,⁴ Jewish

¹ Daniel L. Byman, *White Supremacist Terrorism: Key Trends to Watch in 2021*, BROOKINGS INST. (Jan. 15, 2021), available at <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/white-supremacist-terrorism-key-trends-to-watch-in-2021/>.

² *Id.*

³ Cecily Hilleary, *Rise in Hate Crimes Alarms Native American Communities*, VOA (June 5, 2017), available at <https://www.voanews.com/usa/rise-hate-crimes-alarms-native-american-communities>.

⁴ David Nakamura, *Attacks on Asian Americans During Pandemic Renew Criticism That U.S. Undercounts Hate Crimes*, WASH. POST (Feb. 22, 2021), available at <https://www.washingtonpost.com/national-security/asian->

people,⁵ Muslim people,⁶ trans people,⁷ LGBTQ+ people,⁸ disabled people,⁹—they, along with essentially every marginalized group in this country—have been the targets of violence and hate crimes by white supremacists in recent years. Many of these communities have been aggressively overpoliced by police employing “crime prevention” or “proactive policing” strategies,¹⁰ but are severely underprotected when they are the victims of crimes.¹¹

Moving toward truly safe and healthy communities requires being honest that these two truths are sometimes in tension and doing the hard work of coming up with new ways to create safety for people who have gone without it for too long. After decades of experts and evidence from Black scholars demonstrating the need for and effectiveness of alternatives to policing, the Black Lives Matter uprisings from the summer of 2020 generated many creative solutions, such as community violence interrupters, reinvestment into education, healthcare, jobs, and more for communities that have been subject to overpolicing, and restorative rather than punitive justice.¹² We also recognize that these structural moves away from policing and reorienting to community may not help people who are being targeted now because of their identities. We must meet those people where they are right now, but that does not require us to expand policing to do so.

[american-hate-crimes/2021/02/21/c28a8e04-72d9-11eb-b8a9-b9467510f0fe_story.html](https://www.dailynews.com/2021/02/21/c28a8e04-72d9-11eb-b8a9-b9467510f0fe_story.html) (observing that the rise in hate crimes against Asian Americans has coincided with growing white nationalism.).

⁵ Byman, *supra* note 1.

⁶ *Id.*

⁷ Brenda Gazzar, *White Supremacist Hate Crimes, Violence Against Transgender People Surge in L.A. County, Report Finds*, L.A. DAILY NEWS (Nov. 16, 2017), <https://www.dailynews.com/2017/11/16/white-supremacist-hate-crimes-violence-against-transgender-people-surge-in-la-county-report-finds/>.

⁸ Byman, *supra* note 1.

⁹ s.e. smith, *The Growing Neo-Nazi Public Profile Is of Grave Concern to Disabled People*, REWIRE NEWS GROUP (Aug. 30, 2017), available at <https://rewirenewsgroup.com/article/2017/08/30/growing-neo-nazi-public-profile-grave-concern-disabled-people/>.

¹⁰ DAVID WEISBURD & MALAY K. MAJMUNDAR, *Racial Bias and Disparities in Policing*, in PROACTIVE POLICING: EFFECTS ON CRIME AND COMMUNITIES (2018), available at <https://www.nap.edu/read/24928/chapter/9>.

¹¹ Jenée Desmond-Harris, *Are Black Communities Overpoliced or Underpoliced? Both*, VOX (Apr. 14, 2015), available at <https://www.vox.com/2015/4/14/8411733/black-community-policing-crime>.

¹² *Invest-Divest*, MOVEMENT FOR BLACK LIVES, available at <https://m4bl.org/policy-platforms/invest-divest/>.

To the contrary, Connecticut has had hate crimes protections for marginalized people in place since 1990, when it passed Public Act 90-137. The Department of Emergency Services and Public Protection, which includes the state police who are tasked with investigating hate crimes, has a budget of \$208,831,745 in 2021.¹³ If the state police are failing to properly investigate and charge people who commit hate crimes, it is not because they lack the legal power or the resources to do so. Instead, it is a matter of will. Creating a new unit in the state police will not suddenly make the state police interested in holding people accountable for white supremacist violence, if that interest does not exist. It will merely provide an avenue to get more money and resources into the hands of police, when those resources should instead be reallocated to community programs and services that help people thrive, particularly in those communities harmed most by systemic racism and white supremacy.

The ACLU-CT remains committed to policy solutions that protect marginalized communities from violence and will work this Committee on policies that truly do that. We cannot, though, support efforts to protect communities that are overpoliced by giving police more inroads into their communities. Likewise, we do not think that providing more resources into the system of policing that has failed to combat serious crimes against members of these communities is the answer, either. We continue to urge this Committee to commit itself to finding new solutions to old problems. Connecticut must stop going back to the current, ineffective paradigm. Senate Bill 217, though, is just another bill to expand the power, resources, and scope of policing and we must oppose it. We urge this Committee to do the same.

¹³ See *FY 21 Budget Adjustments*, DEP'T OF POL'Y & MANAGEMENT (last accessed Mar. 2, 2022), <https://portal.ct.gov/OPM/Bud-Budgets/Bud-Budgets/FY-2021-Budget-Adjustments>.