



Legislative Testimony
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Written Testimony with Concern on Senate Bill 932, An Act Concerning Police Animals and Dogs in Volunteer Canine Search and Rescue Teams

Senator Gaston, Representative Boyd, Ranking Members Cicarella and Howard, and distinguished members of the Public Safety Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in opposition to Section 1 of Senate Bill 932, An Act Concerning Police Animals and Dogs in Volunteer Canine Search and Rescue Teams.

Under current Connecticut law, a person who intentionally injures or kills a police or search and rescue dog is guilty of a class D felony.¹ Class D felonies are punishable by at least one year and at most five years of incarceration.² This is a serious penalty and the current punishment for this offense is equivalent to the penalties for animal cruelty and dog fighting.³ This bill proposes to increase the penalty for intentionally injuring a police or search and rescue dog to a Class C felony, carrying up to ten years of incarceration.⁴

While no one wants to see any animal injured or killed at the hands of a human, doubling the potential penalty for this category of offense is not the answer. Mass incarceration over the past four decades has been driven in large part by increasing the lengths of prison sentences.⁵ Longer prison sentences have persisted, despite

¹ Conn. Gen. Stat. § 53-247(d) (2020).

² Christopher Reinhart, *Connecticut Penal Code – Updated and Revised*, OLR Research Report (Mar. 7, 2012), available at <https://www.cga.ct.gov/2012/rpt/2012-R-0134.htm>.

³ Conn. Gen. Stat. § 53-247 (2020).

⁴ Reinhart, *supra* note 2.

⁵ JEREMY TRAVIS, BRUCE WESTERN & STEVE REDBURN, *THE GROWTH OF INCARCERATION IN THE UNITED STATES*, at 70 (Nat'l Academies Press 2014), available at <https://www.nap.edu/read/18613/chapter/5>.

strong evidence that “lengthy prison terms are counterproductive for public safety as they result in incarceration of individuals long past the time that they have ‘aged out’ of the high crime years, thereby diverting resources from more promising crime reduction initiatives.”⁶ Moreover, longer sentences do not appear to have any significant deterrent effect.⁷ Systems that have reduced sentences—notably, the federal criminal system—have not noticed any effect on public safety.⁸ In short, there is no empirical evidence to suggest that doubling penalties for intentionally injuring a police or search and rescue dog will deter injuries or make the public safer. This bill is especially troubling in light of the numerous recent and high-profile cases in which police dogs have bitten and injured people over the last several years in Connecticut.⁹ The lack of evidentiary support coupled with the fact that injuries to police dogs occur extremely rarely in Connecticut demonstrate that this proposed change is neither needed nor wise.

The ACLU-CT is dedicated to ending mass incarceration. That effort requires that the General Assembly continue making progress towards reducing the number of people who enter the criminal legal system and reducing the amount of time that people who enter the system serve. The legislature will not achieve that kind of progress if it increases the penalties for crimes without any real justification to do so.

⁶ Marc Mauer, *Long-Term Sentences: Time to Reconsider the Scale of Punishment*, Sentencing PROJECT (Nov. 5, 2018), available at <https://www.sentencingproject.org/publications/long-term-sentences-time-reconsider-scalepunishment/>.

⁷ *Id.*

⁸ *Id.*

⁹ See, e.g., Meghan Friedmann, *Troubled CT Officer Sued Again After K9 Took “Significant Piece of Flesh” from Man Who Crashed*, CT INSIDER (Jan. 26, 2023), <https://www.ctinsider.com/news/article/old-saybrook-k9-bite-17729500.php>; Meghan Friedmann, *Old Saybrook Declines to Release Police Lawsuit Settlement*, NEW HAVEN REGISTER (Mar. 9, 2021), https://www.nhregister.com/news/article/Old-Saybrook-declines-to-release-police-lawsuit-16013241.php?_ga=2.1413622.693266967.1676387592-230395641.1643914627; *Report of the State’s Attorney for the Judicial District of Tolland Concerning the Use of Deadly Physical Force Resulting in the Death of Jose Enrique Soto on April 2, 2020*, CONN. DIV. CRIM. JUSTICE (accessed Feb. 14, 2023), <https://portal.ct.gov/DCJ/Whats-News/Reports-on-the-Use-of-Force-by-Peace-Officers/2020---April---Jose-Enrique-Soto---CREST-Manchester>; *Commission Tells Enfield to Turn Over Police Lawsuit Documents to ACLU-CT*, ACLU-CT (June 15, 2017), <https://www.acluct.org/en/news/commission-tells-enfield-turn-over-police-lawsuit-documents-aclu-ct>; Mikaela Porter, *Enfield Officials Release Settlement Figures in Matthew Worden Lawsuits*, HARTFORD COURANT (Dec. 22, 2017), <https://www.courant.com/news/connecticut/hc-news-enfield-matthew-worden-lawsuits-settlements-public-20171222-story.html>; Abbie VanSickle et al., *We’re Tracking Police Dog Bites Across the Country*, MARSHALL PROJECT (accessed Feb. 10, 2023), <https://www.themarshallproject.org/2020/11/17/we-re-tracking-police-dog-bites-across-the-country>.

This bill, however, attempts to do just that. The ACLU-CT thus the inclusion of Section 1 and urges this Committee to do the same.