



Legislative Testimony
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**Written Testimony Supporting with Proposed Amendments
House Bill 5303, An Act Concerning the State Accreditation of Law Enforcement
Units by the Police Officer Standards and Training Council**

Senator Larson, Senator Guglielmo, Representative Verrengia, and distinguished members of the Public Safety and Security Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony to support, if amended, House Bill 5303, An Act Concerning the State Accreditation of Law Enforcement Units by the Police Officer Standards and Training Council.

As the ACLU of Connecticut firmly believes that there can be no such thing as too much oversight of police, we support this bill in concept, but this proposal does not go far enough toward solving Connecticut's need for police accountability. As written, this bill would not accomplish its goal of creating a meaningful, mandatory statewide accreditation process for all local and state police departments. We encourage the committee to strengthen this bill to create provisions that would better ensure true police accountability, oversight, appropriate training, and safety.

Police departments are government agencies upon which the government has bestowed the extraordinary powers: the ability to use deadly force, and the authority to deprive people of their freedom via arrests. With these extraordinary powers come an extraordinary responsibility to be accountable to, and transparent with, the public. Yet accountability and transparency are severely lacking in Connecticut's current policing system.

Currently, police accreditation is a voluntary process in Connecticut. A police department suffers no penalty for not being accredited. In contrast, lack of accreditation in higher education carries penalties that include an institution's ineligibility for student financial aid programs and non-recognition of its awarded credits or degrees. Accreditation, if done correctly by relying on strict standards created through

significant input from members of the public, can offer some additional mechanisms for establishing and enforcing best practices in police departments. Accreditation is not a panacea, but there is some evidence that, if done correctly, it can make a difference in the case of a truly backward, unprofessional, and poorly-managed police department.

Some Connecticut police agencies, including the Connecticut police training academy, are accredited by the national Commission on Accreditation of Law Enforcement Agencies (CALEA). CALEA, however, does not set Connecticut-specific standards, grounded in our state's unique needs and established by meaningful public input from local residents. The result is an accreditation of dubious utility. For instance, the Town of Enfield's police department has been CALEA accredited since 1996. Yet while accredited, Enfield employed Matthew Worden, a police officer who brutalized and terrorized people in town. While employed by this CALEA-accredited department, Worden beat, tased, and ordered his dog to bite handcuffed people; he was arrested for assault after he got into a fight with a fellow police officer when that officer responded to a domestic disturbance involving Worden; and he was the subject of nearly one-third of all of the police department's complaints from members of the public during a four-year period. The police department conducted 14 self-run investigations into Worden in seven years, but it failed to hold him—or itself—accountable for protecting and serving, not beating and terrorizing, the public.

This shows that the stamp of accreditation on a police department can be meaningless if police accreditation standards are not set by and for members of the public. The ACLU of Connecticut has serious concerns that this bill's proposed process for creating statewide accreditation standards would replicate these mistakes. As written, this bill does not require any input from members of the public regarding the standards to which police should be held. Instead, it relies on POSTC, an under-resourced majority law enforcement body which typically has little-to-no public input, to create and enforce accreditation standards. Furthermore, the bill does not require POSTC to consider public feedback in its accreditation enforcement. One of the key higher education accreditation requirements for the New England Association of Schools and Colleges is: "systematic feedback from students, former students, and other relevant constituencies is a demonstrable factor in institutional improvement." A police accreditation process that doesn't similarly look at feedback from members of the public, who are police departments' "relevant constituencies," would fall short.

The bill only includes law enforcement agencies and law enforcement lobbying groups (POSTC, the Chief State's Attorney, the Connecticut Chiefs of Police Association, and the DESPP, CPCA, and the Connecticut Coalition of Police and Correctional Officers) in the process for creating that policy.

We appreciate this bill's goal of creating a statewide standard to which police departments could be held. It is an important and worthwhile idea, which could, if done right, help to ensure that people are treated equally by police in every town and city in Connecticut. We encourage this committee to amend this well-intentioned proposal to ensure that members of the public have a significant, meaningful voice in establishing and enforcing the standards to which police departments in the state will be held. We would be happy to coordinate with the committee to provide details on how this proposal could be made more meaningful and effective.