



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Supporting
House Bill 5223, An Act Concerning Pursuits by Police Officers**

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 for the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of House Bill 5223, An Act Concerning Pursuits by Police Officers. We further encourage this committee to expand this bill's reporting requirement to include other uses of force by police, to increase transparency about when police hurt or kill people in Connecticut.

In the interest of democracy, justice, and equality, the ACLU-CT supports this attempt to tighten the state's police car pursuit policy. We further encourage this committee to expand this bill's reporting requirement to require standardized report on car pursuits, to increase transparency about when police hurt or kill people in Connecticut.

When police decide to use cars to chase people, they can endanger the lives of the people they are pursuing, pedestrians, drivers and occupants in other vehicles, and themselves. Last year, at least six people died in Connecticut after police vehicle pursuits. According to National Highway Traffic Safety Administration numbers, this was a significant increase from years past. In 2015, two people died after police pursued them in vehicles; in 2014, one person died; and in 2013, three people died. Some of these people who died because of fatal police pursuits were the targets of police pursuits; others were bystanders. Nationwide, according to a study by USA Today, police car chases killed at least 11,506 people from 1979 and 2013. Nearly 25% of those people (2,456) were bystanders—pedestrians, or drivers or occupants of other cars—and more than 130 people who died in police car chases were police officers themselves.

Because they are so dangerous, police car chases should be rare. If police are going to do something as dangerous as chase a car, they should have a very good reason for doing so. We therefore support this bill's proposal to restrict police car chases to only those situations in which letting a car go would be more dangerous than engaging in a potentially deadly pursuit.

We further support this bill's proposal to require all police departments in the state to follow the state's uniform pursuit policy. At present, there is no overarching state law to require police to use the state's uniform pursuit policy, which, most importantly, requires police to determine that a pursuit is less dangerous than letting a car go. This policy also requires police to consider their surroundings, environmental conditions, and the seriousness of the reason why police attempted to stop someone's car before deciding to chase a car. It prohibits police from shooting from moving vehicles that are in pursuit and from using secondary pursuit vehicles on parallel side streets, and it requires reporting of police pursuits. Some may attempt to claim that police already consider these factors; if so, they should have no issue with accepting this policy.

Connecticut's state law regarding pursuits by police should value people's lives above all else. People's lives matter more, for instance, than property. If a car is stolen or potentially stolen, police can take down a license plate, get a warrant, and protect others' lives and their own by recovering that car another day.

The ACLU of Connecticut does not, however, support this bill's proposal to increase the punishment for failing to stop for a police officer from a Class A Misdemeanor to a Class E felony. There are good reasons why someone might fail to stop for a police officer. We have heard from women, for instance, who were afraid to pull over for police at night on secluded roads, because they were unsure if the person pursuing them was truly a police officer. A recent Massachusetts Supreme Judicial Court ruling also found that Black men who fled police in Boston may have a legitimate reason to do so and should not be automatically deemed "guilty" because of their flight, due to a pattern of racial profiling by police in that city.

Finally, we support this bill's requirement for all police departments to publicly report about each time police chase someone with a car, but we encourage this committee to amend this bill to extend this reporting requirement to all uses of force by police. While Connecticut law requires police departments to keep track of all uses of force internally, it doesn't mandate police share that information with the state. As a result, no one knows how many times police in Connecticut use force to seriously hurt or kill people. Although people can acquire information about police use of force through FOI requests, that process is not easy for the average person to navigate, and police regularly challenge requests for information. At a time when one in five Americans says they know someone who has been physically mistreated by police, it is critical to bring this information out of the shadows. We encourage this committee to amend this bill to require police departments to annually submit information to the state about when police fire their guns or use other forms of force and for the state to post that information online each year.