



Legislative Testimony
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**Written Testimony Supporting
House Bill 5922, An Act Concerning Use of Force Reports**

Senator Bradley, 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 here to testify in support of House Bill 5922, An Act Concerning Use of Force Reports and ask that the committee expand the bill to also require police pursuit reporting.

As an organization committed to defending civil liberties under the U.S. and Connecticut Constitutions, the ACLU-CT strongly supports measures to ensure transparent public safety practices. House Bill 5922 would increase transparency regarding police uses of force in Connecticut.

It is extremely concerning how little data is available about uses of force by police in Connecticut. While Connecticut law requires police departments to keep track of all uses of force internally, it does not 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. Based on a recent report from the *Danbury News-Times*, police have fatally shot at least 24 people in Connecticut since 2013. However, the public must rely on these kinds of news reports because the state does not collect information about how many people are killed by police. Although people can acquire information about police uses of force through Freedom of Information Act 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.

State law already requires law enforcement units to create and maintain records, called use of force reports, for all incidents in which a police officer fires their gun, and in all incidents during which a police officer uses physical force that is likely to cause death or serious physical injury to another person. Requiring police departments to share this information with the state and the public would be a simple next step. The ACLU-CT encourages the committee to require law enforcement agencies to submit use of force reports to the Office of Policy and Management (OPM) annually and require that OPM post the annual use of force reports on its website. This would ensure that the public, policymakers, and law enforcement agencies themselves would have access to data about police uses of force.

In 2014, the General Assembly passed Public Act 14-149, which requires police departments to report each incident of taser use and share those reports with the state. Data from those reports in 2016 show that officers disproportionately used tasers on racial minorities and people in mental health crises. A Central Connecticut State University Institute for Municipal & Regional Policy (IMRP) analysis found that in 2016, 80% of people in Connecticut who were tased or threatened with tasings by police were unarmed, and 49% were experiencing a mental health crisis. Fifty-six percent of people whom police tased or threatened to tase in 2016 were minorities, an increase in disparities from the prior year. At the national level, young Black men were nine times more likely to be killed by police than other Americans in 2015, according to a national news report. Because Connecticut does not collect data about other police uses of force, it is impossible to determine if the racial disparities in tasings by police in Connecticut is an anomaly, or if it is part of a larger trend in police uses of force. Police have extraordinary powers, including the discretion to use lethal and non-lethal force. With these extraordinary powers comes a responsibility for police to be transparent and accountable to the public. It is imperative that we establish meaningful accountability for police officers who use excessive force and hurt or even kill our neighbors, friends, family members, and community members. Accountability is not possible, though, when data about what police are doing is not available to the public.

In addition to requiring use of force reporting to the state, the ACLU-CT encourages the Public Safety and Security Committee to expand House Bill 5922 by also requiring police departments to annually report to the state about police chases in which their officers engage.

Police car chases are dangerous and should be considered a use of force. 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. In 2017, at least six people died in Connecticut, including one three-year-old boy, after police decided to pursue people with their vehicles. According to National Highway Traffic Safety Administration numbers, this was a significant increase from years past. In 2015, two people died in Connecticut after police pursued them in vehicles; in 2014, one person died; and in 2013, three people died. Some of these people who died 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.

State law already requires the Department of Emergency Services and Public Protection (DESPP), beginning by January 31, 2020, to report to Post Officer Standards and Training Council (POST) annually regarding pursuits by police. The ACLU-CT encourages the committee to require POST to create a police pursuit reporting form, law enforcement agencies to submit police pursuit records annually to POST and OPM, and OPM to post the annual police pursuit reports on its website. Additionally, the legislature should require POST to annually compile, analyze, and summarize the annual police pursuit reports and submit a consolidated report regarding police pursuits and any recommendations for legislation to the Public Safety and Security Committee annually.

With the added requirement of police chase reporting, House Bill 5922 would create more transparency about police uses of force, including potentially lethal police chases; afford police departments an opportunity to build public trust; and provide members of the public with a greater ability to ensure police accountability. We strongly encourage the committee to support House Bill 5922 and expand the bill to include required reporting on police chases.