

Response of C. Robert Satti, Jr.

1) The Inspector General is tasked with making an objective decision based upon the statutes and case law in the State of Connecticut. As such the Inspector General should carry out their duties without bias or prejudice based upon any protected class to the extent that police misconduct and the use of force is premised on a person's membership in that protected class the Inspector General must take appropriate enforcement action. To the extent that police misconduct in the use of force implicates bias then it is within the purview of the Inspector General.

2) The role of the Inspector General is to determine, pursuant to law whether there is a violation of the General Statutes by a peace officer. If I am nominated I will follow the General Statutes and if a referral for prosecution is necessary I have no hesitation prosecuting any violations of the criminal law.

3) The role of the Inspector General is to determine, pursuant to law whether there is a violation of the General Statutes by a peace officer. If I am nominated I will follow the General Statutes and if a referral for prosecution is necessary I have no hesitation prosecuting any violations of the criminal law, including any appropriate homicide charge.

4) The current statutory standard, CGS 53a-22, has been interpreted by the courts of this state and has been amended by the legislature. There is no mention in the existing statute that deadly physical force can only be used "when it is absolutely necessary." "Absolutely necessary" is not a term of art and currently has no statutory definition. I will vigorously enforce the law as enacted by the legislature and interpreted by the courts.

5) See answer # 4.

6) The courts of this state have not rendered any interpretation of the statute. It is inappropriate to give an advisory opinion in the absence of an actual case.

7) The legislature has determined, pursuant to CGS 53-22, that there may be a defense available to peace officers based upon their actions if they are charged with a crime or crimes. At trial the state must disprove this defense beyond a reasonable doubt. See, State v Smith, 73 Conn. App. 173, 203-05 (2002); Ct Criminal Jury Instructions, Sec. 2.8-6. The court there also determined the CGS 53a-19 (self-defense) is available to a peace officer as a defense. The role of the Inspector General is to follow the statutes passed by the legislature as interpreted by the courts of this state,

8) The legislation creating the Inspector General makes does not create a legislative nor policy making roll for the position. The Division of Criminal Justice, through the Chief State's Attorney, is tasked with the role of proposing legislation to the legislature. The role of the Inspector General must remain impartial and not be an advocate. The citizens of Connecticut rightfully need to depend on the fact that the Inspector General is impartial in the investigation and prosecution of use of force cases.

9) 10) See # 8 above.

11) Although the statute provides no mechanism for public comment on investigations or prosecutions conducted by the Inspector General, I would make information available to the general public consistent with the Rules of Professional Responsibility and the Division of Criminal Justice Ethical Guidelines. If there is a recommendation regarding a prosecution, Pursuant to the Code of Professional Responsibility, Rule 3.6, an attorney may be prohibited from commenting on pending matters.

12) When investigating any matter under the jurisdiction of the Inspector General I will consider all appropriate relevant factors to be able to make a decision based on the facts and the law.

13) One role of the Inspector General, as set out in the legislation, P.A. 20-1, § 33, is to "make recommendations to the Police Officer Standards and Training Council established under section 7-294b concerning censure and suspension, renewal, cancelation or revocation of a peace officer's certification." If nominated I will work with the Police Officer Standards and Training Council to effectuate the legislative intent.

14) If, after a complete investigation, I have found probable cause to believe a crime has been committed I will prosecute any case where a determination that a peace officer "used force found to not be justifiable pursuant to section 53a-22 or where a police officer or correctional officer fails to intervene in any such incident or to report any such incident" I have no hesitation in prosecuting such a case. See also my response to #15 below concerning other misconduct uncovered in the investigation..

15) This is not within the statutory mandate of the Inspector General. To the extent any police malfeasance comes to light during the investigation into the use of force, it will be concomitantly prosecuted with the use of force, or if no prosecution arises out of the use of force investigation, any other criminal misconduct will be referred to the appropriate prosecutorial authority. If any malfeasance does not rise to the level of a criminal misconduct, it will be referred to the appropriate authorities for further administrative action. If I am nominated as Inspector General I will follow the Federal and State Constitutional requirements, Connecticut Practice Book, and the Code of Professional Responsibility to provide appropriate disclosure to criminal defendants.

