

EXECUTIVE SUMMARY

All communities deserve police who protect and respect all people. Police deserve to work with and for colleagues who are competent, worthy enforcers of the law and stewards of public resources. Both of these complimentary goals demand strong protocols for meaningfully accepting and addressing complaints alleging police misconduct.



Good police complaint protocols ensure public accessibility, prevent intimidation of potential complainants, and facilitate meaningful investigations of misconduct allegations. According to the expertise of civil rights activists, academics, policy experts, community members, and law enforcement agencies,¹ best practices for police complaint policies include:

- accepting all complaints, including those submitted anonymously, online, by mail, or by telephone;
- making complaint forms and policies easily accessible to the public; and
- removing barriers to complaint submissions, such as threats of retaliation against complainants or notarization requirements for complainants' statements.

Connecticut state law requires all police agencies in the state, including municipal departments, state police troops, and special agencies such as university departments, to adopt or exceed a model complaint policy created by the Police Officer Standards and Training Council (POSTC). In addition, state law requires all police agencies to make their complaint policies publicly available on their websites and at municipal buildings separate from the departments themselves. Meanwhile, POSTC's model policy requires all police employees to accept all complaints, including those submitted anonymously, online, by mail, or by telephone; and prohibits retaliation against complainants and questions about complainants' immigration statuses during intake. POSTC's policy also created a statewide model complaint form, which POSTC required departments to adopt or exceed and to make available online and at municipal buildings separate from departments themselves.

These requirements are not simply suggestions for police agencies to take or leave. They are critically important for building community trust in police, and they carry the weight of the law. During community forums hosted by the ACLU-CT throughout the state, however, we heard from members of the public who described a chilling disregard for these rules among some police agencies. These Connecticut residents expressed concerns regarding notarization requirements, in-person and in-station filing requirements, and lack of access to complaint forms outside of police stations.

Seeking to determine whether these frustrations were isolated incidents or indicators of more widespread noncompliance with state law and policy, the American Civil Liberties Union of Connecticut conducted a survey of police agencies throughout the state. Our findings are a troubling confirmation of community members' concerns.

1. See: *The President's Task Force on 21st Century Policing, "Policy and Oversight, Submitted Oral & Written Testimony Received by January 31, 2015,"* https://cops.usdoj.gov/pdf/taskforce/01-30-2015/Invited_Testimony_January_30.pdf.

See Also: *The International Association of Chiefs of Police, "Testimony of the International Association of Chiefs of Police, Task Force on 21st Century Policing Listening Session on Police Oversight,"* January 30, 2015, <http://www.theiacp.org/Portals/0/documents/pdfs/IACPTestimonyListeningSessionPolicyandOversight.pdf>.

Despite reforms, many Connecticut police agencies still make it difficult for members of the public to easily obtain basic, legally required information regarding complaint forms and processes. In some cases, this lack of transparency violates state law, and it could prevent law enforcement agencies from becoming the fair and just entities that communities and police deserve.

The problems that we discovered were widespread, and they were not unique to one type of department. The police agencies that exhibited troubling complaint practices serve large and small towns throughout the state. They include state police troops, municipal departments, and special agencies, and they include departments with large and small workforces.

Among our findings:

- Forty of Connecticut’s law enforcement agencies have not clearly posted either or both their department complaint form or complaint policy online, in direct contravention of state requirements.
- Unless pressed further, 43 percent of all agencies surveyed by phone claim that complaint forms are only available at police stations—a violation of state policy.
- Many Connecticut police agencies continue to impose barriers to accepting police complaints, such as refusing to accept or actively discouraging anonymous complaints, requiring complainants to submit forms only at police stations, and mandating notarization of complaint forms.
- Forty two percent of all agencies surveyed by phone suggested that they are not complying with state law requiring public access to complaint policies.
- Many Connecticut police agency representatives surveyed by phone could not answer questions, could not be reached to answer questions, refused to answer questions, provided inaccurate information, or contradicted information posted on departments’ websites.
- Sections of POSTC’s model policy and complaint form may exacerbate confusion and undermine the complaint acceptance process in Connecticut.

These findings reveal a clear need for additional legislative action, both to make permanent the improvements that Connecticut has made and address areas that continue to hinder police transparency and accountability.

The Connecticut General Assembly should adopt legislation that:

- Establishes meaningful penalties for law enforcement agencies that do not comply with state complaint acceptance and investigation laws;
- Improves POSTC’s existing model complaint policy and adopts that revised version as state law;
- Creates a standardized complaint form that is compliant with best practices and translated into all commonly-spoken languages in Connecticut, to be used by all law enforcement agencies in the state;
- Mandates complaint protocol training for all law enforcement agency personnel who interact with the public.
- Requires law enforcement agencies to track complaint data and to annually report specific complaint information to the Connecticut Office of Policy and Management;

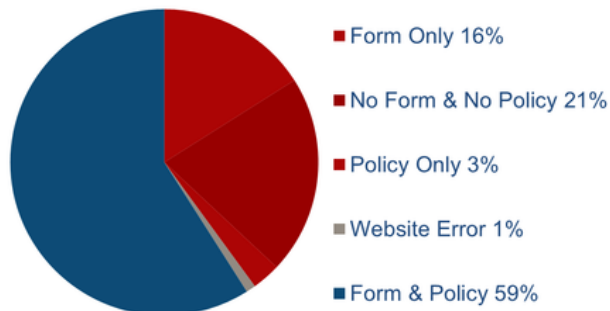
Establishing a transparent, accessible police complaint process is just the first step toward creating a truly fair, just, and wise police force in Connecticut—one that lives up to the standards that the public demands and that police departments should expect of themselves. With the right policies and laws in place, Connecticut can create this system.

EXECUTIVE FINDINGS

Connecticut law requires all police agencies to post their complaint policies online. Statewide police policy requires all agencies to post complaint forms online and to accept anonymous complaints.

But, as of October 2016, this is what 102 police agencies had clearly posted on their websites:

Information on Police Agency Websites



40

departments had not clearly posted either or both their complaint form or policy online--a direct violation of state law and policy

1 million

people living in towns where police departments are not complying with state complaint law or policy

The ACLU-CT called 60 police agencies to learn more. Of those 60 agencies:

Violations of state law and policy:

43%

claimed that complaint forms were only available at police stations

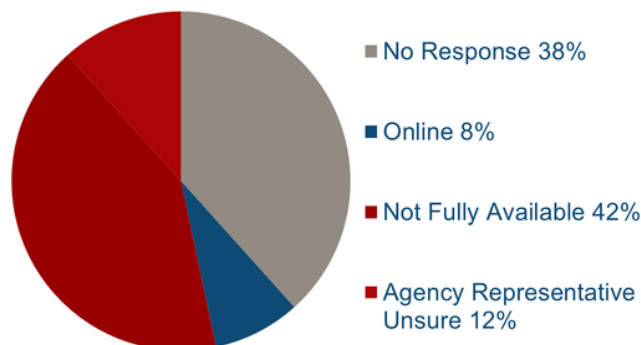
42%

suggested that they do not make complaint policies fully available to the public

32%

stated or implied that they will not accept anonymous complaints

"Where could a complainant find [your complaint] policy?"



Police departments are violating state law and policy. In the process, they are undermining public trust in police. The Connecticut General Assembly should solve these problems by:

1 Establishing penalties for police agencies that do not comply with state complaint law

2

Creating a standardized complaint form to be used by all law enforcement agencies in the state

3

Requiring all law enforcement agencies to track & annually report complaint data