

CBA LPRC POSITION REQUEST FORM

The CBA Policing Task Force (“CBAPTF”) **position request** is as follows:

- 1) Proposed legislative or regulatory concept:

The CBAPTF requests that the CBA approve the CBAPTF Draft Recommendation #1 which states as follows:

The CBAPTF recommends that Section 33(a) of An Act Concerning Police Accountability, Bill 6004 (“The Act”) be changed so that candidates outside of the State Criminal Justice Commission are eligible for the position of Inspector General and for positions within the staff of the Inspector General’s Office.

- 2) Explanation and rationale for advancing this position:

Section 33(a) of the Act states:

“There is established the Office of the Inspector General that shall be an independent office within the [Connecticut State] Division of Criminal Justice. Not later than October 1, 2020, the Criminal Justice Commission . . . shall nominate a deputy chief state's attorney from within the division as Inspector General who . . . shall lead the Office of the Inspector General. The office shall: (1) Conduct investigations of peace officers . . . ; (2) prosecute any case in which the Inspector General determines a peace officer used force found to not be justifiable . . . or where a police officer or correctional officer fails to intervene in any such incident or to report any such incident . . . ; and (3) make recommendations to the Police Officer Standards and Training Council . . . concerning censure and suspension, renewal, cancelation or revocation of a peace officer's certification.”

The Act requires that all candidates for the position of Inspector General (IG) and for IG staff positions be from within the Division of Criminal Justice (“DCJ”). See also Section 33(j) (IG Office Staff). This precludes the Criminal Justice Commission from making selections from a larger pool of well-qualified candidates including, but not limited to, federal prosecutors, private practitioners from the plaintiff’s bar and/or civil rights attorneys. As these other potential candidates are independent from the DCJ, they would avoid the appearance of a conflict of interest which members of the DCJ will face as they regularly work with police officers some of whom will be the subject of the IG investigations. As it is critical that these investigations have the full confidence of the public and avoid any appearance of a lack of independence, we recommend that the Act be amended to allow the Criminal Justice Commission to consider candidates outside of the DCJ for the position of IG as well as IG staff positions.

- 3) Is draft regulation, legislation or proposed bill included?
N/A.
- 4) What is the date of any legislative hearing, if known?
N/A.
- 5) Was this position previously approved by the CBA? If so, when does/did it expire?
No.
- 6) Is the CBA section or committee seeking to join a previously approved CBA section or committee position?
No.

- 7) Potential or actual CBA opposition from another CBA section or committee?
No.
- 8) Strength of section position (including process and results of section vote taken on issue):
N/A.
- 9) Fiscal impact (on the state):
No.
- 10) Are you seeking “fast-track” approval?¹
Yes.

¹ A “fast track” recommendation will be submitted to the House of Delegates (HOD) or Board of Governors (BOG) at its next scheduled meeting (or, if between meetings of the HOD or BOG and during the legislative session, to the Executive Committee), and is warranted only when the Legislative Policy & Review Committee concludes that further analysis and study is unnecessary and where there is legitimate time pressure to address pending legislation.