CONNECTICUT RACIAL PROFILING PROHIBITION PROJECT

Policy Subcommittee
Minutes

Monday, February 5, 2024
10:00 a.m. – 11:00 a.m.
Zoom

Policy Subcommittee Present: Tanya Hughes, Mike Gailor, Werner Oyanadel, Tamara Lanier, Claudine Constant, Darcy Strand, Chief Neil Dryfe, Cheryl Sharp, Stacey Sobel, Kelly Mero, Chief Vernon Riddick

Staff: Ken Barone, Erica Escobar

I.   Welcome & Introductions

Chair Hughes convened the meeting at 10:05 a.m. Members introduced themselves.

II.   Approval of the December 21, 2023, meeting minutes

A motion was made and seconded to approve the December 21, 2023, meeting minutes. The minutes were approved unanimously.

III.   Old Business

a. Bills from 2023 legislative session for discussion

Ken Barone gave a brief update on the bills discussed in the 2023 legislative session. He mentioned that the pedestrian stop issue might not have been raised this year, but they would monitor it and bring it back to the group if it did. Additionally, he noted that the secondary stop bill was likely raised in a pared-down version from the previous year, and they planned to keep track of it and discuss it further at the next meeting.

IV.   New Business

a. Review legislative recommendations outlined in the independent investigation of CSP.

Ken Barone briefed members on the legislative recommendations stemming from the independent investigation of CSP. He outlined four crucial recommendations: adopting a criminal statute to address intentional falsification of traffic stop or racial profiling data; enacting a statute to mandate CSP to refer serious misconduct to the States Attorney

for potential criminal investigation and decertification; considering the collection of race and ethnicity data on licenses to reduce troopers' data entry burden; and allocating resources for CSP to implement all recommendations. Additionally, the idea of appointing a compliance consultant for CSP was discussed. These recommendations are likely to be discussed during the legislative session, opening the floor for prompt feedback and insights from the subcommittee members.

During the discussion, Mike Gailor emphasized the need to differentiate between records entered erroneously and those entered with intent to deceive. He also highlighted existing statutes, such as Connecticut General Statute 53A-157B, which could apply to falsified traffic stop information. While Gailor suggested that legislators consider the matter, he cautioned against assuming that more legislation is always the best solution. Chief Vern Riddick echoed this sentiment, cautioning against rushing to create legislation for a single incident. He emphasized the importance of evidence indicating a broader problem within the CSP and suggested that the issue might have stemmed from cultural or leadership problems at the time. Riddick also stressed the importance of considering existing measures before implementing new statutes.

Tanya Hughes emphasized the importance of ensuring that existing statutes are enforced. She expressed concern about the effectiveness of having statutes in place if they are not enforced. Hughes underscored the Subcommittee's responsibility to address any gaps in enforcement, stating that even one instance of misconduct is unacceptable. Mike Gailor addressed concerns about inaccuracies in records, emphasizing the need for internal training within the state police to address these issues. He highlighted common mistakes made by officers and stressed the responsibility of management to ensure proper record-keeping practices.

Ken recommended that the Advisory Board emphasize to the legislature the importance of applying existing statutes appropriately. He stressed the need for agencies to promptly report identified issues for review by both the board and the appropriate States Attorney. Ken highlighted instances where errors in records were not addressed in a timely manner, underscoring the necessity for clear reporting protocols and accountability measures. He proposed integrating these requirements into police policies and the accreditation process to ensure consistency and transparency across departments.

Chief Fusaro highlighted how a patrol officer's proactive approach in identifying the problem led to further investigation, ultimately revealing the issue. He emphasized the importance of supervisors addressing such concerns, highlighting the system's effectiveness when utilized correctly.

Ken suggests that the Policy Subcommittee's recommendation to the Advisory Board should prioritize ensuring clarity regarding existing criminal statutes and mandating reporting of pertinent information by agencies. He cautions against dismissing the need for the first recommendation outright, emphasizing their belief that existing statutes can address the issue while remaining open to legislative review for further clarification if necessary. Regarding the second recommendation, Ken believes that mandating reporting can be achieved through policy or regulation, without necessarily requiring a new statute. He sees the consideration of adoption as already encompassing this approach and doesn't see the need for further change.

The third recommendation suggests requiring Connecticut DMV to embed racial profiling information into licenses to enhance accuracy Ken proposed that this information should be discreetly encoded into the license, not visibly displayed. The barcode on the back of the license could facilitate this, allowing law enforcement to access the data without it being visible to others. Ken emphasized the importance of ensuring that the data cannot be sold to third parties. He proposed that the legislature should consider this recommendation, on the condition that the information remains embedded and not visible on the license, and that strict measures prevent its sale. Ken believes the Advisory Board should allocate resources to implement the final recommendation, underscoring the importance of supporting all suggestions in the report.

V.   General Discussion

   a.   Other 2024 legislative priorities

        Ken Barone briefed the Policy Subcommittee on the 2024 legislative priorities, including discussions on mandating E-citation and E-warning systems. Currently, 19 departments are not utilizing these systems, but another subcommittee is addressing the technical aspects. Additionally, federal funding is available for equipment, but the remaining agencies need to decide to utilize it. Some departments face challenges due to the cost of transitioning to a different AD RMS system. As for the last recommendation regarding departmental data audits, they decided to delay action until an external group provides recommendations by March.

The meeting was adjourned at 11:02 a.m.