



DIVISION OF PUBLIC DEFENDER SERVICES
State of Connecticut

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**Testimony of the Office of Chief Public Defender
Benedict R. Daigle, Assistant Public Defender**

**Committee on Public Safety and Security – February 14, 2023
Raised S.B. 932 – An Act Concerning Police Animals and Dogs
in Volunteer Canine Search and Rescue Teams**

The Office of Chief Public Defender (OCPD) opposes section 1 of Raised S.B. 932 – AAC Police Animals and Dogs in Volunteer Canine Search and Rescue Teams (LCO 3563), as drafted, based on disproportionate penalties, the broadness of the language, and anticipated racial and ethnic disparities in incidence.

Subsection (d) of section 1 would increase the penalty for the intentional injuring, in certain circumstances, of a police animal or a dog in a volunteer canine search and rescue team, making it the same level of offense as the intentional killing of such animal (i.e., class C felony carrying a prison sentence of up to ten years and a fine of up to \$10,000). Even a modest injury (e.g., a minor scrape) would carry the same penalty as a killing. That is both inequitable and disproportionate, and thus, this office is opposed to the increase.

Subsection (e) of section 1 would create a new crime. A person who “intentionally annoys, teases, torments or otherwise harasses any animal while such animal is confined in a motor vehicle while in the performance of its duties under the supervision of a peace officer...” would be guilty of a class D misdemeanor carrying a prison sentence of up to thirty days and a fine of up to \$250. This language is overly broad and undefined; where that is the case, law enforcement discretion is extremely broad, and there is a greater risk that members of the community will be overcharged – effectively swept into the criminal legal system without a sound basis, and thus, this office is opposed.

Mission Statement of the Division of Public Defender Services

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us.

We are committed to holistic representation that recognizes clients as individuals, fosters trust and prevents unnecessary and wrongful convictions.

Each of the aforementioned concerns exists in an ongoing historical context. That context includes the legacy of redlining and the over-policing of communities of color. It includes the disproportionate impact of police animals on people and communities of color.¹

In September 2022, legislative leaders, policy professionals, advocates, and others convened in support of racial and ethnic impact statements (REIS), tools to analyze a proposed policy's anticipated impact through an equity lens.² A REIS on this proposal could more thoroughly analyze how the proposed policy, which reads one way on paper, might actually impact people in practice.

This office requests that any Committee action on this bill incorporate substitute language that would address the issues identified herein. Thank you.

¹ For more information about the use of police dogs nationally, see *Mauled: When police dogs are weapons*, The Marshall Project, <https://www.themarshallproject.org/2020/10/15/mauled-when-police-dogs-are-weapons>.

² See, e.g., *Martin M. Looney and Matthew Ritter: A commitment to advancing racial equity*, The Hartford Courant, <https://www.courant.com/opinion/op-ed/hc-op-racial-ethnic-inequalities-institutional-scale-20220902-3ow6kfcg5vapnhykudx6ssr36y-story.html>. Information regarding the Advancing Racial Equity Symposium is available at <https://www.eventbrite.com/e/advancing-racial-equity-symposium-tickets-332958807757>.