



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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

JUDICIARY COMMITTEE - MARCH 20, 2024

Raised Senate Bill No. 427

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. 427 (LCO 2902), as drafted, based on disproportionate penalties, the broadness of the language, and anticipated racial and ethnic disparities in incidence.¹

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.

¹ OCPD takes no position on the remainder of the bill.

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Each of the aforementioned concerns exists within 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.

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. A REIS on this proposal could more thoroughly analyze how the proposed policy might impact people in practice.

This office requests that any Committee delete Section 1 from this bill. Thank you.