

**PA13-195**

HB6394

Higher Education	469-473, 539-540	7
House	4897-4902	6
Senate	4966-4980, 5043-5044	17
		<b>30</b>

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

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voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

Bill Number 5926, as amended by House "A".

Total number voting 139

Necessary for passage 70

Those voting Yea 139

Those voting Nay 0

Absent and not voting 11

DEPUTY SPEAKER RYAN:

The bill as amended is passed.

Are there any announcements or introductions?

Are there any announcements or introductions?

The Chamber will stand at ease.

(Chamber at ease.)

Will the Clerk please call Calendar number 455.

THE CLERK:

On page 21, Calendar 455, Favorable Report of the Joint Standing Committee on Judiciary, House Bill 6394, AN ACT CONCERNING THE INDEMNIFICATION OF UNIVERSITY POLICE.

DEPUTY SPEAKER RYAN:

Representative Willis.

Good morning, ma'am -- good afternoon, ma'am.

REP. WILLIS (64th):

Good afternoon, Mr. Speaker.

I move for the acceptance of the Joint  
Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER RYAN:

The question is acceptance of the Joint  
Committee's Favorable Report and passage of the bill.

Representative Willis, you have the floor.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker.

This bill will provide indemnification of police  
officers at the University of Connecticut, and our  
state university systems, and some of our college --  
community college campuses. State university and  
college police are not protected as other police  
officers are in the State of Connecticut from expenses  
incurred or financial loss from claims or lawsuits  
that are a direct result of events that occurred in  
the performance of their duties or the scope of their  
authority. I urge support of this legislation. Thank  
you, sir.

DEPUTY SPEAKER RYAN:

Thank you, madam.

Will you remark further on the bill?

Representative LeGeyt of the 17th.

REP. LeGeyt (17th):

Thank you, Mr. Speaker.

I rise briefly to say that this bill is a good bill. It came out of Judiciary and Higher Ed unanimously and puts the university police in the category that they need to be in as opposed to the category used for general state employees in which they are now. And so I urge my colleagues to support this bill. Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative O'Dea of the 125th.

REP. O'DEA (125th):

Thank you.

Through you, Mr. Speaker, I'd like to ask a question of the proponent, if I may.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. O'DEA (125th):

Are the university police officers Post certified?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker, yes, they are.

DEPUTY SPEAKER RYAN:

Representative O'Dea.

REP. O'DEA (125th):

And as I understand the reading of this, if I may, Mr. Speaker, one last question, this is in the line of duty, correct, for indemnification?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker, yes, it is.

DEPUTY SPEAKER RYAN:

Representative O'Dea.

REP. O'DEA (125th):

Thank you.

I will support this bill. Thank you very much, Mr. Speaker.

REP. WILLIS (64th):

Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the bill? Will you  
remark further on the bill?

If not, will staff and guests please come to the  
well of the House, will the members take your seats,  
the machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will  
members please return to the Chamber immediately.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted?  
Will the members please check the board to determine  
if your vote is properly cast. If all members have  
voted, the machine will be locked and the Clerk will  
take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 6394.

Total number voting 139

Necessary for passage 70

Those voting Yea	139
Those voting Nay	0
Absent and not voting	11

DEPUTY SPEAKER RYAN:

The bill passes.

Will the Clerk please call Calendar number 445.

THE CLERK:

On page 21, Calendar 445, Favorable Report of the Joint Standing Committee on Education, Substitute Senate Bill 815, AN ACT CONCERNING THE CONSOLIDATION OF NONEDUCATIONAL SERVICES.

DEPUTY SPEAKER RYAN:

Representative Rojas of the 9th District, please.

REP. ROJAS (9th):

Thank you, Mr. Speaker.

I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER RYAN:

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill.

Representative Rojas, you have the floor.

REP. ROJAS (9th):

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Through you, Mr. President.

THE CHAIR:

Senator Doyle -- Senator Boucher.

SENATOR DOYLE:

I apologies.

SENATOR BOUCHER:

Thank you very much, Mr. President.

And I thank him for the answer.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you remark further on the bill?

If not, Senator Doyle?

SENATOR DOYLE:

If there's no objection, I refer this to the consent calendar.

THE CHAIR:

Seeing and hearing no objection, so ordered.

Mr. Clerk?

THE CLERK:

On page 12, Calendar 636, House Bill Number 6394, AN ACT CONCERNING THE INDEMNIFICATION OF UNIVERSITY POLICE, favorable report of the Committee on Higher Education and Employment Advancement.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Good evening, Mr. President.

THE CHAIR:

Good evening, madam.

SENATOR BYE:

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR BYE:

Yes. Thank you, Mr. President.

This bill is a bill that will give public university police the same indemnification protection that state police get. Currently they are protected as any other state employee, although they are a fully certified police.

It doesn't protect officers if they behaved in a wanton, reckless or malicious manner. This bill was unanimous in the House and I urge passage.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to ask a few questions for clarification to the good Senator and chair of the Higher Education, if I would.

THE CHAIR:

Please proceed, madam.

SENATOR BOUCHER:

Thank you. Thank you, Mr. President.

Mr. President, through you, now how does this bill compare with the protections that we currently have for our state police?

Through you, Mr, President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

The protection is slightly different than -- well, certainly different than if they were state employees. If they're state employees they're protected. For example, the Attorney General defends them in a lawsuit. Police have the added bonus of having -- they can get their own lawyer to protect them in lawsuits and protect their property as long as, as I said earlier, their behavior is not wanton or reckless.

Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, another question, if I could? Then why do they need it? In other words, why is this additional level of indemnity required for the positions that they have as they are state employees on police -- campuses?

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Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

This simply protects university police and not campus safety officers. So I think one of the big differences is that campus police are fully certified police officers and many things go on on campuses and in the immediate surrounding community that, where they behave and their job description is very much like a police officer. And they are subject to the same threats and potentially the same kinds of lawsuits that other POST certified police officers are. So we think this is more of a clarification of the type of protection their job class needs because of their duties.

Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

That's very helpful in that it appears from the answers that the campus police, unlike some of the other employees have the same, I believe, responsibilities and also police powers of arrest, if I'm to be clear?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

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Yes, that is correct.

Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

And finally, Mr. President, when we talk about the area protection and save harmless a member of the special police force is -- on the first line, if we can clarification. It says, from financial loss and expense including reasonable legal fees and costs, if any.

Could the good Senator elaborate just a little bit of what the financial -- other financial loss or expense might be?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

It may be financial loss, but it also would include things like attorney's fees that move beyond simply financial loss.

Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you very much, Mr. President.

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I thank the good Senator her answers. I believe that the answers have clarified maybe some of the questions that might come up regarding this particular bill and it also, I believe, is helpful that there were areas in this bill that outline the fact that those actions that there identify from were not wanton, reckless or malicious in nature. I think that's very important, and that no punitive damages would ultimately assist against such a member. So I believe this is a bill that can be supported by everyone in the circle.

Thank you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Good evening.

THE CHAIR:

Good evening, Senator.

SENATOR KANE:

I rise for a couple questions to the proponent of the bill.

THE CHAIR:

Please proceed.

SENATOR KANE:

Senator Bye, in your conversation with Senator Boucher, you mentioned how a state employee would be defended, I think, or "represented" is probably a better word, by the attorney general's office, yet a police officer can be represented by his own lawyer or attorney.

Having said that, would this mean that this individual would pay for his own costs associated with that representation? Or does the State have to pick that up?

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Through you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

The State would cover the costs of the attorney fees for the police officer.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And that is not true as of right now?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

That is not true now. They are covered as any other state employee and the Attorney General makes a judgment about their legal representation.

Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And when we talk about legal representation and the

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necessity of it, can you give me an example of a situation where one of these officers would need representation?

Through you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

I can think of an example. For example, if the police officers made an arrest at a party and they arrested certain students and not other students and maybe the students they arrested were African-American and they made a claim that the police officer violated their civil rights, that could be an example of a place where they could be represented.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And thank you, Mr. President.

And has one of these situations occurred, hence requiring the necessity of this legislation?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you Mr. President.

This has come to us for a couple of years now from the police, more with examples of how their jobs are very

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much like the jobs of police officers on the street when they're called into duty. And because of those responsibilities and job duties they feel that they should be protected more like police officers, than like the average public employee that maybe is working at the Department of Social Services.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Well, I can understand the request maybe going back a session or two, but I was actually more curious if an instance had arisen prior that prompted this. Are there specific examples that have taken place that required the necessity of the legislation?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

I am not aware of any specific examples.

Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

So it was something that is -- has been asked for in preparation for such an occurrence, I guess?

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Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

It would be my impression that there have been incidents. These police officers are armed. They have arrest powers. They are in dangerous situations often where other people may be injured, where they could be sued.

I think what we find is that often campus police officers have been police officers in other parts of their life, so they're used to having this protection and maybe they retired from a previous service and now are in the service at a state university, some of which are in, you know, neighborhoods where there is violent crime and they are there to protect the students and are in harms way.

So this is something that I'm sure there's been an issue. I just don't know the exact example, but I think it's important that we do offer these police officers protections. And I want to be clear legislative intent that it does not extend to campus safety officers who are not fully POST certified.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Actually I was going to get to that in a minute, so you anticipated my next question. But you let me down another road, which was you said, they could be in neighborhoods where there's violent crime. How is

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that?

I'm picturing the University of Connecticut. I'm picturing central. I'm picturing Western, Eastern, what have you, Southern. Wouldn't they be on campus? Do they have jurisdiction off campus?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

Sadly through some of our work for sexual assaults on college campuses we came to understand that often students live off campus and crimes occur where the police are working with students who maybe have been raped on the weekend off campus. They still do an investigation on campus and working with the local police.

So it does get complicated and these officers are there to protect the students who sometimes may not be exactly on the campus and they generally have agreements with the surrounding police forces about how they will work together.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. They work together with the local police force, but do they actually have jurisdiction off campus, let's say, if you lived in apartment off campus or -- actually I'll ask you this. Do any of our colleges or universities have off-campus housing?

Through you.

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THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you Mr. President.

As Senator Kane may well know, depending on the year sometimes colleges have to rent out housing that is not on the campus and the police would be in charge of that space as well. So it does get complicated. I'm not a hundred percent sure of the jurisdiction. I appreciate that question, but I do know that these offices are in hazardous situations, sometimes with students who maybe have been drinking too much and are violent or any number of situations where something happens and they are called to duty and they need to be ready to protect students or investigate crimes.

And those are exactly the actions that leave state police and local police at risk for lawsuits and these officers are in the same situation. So it seems to me that we should give them the same protection and defense as we do other officers.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I appreciate that answer. I could -- understand that's a gray area. It's not black-and-white and get fuzzy.

When -- in the bill it talks about establishing special police forces for UConn, UConn Health Center, and of course, the four state universities. Is that just for verbiage? Or are we actually establishing this police force? Or are they not considered campus police already? And you mentioned earlier about the

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differences between -- I forget the term, maybe peace officer or security or what have you. So just could you clarify that?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

My understanding of this language is what it does is, because they're all different police officers or groups -- I don't even know what you call them -- there on these campuses, this puts them all together into one for the purposes of this indemnification.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And I appreciate that answer. And one last question if I may? The police officers that you talk about, they are POST certified then?

Through you, Mr. President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Mr. President.

Yes.

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Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I thank the good chair of the Higher Education Committee for answering my questions. She clarified a lot for me and I will be voting in favor of the bill.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you remark further on the bill?

Senator Bye.

SENATOR BYE:

Thank you, Mr. President.

Just one closing remark, as I believe this will complete the Higher Education bills for this year. I want to make sure and thank Senator Boucher for her leadership with me on this committee. It's a very collaborative committee and you can see with this bill that we take what we do seriously and try to understand the bill and improve them together along with our colleagues in the House. So I want to make sure I go out of my way to thank her for her collaboration and her thoughtfulness and hard work.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill?

SENATOR BYE:

Mr. President, if there's no objection, I order -- ask that we move it to consent.

THE CHAIR:

You may order it.

Is there objection?

SENATOR BOUCHER:

No. No, Mr. President, there's no objection, but I also wanted to return the comments back to our good chair. Thank you very much and appreciate the tremendous leadership provided to us on that committee.

THE CHAIR:

Thank you, Senator.

Without objection so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Wanted to mark a couple of additional items for the consent calendar and a couple of other gos.

Mr. President, the matter on calendar page 13 -- excuse me, calendar page 11, Calendar 612, House Bill 6448, I'm not sure whether I had mentioned that one earlier. It should be added to consent.

And Mr. President, also calendar page 14, Calendar 652, House Bill 6702, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

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Page 3, Calendar 422, Senate Bill 978; on page 4, Calendar 475, Senate Bill 1052; on page 8, Calendar 567, House Bill 6387; Calendar 568, House Bill 6445; and Calendar 580, House Bill 6623.

On page 9, Calendar 583, House Bill 5149; and Calendar 590, House Bill 6680; page 10, Calendar 607, House Bill 6688; and calendar 608, House Bill 6384.

Page 11, Calendar 612, House Bill 6448; and Calendar 621, House Bill 6488. On page 12, Calendar 634, House Bill 6403; and Calendar 636, House Bill 6394; page 13, Calendar 645, House Bill 6454; and page 14, Calendar 652, House Bill 6702.

On page 16, Calendar 674, House Bill 6441; page 17, Calendar 677, House Bill 6644; on page 18, Calendar 685, House Bill 6009; and on page 23, Calendar 380 Senate Bill 1054; page 24, Calendar 452, Senate Bill 1142; and Calendar 566, House Bill 6375.

Page 25, Calendar 646, House Bill 5844; and on page 26, Calendar 304, Senate Bill 1019.

THE CHAIR:

At this time, Mr. Clerk, will you call for a roll call vote on a first consent calendar?

The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Senators, please return to the chamber. Immediate roll call on the first consent calendar has been ordered in the Senate.

THE CHAIR:

If all members have voted? All members have voted. The machine will be closed.

Mr. Clerk, will you please call the tally?

THE CLERK:

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The first consent calendar.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The consent calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would move for immediate transmittal to the House of Representatives of all items acted on thus far today requiring additional action in that chamber.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Also, Madam President, on an item previously placed on the foot of the Calendar, would now seek to remove that item and just mark it PR, and that is an item calendar page 16, Calendar 672, House Bill 5480, AN ACT PROHIBITING TAMPERING WITH HYDRANTS. Would just move to remove that item from the foot and to mark it PR.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

**JOINT  
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HEARINGS**

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STEPHEN ADAIR: By the -- by the legislation, the chair and the vice-chair are required to switch roles between the SCUs and the community colleges each year. So, I was chair last year. And by virtue of the legislation, I am not vice-chair because of the need to do that. So, having two positions of chair and vice-chair as it allows representation from both the state universities and the community colleges.

REP. LEGEYT: Thank you very much.

SENATOR BYE: Other questions?

No.

Thank you so much. I think that was very helpful for us.

STEPHEN ADAIR: Thank you. Very good. Thank you.

SENATOR BYE: Next is Glenn Terlecki followed by Tom Trutter -- Trutter, Tratter.

Good afternoon, Glenn.

GLENN TERLECKI: Good afternoon. Good afternoon, Senator Bye, Representative Willis and distinguished members of the Higher Education and Employment Advancement Committee. My name is Glenn Terlecki. I am the President of the Connecticut Police and Fire Union. Our union represents 900 dedicated state workers in law enforcement and firefighting professions. And I am here today to testify in support of Raised Bill 6394, An Act Concerning the Indemnification of University Police.

The basis of this bill is to add language to the current Connecticut General Statutes 10a-142 regarding special police forces that are

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currently established on Connecticut's state university campuses. The current statute clearly references the duties, responsibilities and authority of these police officers under the General Statutes 7-281, 14-8, 54-1f, 54-33a and title 53a as members of duly organized local police departments. It's unfortunately does not include in protection for the officers at the universities as it does many other state police officers within Connecticut.

Section 29-8a -- 29-8a of the Connecticut General Statutes reads as follows, "the state shall protect and save harmless any state policeman from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of the alleged deprivation by such state policeman of any person's civil rights, which deprivation was not wanton, reckless or malicious, providing such state policeman, at the time of the acts resulting in the alleged deprivation was acting in the discharge of his duties or within the scope of his employment or under the direction of a superior officer."

This language indemnifies state police, state capitol police and certain other special police within civil -- for civil rights actions. University police officers receive their powers and authority under Section 10 of the Connecticut General Statutes, not under Section 29 as do state police and other special police officers. The language recommended in this bill adds what is basically verbatim to the existing language of Connecticut General Statutes 29a-8.

In no way does this Raised Bill increase, change or alter the university police officers powers of arrest, job description, pay, benefits or retirement plan. University officers receive the same training as all other police officers

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in the State of Connecticut. They complete 22 weeks at the Connecticut Police Academy followed by 400 week -- hours of field training. And numerous hours of POST recertification.

Training is absolutely critical as there is no question that there is challenging times for these university police officers. There is a vital balance that must be achieved during -- between community policing and security compliance. In order to develop a strong workforce and leaders for tomorrow, the academic community focuses on education and development of young men and women that attend these universities.

The police community understands this, but is also aware that this is also a time in a young person's life were they're -- were they are vulnerable to experimentation and poor judgment. Officers must make split second decisions in order to bring the situation under control. Knowing that no current state statute protects them against a claim for actions performed within the scope of their authority, may lead to a hesitation in their actions.

Any time a police officer second guesses critical decisions, it exposes the officer to weakness and could lead to potential harm. There is an old saying in the police community is I'd rather be judged by 12 than carried by six. And what that really means is when an officer is faced with a life or death situation, officers should react quickly, and protect themselves and the public. Any hesitation without worrying about civil claims, discipline or questioning of judgment could lead to an end of that officer's life.

The second biggest fear any officer has from being shot is being sued. In the State of

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Connecticut already indemnifies all police officers who work at the Department of Mental Health and Addiction Services, Children and Families, Department of Revenue Services, State Capitol, and Legislative Office Building Police, Department of Public Safety and the Community Colleges under 29-8.

This bill imposes a zero fiscal expense to the State of Connecticut. And could provide significant liability protection to the state as well. I ask for your support in favor of this bill.

SENATOR BYE: Thank you for your testimony.

Any questions?

I think we've seen this bill before.

GLENN TERLECKI: You have.

SENATOR BYE: And I think it's something that the committee generally supports. So, thank you for coming up and testifying today.

GLENN TERLECKI: Thank you very much.

SENATOR BYE: Sure. Senator Cassano.

SENATOR CASSANO: Thank you.

Just a quick question. I'm astounded that the Community Colleges are covered in the University system as not (inaudible), it's the other way around on a routine basis. How did that happen?

GLENN TERLECKI: It's -- it's an unusual that you -- you would think that -- I know that there was testimony at a Public Hearing last week where Chief O'Connor from UCONN police testified as a cop is a cop, is a cop. And you would think

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that every officer would derive their powers and indemnification under one statute. And unfortunately, that's not the case. There are many statutes where we have law enforcement professions in Connecticut that are covered by certain statutes and derive their powers from other statutes.

And this happens to be one where for all intensive purposes, it looks like maybe an oversight or something that was -- there was excluded at some point. Thank you.

SENATOR BYE: Thank you. Thank you again for your testimony.

Next we have Tom Trutter followed by Patty O'Neil.

TOM TRUTTER: Good afternoon, Co-Chairs, Ranking Members and members of the Higher Education and Employment Advancement Committee. My name is Tom Trutter. I'm the Associate Vice-President for Campus, Planning, Design and Construction at the University of Connecticut Health Center.

I am here on behalf of the Health Center and the University of Connecticut to thank you for raising Senate Bills 889, An Act Concerning Advertisements for the University of Connecticut's Construction Project, and 890, An Act Concerning Design Build Contracts at the University of Connecticut. And ask for your support of both of these measures. Both of these bills will conform UCONN 2000 statutes with the current statutes for other state agencies.

The proposed change in Raised Bill 889, An Act Concerning Advertisements for the University of Connecticut's Construction Projects conforms the UCONN 200 statutes with the current Department

**JOINT  
STANDING  
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HEARINGS**

**HIGHER EDUCATION  
AND  
EMPLOYMENT ADVANCEMENT  
PART 3  
484 - 730**

**2013**



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**TESTIMONY – HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE  
MARCH 14, 2013**

Good afternoon Senator Bye, Representative Willis and distinguished members of the Higher Education and Employment Advancement Committee.

My name is Glenn Terlecki and I am the President of the Connecticut Police and Fire Union. Our union represents approximately 900 dedicated State workers in law enforcement and firefighting professions. I am here today to testify in SUPPORT of:

**Raised Bill No. 6394**

**“AN ACT CONCERNING THE INDEMNIFICATION OF UNIVERSITY POLICE.”**

The basis of this bill is to add language to the current CGS 10a-142 regarding special police forces that are currently established on Connecticut’s State universities campuses. The current statute clearly references the duties, responsibilities and authority these police officers have under CGS sections 7-281, 14-8, 54-1f, 54-33a and title 53a as members of a duly organized local police department. It unfortunately excludes protection afforded to many other police officers in the State.

Section 29-8a of the CGS states; “The state shall protect and save harmless any state policeman from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of the alleged deprivation by such state policeman of any person's civil rights, which deprivation was not wanton, reckless or malicious, provided such state policeman, at the time of the acts resulting in such alleged deprivation, was acting in the discharge of his duties or within the scope of his employment or under the direction of a superior officer.” This language indemnifies state police, state capitol police and certain special police in civil rights actions.

University police officers receive their powers and authority under section 10 of the Connecticut General Statutes not under section 29 as do state police and special police officers. The language recommended in this bill adds language that is almost verbatim to the existing language under CGS section 29a-8.

In no way does this raised bill increase, change or alter the university police officers powers or arrest, job descriptions, pay, benefits or retirement plan. University officers receive the same training as all



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other police officers in the State of Connecticut. They complete 22 weeks at the Connecticut Police Academy, over 400 hours of field training and numerous hours of P.O.S.T. in-service training every three years to maintain their certification.

Training is absolutely critical as there is no question that these are challenging times to be a police officer at a university setting. There is a vital balance that must be achieved between community policing and security compliance. In order to develop a strong workforce and leaders for tomorrow, the academic society focuses on the education and development of the young men and women attending these universities today. The police society understands this but is also aware that this is a time in a young person's life where they are vulnerable to experimentation and poor judgment. Officers must often make split second decisions in order to bring a situation under control. Knowing that no current State statute protects them against a claim for actions performed within the scope of their authority may lead to a hesitation in their actions. Any time an officer second guesses critical decisions; it exposes the officer to weakness and could lead to potential harm. An old saying in the police community is, "I'd rather be judged by 12 than carried by 6". In other words, when faced with a life or death situation, officers should act quickly to protect themselves and the public. Any hesitation; worrying about civil claims, discipline or questioning of judgment could end the officer's life.

The second biggest fear every officer has besides being shot is being sued. The State of Connecticut already indemnifies all police officers who work at the Department of Mental Health and Addiction Services, Department of Children and Families, Department of Revenue Services, State Capitol and Legislative Office Building, Department of Public Safety and all the Community Colleges under CGS 29-8. This bill imposed zero fiscal expense to the State of Connecticut and could provide significant liability protection to the State as well.

I ask for your support in passing this H.B. 6394.

**Glenn Terlecki, President**  
**Connecticut Police and Fire Union**