



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

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#### **Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director**

#### **Committee on Public Safety and Security- Public Hearing February 28, 2018**

#### **Raised Bill 5223, An Act Concerning Pursuits by Police Officers**

The Office of Chief Public Defender is opposed to Section 2 of *Raised Bill 5223, An Act Concerning Pursuits by Police Officers*. Section 2 proposes enhancing the penalty from a class A misdemeanor to a class E felony if a person violates C.G.S. §14-233, *Failing to stop when signaled or disobeying direction of officer. Increasing speed in attempt to escape or elude officer*. The concern arises for an innocent motorist who may attempt to ensure personal safety by finding the nearest public place to stop. As a result, the motorist may be inaccurately perceived as disobeying the officer's direction, contrary to the motorist's intent. In reality, there is a realization that incidences in which an innocent motorist was victimized by someone posing as a law enforcement official have occurred. Another situation would be when an innocent motorist, in his/her attempt to clear the way for an approaching emergency vehicle, may increase his/her speed to safely clear the lane. Again, this could lead to an inaccurate perception that the person is fleeing the police.

With these types of scenarios in mind, the Office of Chief Public Defender respectfully opposes increasing the penalty from a misdemeanor to a felony as proposed in this bill and asks that no action be taken on this Section 2.