



House of Representatives

General Assembly

File No. 84

February Session, 2000

House Bill No. 5284

House of Representatives, March 16, 2000

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning The Fingerprinting Of Arrested Persons.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 29-11 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) The bureau in the Division of State Police within the Department
4 of Public Safety known as the State Police Bureau of Identification shall
5 be maintained for the purposes (1) of providing an authentic record of
6 each person sixteen years of age or over who is charged with the
7 commission of any crime, [involving moral turpitude,] (2) of providing
8 definite information relative to the identity of each person so arrested,
9 (3) of providing a record of the final judgment of the court resulting
10 from such arrest, unless such record has been erased pursuant to
11 section 54-142a, and (4) for maintaining a central repository of
12 complete criminal history record disposition information. The
13 Commissioner of Public Safety is directed to maintain the State Police
14 Bureau of Identification, which bureau shall receive, classify and file in

15 an orderly manner all fingerprints, pictures and descriptions,
16 including previous criminal records as far as known of all persons so
17 arrested, and shall classify and file in a like manner all identification
18 material and records received from the government of the United
19 States and from the various state governments and subdivisions
20 thereof, and shall cooperate with such governmental units in the
21 exchange of information relative to criminals. The State Police Bureau
22 of Identification shall accept fingerprints of applicants for admission to
23 the bar of the state and, to the extent permitted by federal law, shall
24 exchange state, multistate and federal criminal history records with the
25 State Bar Examining Committee for purposes of investigation of the
26 qualifications of any applicant for admission as an attorney under
27 section 51-80. The record of all arrests reported to the bureau after
28 March 16, 1976, shall contain information of any disposition within
29 ninety days after the disposition has occurred.

30 Sec. 2. Section 29-12 of the general statutes is repealed and the
31 following is substituted in lieu thereof:

32 All persons arrested for crime as described in section 29-11, as
33 amended by this act, shall submit to the taking of their fingerprints
34 and physical description and all sheriffs, constables and chiefs of
35 police of organized police departments and the commanding officers
36 of state police stations shall immediately furnish to the State Police
37 Bureau of Identification two copies of a standard identification card on
38 which shall be imprinted fingerprints of each person so arrested,
39 together with the physical description of, and such information as said
40 bureau may require with respect to, such arrested person. When
41 fingerprint images are captured by electronic means, the electronic
42 imaging equipment used shall be compatible with the specifications of
43 the Department of Public Safety's automated fingerprint identification
44 system and be approved by the Commissioner of Public Safety or said
45 commissioner's designee. All wardens of correctional institutions and
46 the community correctional center administrator shall furnish to the

47 State Police Bureau of Identification such information with respect to
48 prisoners as said bureau requires. The Commissioner of Public Safety
49 may adopt regulations for the submission to and the taking of
50 fingerprints as required under this section which will promote
51 efficiency and be consistent with advances in automation and
52 technology. Any person who fails to submit to the taking of
53 fingerprints as required under this section shall be guilty of a class A
54 misdemeanor.

55 Sec. 3. Section 29-17 of the general statutes is repealed and the
56 following is substituted in lieu thereof:

57 Any person who neglects or refuses to comply with the
58 requirements of sections 29-11, as amended by this act, 29-11a and 29-
59 13 to 29-16, inclusive, shall be fined not more than one hundred
60 dollars.

JUD Committee Vote: Yea 39 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Indeterminate Cost Avoidance, Potential Minimal Cost, Potential Minimal Revenue Gain

Affected Agencies: Department of Public Safety, Various Criminal Justice Agencies

Municipal Impact: Potential Minimal Cost

Explanation

State and Municipal Impact:

The passage of this bill could result in indeterminate cost avoidance to the state. The bill makes electronic imaging equipment for fingerprinting people arrested for crimes subject to the approval of the Department of Public Safety (DPS). DPS would develop guidelines through regulations in order to assure that the electronic imaging equipment used by law enforcement and criminal justice agencies is compatible with the DPS Automated Fingerprint Identification System (AFIS) database. It should be noted that the purchase of such equipment is not required, but if it is purchased, then it must meet the DPS guidelines. These would be similar to those developed by the Federal Bureau of Investigation for their automated fingerprint identification system. Cost avoidance would result to the extent that fingerprints can be automatically entered into AFIS.

The bill would result in a potential minimal cost and a potential minimal revenue gain by requiring the fingerprinting of all persons arrested for commission of a crime and by increasing the penalty from a \$100 fine to a class A misdemeanor for refusing to be fingerprinted. It could result in additional workload for state and local law enforcement and criminal justice agencies and in a revenue gain from fines for violation of this provision. The extent to which this may occur is unknown but is not anticipated to be significant. In 1999, there was no revenue collected for fines relating to the taking and returning of fingerprints or improper use of conviction information under current law.

OLR Bill Analysis

HB 5284

AN ACT CONCERNING THE FINGERPRINTING OF ARRESTED PERSONS.**SUMMARY:**

This bill requires every arrested person, instead of just those charged with crimes involving moral turpitude, to submit to fingerprinting. It increases the penalty for refusing to be printed from an infraction punishable by up to a \$100 fine to a class A misdemeanor, which is punishable by up to one-year imprisonment, a \$2,000 fine, or both.

The bill requires law enforcement agencies to get the approval of the public safety commissioner or his designee for equipment they use to conduct electronic fingerprinting. The equipment must be compatible with the Department of Public Safety's automated fingerprinting identification system.

EFFECTIVE DATE: October 1, 2000

BACKGROUND***Fingerprinting***

Law enforcement agencies, including sheriffs and constables, fingerprint anyone age 16 or older arrested for crimes involving moral turpitude. They immediately send this information to the State Public Bureau of Identification for maintenance. State prison wardens and the community correctional center administrators send fingerprints of inmates to the bureau.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 39 Nay 0