



An Act Concerning The Sheriff's System.

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

1 Section 1. (NEW) (a) There is established the Office of the Sheriffs
2 that shall be under the supervision of the Council of High Sheriffs.

3 (b) The Office of Sheriffs shall be responsible for:

4 (1) The centralized administration and operation of the sheriffs'
5 system in the state;

6 (2) Recruiting qualified candidates for the positions of deputy
7 sheriff and special deputy sheriff;

8 (3) Receiving and processing all applications for the positions of
9 deputy sheriff and special deputy sheriff;

10 (4) Conducting an investigation of the background of each applicant
11 for deputy sheriff or special deputy sheriff, including conducting state
12 and federal criminal history records checks; and

13 (5) Reviewing and auditing the records and accounts of deputy
14 sheriffs.

15 Sec. 2. (NEW) (a) There is established the Council of High Sheriffs
16 composed of the eight elected sheriffs. The members of the council
17 shall select one of the members to serve as chairperson of the council.

18 All decisions of the council shall be by majority vote of the total
19 membership of the council and shall be binding on all the sheriffs.

20 (b) The Council of High Sheriffs:

21 (1) Shall be responsible for establishing and maintaining uniform
22 state-wide administrative and operational policies for the sheriffs'
23 system;

24 (2) Shall cooperate with the Department of Administrative Services
25 and other state agencies on behalf of the sheriffs' system;

26 (3) Shall establish performance standards and evaluation criteria for
27 deputy sheriffs and special deputy sheriffs;

28 (4) Shall establish and administer a training program for deputy
29 sheriffs and special deputy sheriffs;

30 (5) Shall establish operating procedures for the prisoner
31 transportation and courthouse security system and direct its activities,
32 as is required for efficient coordination among the high sheriffs;

33 (6) Shall receive appropriations for the Office of the Sheriffs and for
34 the operation of the prisoner transportation and courthouse security
35 system and allocate such appropriations among the high sheriffs, as
36 required;

37 (7) May receive and expend, pursuant to the purposes of chapter 78
38 of the general statutes, moneys in the form of gifts, bequests, state
39 appropriations, state or private grants or federal grants;

40 (8) Shall maintain complete records of all prisoner movements
41 undertaken by the sheriffs;

42 (9) Shall, in consultation with representatives of special deputy
43 sheriffs, establish state-wide standards for employee relations; and

44 (10) Shall submit to the Governor, annually, as provided in section
45 4-60 of the general statutes, a report containing a statement of the

46 activities of the council during the preceding year.

47 Sec. 3. Section 6-32a of the general statutes is repealed and the
48 following is substituted in lieu thereof:

49 There is established a Sheriffs' Advisory Board, hereinafter referred
50 to as the advisory board, to [administer a prisoner transportation and
51 courthouse security system] advise the Council of High Sheriffs and
52 develop cooperative and efficient relationships between the
53 Department of Correction, the Judicial Department and the Office of
54 the Sheriffs. The advisory board shall consist of five members, as
55 follows: (1) A high sheriff elected by the high sheriffs in a manner
56 determined by them, who shall serve as [chairman] chairperson; (2) a
57 high sheriff elected by the high sheriffs in a manner determined by
58 them, who shall serve as [vice-chairman] vice-chairperson; (3) the
59 Commissioner of Correction; (4) the Chief Court Administrator; and
60 (5) the Comptroller. The terms of the [chairman and vice-chairman]
61 chairperson and vice-chairperson of the advisory board shall be
62 coterminous with the term of the Governor or until a successor for
63 such [chairman or vice-chairman] chairperson or vice-chairperson, as
64 the case may be, is chosen, whichever is later. The [chairman]
65 chairperson shall designate one high sheriff as a deputy who shall, in
66 [his] the chairperson's absence or disqualification, exercise [his] the
67 chairperson's powers and duties until [he resumes his] the chairperson
68 resumes the chairperson's duties or the vacancy is filled. Such deputy
69 shall serve at the pleasure of the [chairman] chairperson. The [vice-
70 chairman] vice-chairperson shall designate one high sheriff as an
71 alternate who shall, in [his] the vice-chairperson's absence or
72 disqualification or on [his] the vice-chairperson's death, exercise [his]
73 the vice-chairperson's powers and duties until [he] the vice-
74 chairperson resumes [his] the vice-chairperson's duties or the vacancy
75 is filled. The Commissioner of Correction, the Chief Court
76 Administrator and the Comptroller shall each designate an alternate
77 who shall, in [his] that member's absence or disqualification or on [his]
78 that member's death, exercise [his] the member's powers and duties
79 until [he resumes his] the member resumes the member's duties or the

80 vacancy is filled. Such alternate shall serve at the pleasure of the
81 member who designates [him] such alternate. All members of the
82 advisory board shall serve without compensation but shall be
83 compensated for necessary expenses incurred in the performance of
84 their duties as board members. The advisory board shall be within the
85 office of the Comptroller for administrative purposes only.

86 Sec. 4. Section 6-32 of the general statutes is repealed and the
87 following is substituted in lieu thereof:

88 Each [sheriff and each] deputy sheriff shall receive each process
89 directed to [him] such deputy sheriff when tendered, execute it
90 promptly and make true return thereof; and shall, without any fee,
91 give receipts when demanded for all civil process delivered to [him]
92 such deputy sheriff to be served, specifying the names of the parties,
93 the date of the writ, the time of delivery and the sum or thing in
94 demand. If any deputy sheriff does not duly and promptly execute and
95 return any such process or makes a false or illegal return thereof, [he]
96 such deputy sheriff shall be liable to pay double the amount of all
97 damages to the party aggrieved.

98 Sec. 5. Section 6-34 of the general statutes is repealed and the
99 following is substituted in lieu thereof:

100 [Each sheriff shall be allowed reasonable compensation for the
101 services and expenses of himself, his deputies or other persons called
102 to assist him, while engaged in preventing or suppressing any mob or
103 riotous assembly, preserving the public peace or affording protection
104 to any person or property endangered by any mob, riotous assembly
105 or assembly of persons engaged in disturbing the public peace; such
106 compensation and expenses to be audited, approved and taxed by a
107 judge of the Superior Court and to be paid by the state in the same
108 manner as expenses in criminal cases.] Whenever any sheriff elected in
109 any county, in the performance of any duty required by law, [except
110 the service of civil process,] incurs actual and necessary expense, such
111 expense, when incurred in connection with the business of any court,

112 shall, upon the approval of the judge of such court, be taxed and paid
113 as other court expenses, and whenever any such actual and necessary
114 expense has been incurred in the performance of any other duty,
115 except the service of civil process as aforesaid, such expense shall,
116 except as otherwise provided herein, upon the approval of the
117 Comptroller, be paid by the state.

118 Sec. 6. Section 6-37 of the general statutes is repealed and the
119 following is substituted in lieu thereof:

120 (a) Each sheriff may appoint deputies to act under [him] such
121 sheriff, who shall have the [same powers as such sheriff] power to
122 serve civil process, and each such deputy shall be responsible for [his]
123 such deputy's neglect, wrongdoing, malfeasance, misfeasance and
124 default in the execution of the service of process. Each sheriff shall
125 appoint one of such deputies to be a chief deputy, who shall, in the
126 absence, illness or disability of the sheriff or by [his] the sheriff's
127 direction, exercise all the powers and perform all the duties of the
128 sheriff prescribed by statute; and, in the event of the death, resignation
129 or removal of the sheriff, shall exercise such powers and perform such
130 duties until the vacancy in the office of sheriff has been filled.

131 (b) No person shall be appointed a deputy sheriff unless such
132 person: (1) Is twenty-one years of age or older, (2) is a United States
133 citizen or lawfully residing in the United States, (3) is a resident of
134 Connecticut, (4) holds a valid Connecticut motor vehicle operator's
135 license, (5) has obtained a high school diploma or its equivalent, (6) has
136 not been convicted of a felony, (7) has successfully passed a written
137 examination developed and administered by the Department of
138 Administrative Services, and (8) has satisfactorily passed a physical
139 examination including a drug test.

140 (c) Each deputy sheriff appointed pursuant to this section shall pay
141 a fee of three hundred dollars to the Office of the Sheriffs.

142 Sec. 7. Section 6-45 of the general statutes is repealed and the
143 following is substituted in lieu thereof:

144 (a) Appointments of deputy sheriffs shall be in writing, under the
145 hand of the sheriff, and recorded in the records of the superior court in
146 the county for which they are appointed.

147 (b) The initial appointment of a deputy sheriff shall be for a
148 probationary period of six months. During such probationary period a
149 deputy sheriff shall serve at the pleasure of the sheriff and may be
150 dismissed by the sheriff without cause. If the deputy sheriff
151 successfully completes the probationary period, including successfully
152 completing a training program and receiving a satisfactory evaluation,
153 the appointment shall become final.

154 (c) Such deputy sheriffs shall [continue to hold office as long as]
155 serve for a term concurrent with the term of office of the sheriff
156 appointing them, unless sooner removed for just cause after due notice
157 and hearing, and may be reappointed by such sheriff upon reelection
158 of such sheriff to a successive term.

159 Sec. 8. Section 6-38 of the general statutes is repealed and the
160 following is substituted in lieu thereof:

161 [The number of deputy sheriffs to be appointed for Hartford County
162 shall not exceed seventy-two; for New Haven County, sixty-two; for
163 New London County, thirty-eight; for Fairfield County, fifty-five; for
164 Windham County, eighteen; for Litchfield County, thirty; for
165 Middlesex County, twenty-one; for Tolland County, twenty-two. In
166 addition to such number, sheriffs] Each sheriff may appoint deputy
167 sheriffs in such numbers as such sheriff deems necessary. Sheriffs may
168 appoint each other as a deputy in their respective counties and on
169 special occasions may depute any proper person to execute any
170 process. [No person not a citizen of this state shall be appointed a
171 deputy sheriff.]

172 Sec. 9. Section 6-33 of the general statutes is repealed and the
173 following is substituted in lieu thereof:

174 The sheriffs elected in the several counties shall receive salaries

175 annually as follows: The sheriffs of the counties of New Haven,
176 Hartford, Fairfield and New London, [thirty-seven thousand] ____
177 dollars each; the sheriffs of the counties of Middlesex, Tolland,
178 Litchfield and Windham, [thirty-five thousand] ____ dollars each. Said
179 salaries shall be paid by the state and shall be in full compensation for
180 the performance of all duties required by law to be performed by any
181 of said sheriffs for the state of Connecticut, [except for the service of
182 civil process, for which service any such sheriff shall be entitled to
183 receive and retain the fees therefor provided by law.] Said salaries
184 shall be in lieu of all other salaries paid by the state to said sheriffs, and
185 all fees and allowances [except those for the service of civil process,]
186 payable by statute to a sheriff elected in any county, shall belong to the
187 state, and shall be collected by such sheriff for its use; provided, in
188 cases where such fees are payable ultimately by the state, no such fee
189 shall be taxed, allowed or paid to any such sheriff.

190 Sec. 10. Section 6-40 of the general statutes is repealed and the
191 following is substituted in lieu thereof:

192 The chief deputy sheriffs in the several counties shall receive
193 salaries annually as follows: In New Haven, Hartford, Fairfield and
194 New London Counties, [eleven thousand] ____ dollars each; in
195 Middlesex, Tolland, Litchfield and Windham Counties, [ten thousand
196 five hundred] ____ dollars each. Said salaries shall be paid by the state
197 and shall be in addition to all fees and allowances payable by statute to
198 any deputy sheriff.

199 Sec. 11. (NEW) No deputy sheriff may earn more than ____ dollars
200 annually in fees for services rendered as a deputy sheriff.

201 Sec. 12. Section 6-43 of the general statutes is repealed and the
202 following is substituted in lieu thereof:

203 (a) [In case of riot or civil commotion or reasonable apprehension
204 thereof, or when he deems it necessary for the prevention or
205 investigation of crime, or when] When needed for attendance at court,
206 the sheriff of any county may appoint special deputy sheriffs in such

207 numbers as [he] the sheriff deems necessary.

208 (b) Any person seeking to be appointed a special deputy sheriff may
209 make written application to the Office of Sheriffs, in such form as
210 prescribed by said office.

211 (c) No person shall be appointed a special deputy sheriff unless
212 such person: (1) Is twenty-one years of age or older, (2) is a United
213 States citizen or lawfully residing in the United States, (3) is a resident
214 of Connecticut, (4) holds a valid Connecticut motor vehicle operator's
215 license, (5) has obtained a high school diploma or its equivalent, (6) has
216 not been convicted of a felony, (7) has successfully passed a written
217 examination developed and administered by the Department of
218 Administrative Services, (8) has satisfactorily passed a psychological
219 and agility test developed and administered by the Department of
220 Administrative Services, and (9) has satisfactorily passed a physical
221 examination including a drug test.

222 (d) Any applicant for special deputy sheriff shall submit to state and
223 national criminal history records checks. The Office of the Sheriffs shall
224 conduct a state criminal history records check for each applicant and
225 arrange for the fingerprinting of each applicant. The Office of the
226 Sheriffs shall forward such fingerprints to the State Police Bureau of
227 Identification which shall submit the fingerprints to the Federal Bureau
228 of Investigation for a national criminal history records check. The
229 office may charge each applicant a fee for the national criminal history
230 records check which shall not exceed the fee charged by the Federal
231 Bureau of Investigation for performing the check.

232 (e) The initial appointment of a special deputy sheriff shall be for a
233 probationary period. During such probationary period a special
234 deputy sheriff shall serve at the pleasure of the sheriff and may be
235 dismissed by the sheriff without cause. If the special deputy sheriff
236 successfully completes the probationary period, including successfully
237 completing a recruit training program of two hundred hours and a
238 field training program of one hundred twenty hours, and receiving a

239 satisfactory evaluation, the appointment shall become final.

240 (f) Special deputy sheriffs shall be sworn to the faithful performance
241 of their duties and, having been so sworn, shall have all the powers of
242 the sheriff as provided by law; [, except as to service of civil process;
243 and such] Such special deputies shall [continue to] hold their office [as
244 long as the term of office of the sheriff appointing them, unless sooner]
245 until removed for just cause after due notice and hearing.

246 (g) From July 1, 1997, to June 30, 1999, special deputy sheriffs shall
247 be subject to the provisions of chapter 68, except that said special
248 deputies shall not be allowed to petition the State Labor Board to form
249 a bargaining unit prior to July 1, 1999. On and after July 1, 1999, special
250 deputy sheriffs shall be subject to the provisions of chapters 66 to 68,
251 inclusive.

252 Sec. 13. (NEW) No sheriff may directly or indirectly coerce, attempt
253 to coerce, command or advise a deputy sheriff to pay, lend or
254 contribute anything of value to a party, committee, organization,
255 agency or person for political purposes.

256 Sec. 14. Subdivision (9) of section 53a-3 of the general statutes is
257 repealed and the following is substituted in lieu thereof:

258 (9) "Peace officer" means a member of the Division of State Police
259 within the Department of Public Safety or an organized local police
260 department, a chief inspector or inspector in the Division of Criminal
261 Justice, a sheriff [, deputy sheriff] or special deputy sheriff while in the
262 performance of such sheriff's or special deputy sheriff's duties with
263 respect to the transportation of prisoners or providing courthouse
264 security, a conservation officer or special conservation officer, as
265 defined in section 26-5, a constable who performs criminal law
266 enforcement duties, a special policeman appointed under section 29-
267 18, 29-18a or 29-19, an adult probation officer, appointed under section
268 54-104, an official of the Department of Correction authorized by the
269 Commissioner of Correction to make arrests in a correctional
270 institution or facility, any investigator in the investigations unit of the

271 Office of the State Treasurer or any special agent of the federal
272 government authorized to enforce the provisions of Title 21 of the
273 United States Code.

274 Sec. 15. Subsection (a) of section 54-1f of the general statutes is
275 repealed and the following is substituted in lieu thereof:

276 (a) For purposes of this section, the respective precinct or
277 jurisdiction of [a deputy sheriff or] a special deputy sheriff shall be
278 wherever [he] such special deputy sheriff is required to perform [his]
279 such special deputy sheriff's duties. Peace officers, as defined in
280 subdivision (9) of section 53a-3, as amended by this act, in their
281 respective precincts, shall arrest, without previous complaint and
282 warrant, any person for any offense in their jurisdiction, when the
283 person is taken or apprehended in the act or on the speedy information
284 of others, provided that no constable elected pursuant to the
285 provisions of section 9-200 shall be considered a peace officer for the
286 purposes of this subsection, unless the town in which such constable
287 holds office provides, by ordinance, that constables shall be considered
288 peace officers for the purposes of this subsection.

289 Sec. 16. (NEW) No sheriff or special deputy sheriff may carry a
290 firearm while in a courthouse unless such sheriff or special deputy
291 sheriff is individually authorized by the presiding judge and has
292 successfully completed a course on the safety and use of firearms
293 equivalent to that required by the Police Officer Standards and
294 Training Council for police officers.

295 Sec. 17. Sections 6-31, 6-32b and 6-44 of the general statutes are
296 repealed.

297 Sec. 18. This act shall take effect July 1, 2000, except sections 1 to 8,
298 inclusive, and sections 12 to 17, inclusive, shall take effect October 1,
299 2000.

APP Committee Vote: Yea 29 Nay 18 JFS