



General Assembly

January Session, 2001

Committee Bill No. 500

LCO No. 3293

Referred to Committee on Public Safety

Introduced by:
(PS)

AN ACT CONCERNING THE POWER OF THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO SET RETENTION STANDARDS FOR POLICE OFFICERS.

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

1 Section 7-294d of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) The Police Officer Standards and Training Council shall have the
4 following powers:

5 (1) To develop and periodically update and revise a comprehensive
6 municipal police training plan;

7 (2) To approve, or revoke the approval of, any police training school
8 and to issue certification to such schools and to revoke such
9 certification;

10 (3) To set the minimum courses of study and attendance required
11 and the equipment and facilities to be required of approved police
12 training schools;

13 (4) To set the minimum qualifications for law enforcement
14 instructors and to issue appropriate certification to such instructors;

15 (5) To require that all probationary candidates receive the hours of
16 basic training deemed necessary before being eligible for certification,
17 such basic training to be completed within one year following the
18 appointment as a probationary candidate, unless the candidate is
19 granted additional time to complete such basic training by the council;

20 (6) To require the registration of probationary candidates with the
21 academy within ten days of hiring for the purpose of scheduling
22 training;

23 (7) To issue appropriate certification to police officers who have
24 satisfactorily completed minimum basic training programs;

25 (8) To require that each police officer satisfactorily complete at least
26 forty hours of certified review training every three years in order to
27 maintain certification, unless the officer is granted additional time not
28 to exceed one year to complete such training by the council;

29 (9) To renew the certification of those police officers who have
30 satisfactorily completed review training programs, provided such
31 police officers also meet the standards set in subdivision (21) of this
32 subsection;

33 (10) To establish uniform minimum educational and training
34 standards for employment as a police officer in full-time positions,
35 temporary or probationary positions and part-time or voluntary
36 positions;

37 (11) To visit and inspect police basic training schools and to inspect
38 each school at least once each year;

39 (12) To consult with and cooperate with universities, colleges and
40 institutes for the development of specialized courses of study for
41 police officers in police science and police administration;

42 (13) To consult with and cooperate with departments and agencies
43 of this state and other states and the federal government concerned
44 with police training;

45 (14) To employ an executive director and any other personnel that
46 may be necessary in the performance of its functions;

47 (15) To perform any other acts that may be necessary and
48 appropriate to carry out the functions of the council as set forth in
49 sections 7-294a to 7-294e, inclusive;

50 (16) To accept contributions, grants, gifts, donations, services or
51 other financial assistance from any governmental unit, public agency
52 or the private sector;

53 (17) To conduct any inspection and evaluation that may be
54 necessary to determine if a law enforcement unit is complying with the
55 provisions of this section;

56 (18) At the request and expense of any law enforcement unit, to
57 conduct general or specific management surveys;

58 (19) To develop objective and uniform criteria for granting any
59 waiver of regulations or procedures established by the council;

60 (20) To recruit, select and appoint candidates to the position of
61 probationary candidate, as defined in section 7-294a, and provide
62 recruit training for candidates of the Connecticut Police Corps
63 program in accordance with the Police Corps Act, 42 USC 14091 et
64 seq., as amended from time to time;

65 (21) To establish reasonable minimum standards for appointment as
66 a police officer or for recertification in accordance with the provisions
67 of subsection (a) of section 7-294e. Such standards shall relate to
68 physical, mental and moral fitness, and shall govern the recruitment,
69 appointment and retention of all police officers.

70 (b) No person may be employed as a police officer by any law
71 enforcement unit for a period exceeding one year unless [he] such
72 person has been certified under the provisions of subsection (a) of this
73 section or has been granted an extension by the council. No person
74 may serve as a police officer during any period when [his] such
75 person's certification has been cancelled or revoked pursuant to the
76 provisions of subsection (c) of this section. In addition to the
77 requirements of this subsection, the council may establish other
78 qualifications for the employment of police officers and require
79 evidence of fulfillment of these qualifications. The certification of any
80 police officer who is not employed by a law enforcement unit for a
81 period of time in excess of two years, unless such officer is on leave of
82 absence, shall be considered lapsed. Upon reemployment as a police
83 officer, such officer shall apply for recertification in a manner provided
84 by the council. The council shall certify any applicant who presents
85 evidence of satisfactory completion of a program or course of
86 instruction in another state equivalent in content and quality to that
87 required in this state, provided [he] the applicant passes an
88 examination or evaluation as required by the council.

89 (c) (1) The council may refuse to renew any certificate if the holder
90 fails to meet the requirements for renewal of [his] the holder's
91 certification.

92 (2) The council may cancel or revoke any certificate if: (A) The
93 certificate was issued by administrative error, (B) the certificate was
94 obtained through misrepresentation or fraud, (C) the holder falsified
95 any document in order to obtain or renew any certificate, (D) the
96 holder has been convicted of a felony, (E) the holder has been found
97 not guilty of a felony by reason of mental disease or defect pursuant to
98 section 53a-13, (F) the holder has been convicted of a violation of
99 subsection (c) of section 21a-279 or section 29-9, (G) the holder has
100 been refused issuance of a certificate or similar authorization or has
101 had [his] a certificate or other authorization cancelled or revoked by
102 another jurisdiction on grounds which would authorize cancellation or

103 revocation under the provisions of this subdivision, [or] (H) the holder
104 has been found by a law enforcement unit, pursuant to procedures
105 established by such unit, to have used a firearm in an improper
106 manner which resulted in the death or serious physical injury of
107 another person, or (I) the holder has been found by a law enforcement
108 unit, pursuant to procedures established by such unit, to be lacking in
109 the standards for a police officer established by the council pursuant to
110 subdivision (21) of subsection (a) of this section. Whenever the council
111 believes there is a reasonable basis for cancellation or revocation of the
112 certification of a police officer, police training school or law
113 enforcement instructor, it shall give an adequate opportunity for a
114 hearing prior to such cancellation or revocation. Any police officer or
115 law enforcement instructor whose certification is cancelled or revoked
116 pursuant to this section may reapply for certification no sooner than
117 two years after the date on which the cancellation or revocation order
118 becomes final. Any police training school whose certification is
119 cancelled or revoked pursuant to this section may reapply for
120 certification at any time after the date on which such order becomes
121 final.

122 (3) (A) A law enforcement unit may report to the council any police
123 officer misconduct in violation of the standards established pursuant
124 to subdivision (21) of subsection (a) of this section, and shall report
125 such misconduct upon the police officer's termination, resignation or
126 separation from the law enforcement unit.

127 (B) Upon request of a law enforcement unit conducting a
128 background investigation of an applicant for the position of a police
129 officer, another law enforcement unit employing, previously
130 employing or having conducted a complete or partial background
131 investigation on the applicant, shall advise the requesting unit of any
132 known misconduct in violation of the standards established pursuant
133 to subdivision (21) of subsection (a) of this section.

134 (C) The council or any law enforcement unit which provides the

135 information specified in subparagraphs (A) and (B) of this subdivision,
136 in a good faith belief that such information is accurate, shall be
137 immune from any civil liability.

138 (d) Notwithstanding the provisions of subsection (b) of this section,
139 any police officer, except a probationary candidate, who is serving
140 under full-time appointment on July 1, 1982, shall be deemed to have
141 met all certification requirements and shall be automatically certified
142 by the council in accordance with the provisions of subsection (a) of
143 section 7-294e.

144 (e) The provisions of this section shall apply to any person who
145 performs police functions. As used in this subsection, "performs police
146 functions" for a person who is not a police officer, as defined in section
147 7-294a, means that in the course of [his] such person's official duties,
148 such person carries a firearm and exercises arrest powers pursuant to
149 section 54-1f or engages in the prevention, detection or investigation of
150 crime, as defined in section 53a-24. The council shall establish criteria
151 by which the certification process required by this section shall apply
152 to police officers.

153 (f) The provisions of this section shall not apply to (1) any state
154 police training school or program, (2) any sworn member of the
155 Division of State Police within the Department of Public Safety, (3)
156 Connecticut National Guard security personnel, when acting within
157 the scope of their national guard duties, who have satisfactorily
158 completed a program of police training conducted by the United States
159 Army or Air Force, (4) employees of the Judicial Department, [(5)
160 sheriffs or deputy sheriffs trained by the Sheriffs' Advisory Board
161 pursuant to section 6-32b, (6)] (5) municipal animal control officers
162 appointed pursuant to section 22-331, or [(7)] (6) fire police appointed
163 pursuant to section 7-313a. The provisions of this section with respect
164 to renewal of certification upon satisfactory completion of review
165 training programs shall not apply to any chief inspector or inspector in
166 the Division of Criminal Justice who has satisfactorily completed a

167 program of police training conducted by the division.

Statement of Purpose:

To bolster public confidence in the police by establishing state-wide standards to which each police officer will be held and by giving the Police Officer Standards and Training Council the power to revoke an officer's certification when the officer does not meet such standards.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. PENN, 23rd Dist.