



General Assembly

January Session, 2001

Raised Bill No. 1379

LCO No. 4477

Referred to Committee on Public Safety

Introduced by:
(PS)

AN ACT CREATING A FIREARMS EVIDENCE DATABANK.

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

1 (NEW) (a) As used in this section:

2 (1) "Firearms evidence databank" means a computer-based system
3 that scans a test fire and stores an image of such test fire in a manner
4 suitable for retrieval and comparison to other test fires and to other
5 evidence in a case;

6 (2) "Firearms examiner" means a person trained to identify and
7 compare characteristics on a bullet, cartridge case, or fragment of a
8 bullet or cartridge case, produced when ammunition is discharged in a
9 handgun, and to determine the handgun from which the bullet,
10 cartridge case or fragment of a bullet or cartridge case was fired;

11 (3) "Handgun" means any firearm capable of firing rim-fire or
12 center-fire ammunition and designed or built to be fired with one
13 hand;

14 (4) "Laboratory" means the Division of Scientific Services forensic
15 science laboratory within the Department of Public Safety;

16 (5) "Police department" means the Division of State Police within the
17 Department of Public Safety or an organized local police department;

18 (6) "Test fire" means, depending on the context in which the phrase
19 is used, (A) discharged ammunition consisting of a cartridge case or a
20 bullet or a fragment thereof, collected after a handgun is fired and
21 containing sufficient microscopical characteristics to compare to other
22 discharged ammunition or to determine the handgun from which the
23 ammunition was fired, or (B) the record of such microscopical
24 characteristics.

25 (b) (1) The Division of Scientific Services shall establish a firearms
26 evidence databank. Test fire evidence submitted to the laboratory or
27 collected from handguns submitted to the laboratory shall be entered
28 into such databank in accordance with specific procedures adopted by
29 the Commissioner of Public Safety, in accordance with the provisions
30 of chapter 54 of the general statutes.

31 (2) The firearms evidence databank may be used by laboratory
32 personnel to (A) compare two or more cartridge cases, bullets or other
33 projectiles submitted to the laboratory or produced at the laboratory
34 from a handgun, or (B) upon the request of a police department as part
35 of a criminal case investigation, search the databank and verify by
36 microscopic examination any resulting match, and shall produce a
37 report stating the results of such a search.

38 (3) Any image of a cartridge case, bullet or fragment thereof that is
39 not matched by a search of the databank shall be stored in the
40 databank for future searches.

41 (4) The Division of Scientific Services may permit a firearms section
42 of a police department that complies with all laboratory guidelines and
43 regulations adopted by the commissioner regarding the operation of
44 the firearms evidence databank to (A) collect test fires from handguns
45 that come into the custody of the police department, (B) set up a
46 remote terminal to enter test fire images directly into the databank,

47 and (C) search the databank.

48 (c) (1) Except as provided in subdivision (4) of subsection (b) of this
49 section and subsection (d) of this section, a police department shall
50 submit to the laboratory any handgun that comes into police custody
51 as the result of a criminal investigation, as found property, or for
52 destruction, prior to the return or the destruction of the handgun.

53 (2) The laboratory shall collect a test fire from each submitted
54 handgun within sixty days of submission. The laboratory shall label
55 the test fire with the handgun manufacturer, type of weapon, serial
56 number, date of the test fire and name of the person collecting the test
57 fire.

58 (d) (1) A police department shall collect a test fire from every
59 handgun issued by that department to an employee. Any police
60 department may request the assistance of the Division of State Police
61 or the laboratory to collect a test fire.

62 (2) The police department shall seal the test fire in a tamper-evident
63 manner and label the package with the handgun manufacturer,
64 handgun type, serial number and the name of the person collecting the
65 test fire. The police department shall submit the test fire and two intact
66 cartridges of the same type of ammunition used for the test fire to the
67 laboratory.

68 (e) The laboratory may share the information in the firearms
69 evidence databank with other law enforcement agencies, both within
70 and outside the state, and may participate in a national firearms
71 evidence databank program.

72 (f) The commissioner shall adopt regulations, in accordance with the
73 provisions of chapter 54 of the general statutes, to carry out the
74 purposes of this section.

Statement of Purpose:

To create a computer-based firearms evidence databank at the Division of Scientific Services laboratory for comparison of cartridge cases and bullets that are collected from handguns or as evidence in an investigation, for the purpose of identifying the source of cartridge cases and bullets and linking cases and weapons.

[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.]