



General Assembly

Amendment

June Special Session, 2001

LCO No. 9219

Offered by:

SEN. PENN, 23rd Dist.

SEN. COLEMAN, 2nd Dist.

SEN. HARP, 10th Dist.

REP. NEWTON, 124th Dist.

To: House Bill No. 7507

File No.

Cal. No.

**"AN ACT CONCERNING THE EXPENDITURES OF THE OFFICE
OF POLICY AND MANAGEMENT."**

1 After line 4691, insert the following and renumber the remaining
2 section accordingly:

3 "Sec. 130. Section 54-1m of the general statutes is repealed and the
4 following is substituted in lieu thereof:

5 (a) Not later than January 1, 2000, each municipal police department
6 and the Department of Public Safety shall adopt a written policy that
7 prohibits the stopping, detention or search of any person when such
8 action is solely motivated by considerations of race, color, ethnicity,
9 age, gender or sexual orientation. [, and the action would constitute a
10 violation of the civil rights of the person.]

11 (b) Commencing on [January 1, 2000] October 1, 2001, each
12 municipal police department and the Department of Public Safety

13 shall, using the form developed and promulgated pursuant to
14 subsection (i) of this section, record and retain the following
15 information: (1) The number of persons stopped for traffic violations or
16 suspicion of criminal activity; (2) characteristics of race, color,
17 ethnicity, gender and age of such persons, provided the identification
18 of such characteristics shall be based on the observation and
19 perception of the police officer responsible for reporting the stop and
20 the information shall not be required to be provided by the person
21 stopped; (3) the nature of the alleged traffic violation or criminal
22 activity that resulted in the stop; (4) whether a warning or citation was
23 issued, an arrest made or a search conducted as a result of the stop;
24 and (5) any additional information that such municipal police
25 department or the Department of Public Safety, as the case may be,
26 deems appropriate.

27 (c) Each municipal police department and the Department of Public
28 Safety shall provide to the Chief State's Attorney (1) a copy of each
29 complaint received pursuant to subsections (a) to (h), inclusive, of this
30 section, and (2) written notification of the review and disposition of
31 such complaint.

32 (d) Any police officer who in good faith records [traffic] stop
33 information pursuant to the requirements of subsections (a) to (h),
34 inclusive, of this section shall not be held civilly liable for the act of
35 recording such information unless the officer's conduct was
36 unreasonable or reckless.

37 (e) If a municipal police department or the Department of Public
38 Safety fails to comply with the provisions of subsections (a) to (h),
39 inclusive, of this section, the Chief State's Attorney may recommend
40 and the Secretary of the Office of Policy and Management may order
41 an appropriate penalty in the form of the withholding of state funds
42 from such department or the Department of Public Safety.

43 (f) On or before October 1, 2000, and annually thereafter, each
44 municipal police department and the Department of Public Safety shall

45 provide to the Chief State's Attorney, in such form as the Chief State's
46 Attorney shall prescribe, a summary report of the information
47 recorded pursuant to subsection (b) of this section.

48 (g) The Chief State's Attorney shall, within the limits of existing
49 appropriations, provide for a review of the prevalence and disposition
50 of [traffic] police stops and complaints reported pursuant to
51 subsections (a) to (h), inclusive, of this section. Not later than January
52 1, 2002, the Chief State's Attorney shall report to the Governor and
53 General Assembly the results of such review, including any
54 recommendations.

55 (h) The provisions of subsections (f) and (g) of this section shall be
56 in effect from October 1, 1999, until January 1, [2002] 2005.

57 (i) Not later than [January 1, 2000] October 1, 2001, the Chief State's
58 Attorney, in conjunction with the Commissioner of Public Safety, the
59 Attorney General, the Chief Court Administrator, the Police Officer
60 Standards and Training Council, the Connecticut Police Chiefs
61 Association and the Connecticut Coalition of Police and Correctional
62 Officers, shall develop and promulgate: (1) A form, in both printed and
63 electronic format, to be used by police officers when making a [traffic]
64 stop to record personal identifying information about the [operator of
65 the motor vehicle that is] person or persons who are stopped, the
66 location of the stop, the reason for the stop and other information that
67 is required to be recorded pursuant to subsection (b) of this section;
68 and (2) a form, in both printed and electronic format, to be used to
69 report complaints pursuant to subsections (a) to (h), inclusive, of this
70 section by persons who believe they have been subjected to a [motor
71 vehicle] stop by a police officer solely on the basis of their race, color,
72 ethnicity, age, gender or sexual orientation. "