



**AN ACT CONCERNING RACIAL PROFILING.**

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

1 Section 1. Section 54-1m of the general statutes is repealed and the  
2 following is substituted in lieu thereof (Effective from passage):

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

9 (b) Commencing on January 1, 2000, each municipal police  
10 department and the Department of Public Safety shall, using the form  
11 developed and promulgated pursuant to subsection (i) of this section,  
12 record and retain the following information: (1) The number of persons  
13 stopped for traffic violations; (2) characteristics of race, color, ethnicity,  
14 gender and age of such persons, provided the identification of such  
15 characteristics shall be based on the observation and perception of the  
16 police officer responsible for reporting the stop and the information  
17 shall not be required to be provided by the person stopped; (3) the  
18 nature of the alleged traffic violation that resulted in the stop; (4)  
19 whether a warning or citation was issued, an arrest made or a search  
20 conducted as a result of the stop; and (5) any additional information

21 that such municipal police department or the Department of Public  
22 Safety, as the case may be, deems appropriate.

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

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

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

39 (f) On or before October 1, 2000, and annually thereafter, each  
40 municipal police department and the Department of Public Safety shall  
41 provide to the Chief State's Attorney, in such form as the Chief State's  
42 Attorney shall prescribe, a summary report of the information  
43 recorded pursuant to subsection (b) of this section.

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

50 (h) The provisions of subsections (f) and (g) of this section shall be in  
51 effect from October 1, 1999, until January 1, 2003.

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

68 (j) On and after the effective date of this section, the Chief State's  
69 Attorney shall provide a copy of all information received pursuant to  
70 this section to the Commission on Human Rights and Opportunities.  
71 The commission shall seek funding from any public or private source  
72 for the purpose of analyzing such information and making  
73 recommendations based on the analysis.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

PS Joint Favorable Subst.