



General Assembly

Amendment

January Session, 2003

LCO No. **6814**

SB0117206814SD0

Offered by:

SEN. SULLIVAN, 5th Dist.

SEN. FONFARA, 1st Dist.

To: Senate Bill No. **1172**

File No. 674

Cal. No. 437

**"AN ACT CONCERNING THE EXPENDITURES OF THE
DEPARTMENT OF MOTOR VEHICLES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 54-1m of the general statutes, as amended by
4 section 1 of substitute house bill 5674 of the current session, is repealed
5 and the following is substituted in lieu thereof (*Effective from passage*):

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

12 (b) Commencing on January 1, 2000, each municipal police
13 department and the Department of Public Safety shall, using the form

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

29 (c) Each municipal police department and the Department of Public
30 Safety shall provide to the Chief State's Attorney, [and] the African-
31 American Affairs Commission and the Latino and Puerto Rican Affairs
32 Commission (1) a copy of each complaint received pursuant to
33 subsections (a) to (h), inclusive, of this section, and (2) written
34 notification of the review and disposition of such complaint. No such
35 complaint shall contain any other identifying information about the
36 complainant such as his or her operator's license number, name or
37 address.

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

43 (e) If a municipal police department or the Department of Public
44 Safety fails to comply with the provisions of subsections (a) to (h),
45 inclusive, of this section, the Chief State's Attorney may recommend
46 and the Secretary of the Office of Policy and Management may order

47 an appropriate penalty in the form of the withholding of state funds
48 from such department or the Department of Public Safety.

49 (f) On or before October 1, 2000, and annually thereafter, each
50 municipal police department and the Department of Public Safety shall
51 provide to the Chief State's Attorney, [and] the African-American
52 Affairs Commission and the Latino and Puerto Rican Affairs
53 Commission, in such form as the Chief State's Attorney shall prescribe,
54 a summary report of the information recorded pursuant to subsection
55 (b) of this section.

56 (g) The African-American Affairs Commission and the Latino and
57 Puerto Rican Affairs Commission shall review the prevalence and
58 disposition of traffic stops and complaints reported pursuant to
59 subsections (a) to (h), inclusive, of this section. Not later than January
60 1, 2004, and annually thereafter, the African-American Affairs
61 Commission and the Latino and Puerto Rican Affairs Commission
62 shall report to the Governor, the General Assembly and to any other
63 entity said [commission deems] commissions deem appropriate the
64 results of such review, including any recommendations.

65 (h) Not later than January 1, 2000, the Chief State's Attorney, in
66 conjunction with the Commissioner of Public Safety, the Attorney
67 General, the Chief Court Administrator, the Police Officer Standards
68 and Training Council, the Connecticut Police Chiefs Association and
69 the Connecticut Coalition of Police and Correctional Officers, shall
70 develop and promulgate: (1) A form, in both printed and electronic
71 format, to be used by police officers when making a traffic stop to
72 record the race, color, ethnicity, gender and age of the operator of the
73 motor vehicle that is stopped, the location of the stop, the reason for
74 the stop and other information that is required to be recorded pursuant
75 to subsection (b) of this section; and (2) a form, in both printed and
76 electronic format, to be used to report complaints pursuant to
77 subsections (a) to (h), inclusive, of this section by persons who believe
78 they have been subjected to a motor vehicle stop by a police officer
79 solely on the basis of their race, color, ethnicity, age, gender or sexual

80 orientation."

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