



House of Representatives

General Assembly

File No. 437

February Session, 2004

Substitute House Bill No. 5443

House of Representatives, April 5, 2004

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DIVISION OF CRIMINAL JUSTICE.

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

1 Section 1. Section 7-294m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2004*):

3 (1) The Police Officer Standards and Training Council established
4 under section 7-294b, in conjunction with the office of the Chief State's
5 Attorney and the Connecticut Police Chiefs Association, and (2) the
6 Division of State Police within the Department of Public Safety, in
7 conjunction with the office of the Chief State's Attorney, shall provide
8 instruction on the subject of new legal developments which affect
9 police policies and practices concerning the investigation, detection
10 and prosecution of criminal matters, each year to the chief law
11 enforcement officer of each municipality and any person designated by
12 [him] such officer to serve in such capacity in [his] such officer's
13 absence. Each such officer may be given credit for such course of
14 instruction toward the certified review training required by subsection

15 (a) of section 7-294d, as amended. Such training program shall be
16 named "The John M. Bailey Seminar on New Legal Developments
17 Impacting Police Policies and Practices".

18 Sec. 2. Subsection (c) of section 54-33a of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective*
20 *October 1, 2004*):

21 (c) A warrant may issue only on affidavit sworn to by the
22 complainant or complainants before the judge or judge trial referee
23 and establishing the grounds for issuing the warrant, which affidavit
24 shall be part of the arrest file. If the judge or judge trial referee is
25 satisfied that grounds for the application exist or that there is probable
26 cause to believe that they exist, the judge or judge trial referee shall
27 issue a warrant identifying the property and naming or describing the
28 person, place or thing to be searched. The warrant shall be directed to
29 any police officer of a regularly organized police department or any
30 state [policeman] police officer, to an inspector in the Division of
31 Criminal Justice or to a conservation officer, special conservation
32 officer or patrolman acting pursuant to section 26-6, as amended. The
33 warrant shall state the date and time of its issuance and the grounds or
34 probable cause for its issuance and shall command the officer to search
35 within a reasonable time the person, place or thing named, for the
36 property specified. The inadvertent failure of the issuing judge or
37 judge trial referee to state on the warrant the time of its issuance shall
38 not in and of itself invalidate the warrant.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Criminal Justice, Div.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill permits inspectors of the Division of Criminal Justice to serve search warrants. As this conforms statute to current practice, there would be no fiscal impact.

OLR Bill Analysis

sHB 5443

AN ACT CONCERNING THE DIVISION OF CRIMINAL JUSTICE

SUMMARY:

This bill names the annual training program for police chiefs "The John M. Bailey Seminar on New Legal Developments Impacting Police Policies and Practices." The program is provided by the Police Officer Standards and Training Council and State Police in conjunction with the Chief State's Attorney's Office and Connecticut Police Chiefs Association.

The bill also explicitly authorizes Division of Criminal Justice inspectors to serve search warrants. They currently do so as a matter of practice. Inspectors are appointed by the chief state's attorney to investigate crimes and assist the state's attorneys, and they have the same arrest powers as state police officers. Current law authorizes police officers, state policeman, and conservation officers, special conservation officers, and patrolmen enforcing certain laws to serve search warrants.

EFFECTIVE DATE: July 1, 2004 for the training program naming and October 1, 2004 for the service of search warrants.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0