



Substitute House Bill No. 5084

Public Act No. 06-111

**AN ACT CONCERNING THE FILING, STORAGE AND DISPOSITION
OF THE FINGERPRINTS AND PHOTOGRAPHS OF ARRESTED
PERSONS.**

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

Section 1. Section 29-12 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) All persons arrested for crime as described in section 29-11 shall submit to the taking of their fingerprints, photograph and physical description and all constables and chiefs of police of organized police departments and the commanding officers of state police stations shall immediately furnish to the State Police Bureau of Identification two copies of a standard identification card on which shall be imprinted fingerprints [and a photograph] of each person so arrested, together with the physical description of, and such information as said bureau may require with respect to, such arrested person. In the event fingerprint or photographic images of arrested persons are captured by electronic means, the captured electronic images shall be immediately transmitted to said bureau. Any electronic imaging equipment used to capture such fingerprint or photographic images shall be approved by the Commissioner of Public Safety or said

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commissioner's designee.

(b) All wardens of correctional institutions and the Community Correctional Center Administrator shall furnish to the State Police Bureau of Identification such information with respect to prisoners as said bureau requires.

(c) The Commissioner of Public Safety may adopt regulations, in accordance with chapter 54, for the submission to and the taking of fingerprints as required under this section which will promote efficiency and be consistent with advances in automation and technology.

Sec. 2. (NEW) (*Effective July 1, 2006*) (a) The State Police Bureau of Identification may maintain the fingerprints of arrested persons received pursuant to section 29-12 of the 2006 supplement to the general statutes, as amended by this act, and of persons who have submitted fingerprints in connection with a criminal history records check pursuant to section 29-17a of the 2006 supplement to the general statutes in an electronic format in lieu of a paper format.

(b) Whenever the bureau converts fingerprints contained in its files from a paper format to an electronic format, it may destroy the paper copy of such fingerprints.

Sec. 3. Section 29-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) [On or after October 1, 1974, when] (1) Except as provided in subdivision (2) of this subsection, whenever any person, having no record of prior criminal conviction, whose fingerprints, [and pictures] photograph and physical description are so filed has been found not guilty of the offense charged, or has had such charge dismissed or nolle, [his] such person's fingerprints, [pictures] photograph and physical description and other identification data and all copies and

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duplicates thereof, shall, be returned to [him] such person not later than sixty days after the finding of not guilty or after such dismissal or in the case of a nolle within sixty days after thirteen months of such nolle.

(2) Whenever any person, having no record of prior criminal conviction, whose fingerprints, photograph and physical description and other identification data has been filed and stored in an electronic format, has been found not guilty of the offense charged, or has had such charge dismissed or nolle, such electronically stored images and data shall be permanently deleted and any paper copy of such fingerprints, photograph and physical description and other identification data, and all copies and duplicates thereof, shall be destroyed not later than sixty days after the finding of not guilty or after such dismissal or in the case of a nolle within sixty days after thirteen months of such nolle.

(b) Any person having no record of prior criminal conviction whose fingerprints and pictures are so filed, who has been found not guilty of the offense charged or has had such charge dismissed or nolle prior to October 1, 1974, may, upon application to the person charged with the retention and control of such identification data at the State Police Bureau of Identification, have his fingerprints, pictures and description and other identification data and all copies and duplicates thereof, returned to him not later than sixty days after the filing of such application provided in the case of a nolle, such nolle shall have occurred thirteen months prior to filing of such application.

Approved June 2, 2006