



General Assembly

January Session, 2007

**Raised Bill No. 7266**

LCO No. 4757

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Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

**AN ACT CONCERNING CRIMINAL HISTORY RECORDS CHECKS  
THROUGH THE INTERNET.**

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

1 Section 1. Section 29-11 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) The bureau in the Division of State Police within the Department  
4 of Public Safety known as the State Police Bureau of Identification shall  
5 be maintained for the purposes (1) of providing an authentic record of  
6 each person sixteen years of age or over who is charged with the  
7 commission of any crime involving moral turpitude, (2) of providing  
8 definite information relative to the identity of each person so arrested,  
9 (3) of providing a record of the final judgment of the court resulting  
10 from such arrest, unless such record has been erased pursuant to  
11 section 54-142a, and (4) for maintaining a central repository of  
12 complete criminal history record disposition information. The  
13 Commissioner of Public Safety is directed to maintain the State Police  
14 Bureau of Identification, which bureau shall receive, classify and file in  
15 an orderly manner all fingerprints, pictures and descriptions,  
16 including previous criminal records as far as known of all persons so

17 arrested, and shall classify and file in a like manner all identification  
18 material and records received from the government of the United  
19 States and from the various state governments and subdivisions  
20 thereof, and shall cooperate with such governmental units in the  
21 exchange of information relative to criminals. The State Police Bureau  
22 of Identification shall accept fingerprints of applicants for admission to  
23 the bar of the state and, to the extent permitted by federal law, shall  
24 exchange state, multistate and federal criminal history records with the  
25 State Bar Examining Committee for purposes of investigation of the  
26 qualifications of any applicant for admission as an attorney under  
27 section 51-80. The record of all arrests reported to the bureau after  
28 March 16, 1976, shall contain information of any disposition within  
29 ninety days after the disposition has occurred.

30 (b) Any cost incurred by the State Police Bureau of Identification in  
31 conducting any name search and fingerprinting of applicants for  
32 admission to the bar of the state shall be paid from fees collected by the  
33 State Bar Examining Committee.

34 (c) The Commissioner of Public Safety shall charge the following  
35 fees for the service indicated when not provided through the Internet:  
36 (1) Name search, eighteen dollars; (2) fingerprint search, twenty-five  
37 dollars; (3) personal record search, twenty-five dollars; (4) letters of  
38 good conduct search, twenty-five dollars; (5) bar association search,  
39 twenty-five dollars; (6) fingerprinting, five dollars; (7) criminal history  
40 record information search, twenty-five dollars. Except as provided in  
41 subsection (b) of this section, the provisions of this subsection shall not  
42 apply to any federal, state or municipal agency.

43 (d) The Commissioner of Public Safety shall make available to the  
44 public Connecticut name and date of birth criminal history records  
45 checks through the Internet. The Commissioner of Public Safety shall  
46 adopt regulations, in accordance with chapter 54, to set a schedule of  
47 fees to be charged to cover the cost for such Internet services and  
48 concerning the requirements for such Internet services.

49 (e) There is established a separate, nonlapsing account within the  
50 General Fund, to be known as the "State Police Bureau of Identification  
51 account". All fees collected under this section shall be credited to the  
52 State Police Bureau of Identification account for use by the Department  
53 of Public Safety and may not be diverted for any purpose other than  
54 the financial support of the operation of the State Police Bureau of  
55 Identification.

56 Sec. 2. Section 54-142i of the general statutes is repealed and the  
57 following is substituted in lieu thereof (*Effective October 1, 2007*):

58 All criminal justice agencies which collect, store or disseminate  
59 criminal history record information shall:

60 (a) Screen and have the right to reject for employment, based on  
61 good cause, all personnel to be authorized to have direct access to  
62 criminal history record information;

63 (b) Initiate or cause to be initiated administrative action that could  
64 result in the transfer or removal of personnel authorized to have direct  
65 access to such information when such personnel violate the provisions  
66 of these regulations or other security requirements established for the  
67 collection, storage or dissemination of criminal history record  
68 information;

69 (c) Provide that direct access to computerized criminal history  
70 record information shall be available only to authorized officers or  
71 employees of a criminal justice agency, and, as necessary, other  
72 authorized personnel essential to the proper operation of a criminal  
73 history record information system, except that: [the] (1) The judicial  
74 branch may provide disclosable information from its combined  
75 criminal and motor vehicle information systems to the public  
76 electronically, including through the Internet, in accordance with  
77 guidelines established by the Chief Court Administrator, and (2) the  
78 Department of Public Safety may provide criminal history record  
79 information in accordance with the provisions of section 29-11, as

80 amended by this act;

81 (d) Provide that each employee working with or having access to  
82 criminal history record information shall be made familiar with the  
83 substance and intent of the provisions in this section;

84 (e) Whether manual or computer processing is utilized, institute  
85 procedures to assure that an individual or agency authorized to have  
86 direct access is responsible for the physical security of criminal history  
87 record information under its control or in its custody, and for the  
88 protection of such information from unauthorized access, disclosure or  
89 dissemination. The State Police Bureau of Identification shall institute  
90 procedures to protect both its manual and computerized criminal  
91 history record information from unauthorized access, theft, sabotage,  
92 fire, flood, wind or other natural or man-made disasters;

93 (f) Where computerized data processing is employed, institute  
94 effective and technologically advanced software and hardware designs  
95 to prevent unauthorized access to such information and restrict to  
96 authorized organizations and personnel only, access to criminal  
97 history record information system facilities, systems operating  
98 environments, systems documentation, and data file contents while in  
99 use or when stored in a media library;

100 (g) Develop procedures for computer operations which support  
101 criminal justice information systems, whether dedicated or shared, to  
102 assure that: (1) Criminal history record information is stored by the  
103 computer in such a manner that it cannot be modified, destroyed,  
104 accessed, changed purged, or overlaid in any fashion by noncriminal  
105 justice terminals; (2) operation programs are used that will prohibit  
106 inquiry, record updates, or destruction of records, from any terminal  
107 other than criminal justice system terminals which are so designated;  
108 (3) the destruction of records is limited to designated terminals under  
109 the direct control of the criminal justice agency responsible for creating  
110 or storing the criminal history record information; (4) operational  
111 programs are used to detect and store for the output of designated

112 criminal justice agency employees all unauthorized attempts to  
113 penetrate any criminal history record information system, program or  
114 file; (5) the programs specified in subdivisions (2) and (4) of this  
115 subsection are known only to criminal justice agency employees  
116 responsible for criminal history record information system control or  
117 individuals or agencies pursuant to a specific agreement with the  
118 criminal justice agency to provide such programs and the programs  
119 are kept continuously under maximum security conditions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	29-11
Sec. 2	<i>October 1, 2007</i>	54-142i

**Statement of Purpose:**

To allow the Department of Public Safety to provide criminal history records checks through the Internet, and to allocate any fees collected for the support of the State Police Bureau of Identification.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*