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## **OLR Bill Analysis**

### **sSB 1230**

#### ***AN ACT CONCERNING TRAFFIC STOP INFORMATION.***

#### **SUMMARY:**

This bill suspends municipal police departments' and the Department of Public Safety's duty to record and report traffic stop information on July 1, 2011. It requires them to resume recording the information starting on January 1, 2012 and reporting summary data on October 1, 2012, if new standardized forms are developed. It:

1. requires, within available appropriations, the Office of Policy and Management (OPM) and Criminal Justice Information System (CJIS) Governing Board to develop and promulgate new standardized forms by January 1, 2012;
2. requires police officers to record traffic stop information using these new forms and give a copy to each motor vehicle operator stopped, starting January 1, 2012, if the forms have been developed; and
3. requires police departments to record and retain the traffic stop information using the new forms beginning on January 1, 2012, and annually report the data to OPM and the CJIS board beginning by October 1, 2012, if the forms have been developed.

The bill also requires departments to give copies of complaints regarding traffic stops and information on their review and disposition to OPM and the CJIS board, instead of the chief state's attorney and the African-American Affairs Commission (AAAC). It eliminates the requirement that the AAAC review the traffic stops data and complaints and issue annual reports with recommendations to the governor, General Assembly, and any other appropriate entity. Instead, OPM and the CJIS board, within available appropriations,

must begin issuing these annual reports by January 1, 2013.

The bill allows OPM and the CJIS board, instead of the chief state's attorney, to recommend that the OPM secretary withhold state funds as a penalty for a department that does not comply with the traffic stop provisions.

EFFECTIVE DATE: July 1, 2011

## **FORMS**

The law required the chief state's attorney, in conjunction with various others, to develop a form by January 1, 2000, for police officers to use to record traffic stop information. In addition, police departments are required to report certain information.

The bill replaces the form with a new form OPM and the CJIS board develop and promulgate, within available appropriations, by January 1, 2012, and requires departments to record and retain the information on the forms.

The new form must contain much of the information currently required on the form and that departments must record. As under current law, this information includes:

1. the stop location;
2. the race, color, ethnicity, age, and gender of the driver, with the characteristics based on the officer's observation and perception;
3. the nature of the alleged traffic violation;
4. the disposition of the stop including whether a warning or citation was issued, search was conducted, or arrest made; and
5. any other appropriate information.

The bill also requires the form to include:

1. the date and time of the stop;

2. the officer's name and badge number;
3. whether the stop was for a violation other than a traffic violation, and the statutory citation for the traffic or other violation;
4. whether a summons was issued in conjunction with the disposition; and
5. a notice that the person stopped may file a complaint with the appropriate law enforcement agency and how to do so, if the person believes the stop, detention, or search was solely because of his or her race, color, ethnicity, age, gender, or sexual orientation.

The bill requires OPM and the CJIS board to adopt guidelines to train officers to complete the forms and evaluate information collected for counseling and officer training.

It also requires OPM and the CJIS board to develop (1) a new complaint form to replace the one officers give people they have stopped and (2) a form for departments to use to report data to OPM and the CJIS board.

Under the bill, the form for reporting to OPM and CJIS must be in both printed and electronic format. As under current law, the traffic stop and complaint forms must be in both formats.

#### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 34    Nay 9    (04/06/2011)