



General Assembly

Amendment

January Session, 2011

LCO No. 8513

HB0661508513HDO

Offered by:

REP. FOX, 146th Dist.

REP. HOLDER-WINFIELD, 94th
Dist.

To: Subst. House Bill No. 6615

File No. 711

Cal. No. 436

"AN ACT CONCERNING THE USE OF ELECTRONIC DEFENSE WEAPONS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 54-1m of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2011*):

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

11 (b) Not later than January 1, 2012, the Office of Policy and
12 Management and the Criminal Justice Information System Governing

13 Board shall, within available resources, develop and promulgate:

14 (1) A standardized form, in both printed and electronic format, to be
15 used by police officers of municipal police departments and the
16 Department of Public Safety to record traffic stop information. The
17 form shall allow the following information to be recorded: (A) Date
18 and time of stop; (B) location of the stop; (C) name and badge number
19 of the police officer making the stop; (D) race, color, ethnicity, age and
20 gender of the operator of the motor vehicle that is stopped, provided
21 the identification of such characteristics shall be based on the
22 observation and perception of the police officer responsible for
23 reporting the stop; (E) nature of the alleged traffic violation or other
24 violation that caused the stop to be made and the statutory citation for
25 such violation; (F) the disposition of the stop including whether a
26 warning, citation or summons was issued, whether a search was
27 conducted and whether a custodial arrest was made; and (G) any other
28 information deemed appropriate;

29 (2) A standardized form, in both printed and electronic format, to be
30 used to report complaints pursuant to this section by persons who
31 believe they have been subjected to a motor vehicle stop by a police
32 officer solely on the basis of their race, color, ethnicity, age, gender or
33 sexual orientation;

34 (3) A standardized form, in both printed and electronic format, to be
35 used by each municipal police department and the Department of
36 Public Safety to report data to the Office of Policy and Management
37 and the Criminal Justice Information System Governing Board
38 pursuant to subsection (h) of this section; and

39 (4) Guidelines to be used by each municipal police department and
40 the Department of Public Safety in training officers of that agency in
41 the completion of the form promulgated pursuant to subdivision (1) of
42 this subsection and in evaluating the information collected by officers
43 of that agency pursuant to subsection (c) of this section for use in the
44 counseling and training of such officers.

45 (c) On and after January 1, 2012, whenever a police officer makes a
46 traffic stop of a motor vehicle, such officer shall, if a form has been
47 promulgated pursuant to subdivision (1) of subsection (b) of this
48 section, complete such form.

49 [(b) Commencing on January 1, 2000] (d) On and after January 1,
50 2012, each municipal police department and the Department of Public
51 Safety shall, [using the form developed and promulgated pursuant to
52 subsection (h)] if a form has been promulgated pursuant to
53 subdivision (1) of subsection (b) of this section, record and retain the
54 [following information: (1) The number of persons stopped for traffic
55 violations; (2) characteristics of race, color, ethnicity, gender and age of
56 such persons, provided the identification of such characteristics shall
57 be based on the observation and perception of the police officer
58 responsible for reporting the stop and the information shall not be
59 required to be provided by the person stopped; (3) the nature of the
60 alleged traffic violation that resulted in the stop; (4) whether a warning
61 or citation was issued, an arrest made or a search conducted as a result
62 of the stop; and (5)] information contained in the forms completed by
63 police officers of that agency in accordance with subsection (c) of this
64 section and any additional information that such municipal police
65 department or the Department of Public Safety, as the case may be,
66 deems appropriate, provided such information does not include any
67 other identifying information about any person stopped for a traffic
68 violation such as the person's operator's license number, name or
69 address.

70 [(c)] (e) Each municipal police department and the Department of
71 Public Safety shall provide to the [Chief State's Attorney and the
72 African-American Affairs Commission] Office of Policy and
73 Management and the Criminal Justice Information System Governing
74 Board (1) a copy of each complaint received pursuant to this section,
75 and (2) written notification of the review and disposition of such
76 complaint. No such complaint shall contain any other identifying
77 information about the complainant such as his or her operator's license
78 number, name or address.

79 [(d)] (f) Any police officer who in good faith records traffic stop
80 information pursuant to the requirements of this section shall not be
81 held civilly liable for the act of recording such information unless the
82 officer's conduct was unreasonable or reckless.

83 [(e)] (g) If a municipal police department or the Department of
84 Public Safety fails to comply with the provisions of this section, the
85 [Chief State's Attorney] Office of Policy and Management and the
86 Criminal Justice Information System Governing Board may
87 recommend and the Secretary of the Office of Policy and Management
88 may order an appropriate penalty in the form of the withholding of
89 state funds from such department or the Department of Public Safety.

90 [(f) On or before October 1, 2000] (h) Not later than October 1, 2012,
91 and annually thereafter, each municipal police department and the
92 Department of Public Safety shall, if a form has been promulgated
93 pursuant to subdivision (3) of subsection (b) of this section, use such
94 form to provide to the [Chief State's Attorney and the African-
95 American Affairs Commission, in such form as the Chief State's
96 Attorney shall prescribe,] Office of Policy and Management and the
97 Criminal Justice Information System Governing Board a summary
98 report of the information recorded pursuant to subsection [(b)] (d) of
99 this section.

100 [(g) The African-American Affairs Commission] (i) The Office of
101 Policy and Management and the Criminal Justice Information System
102 Governing Board shall, within available resources, review the
103 prevalence and disposition of traffic stops and complaints reported
104 pursuant to this section. Not later than January 1, [2004] 2013, and
105 annually thereafter, the [African-American Affairs Commission] office
106 and board shall report the results of any such review, including any
107 recommendations, to the Governor, the General Assembly and [to] any
108 other entity [said commission deems] deemed appropriate. [the results
109 of such review, including any recommendations.]

110 [(h) Not later than January 1, 2000, the Chief State's Attorney, in

111 conjunction with the Commissioner of Public Safety, the Attorney
112 General, the Chief Court Administrator, the Police Officer Standards
113 and Training Council, the Connecticut Police Chiefs Association and
114 the Connecticut Coalition of Police and Correctional Officers, shall
115 develop and promulgate: (1) A form, in both printed and electronic
116 format, to be used by police officers when making a traffic stop to
117 record the race, color, ethnicity, gender and age of the operator of the
118 motor vehicle that is stopped, the location of the stop, the reason for
119 the stop and other information that is required to be recorded pursuant
120 to subsection (b) of this section; and (2) a form, in both printed and
121 electronic format, to be used to report complaints pursuant to this
122 section by persons who believe they have been subjected to a motor
123 vehicle stop by a police officer solely on the basis of their race, color,
124 ethnicity, age, gender or sexual orientation.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	54-1m