



General Assembly

February Session, 2012

**Raised Bill No. 5096**

LCO No. 794

\* \_\_\_\_\_HB05096PS\_\_\_\_\_031512\_\_\_\_\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

**AN ACT CONCERNING THE FIREARMS EVIDENCE DATABANK.**

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

1 Section 1. Section 29-7h of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) As used in this section:

4 (1) "Firearms evidence databank" means a computer-based system  
5 that [scans a test fire and stores an image of such test fire in a manner  
6 suitable for retrieval and comparison to other test fires and to other  
7 evidence in a case] stores images of fired components of ammunition  
8 in a manner suitable for retrieval and comparison to images of other  
9 fired components of ammunition stored in the databank;

10 (2) "Handgun" means any firearm capable of firing rim-fire or  
11 center-fire ammunition and designed or built to be fired with one  
12 hand;

13 (3) "Laboratory" means the Division of Scientific Services forensic  
14 science laboratory within the Department of Emergency Services and  
15 Public Protection;

16 (4) "Police department" means the Division of State Police within the  
17 Department of Emergency Services and Public Protection or an  
18 organized local police department;

19 (5) ["Test fire"] "Fired components of ammunition" means  
20 discharged ammunition consisting of a cartridge case or a bullet or a  
21 fragment thereof, collected after a handgun is fired and containing  
22 sufficient microscopical characteristics to compare to other discharged  
23 ammunition or to determine the handgun from which the ammunition  
24 was fired.

25 (b) (1) The Division of Scientific Services shall establish a firearms  
26 evidence databank. [Test fire evidence submitted to the laboratory or  
27 collected from handguns submitted to the laboratory shall] Evidence  
28 consisting of fired components of ammunition may be entered into  
29 such databank in accordance with specific procedures adopted by the  
30 Commissioner of Emergency Services and Public Protection, in the  
31 regulations adopted pursuant to subsection (f) of this section.

32 (2) The firearms evidence databank may be used by laboratory  
33 personnel to (A) compare two or more cartridge cases, bullets or other  
34 projectiles submitted to the laboratory or produced at the laboratory  
35 from a handgun, or (B) upon the request of a police department as part  
36 of a criminal case investigation, verify by microscopic examination any  
37 resulting match, and shall produce a report stating the results of such a  
38 search.

39 (3) Any image of a [cartridge case, bullet or fragment thereof] fired  
40 component of ammunition that is not matched by a search of the  
41 databank shall be stored in the databank for future searches.

42 (4) The Division of Scientific Services may permit a firearms section  
43 of a police department that complies with all laboratory guidelines and  
44 regulations adopted by the commissioner pursuant to subsection (f) of  
45 this section regarding the operation of the firearms evidence databank  
46 to (A) [collect test fires from] test fire handguns that come into the

47 custody of the police department and collect fired components of  
48 ammunition from such test fires, (B) set up a remote terminal to enter  
49 [test fire] images of fired components of ammunition directly into the  
50 databank, and (C) search the databank.

51 (c) (1) Except as provided in subdivision (4) of subsection (b) of this  
52 section and subsection (d) of this section, a police department shall  
53 submit to the laboratory any handgun that comes into police custody  
54 as the result of a criminal investigation, [, as found property, or for  
55 destruction, prior to the return or the destruction of the handgun.]

56 (2) The laboratory shall [collect a test fire from] test fire each  
57 submitted handgun [within sixty days of submission] and collect fired  
58 components of ammunition from such test fires. The laboratory shall  
59 label the [test fire] fired components of ammunition with the handgun  
60 manufacturer, type of weapon, serial number, date of the test fire and  
61 name of the person test firing the handgun and collecting the [test fire]  
62 fired components of ammunition.

63 (d) (1) [A police department shall collect a test fire from every  
64 handgun issued by that department to an employee not later than six  
65 months after October 1, 2001.] On and after October 1, 2001, a police  
66 department shall [collect a test fire from] test fire every handgun to be  
67 issued by that department before the handgun is so issued and collect  
68 the fired components of ammunition from such test fire. Any police  
69 department may request the assistance of the Division of State Police  
70 or the laboratory [to collect a test fire] in test firing a handgun and  
71 collecting such fired components of ammunition.

72 (2) The police department shall seal the [test fire] fired components  
73 of ammunition in a tamper-evident manner and label the package with  
74 the handgun manufacturer, handgun type, serial number and [the]  
75 name of the person test firing the handgun and collecting the [test fire]  
76 fired components of ammunition. The police department shall submit  
77 the [test fire] fired components of ammunition and two intact  
78 cartridges [of the same type of ammunition used for the test fire to the

79 laboratory] that are representative samples of the ammunition used by  
80 the department in its service handguns.

81 (e) The laboratory may share the information in the firearms  
82 evidence databank with other law enforcement agencies, both within  
83 and outside the state, and may participate in a national firearms  
84 evidence databank program.

85 (f) The commissioner shall adopt regulations, in accordance with the  
86 provisions of chapter 54, to carry out the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	29-7h

**PS**      *Joint Favorable*