



General Assembly

February Session, 2012

**Raised Bill No. 364**

LCO No. 1993

\* SB00364JUD\_\_032212\_\_ \*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING TRAFFIC STOP INFORMATION.**

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

1 Section 1. Section 54-1m of the 2012 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2012*):

4 (a) Each municipal police department and the Department of  
5 Emergency Services and Public Protection shall adopt a written policy  
6 that prohibits the stopping, detention or search of any person when  
7 such action is solely motivated by considerations of race, color,  
8 ethnicity, age, gender or sexual orientation, and the action would  
9 constitute a violation of the civil rights of the person.

10 (b) Not later than January 1, 2013, the Office of Policy and  
11 Management and the Criminal Justice Information System Governing  
12 Board shall, within available resources, develop and promulgate:

13 (1) A standardized form, in both printed and electronic format, to be  
14 used by police officers of municipal police departments and the  
15 Department of Emergency Services and Public Protection to record

16 traffic stop information. The form shall allow the following  
17 information to be recorded: (A) Date and time of stop; (B) location of  
18 the stop; (C) name and badge number of the police officer making the  
19 stop; (D) race, color, ethnicity, age and gender of the operator of the  
20 motor vehicle that is stopped, provided the identification of such  
21 characteristics shall be based on the observation and perception of the  
22 police officer responsible for reporting the stop; (E) nature of the  
23 alleged traffic violation or other violation that caused the stop to be  
24 made and the statutory citation for such violation; (F) the disposition  
25 of the stop including whether a warning, citation or summons was  
26 issued, whether a search was conducted and whether a custodial arrest  
27 was made; and (G) any other information deemed appropriate. The  
28 form shall also include a notice that if the person stopped believes they  
29 have been stopped, detained or searched solely because of their race,  
30 color, ethnicity, age, gender or sexual orientation, they may file a  
31 complaint with the appropriate law enforcement agency, and  
32 instructions on how to file such complaint;

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

38 (3) A standardized form, in both printed and electronic format, to be  
39 used by each municipal police department and the Department of  
40 Emergency Services and Public Protection to report data to the Office  
41 of Policy and Management and the Criminal Justice Information  
42 System Governing Board pursuant to subsection (h) of this section; and

43 (4) Guidelines to be used by each municipal police department and  
44 the Department of Emergency Services and Public Protection in  
45 training officers of that agency in the completion of the form  
46 promulgated pursuant to subdivision (1) of this subsection and in  
47 evaluating the information collected by officers of that agency  
48 pursuant to subsection (c) of this section for use in the counseling and

49 training of such officers.

50 (c) On and after January 1, 2013, whenever a police officer makes a  
51 traffic stop of a motor vehicle, such officer shall, if a form has been  
52 promulgated pursuant to subdivision (1) of subsection (b) of this  
53 section, complete such form and provide a copy of the completed form  
54 to the operator of the motor vehicle.

55 ~~[(b) Each]~~ (d) On and after January 1, 2013, each municipal police  
56 department and the Department of Emergency Services and Public  
57 Protection shall, ~~[using the form developed and promulgated pursuant~~  
58 ~~to subsection (h)]~~ if a form has been promulgated pursuant to  
59 subdivision (1) of subsection (b) of this section, record and retain the  
60 [following information: (1) The number of persons stopped for traffic  
61 violations; (2) characteristics of race, color, ethnicity, gender and age of  
62 such persons, provided the identification of such characteristics shall  
63 be based on the observation and perception of the police officer  
64 responsible for reporting the stop and the information shall not be  
65 required to be provided by the person stopped; (3) the nature of the  
66 alleged traffic violation that resulted in the stop; (4) whether a warning  
67 or citation was issued, an arrest made or a search conducted as a result  
68 of the stop; and (5)] information contained in the forms completed by  
69 police officers of that agency in accordance with subsection (c) of this  
70 section and any additional information that such municipal police  
71 department or the Department of Emergency Services and Public  
72 Protection, as the case may be, deems appropriate, provided such  
73 information does not include any other identifying information about  
74 any person stopped for a traffic violation such as the person's  
75 operator's license number, name or address.

76 ~~[(c)]~~ (e) Each municipal police department and the Department of  
77 Emergency Services and Public Protection shall provide to the ~~[Chief~~  
78 ~~State's Attorney and the African-American Affairs Commission]~~ Office  
79 of Policy and Management and the Criminal Justice Information  
80 System Governing Board (1) a copy of each complaint received  
81 pursuant to this section, and (2) written notification of the review and

82 disposition of such complaint. No such complaint shall contain any  
83 other identifying information about the complainant such as his or her  
84 operator's license number, name or address.

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

89 ~~[(e)]~~ (g) If a municipal police department or the Department of  
90 Emergency Services and Public Protection fails to comply with the  
91 provisions of this section, the ~~[Chief State's Attorney]~~ Office of Policy  
92 and Management and the Criminal Justice Information System  
93 Governing Board may recommend and the Secretary of the Office of  
94 Policy and Management may order an appropriate penalty in the form  
95 of the withholding of state funds from such department or the  
96 Department of Emergency Services and Public Protection.

97 ~~[(f) On or before October 1, 2000]~~ (h) Not later than October 1, 2013,  
98 and annually thereafter, each municipal police department and the  
99 Department of Emergency Services and Public Protection shall, if a  
100 form has been promulgated pursuant to subdivision (3) of subsection  
101 (b) of this section, use such form to provide to the [Chief State's  
102 Attorney and the African-American Affairs Commission, in such form  
103 as the Chief State's Attorney shall prescribe,] Office of Policy and  
104 Management and the Criminal Justice Information System Governing  
105 Board a summary report of the information recorded pursuant to  
106 subsection ~~[(b)]~~ (d) of this section.

107 ~~[(g) The African-American Affairs Commission]~~ (i) The Office of  
108 Policy and Management and the Criminal Justice Information System  
109 Governing Board shall, within available resources, review the  
110 prevalence and disposition of traffic stops and complaints reported  
111 pursuant to this section. Not later than January 1, ~~[2004]~~ 2014, and  
112 annually thereafter, the ~~[African-American Affairs Commission]~~ office  
113 and board shall report the results of any such review, including any

114 recommendations, to the Governor, the General Assembly and [to] any  
115 other entity [said commission deems] deemed appropriate. [the results  
116 of such review, including any recommendations.]

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	54-1m

**JUD**      *Joint Favorable*