



General Assembly

February Session, 2012

**Amendment**

LCO No. 3315

**\*SB0036403315SD0\***

Offered by:  
SEN. COLEMAN, 2<sup>nd</sup> Dist.

To: Senate Bill No. 364

File No. 280

Cal. No. 230

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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4 statutes is repealed and the following is substituted in lieu thereof  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

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

12 (b) Not later than July 1, 2013, the Office of Policy and Management,  
13 in consultation with the Racial Profiling Prohibition Project Advisory  
14 Board established in section 2 of this act, and the Criminal Justice  
15 Information System Governing Board shall, within available resources,

16 develop and implement a standardized method:

17 (1) To be used by police officers of municipal police departments  
18 and the Department of Emergency Services and Public Protection to  
19 record traffic stop information. The standardized method and any  
20 form developed and implemented pursuant to such standardized  
21 method shall allow the following information to be recorded: (A) Date  
22 and time of the stop; (B) location of the stop; (C) name and badge  
23 number of the police officer making the stop; (D) race, color, ethnicity,  
24 age and gender of the operator of the motor vehicle that is stopped,  
25 provided the identification of such characteristics shall be based on the  
26 observation and perception of the police officer responsible for  
27 reporting the stop; (E) the nature of the alleged traffic violation or  
28 other violation that caused the stop to be made and the statutory  
29 citation for such violation; (F) the disposition of the stop including  
30 whether a warning, citation or summons was issued, whether a search  
31 was conducted and whether a custodial arrest was made; and (G) any  
32 other information deemed appropriate. The method shall also provide  
33 for (i) notice to be given to the person stopped that if such person  
34 believes that such person has been stopped, detained or subjected to a  
35 search solely because of race, color, ethnicity, age, gender, sexual  
36 orientation or religion, such person may file a complaint with the  
37 appropriate law enforcement agency, and (ii) instructions to be given  
38 to the person stopped on how to file such complaint;

39 (2) To be used to report complaints pursuant to this section by any  
40 person who believes such person has been subjected to a motor vehicle  
41 stop by a police officer solely on the basis of race, color, ethnicity, age,  
42 gender, sexual orientation or religion; and

43 (3) To be used by each municipal police department and the  
44 Department of Emergency Services and Public Protection to report  
45 data to the Office of Policy and Management pursuant to subsection  
46 (h) of this section.

47 (c) Not later than July 1, 2013, the Office of Policy and Management,

48 in consultation with the Racial Profiling Prohibition Project Advisory  
49 Board, shall develop and implement guidelines to be used by each  
50 municipal police department and the Department of Emergency  
51 Services and Public Protection in (1) training police officers of such  
52 agency in the completion of the form developed and implemented  
53 pursuant to subdivision (1) of subsection (b) of this section, and (2)  
54 evaluating the information collected by police officers of such  
55 municipal police department and the Department of Emergency  
56 Services and Public Protection pursuant to subsection (e) of this section  
57 for use in the counseling and training of such police officers.

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

79 [(c)] (e) Each municipal police department and the Department of  
80 Emergency Services and Public Protection shall provide to the Chief  
81 State's Attorney and the [African-American Affairs Commission]

82 Office of Policy and Management (1) a copy of each complaint received  
83 pursuant to this section, and (2) written notification of the review and  
84 disposition of such complaint. No copy of such complaint shall  
85 [contain] include any other identifying information about the  
86 complainant such as [his or her] the complainant's operator's license  
87 number, name or address.

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

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

100 [(f) On or before October 1, 2000] (h) Not later than October 1, 2013,  
101 and annually thereafter, each municipal police department and the  
102 Department of Emergency Services and Public Protection shall, if a  
103 standardized method has been developed and implemented pursuant  
104 to subsection (b) of this section, use such method and any form  
105 developed and promulgated under the method to provide to the [Chief  
106 State's Attorney and the African-American Affairs Commission, in  
107 such form as the Chief State's Attorney shall prescribe,] Office of Policy  
108 and Management a summary report of the information recorded  
109 pursuant to subsection [(b)] (d) of this section.

110 [(g) The African-American Affairs Commission] (i) The Office of  
111 Policy and Management shall, within available resources, review the  
112 prevalence and disposition of traffic stops and complaints reported  
113 pursuant to this section. Not later than January 1, [2004] 2014, and

114 annually thereafter, the [African-American Affairs Commission] office  
115 shall report the results of any such review, including any  
116 recommendations, to the Governor, the General Assembly and [to] any  
117 other entity [said commission deems] deemed appropriate. [the results  
118 of such review, including any recommendations.]

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

134 Sec. 2. (NEW) (*Effective from passage*) (a) There is established, within  
135 available resources, a Racial Profiling Prohibition Project Advisory  
136 Board for the purpose of advising the Office of Policy and  
137 Management with respect to the adoption of standardized methods  
138 and guidelines pursuant to section 54-1m of the general statutes, as  
139 amended by this act. The board shall be within the Office of Policy and  
140 Management for administrative purposes only.

141 (b) The board shall consist of the following members:

142 (1) The Chief State's Attorney, or a designee;

143 (2) The Chief Public Defender, or a designee;

144 (3) The president of the Connecticut Police Chiefs Association, or a

145 designee;

146 (4) The executive director of the African-American Affairs  
147 Commission, or a designee;

148 (5) The executive director of the Latino and Puerto Rican Affairs  
149 Commission, or a designee; and

150 (6) The director of the Institute for Municipal and Regional Policy at  
151 Central Connecticut State University, or a designee.

152 (c) The board shall elect a chairperson from among its members."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	54-1m
Sec. 2	<i>from passage</i>	New section