



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
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HUMAN SERVICES COMMITTEE

2/21/13

Hello Co-Chairs Senator Hartley, Representative Dargan and members of the Public Safety committee.

I am here today to ask for your consideration on bill HB6014 AN ACT CONCERNING THE SAFE USE OF ELECTRONIC DEFENSE WEAPONS.

I have attached a copy of the proposed language with this letter.

The purpose of the bill is to provide for the safe use of electronic defense weapons through adopting safety guidelines and procedures. In addition to these safety guidelines and procedures providing medical attention for anyone that such devices are use on and reporting details of such events are a part of the bill.

Please refer to the attached language for the specific details.

Sincerely,

Larry B. Butler

Rep. Larry B. Butler

HB 6014

AN ACT CONCERNING THE SAFE USE OF ELECTRONIC DEFENSE WEAPONS.

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

Section 1. (NEW) (*Effective October 1, 2013*) Each police basic training program conducted or administered by the Division of State Police within the Department of Public Safety or the Police Officer Standards and Training Council established under section 7-294b of the general statutes shall provide a minimum of four hours training on the use of an electronic defense weapon, as defined in section 53a-3 of the general statutes, and each police review training program conducted or administered by said department or council shall provide a minimum of one hour of such training. Such training shall include, but not be limited to, instruction on the capabilities and limitations of the technology in terms of its effectiveness, the effects the use of an electronic defense weapon may have on a person, including adverse medical effects, and the parts of the body that should not be a target of electronic defense weapon use.

Sec. 2. (NEW) (*Effective October 1, 2013*) (a) No peace officer, as defined in section 53a-3 of the general statutes, shall use an electronic defense weapon in the performance of such officer's duties unless such officer has successfully completed the training required under section 1 of this act.

(b) Any peace officer who uses an electronic defense weapon on a person shall immediately seek medical attention for such person.

(c) Any peace officer who violates any provision of this section shall be subject to disciplinary action in accordance with the procedures of such officer's employing agency.

Sec. 3. (NEW) (*Effective October 1, 2013*) (a) Each law enforcement agency that authorizes the use of electronic defense weapons by officers of such agency shall (1) develop and maintain an internal policy that provides guidelines on the use of electronic defense weapons, (2) require officers to document the use of electronic defense weapons in use-of-force reports, (3) download and archive on a regular basis data that is recorded by an electronic defense weapon when it is used, (4) prepare and make available to the public an annual report that details the use of electronic defense weapons by officers of such agency including data downloaded from electronic defense weapons after their use, use-of-force reports and statistics on such use including, but not limited to, the race and gender of the person on whom the electronic defense weapon was used, the name of the officer who employed the electronic defense weapon, the injury, if any, suffered by such person, the number of times the electronic defense weapon was activated and used on such person and, if the electronic defense weapon had different usage modes, the mode

used. The information and data compiled under this section may be used in any judicial or administrative proceeding.

Sec. 4. (NEW) (*Effective October 1, 2013*) Any person on whom an electronic defense weapon has been used by a peace officer who has not complied with section 2 of this act or whose employing law enforcement agency has not complied with section 3 of this act, may bring a civil action for damages against the law enforcement agency and any person with supervisory authority over such officer. The court may award costs, expert witness fees and a reasonable attorney's fee to a plaintiff who prevails in such action. The court may order injunctive or other equitable relief as it deems appropriate.

Statement of Purpose:

To ensure the safe use of electronic defense weapons by law enforcement agencies.