



General Assembly

January Session, 2013

## Amendment

LCO No. 8864

**\*SB0114908864SD0\***

Offered by:

SEN. WILLIAMS, 29 <sup>th</sup> Dist.	REP. FOX, 148 <sup>th</sup> Dist.
REP. SHARKEY, 88 <sup>th</sup> Dist.	SEN. FRANTZ, 36 <sup>th</sup> Dist.
SEN. LOONEY, 11 <sup>th</sup> Dist.	REP. FREY, 111 <sup>th</sup> Dist.
REP. ARESIMOWICZ, 30 <sup>th</sup> Dist.	REP. GENTILE, 104 <sup>th</sup> Dist.
SEN. MCKINNEY, 28 <sup>th</sup> Dist.	SEN. GERRATANA, 6 <sup>th</sup> Dist.
REP. CAFERO, 142 <sup>nd</sup> Dist.	REP. GUERRERA, 29 <sup>th</sup> Dist.
SEN. FASANO, 34 <sup>th</sup> Dist.	SEN. GUGLIELMO, 35 <sup>th</sup> Dist.
REP. FOX, 146 <sup>th</sup> Dist.	REP. HADDAD, 54 <sup>th</sup> Dist.
REP. BOLINSKY, 106 <sup>th</sup> Dist.	REP. HAMPTON, 16 <sup>th</sup> Dist.
REP. CARTER, 2 <sup>nd</sup> Dist.	SEN. HARP, 10 <sup>th</sup> Dist.
REP. HOVEY, 112 <sup>th</sup> Dist.	REP. HENNESSY, 127 <sup>th</sup> Dist.
REP. ARCE, 4 <sup>th</sup> Dist.	REP. HOYDICK, 120 <sup>th</sup> Dist.
REP. AYALA, 128 <sup>th</sup> Dist.	SEN. KANE, 32 <sup>nd</sup> Dist.
REP. BUTLER, 72 <sup>nd</sup> Dist.	SEN. KELLY, 21 <sup>st</sup> Dist.
REP. CANDELARIA, 95 <sup>th</sup> Dist.	REP. KINER, 59 <sup>th</sup> Dist.
REP. CLEMONS, 124 <sup>th</sup> Dist.	SEN. KISSEL, 7 <sup>th</sup> Dist.
REP. CUEVAS, 75 <sup>th</sup> Dist.	REP. KLARIDES, 114 <sup>th</sup> Dist.
REP. GONZALEZ, 3 <sup>rd</sup> Dist.	REP. KUPCHICK, 132 <sup>nd</sup> Dist.
REP. HEWETT, 39 <sup>th</sup> Dist.	REP. LARSON, 11 <sup>th</sup> Dist.
REP. HOLDER-WINFIELD, 94 <sup>th</sup> Dist.	SEN. LINARES, 33 <sup>rd</sup> Dist.
REP. MCCRORY, 7 <sup>th</sup> Dist.	REP. LOPES, 24 <sup>th</sup> Dist.
REP. MCGEE, 5 <sup>th</sup> Dist.	SEN. MAYNARD, 18 <sup>th</sup> Dist.
REP. MILLER P., 145 <sup>th</sup> Dist.	SEN. MCLACHLAN, 24 <sup>th</sup> Dist.
REP. MORRIS, 140 <sup>th</sup> Dist.	REP. MEGNA, 97 <sup>th</sup> Dist.
REP. ROJAS, 9 <sup>th</sup> Dist.	REP. MILLER L., 122 <sup>nd</sup> Dist.
REP. SANCHEZ, 25 <sup>th</sup> Dist.	REP. MILLER, 36 <sup>th</sup> Dist.
REP. SANTIAGO, 130 <sup>th</sup> Dist.	REP. MORIN, 28 <sup>th</sup> Dist.
REP. SANTIAGO, 84 <sup>th</sup> Dist.	REP. MOUKAWSHER, 40 <sup>th</sup> Dist.
REP. STALLWORTH, 126 <sup>th</sup> Dist.	REP. NAFIS, 27 <sup>th</sup> Dist.
REP. VARGAS, 6 <sup>th</sup> Dist.	REP. NICASTRO, 79 <sup>th</sup> Dist.
	REP. NOUJAIM, 74 <sup>th</sup> Dist.

REP. WALKER, 93 <sup>rd</sup> Dist.	REP. O'DEA, 125 <sup>th</sup> Dist.
REP. LESSER, 100 <sup>th</sup> Dist.	REP. O'NEILL, 69 <sup>th</sup> Dist.
REP. ABERCROMBIE, 83 <sup>rd</sup> Dist.	REP. ORANGE, 48 <sup>th</sup> Dist.
REP. ALBIS, 99 <sup>th</sup> Dist.	REP. PERILLO, 113 <sup>th</sup> Dist.
REP. ALEXANDER, 58 <sup>th</sup> Dist.	REP. RILEY, 46 <sup>th</sup> Dist.
SEN. AYALA, 23 <sup>rd</sup> Dist.	REP. RITTER M., 1 <sup>st</sup> Dist.
REP. BARAM, 15 <sup>th</sup> Dist.	REP. LEMAR, 96 <sup>th</sup> Dist.
SEN. BARTOLOMEO, 13 <sup>th</sup> Dist.	REP. RYAN, 139 <sup>th</sup> Dist.
REP. BERGER, 73 <sup>rd</sup> Dist.	REP. SAWYER, 55 <sup>th</sup> Dist.
SEN. BOUCHER, 26 <sup>th</sup> Dist.	REP. SCRIBNER, 107 <sup>th</sup> Dist.
REP. BOWLES, 42 <sup>nd</sup> Dist.	REP. SERRA, 33 <sup>rd</sup> Dist.
REP. CAMILLO, 151 <sup>st</sup> Dist.	SEN. SLOSSBERG, 14 <sup>th</sup> Dist.
SEN. CASSANO, 4 <sup>th</sup> Dist.	REP. SRINIVASAN, 31 <sup>st</sup> Dist.
SEN. COLEMAN, 2 <sup>nd</sup> Dist.	SEN. STILLMAN, 20 <sup>th</sup> Dist.
REP. COOK, 65 <sup>th</sup> Dist.	REP. TONG, 147 <sup>th</sup> Dist.
SEN. CRISCO, 17 <sup>th</sup> Dist.	REP. VICINO, 35 <sup>th</sup> Dist.
REP. D'AMELIO, 71 <sup>st</sup> Dist.	REP. WALKO, 150 <sup>th</sup> Dist.
REP. DAVIS P., 117 <sup>th</sup> Dist.	REP. WILLIAMS, 68 <sup>th</sup> Dist.
REP. DILLON, 92 <sup>nd</sup> Dist.	REP. WILLIS, 64 <sup>th</sup> Dist.
REP. DIMINICO, 13 <sup>th</sup> Dist.	SEN. WITKOS, 8 <sup>th</sup> Dist.
SEN. DUFF, 25 <sup>th</sup> Dist.	REP. WOOD, 141 <sup>st</sup> Dist.
REP. ESPOSITO, 116 <sup>th</sup> Dist.	REP. WRIGHT C., 77 <sup>th</sup> Dist.
REP. FLEXER, 44 <sup>th</sup> Dist.	REP. WRIGHT E., 41 <sup>st</sup> Dist.
REP. FLOREN, 149 <sup>th</sup> Dist.	REP. YACCARINO, 87 <sup>th</sup> Dist.
SEN. FONFARA, 1 <sup>st</sup> Dist.	REP. ZONI, 81 <sup>st</sup> Dist.

To: Subst. Senate Bill No. 1149

File No. 616

Cal. No. 448

**"AN ACT MAKING TECHNICAL CHANGES TO THE STATUTE CONCERNING ACCESS TO PUBLIC RECORDS."**

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

3 "Section 1. Subdivision (3) of subsection (b) of section 1-210 of the  
4 general statutes is repealed and the following is substituted in lieu

5 thereof (*Effective from passage, and applicable to all requests for records*  
6 *under chapter 14 of the general statutes pending on or made on or after said*  
7 *date*):

8 (3) Records of law enforcement agencies not otherwise available to  
9 the public which records were compiled in connection with the  
10 detection or investigation of crime, if the disclosure of said records  
11 would not be in the public interest because it would result in the  
12 disclosure of (A) the identity of informants not otherwise known or the  
13 identity of witnesses not otherwise known whose safety would be  
14 endangered or who would be subject to threat or intimidation if their  
15 identity was made known, (B) the identity of minor witnesses, (C)  
16 signed statements of witnesses, [(C)] (D) information to be used in a  
17 prospective law enforcement action if prejudicial to such action, [(D)]  
18 (E) investigatory techniques not otherwise known to the general  
19 public, [(E)] (F) arrest records of a juvenile, which shall also include  
20 any investigatory files, concerning the arrest of such juvenile, compiled  
21 for law enforcement purposes, [(F)] (G) the name and address of the  
22 victim of a sexual assault under section 53a-70, 53a-70a, 53a-71, 53a-  
23 72a, 53a-72b or 53a-73a, or injury or risk of injury, or impairing of  
24 morals under section 53-21, or of an attempt thereof, or [(G)] (H)  
25 uncorroborated allegations subject to destruction pursuant to section 1-  
26 216;

27 Sec. 2. Subsection (b) of section 1-210 of the general statutes is  
28 amended by adding subdivision (27) as follows (*Effective from passage,*  
29 *and applicable to all requests for records under chapter 14 of the general*  
30 *statutes pending on or made on or after said date*):

31 (NEW) (27) Any record created by a law enforcement agency or  
32 other federal, state, or municipal governmental agency consisting of a  
33 photograph, film, video or digital or other visual image depicting the  
34 victim of a homicide, to the extent that such record could reasonably  
35 be expected to constitute an unwarranted invasion of the personal  
36 privacy of the victim or the victim's surviving family members.

37       Sec. 3. (NEW) (*Effective from passage, and applicable to all requests for*  
38 *records under chapter 14 of the general statutes pending on or made on or*  
39 *after said date*) Notwithstanding any provision of the general statutes or  
40 any special act, a law enforcement agency shall not be required to  
41 disclose that portion of an audio tape or other recording where the  
42 individual speaking on the recording describes the condition of a  
43 victim of homicide, except for a recording that consists of an  
44 emergency 9-1-1 call or other call for assistance made by a member of  
45 the public to a law enforcement agency. This section shall apply to any  
46 request for such audio tape or other recording made on or before May  
47 7, 2014.

48       Sec. 4. (*Effective from passage*) (a) There is established a task force to  
49 consider and make recommendations regarding the balance between  
50 victim privacy under the Freedom of Information Act and the public's  
51 right to know.

52       (b) The task force shall consist of the following members:

53       (1) The executive director of the Freedom of Information  
54 Commission;

55       (2) A person appointed by the Connecticut Council of Freedom of  
56 Information;

57       (3) The Chief State's Attorney;

58       (4) The Chief Public Defender;

59       (5) The Victim Advocate;

60       (6) The Commissioner of Emergency Services and Public Protection;

61       (7) Two persons appointed by the Governor, one of whom shall  
62 represent a crime victim advocacy organization, and one of whom  
63 shall be a representative of municipal law enforcement;

64       (8) A professor of constitutional law who is recommended jointly by

65 the deans of the schools of law of Yale, Quinnipiac University and The  
66 University of Connecticut;

67 (9) Four persons appointed by the Connecticut Society of  
68 Professional Journalists, one each representing television, radio, print  
69 and electronic media;

70 (10) The president pro tempore of the Senate, or a member of the  
71 General Assembly designated by the president pro tempore;

72 (11) The speaker of the House of Representatives, or a member of  
73 the Black and Puerto Rican Caucus of the General Assembly  
74 designated by the speaker;

75 (12) The minority leader of the Senate, or a member of the General  
76 Assembly designated by said minority leader; and

77 (13) The minority leader of the House of Representatives, or a  
78 member of the General Assembly designated by said minority leader.

79 (c) All appointments to the task force shall be made not later than  
80 July 1, 2013. Any vacancy shall be filled by the appointing authority.

81 (d) The speaker of the House of Representatives and the president  
82 pro tempore of the Senate shall select the two chairpersons of the task  
83 force from among the members of the task force. Such chairpersons  
84 shall schedule the first meeting of the task force, which shall be held  
85 not later than August 1, 2013, and additional meetings at least monthly  
86 thereafter through December 2013.

87 (e) Not later than January 1, 2014, the task force shall submit a  
88 report on its findings and recommendations to the majority and  
89 minority leadership of the Connecticut General Assembly. The task  
90 force shall terminate on the date that it submits such report or January  
91 1, 2014, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage, and applicable to all requests for records under chapter 14 of the general statutes pending on or made on or after said date</i>	1-210(b)(3)
Sec. 2	<i>from passage, and applicable to all requests for records under chapter 14 of the general statutes pending on or made on or after said date</i>	1-210(b)
Sec. 3	<i>from passage, and applicable to all requests for records under chapter 14 of the general statutes pending on or made on or after said date</i>	New section
Sec. 4	<i>from passage</i>	New section