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## **OLR Bill Analysis**

**sHB 5389 (as amended by House "A")\***

### ***AN ACT CONCERNING THE USE OF AN AUTOMATED NUMBER PLATE RECOGNITION SYSTEM.***

#### **SUMMARY:**

This bill requires the Police Officer Standards and Training Council (POST), by January 1, 2015, to develop and promulgate a model policy that provides guidelines on the use of electronic defense weapons by police officers. It requires every law enforcement agency, namely the State Police and municipal police departments, that authorize police officers to use such weapons to (1) adopt and maintain a written policy, by January 31, 2015, that meets or exceeds the model policy and (2) require officers to document their use of the weapons.

It requires agencies that authorize the use of the weapons to report specified data, on a form POST must develop under the bill, on the use of the weapons to the Office of Policy and Management (OPM) annually and OPM to post the data on its web site. Agencies that do not authorize the use of the weapons must also inform OPM annually.

\*House Amendment "A" replaces the original file (File 161), which required the Legislative Program Review and Investigations Committee to conduct a study of automated number plate recognition system.

EFFECTIVE Date: October 1, 2014 for POST to develop its policy and standardized reporting form; January 1, 2015 for the remaining provisions.

#### **TASER USE, DOCUMENTATION, AND REPORTS**

The bill requires each law enforcement agency that authorizes any of its police officers to use an electronic defense weapon to require the officers to document their use in the agency's use-of-force reports. By January 15 following the end of each calendar year in which an

electronic defense weapon is used, the agency must prepare an annual report using the POST form detailing the use of the weapons. The report must include (1) data downloaded from the weapons after their use, (2) data compiled from the use-of-force reports, and (3) statistics on each such use of the weapon. The statistics must include the:

1. race and gender of each person on whom the weapon was used, based on the observation and perception of the police officer who used the weapon;
2. number of times the weapon was activated and used on the person;
3. injury, if any, the person suffered; and
4. the mode used on the person, if the weapon had different usage modes.

By January 15, 2016, and annually thereafter, agencies must submit the report to OPM's Criminal Justice Policy and Planning Division. By January 15, 2016, and annually thereafter, a law enforcement agency that does not authorize police officers it employs to use an electronic defense weapon must submit a report to the Criminal Justice Policy and Planning Division within OPM stating that it does not authorize its officers to use electronic defense weapons. The bill requires OPM to post the annual reports on its Internet web site.

## **BACKGROUND**

### ***Electronic Defense Weapon***

An electronic defense weapon is a weapon that, by electronic impulse or current, is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device (CGS 53a-3).

### ***POST Policy***

POST has already established a model policy on police officers' use of electronic defense weapons.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 21 Nay 3 (03/11/2014)