



General Assembly

January Session, 2015

***Raised Bill No. 6750***

LCO No. 3446



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT EXPANDING THE REQUIREMENT FOR DISCLOSURE OF  
ARREST RECORDS DURING A PENDING PROSECUTION UNDER  
THE FREEDOM OF INFORMATION ACT.***

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

1 Section 1. Section 1-215 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Notwithstanding any provision of the general statutes, [to the  
4 contrary, and except as otherwise provided in this section,] any record  
5 of the arrest of any person, other than a juvenile, except a record  
6 erased pursuant to chapter 961a, shall be a public record from the time  
7 of such arrest and shall be disclosed in accordance with the provisions  
8 of section 1-212 and subsection (a) of section 1-210, [except that  
9 disclosure of data or information other than that set forth in  
10 subdivision (1) of subsection (b) of this section shall be subject to the  
11 provisions of subdivision (3) of subsection (b) of section 1-210] and any  
12 such record shall not be subject to any exemption from disclosure  
13 contained in any other provision of the general statutes. Any personal

14 possessions or effects found on a person at the time of such person's  
15 arrest shall not be disclosed unless such possessions or effects are  
16 relevant to the crime for which such person was arrested.

17 (b) In addition to the disclosure of any record of the arrest of any  
18 person required under this section, and notwithstanding the existence  
19 of a pending prosecution, any other public record that pertains to the  
20 arrest of any person shall be disclosed in accordance with the  
21 provisions of section 1-212 and subsection (a) of section 1-210 unless  
22 such record is exempt from disclosure pursuant to the provisions of  
23 subdivision (3) of subsection (b) of section 1-210.

24 [(b)] (c) For the purposes of this section, "record of the arrest" means  
25 (1) the name and address of the person arrested, the date, time and  
26 place of the arrest and the offense for which the person was arrested,  
27 and (2) at least one of the following, designated by the law  
28 enforcement agency: The arrest report, incident report, news release or  
29 other similar report of the arrest of a person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	1-215

**Statement of Purpose:**

To reverse the recent Connecticut Supreme Court decision in Commissioner of Public Safety v. FOIC which concluded that law enforcement agencies' disclosure obligations under the Freedom of Information Act during pending prosecutions are governed only by section 1-215 of the general statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*