



General Assembly

January Session, 2015

Committee Bill No. 652

LCO No. 5989



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

**AN ACT CONCERNING THE INVESTIGATION OF THE USE OF
PHYSICAL FORCE BY A PEACE OFFICER THAT RESULTS IN THE
DEATH OF A PERSON.**

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

1 Section 1. Section 51-277a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Whenever a peace officer, in the performance of [his] such
4 officer's duties, uses [deadly] physical force upon another person and
5 such person dies as a result thereof, the Division of Criminal Justice
6 shall cause an investigation to be made and shall have the
7 responsibility of determining whether the use of [deadly] physical
8 force by the peace officer was appropriate under section 53a-22. The
9 division shall request the appropriate law enforcement agency to
10 provide such assistance as is necessary to determine the circumstances
11 of the incident.

12 (b) In causing such an investigation to be made, the Chief State's
13 Attorney [may,] shall, (1) as provided in section 51-281, designate a
14 prosecutorial official from a judicial district other than the judicial

15 district in which the incident occurred to conduct the investigation, or
16 [may,] (2) as provided in subsection (a) of section 51-285, appoint a
17 special assistant state's attorney or special deputy assistant state's
18 attorney to conduct the investigation. [If the Chief State's Attorney
19 designates a prosecutorial official from another judicial district or
20 appoints a special prosecutor to conduct the investigation, the] The
21 Chief State's Attorney shall, upon the request of such prosecutorial
22 official or special prosecutor, appoint a special inspector or special
23 inspectors to assist in such investigation. [Any person may make a
24 written request to the Chief State's Attorney or the Criminal Justice
25 Commission requesting that the Chief State's Attorney so designate a
26 prosecutorial official from another judicial district or appoint a special
27 prosecutor to conduct the investigation.]

28 (c) Upon the conclusion of the investigation of the incident, the
29 division shall file a report with the Chief State's Attorney which shall
30 contain the following: (1) The circumstances of the incident, (2) a
31 determination of whether the use of [deadly] physical force by the
32 peace officer was appropriate under section 53a-22, and (3) any future
33 action to be taken by the Division of Criminal Justice as a result of the
34 incident. The Chief State's Attorney shall provide a copy of the report
35 to the chief executive officer of the municipality in which the incident
36 occurred and to the Commissioner of Emergency Services and Public
37 Protection or the chief of police of such municipality, as the case may
38 be.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	51-277a

Statement of Purpose:

To require cases of uses of physical force by peace officers that result in the death of a person to be investigated by either a special prosecutor or a prosecutorial official from a judicial district other than the one in which the incident occurred.

[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.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. DUFF, 25th Dist.
SEN. BYE, 5th Dist.; SEN. CASSANO, 4th Dist.
SEN. COLEMAN, 2nd Dist.; SEN. CRISCO, 17th Dist.
SEN. FLEXER, 29th Dist.; SEN. LARSON, 3rd Dist.
SEN. MOORE, 22nd Dist.; SEN. SLOSSBERG, 14th Dist.
SEN. WINFIELD, 10th Dist.; REP. WALKER, 93rd Dist.

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