



General Assembly

January Session, 2015

Raised Bill No. 1104

LCO No. 5243



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE MILITARIZATION OF LAW ENFORCEMENT AGENCIES.

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section and sections 2 to 4, inclusive, of this act:

3 (1) "Law enforcement agency" means the Division of State Police
4 within the Department of Emergency Services and Public Protection or
5 any municipal police department;

6 (2) "Controlled equipment" means military designed equipment on
7 the United States Department of State Munitions Control List, as
8 provided in 22 CFR 121, as amended from time to time, or United
9 States Department of Commerce Control List, as provided in Subtitle B
10 of 15 CFR 774, as amended from time to time, such as small arms,
11 night vision devices, High Mobility Multipurpose Wheeled Vehicles,
12 Mine Resistant Ambush Protected Vehicles, aircraft and watercraft;

13 (3) "Police officer" means a state police officer or a sworn member of

14 a municipal police department;

15 (4) "Tactical team" means a special unit within a law enforcement
16 agency, or a multiagency team, specifically trained and equipped to
17 respond to emergency scenarios;

18 (5) "Reportable incident" means a deployment of a tactical team; and

19 (6) "No-knock provision" means a provision in a warrant that
20 authorizes a police officer executing a warrant to enter without giving
21 audible notice of the police officer's presence, authority and purpose
22 before entering.

23 Sec. 2. (NEW) (*Effective January 1, 2016*) Any municipal police
24 department applying to acquire controlled equipment from the
25 program authorized by Section 1033 of the National Defense
26 Authorization Act of 1997, or for funds under the Edward Byrne
27 Memorial Justice Assistance Grant program to acquire controlled
28 equipment shall make any such application available for review by the
29 municipality's legislative body and shall hold a public hearing on such
30 application not fewer than thirty days prior to the submission of the
31 application. The department shall provide legal notice, as described by
32 section 1-2 of the general statutes, of such hearing. Approval of the
33 application by the legislative body is not required.

34 Sec. 3. (NEW) (*Effective January 1, 2016*) Not later than January
35 fifteenth of each year, each law enforcement agency shall submit an
36 annual inventory of any controlled equipment acquired during the
37 previous calendar year through the program authorized by Section
38 1033 of the National Defense Authorization Act of 1997, and controlled
39 equipment acquired with Edward Byrne Memorial Justice Assistance
40 Grant program funds to the Criminal Justice Policy and Planning
41 Division within the Office of Policy and Management with the
42 following information for each item of such equipment:

43 (1) A description of any such equipment;

- 44 (2) The acquisition date of any such equipment;
- 45 (3) The initial cost of any such equipment;
- 46 (4) The percentage of the acquisition cost paid by a state or federal
47 agency;
- 48 (5) Any location where such equipment is in use or being stored;
- 49 (6) Any associated storage and maintenance costs; and
- 50 (7) A photograph of each aircraft, watercraft, tactical vehicle or
51 weapon.

52 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than January
53 fifteenth of each year, each law enforcement agency shall report
54 whether it participated in a reportable incident during the previous
55 calendar year. The agency shall submit such annual report to the
56 Criminal Justice Policy and Planning Division within the Office of
57 Policy and Management. Such report shall contain the following
58 information for each such reportable incident:

- 59 (1) The organizational title of the agency and tactical team deployed;
- 60 (2) The address, city, county and zip code of the location where the
61 reportable incident occurred;
- 62 (3) The reason for the reportable incident;
- 63 (4) The type of warrant executed, if any, and whether the warrant
64 contained a no-knock provision or authorized execution between the
65 hours of ten o'clock p.m. and seven o'clock a.m.;
- 66 (5) If a warrant was obtained, the name of the judge, judge trial
67 referee or magistrate who authorized the warrant;
- 68 (6) The number of arrests made, if any;

69 (7) A detailed description of any contraband seized and whether
70 any property was seized, other than contraband;

71 (8) If an armored personnel carrier was used, and, if so, how was it
72 used and why was it needed;

73 (9) If a forcible entry was made, and, if so, what equipment was
74 used and how it was used in forcing the entry and why it was needed;

75 (10) If an explosive device was used either for breaching or
76 distraction purposes, and, if so, what type of device was used and how
77 and why was it used;

78 (11) If a firearm was discharged by a police officer, and, if so, how
79 many shots were fired by any such officer;

80 (12) If a weapon was brandished by a person other than a police
81 officer;

82 (13) If a weapon was used by a person against a police officer, and,
83 if such weapon was a firearm, the number or approximate number of
84 shots fired by the person;

85 (14) The identity of any law enforcement agency that participated or
86 provided resources for the reportable incident and a description of
87 which agencies provided which resources;

88 (15) The race, gender and age of each person encountered during
89 the reportable incident, including any suspect or bystander;

90 (16) If a person or domestic animal was injured or killed, and, if so,
91 a detailed description of the circumstances leading to the injury or
92 death, and a detailed description of any injury, including whether
93 death resulted from such injury; and

94 (17) If a police officer was injured or killed, and, if so, a detailed
95 description of the circumstances leading to the injury or death, and a

96 detailed description of any injury, including whether death resulted
97 from such injury.

98 (b) As part of such report submitted pursuant to subsection (a) of
99 this section, each law enforcement agency shall report the number of
100 arrest warrants served that required a forced entry that were not
101 served in conjunction with a search warrant that resulted in a
102 reportable incident.

103 (c) In the case of any reportable incident involving a multiagency
104 team or any warrant served by a multiagency team, the law
105 enforcement agency that is the commanding agency shall submit the
106 report pursuant to subsection (a) of this section concerning such
107 warrant or incident.

108 (d) Not later than July 1, 2015, the Police Officer Standards and
109 Training Council established under section 7-294b of the general
110 statutes shall develop a standardized form for reporting that each law
111 enforcement agency shall use in reporting the information required in
112 this section.

113 (e) The Office of Policy and Management shall post each report
114 submitted pursuant to subsection (a) of this section on its Internet web
115 site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2016</i>	New section
Sec. 3	<i>January 1, 2016</i>	New section
Sec. 4	<i>from passage</i>	New section

Statement of Purpose:

To ensure greater transparency concerning the acquisition and use of military designed equipment.

[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.]