



General Assembly

January Session, 2015

***Raised Bill No. 1109***

LCO No. 5293



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING EXCESSIVE USE OF FORCE.***

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

1 Section 1. (NEW) (*Effective October 1, 2015*) Each police basic or  
2 review training program conducted or administered by the Division of  
3 State Police within the Department of Emergency Services and Public  
4 Protection, the Police Officer Standards and Training Council  
5 established under section 7-294b of the general statutes or a municipal  
6 police department in the state shall include tactical training for police  
7 officers regarding the use of deadly force, training in the use of body-  
8 worn recording equipment and the retention of records created by  
9 such equipment, and cultural competency and sensitivity training.

10 Sec. 2. (NEW) (*Effective January 1, 2015*) (a) Each police officer, as  
11 defined in section 7-294a of the general statutes, shall wear body-worn  
12 recording equipment in such manner and at such times as determined  
13 by the Commissioner of Emergency Services and Public Protection, the  
14 board of police commissioners, the chief of police, superintendent of  
15 police or other authority having charge over such officer.

16 (b) Any image or video recorded on the equipment used pursuant  
17 to subsection (a) of this section that is a public record or file, as defined  
18 in section 1-200 of the general statutes, shall be disclosed in accordance  
19 with the provisions of section 1-212 of the general statutes, subsection  
20 (a) of section 1-210 of the general statutes and section 1-215 of the  
21 general statutes, unless such record is exempt from disclosure  
22 pursuant to the provisions of subdivision (3) of subsection (b) of  
23 section 1-210 of the general statutes.

24 Sec. 3. (NEW) (*Effective October 1, 2015*) Not later than January 1,  
25 2016, each law enforcement unit, as defined in section 7-294a of the  
26 general statutes, shall develop and implement guidelines for the  
27 recruitment and retention of minority police officers, as defined in  
28 section 7-294a of the general statutes. Such guidelines shall consider  
29 the racial and ethnic background of the community such unit serves  
30 and contain policies to ensure that the unit makes efforts to recruit and  
31 retain minority police officers so that the racial and ethnic background  
32 of the unit closely resembles that of the community which it serves. For  
33 purposes of this section, "minority" means an individual whose race is  
34 defined as other than white, or whose ethnicity is defined as Hispanic  
35 or Latino by the federal Office of Management and Budget for use by  
36 the Bureau of Census of the United States Department of Commerce.

37 Sec. 4. Section 51-277a of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective October 1, 2015*):

39 (a) Whenever a peace officer, in the performance of his duties, uses  
40 [deadly] physical force upon another person and such person dies as a  
41 result thereof, the Division of Criminal Justice shall cause an  
42 investigation to be made and shall have the responsibility of  
43 determining whether the use of [deadly] physical force by the peace  
44 officer was appropriate under section 53a-22. The division shall  
45 request the appropriate law enforcement agency to provide such  
46 assistance as is necessary to determine the circumstances of the  
47 incident.

48 (b) In causing such an investigation to be made, the Chief State's  
49 Attorney [may, as provided in section 51-281, designate a prosecutorial  
50 official from a judicial district other than the judicial district in which  
51 the incident occurred to conduct the investigation or may] shall, as  
52 provided in subsection (a) of section 51-285, appoint a special assistant  
53 state's attorney or special deputy assistant state's attorney to conduct  
54 the investigation. [If the Chief State's Attorney designates a  
55 prosecutorial official from another judicial district or appoints a special  
56 prosecutor to conduct the investigation, the] The Chief State's Attorney  
57 shall, upon the request of such [prosecutorial official or] special  
58 prosecutor, appoint a special inspector or special inspectors to assist in  
59 such investigation. [Any person may make a written request to the  
60 Chief State's Attorney or the Criminal Justice Commission requesting  
61 that the Chief State's Attorney so designate a prosecutorial official  
62 from another judicial district or appoint a special prosecutor to  
63 conduct the investigation.]

64 (c) Upon the conclusion of the investigation of the incident, the  
65 division shall file a report with the Chief State's Attorney which shall  
66 contain the following: (1) The circumstances of the incident, (2) a  
67 determination of whether the use of [deadly] physical force by the  
68 peace officer was appropriate under section 53a-22, and (3) any future  
69 action to be taken by the Division of Criminal Justice as a result of the  
70 incident. The Chief State's Attorney shall provide a copy of the report  
71 to the chief executive officer of the municipality in which the incident  
72 occurred and to the Commissioner of Emergency Services and Public  
73 Protection or the chief of police of such municipality, as the case may  
74 be.

75 Sec. 5. (NEW) (*Effective October 1, 2015*) Each law enforcement unit,  
76 as defined in section 7-294a of the general statutes, shall record and  
77 maintain any information detailing any incident during which a  
78 firearm of a police officer, as defined in section 7-294a of the general  
79 statutes, is discharged, including whether a death resulted from such  
80 discharge.

81 Sec. 6. (NEW) (Effective October 1, 2015) (a) No law enforcement unit,  
82 as defined in section 7-294a of the general statutes, shall hire any  
83 person as a police officer, as defined in said section 7-294a, who was  
84 previously employed as a police officer by such unit or in any other  
85 jurisdiction and who was dismissed for misconduct or who, while  
86 under investigation for misconduct, resigned or retired from such  
87 officer's position.

88 (b) Any law enforcement unit that has knowledge that any former  
89 police officer of such unit who was dismissed for misconduct or who,  
90 while under investigation for misconduct, resigned or retired from  
91 such officer's position, is an applicant for the position of police officer  
92 with any other unit, shall inform such other unit of such dismissal,  
93 resignation or retirement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>January 1, 2015</i>	New section
Sec. 3	<i>October 1, 2015</i>	New section
Sec. 4	<i>October 1, 2015</i>	51-277a
Sec. 5	<i>October 1, 2015</i>	New section
Sec. 6	<i>October 1, 2015</i>	New section

**Statement of Purpose:**

To reduce the likelihood of unnecessary police shootings and excessive use of force.

*[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.]*