



General Assembly

Substitute Bill No. 1109

January Session, 2015



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 October 1, 2015*) Not later than January 1,
11 2016, each law enforcement unit, as defined in section 7-294a of the
12 general statutes, shall develop and implement guidelines for the
13 recruitment and retention of minority police officers, as defined in
14 section 7-294a of the general statutes. Such guidelines shall consider
15 the racial and ethnic background of the community such unit serves
16 and contain policies to ensure that the unit makes efforts to recruit and
17 retain minority police officers so that the racial and ethnic background
18 of the unit closely resembles that of the community which it serves. For
19 purposes of this section, "minority" means an individual whose race is
20 defined as other than white, or whose ethnicity is defined as Hispanic

21 or Latino by the federal Office of Management and Budget for use by
22 the Bureau of Census of the United States Department of Commerce.

23 Sec. 3. Section 51-277a of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2015*):

25 (a) Whenever a peace officer, in the performance of his duties, uses
26 [deadly] physical force upon another person and such person dies as a
27 result thereof, the Division of Criminal Justice shall cause an
28 investigation to be made and shall have the responsibility of
29 determining whether the use of [deadly] physical force by the peace
30 officer was appropriate under section 53a-22. The division shall
31 request the appropriate law enforcement agency to provide such
32 assistance as is necessary to determine the circumstances of the
33 incident.

34 (b) In causing such an investigation to be made, the Chief State's
35 Attorney [may, as provided in section 51-281, designate a prosecutorial
36 official from a judicial district other than the judicial district in which
37 the incident occurred to conduct the investigation or may] shall, as
38 provided in subsection (a) of section 51-285, appoint a special assistant
39 state's attorney or special deputy assistant state's attorney to conduct
40 the investigation. [If the Chief State's Attorney designates a
41 prosecutorial official from another judicial district or appoints a special
42 prosecutor to conduct the investigation, the] The Chief State's Attorney
43 shall, upon the request of such [prosecutorial official or] special
44 prosecutor, appoint a special inspector or special inspectors to assist in
45 such investigation. [Any person may make a written request to the
46 Chief State's Attorney or the Criminal Justice Commission requesting
47 that the Chief State's Attorney so designate a prosecutorial official
48 from another judicial district or appoint a special prosecutor to
49 conduct the investigation.]

50 (c) Upon the conclusion of the investigation of the incident, the
51 division shall file a report with the Chief State's Attorney which shall
52 contain the following: (1) The circumstances of the incident, (2) a

53 determination of whether the use of [deadly] physical force by the
 54 peace officer was appropriate under section 53a-22, and (3) any future
 55 action to be taken by the Division of Criminal Justice as a result of the
 56 incident. The Chief State's Attorney shall provide a copy of the report
 57 to the chief executive officer of the municipality in which the incident
 58 occurred and to the Commissioner of Emergency Services and Public
 59 Protection or the chief of police of such municipality, as the case may
 60 be.

61 Sec. 4. (NEW) (*Effective October 1, 2015*) Each law enforcement unit,
 62 as defined in section 7-294a of the general statutes, shall record and
 63 maintain any information detailing any incident during which a
 64 firearm of a police officer, as defined in section 7-294a of the general
 65 statutes, is discharged, including whether a death resulted from such
 66 discharge.

67 Sec. 5. (NEW) (*Effective October 1, 2015*) (a) No law enforcement unit,
 68 as defined in section 7-294a of the general statutes, shall hire any
 69 person as a police officer, as defined in said section 7-294a, who was
 70 previously employed as a police officer by such unit or in any other
 71 jurisdiction and who was dismissed for misconduct or who, while
 72 under investigation for misconduct, resigned or retired from such
 73 officer's position.

74 (b) Any law enforcement unit that has knowledge that any former
 75 police officer of such unit who was dismissed for misconduct or who,
 76 while under investigation for misconduct, resigned or retired from
 77 such officer's position, is an applicant for the position of police officer
 78 with any other unit, shall inform such other unit of such dismissal,
 79 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>October 1, 2015</i>	New section
Sec. 3	<i>October 1, 2015</i>	51-277a

Sec. 4	<i>October 1, 2015</i>	New section
Sec. 5	<i>October 1, 2015</i>	New section

PS *Joint Favorable Subst.*