



General Assembly

**Amendment**

January Session, 2015

LCO No. 6782



Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. COLEMAN, 2<sup>nd</sup> Dist.

To: Subst. Senate Bill No. 1109

File No. 758

Cal. No. 368

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

1 Strike section 3 in its entirety and substitute the following in lieu  
2 thereof:

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 Section 51-277a of the general statutes is repealed and the  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

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

14 (b) In causing such an investigation to be made, the Chief State's

15 Attorney [may,] shall, (1) as provided in section 51-281, designate a  
16 prosecutorial official from a judicial district other than the judicial  
17 district in which the incident occurred to conduct the investigation, or  
18 [may,] (2) as provided in subsection (a) of section 51-285, appoint a  
19 special assistant state's attorney or special deputy assistant state's  
20 attorney to conduct the investigation. [If the Chief State's Attorney  
21 designates a prosecutorial official from another judicial district or  
22 appoints a special prosecutor to conduct the investigation, the] The  
23 Chief State's Attorney shall, upon the request of such prosecutorial  
24 official or special prosecutor, appoint a special inspector or special  
25 inspectors to assist in such investigation. [Any person may make a  
26 written request to the Chief State's Attorney or the Criminal Justice  
27 Commission requesting that the Chief State's Attorney so designate a  
28 prosecutorial official from another judicial district or appoint a special  
29 prosecutor to conduct the investigation.]

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