



General Assembly

Substitute Bill No. 349

February Session, 2016

* SB00349JUD 032916 *

AN ACT CONCERNING THE PRIVACY OF A MINOR.

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

1 Section 1. Subsection (g) of section 29-6d of the 2016 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (g) (1) Except as otherwise provided by any agreement between a
5 law enforcement agency and the federal government, no police officer
6 shall use body-worn recording equipment to intentionally record [(1)]
7 (A) a communication with other law enforcement agency personnel,
8 except that which may be recorded as the officer performs his or her
9 duties, [(2)] (B) an encounter with an undercover officer or informant,
10 [(3)] (C) when an officer is on break or is otherwise engaged in a
11 personal activity, [(4)] (D) a person undergoing a medical or
12 psychological evaluation, procedure or treatment, [(5)] (E) any person
13 other than a suspect to a crime if an officer is wearing such equipment
14 in a hospital or other medical facility setting, or [(6)] (F) in a mental
15 health facility, unless responding to a call involving a suspect to a
16 crime who is thought to be present in the facility.

17 (2) No record created using body-worn recording equipment of (A)
18 an occurrence or situation described in [subdivisions (1) to (6)]
19 subparagraphs (A) to (F), inclusive, of subdivision (1) of this

20 subsection, [shall be deemed a public record for purposes of section 1-
 21 210. No record created by a police officer using body-worn recording
 22 equipment of (A) the] (B) a scene of an incident that involves (i) a
 23 victim of domestic or sexual abuse, [or (B)] (ii) a victim of homicide or
 24 suicide, or (iii) a deceased victim of an accident, if disclosure could
 25 reasonably be expected to constitute an unwarranted invasion of
 26 personal privacy in the case of any such victim described in this
 27 subparagraph, or (C) a minor, shall be subject to disclosure under the
 28 [provisions of section 1-210 to the extent that disclosure of such record
 29 could reasonably be expected to constitute an unwarranted invasion of
 30 personal privacy] Freedom of Information Act, as defined in section 1-
 31 200, and any such record shall be confidential, except that a record of a
 32 minor shall be disclosed if (i) the minor and the parent or guardian of
 33 such minor consent to the disclosure of such record, (ii) a police officer
 34 is the subject of an allegation of misconduct made by such minor or the
 35 parent or guardian of such minor, and the person representing such
 36 officer in an investigation of such alleged misconduct requests
 37 disclosure of such record for the sole purpose of preparing a defense to
 38 such allegation, or (iii) a person is charged with a crime and defense
 39 counsel for such person requests disclosure of such record for the sole
 40 purpose of assisting in such person's defense and the discovery of such
 41 record as evidence is otherwise discoverable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-6d(g)

Statement of Legislative Commissioners:

In Section 1, subsection (g) was subdivided into subdivisions and subdivision (2) was reorganized for clarity.

JUD *Joint Favorable Subst.*