



# Senate

General Assembly

**File No. 638**

February Session, 2016

Substitute Senate Bill No. 467

*Senate, April 14, 2016*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING MUNICIPAL IMPLEMENTATION OF CRIMINAL JUSTICE REFORMS.**

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

1 Section 1. Section 29-6d of the 2016 supplement to the general  
2 statutes is amended by adding subsection (k) as follows (*Effective from*  
3 *passage*):

4 (NEW) (k) Notwithstanding any provision of the general statutes,  
5 the provisions of this section concerning the use of body-worn  
6 recording equipment shall not be subject to collective bargaining.

7 Sec. 2. (*Effective from passage*) The Connecticut Sentencing Commission  
8 established pursuant to section 54-300 of the general statutes shall review  
9 costs associated with data retention pursuant to section 29-6d of the  
10 general statutes, as amended by this act. As part of such review, the  
11 commission shall (1) consider actual costs for such retention for  
12 municipalities and the state, (2) employ a cost benefit analysis to  
13 determine whether the retention period for such data should remain

14 unchanged, be reduced or be extended, and (3) explore ways that  
 15 municipalities and the state could save on costs for such retention,  
 16 including, but not limited to, cooperative purchasing plans or other  
 17 methods to achieve economies of scale. The commission shall report its  
 18 findings, including, but not limited to, recommendations for legislation, if  
 19 any, to the joint standing committee of the General Assembly having  
 20 cognizance of matters relating to the judiciary not later than January 1,  
 21 2017.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-6d
Sec. 2	<i>from passage</i>	New section

**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 17 \$
Various State Agencies	GF - Potential Cost	Less than \$1,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

There may be a cost of less than \$1,000 in FY 17 to those agencies participating in the Sentencing Commission to reimburse legislators and agency staff for mileage expenses.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 467*****AN ACT CONCERNING MUNICIPAL IMPLEMENTATION OF CRIMINAL JUSTICE REFORMS.*****SUMMARY:**

This bill prohibits a police officer's use of body-worn recording equipment (body cameras) as required by the statutes from being a subject of collective bargaining. By law, beginning July 1, 2016, body cameras must be used by sworn members of the State Police, UConn and state university system police, and municipal police departments that receive state grants for body cameras. Among other things, the law establishes (1) how officers must wear body cameras and what they must and may not record, (2) procedures to ensure properly functioning equipment, and (3) requirements for retaining data from the cameras.

The bill also requires the Sentencing Commission to review the costs of retaining body camera data and report its recommendations to the Judiciary Committee by January 1, 2017. The commission must:

1. consider the actual costs to the state and municipalities of retaining the data,
2. conduct a cost benefit analysis to determine whether to change the required data retention period, and
3. explore ways that the state and municipalities could save money, including through cooperative purchasing plans or other ways to achieve economies of scale.

As required by law, the Department of Emergency Services and Public Protection and Police Officer Standards and Training Council (POST) issued data retention guidelines that law enforcement officers

and agencies must follow (POST General Notice 15-5).

EFFECTIVE DATE: Upon passage

**BACKGROUND**

***Data Retention Guidelines***

POST General Notice 15-5 requires keeping digital multimedia files of body camera recordings:

1. for at least four years if they are reproduced for evidentiary purposes or otherwise required to be preserved under the policy;
2. for 90 days if they are not reproduced for evidentiary purposes or required to be preserved;
3. while a case is under investigation; while criminal or civil proceedings are ongoing or reasonably anticipated; or according to the state retention schedule, whichever is longer;
4. according to any specific request by Division of Criminal Justice representatives, municipal attorneys, the Attorney General's Office, counsel, or other authorized claims representatives; or
5. on request of a member of the public where litigation may be reasonably anticipated.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 29 Nay 14 (03/28/2016)