



Substitute House Bill No. 5220

Public Act No. 18-161

AN ACT CONCERNING THIRD-PARTY FINGERPRINTING SERVICES, MINIMUM STANDARDS AND PRACTICES FOR THE ADMINISTRATION OF LAW ENFORCEMENT UNITS AND REPORTS OF POLICE PURSUITS.

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

Section 1. Section 29-11 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) The bureau in the Division of State Police within the Department of Emergency Services and Public Protection known as the State Police Bureau of Identification shall be maintained for the purposes of: (1) ~~[providing]~~ Providing an authentic record of each person sixteen years of age or over who is charged with the commission of any crime involving moral turpitude, (2) providing definite information relative to the identity of each person so arrested, (3) providing a record of the final judgment of the court resulting from such arrest, unless such record has been erased pursuant to section 54-142a, and (4) maintaining a central repository of complete criminal history record disposition information. The Commissioner of Emergency Services and Public Protection is directed to maintain the State Police Bureau of Identification, which bureau shall receive, classify and file in an

Substitute House Bill No. 5220

orderly manner all fingerprints, pictures and descriptions, including previous criminal records as far as known of all persons so arrested, and shall classify and file in a like manner all identification material and records received from the government of the United States and from the various state governments and subdivisions thereof, and shall cooperate with such governmental units in the exchange of information relative to criminals. The State Police Bureau of Identification shall accept fingerprints of applicants for admission to the bar of the state and, to the extent permitted by federal law, shall exchange state, multistate and federal criminal history records with the State Bar Examining Committee for purposes of investigation of the qualifications of any applicant for admission as an attorney under section 51-80. The record of all arrests reported to the bureau after March 16, 1976, shall contain information of any disposition within ninety days after the disposition has occurred.

(b) Any cost incurred by the State Police Bureau of Identification in conducting any name search and fingerprinting of applicants for admission to the bar of the state shall be paid from fees collected by the State Bar Examining Committee.

(c) The Commissioner of Emergency Services and Public Protection shall charge the following fees for the service indicated: (1) Name search, thirty-six dollars; (2) fingerprint search, seventy-five dollars; (3) personal record search, seventy-five dollars; (4) letters of good conduct search, seventy-five dollars; (5) bar association search, seventy-five dollars; (6) fingerprinting, fifteen dollars; (7) criminal history record information search, seventy-five dollars. Except as provided in subsection (b) of this section, the provisions of this subsection shall not apply to any federal, state or municipal agency.

(d) The Commissioner of Emergency Services and Public Protection may enter into one or more agreements with independent contractors requiring such contractors to receive and transmit by electronic means

Substitute House Bill No. 5220

fingerprints and demographic information to the State Police Bureau of Identification for the processing of criminal history records checks. The commissioner shall require such contractors to: (1) Collect and remit the fee charged for fingerprinting, as provided in subsection (c) of this section, to the State Police Bureau of Identification, and (2) comply with terms and conditions as the commissioner shall prescribe to protect and ensure the security, privacy, confidentiality and value of the fingerprints and demographic information received and transmitted by such contractors. The commissioner may authorize such contractors to charge a convenience fee, which shall not exceed fifteen dollars, for fingerprinting.

[(d)] (e) The Commissioner of Emergency Services and Public Protection may adopt regulations, in accordance with the provisions of chapter 54, necessary to implement the provisions of the National Child Protection Act of 1993, the Violent Crime Control and Law Enforcement Act of 1994, the Volunteers for Children Act of 1998, and the National Crime Prevention and Privacy Compact as provided in section 29-164f to provide for national criminal history records checks to determine an employee's or volunteer's suitability and fitness to care for the safety and well-being of children, the elderly and individuals with disabilities.

Sec. 2. (NEW) (*Effective January 1, 2019*) (a) The Police Officer Standards and Training Council, established under section 7-294b of the general statutes, and the Commissioner of Emergency Services and Public Protection or the commissioner's designee, shall, within available appropriations, jointly develop, adopt and revise, as necessary, minimum standards and practices for the administration and management of law enforcement units, as defined in section 7-294a of the general statutes. Such minimum standards and practices shall be based upon standards established by the International Association of Chiefs of Police and the Commission on Accreditation

Substitute House Bill No. 5220

for Law Enforcement Agencies, Inc., and shall include, but need not be limited to, standards and practices regarding bias-based policing, use of force, response to crimes of family violence, use of body-worn recording equipment, complaints that allege misconduct by police officers, use of electronic defense weapons, eyewitness identification procedures, notifications in death and related events and pursuits by police officers. The council shall post such minimum standards and practices on the council's Internet web site and disseminate such standards and practices to law enforcement units. The council and commissioner or the commissioner's designee shall jointly develop a process to review a law enforcement unit's compliance with such minimum standards and practices and issue a certificate of compliance with law enforcement standards and practices to a law enforcement unit that meets or exceeds such standards and practices.

(b) On and after January 1, 2019, each law enforcement unit shall adopt and maintain (1) the minimum standards and practices developed by the council pursuant to subsection (a) of this section, or (2) a higher level of accreditation standards developed by the council or the Commission on Accreditation for Law Enforcement Agencies, Inc.

(c) No civil action may be brought against a law enforcement unit for damages arising from the failure of the law enforcement unit to adopt and maintain such minimum standards and practices or a higher level of accreditation standards.

Sec. 3. Section 14-283a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(a) As used in this section, "police officer" [means a sworn member of an organized local police department or a state police officer, which member or officer is assigned to patrol duties on public streets or highways] has the same meaning as provided in section 7-294a, and

Substitute House Bill No. 5220

"pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

(b) The Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State's Attorney, the Police Officer Standards and Training Council, the Connecticut Police Chiefs Association and the Connecticut Coalition of Police and Correctional Officers, shall adopt, in accordance with the provisions of chapter 54, a uniform, state-wide policy for handling pursuits by police officers. Such policy shall specify: (1) The conditions under which a police officer may engage in a pursuit and discontinue a pursuit, (2) alternative measures to be employed by any such police officer in order to apprehend any occupant of the fleeing motor vehicle or to impede the movement of such motor vehicle, (3) the coordination and responsibility, including control over the pursuit, of supervisory personnel and the police officer engaged in such pursuit, (4) in the case of a pursuit that may proceed and continue into another municipality, (A) the requirement to notify and the procedures to be used to notify the police department in such other municipality or, if there is no organized police department in such other municipality, the officers responsible for law enforcement in such other municipality, that there is a pursuit in progress, and (B) the coordination and responsibility of supervisory personnel in each such municipality and the police officer engaged in such pursuit, (5) the type and amount of training in pursuits, that each police officer shall undergo, which may include training in vehicle simulators, if vehicle simulator training is determined to be necessary, and (6) that a police officer immediately notify supervisory personnel or the officer in charge after the police officer begins a pursuit. The chief of police or Commissioner of Emergency Services and Public Protection, as the case may be, shall

Substitute House Bill No. 5220

inform each officer within such chief's or said commissioner's department and each officer responsible for law enforcement in a municipality in which there is no such department of the existence of the policy of pursuit to be employed by any such officer and shall take whatever measures that are necessary to assure that each such officer understands the pursuit policy established.

(c) (1) Not later than December 1, 2018, the Police Officer Standards and Training Council, established under section 7-294b, shall develop and promulgate a standardized form for (A) reporting pursuits by police officers pursuant to subdivision (2) of this subsection, and (B) submitting annual reports pursuant to subdivision (3) of this subsection.

(2) On and after January 1, 2019, the chief of police or the Commissioner of Emergency Services and Public Protection, as the case may be, shall require each police officer who engages in a pursuit to report such pursuit on the standardized form developed and promulgated under subdivision (1) of this subsection.

(3) Not later than January 31, 2020, and annually thereafter, each chief of police and the Commissioner of Emergency Services and Public Protection shall submit an annual report to the Police Officer Standards and Training Council regarding pursuits by police officers on the standardized form developed and promulgated under subdivision (1) of this subsection.

(4) Not later than April 30, 2020, and annually thereafter, the Police Officer Standards and Training Council shall compile, analyze and summarize the annual reports and submit, in accordance with section 11-4a, a consolidated report regarding police pursuits and any recommendations for legislation to the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security. The council may partner with an institution of

Substitute House Bill No. 5220

higher education in this state or a professional police organization to
prepare or to assist in the preparation of the consolidated report.

Approved June 14, 2018