

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 18-161—sHB 5220

Public Safety and Security Committee

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

SUMMARY: This act makes several changes affecting law enforcement, including the Department of Emergency Services and Public Protection (DESPP) and the Police Officer Standards and Training Council (POST). Generally, it:

1. authorizes the DESPP commissioner to enter into agreements with contractors to electronically take and transmit fingerprints and demographic information to the State Police Bureau of Identification (SPBI) for processing criminal history records checks;
2. requires law enforcement units to adopt and maintain (a) minimum standards and practices for administering and managing their units (which the act requires POST and the DESPP commissioner to jointly develop) or (b) a higher level of accreditation standards; and
3. establishes a series of reporting requirements concerning police pursuits, including for POST, the DESPP commissioner, local police chiefs, and police officers.

The act also makes technical changes.

EFFECTIVE DATE: July 1, 2018, except that the provisions on (1) police pursuits are effective October 1, 2018, and (2) minimum standards and practices are effective January 1, 2019.

FINGERPRINTING CONTRACTORS

The act allows the DESPP commissioner to enter into one or more agreements with independent contractors to electronically take and transmit fingerprints and demographic information to SPBI for processing criminal history records checks. Under the act, the commissioner must require these contractors to (1) collect and remit the statutory fingerprinting fee (currently \$15) to SPBI and (2) comply with commissioner-prescribed terms and conditions to ensure the security, privacy, confidentiality, and value of the fingerprints and demographic information transmitted to SPBI. The commissioner may authorize these contractors to charge a convenience fee of up to \$15 for fingerprinting.

MINIMUM STANDARDS AND PRACTICES

The act requires, within available appropriations, POST and the DESPP commissioner or her designee to jointly develop, adopt, and revise, as necessary,

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minimum standards and practices for administering and managing law enforcement units. Under existing law and the act, “law enforcement unit” means any state or municipal agency, organ, or department (or tribal agency, organ, or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime.

The minimum standards and practices must be based on standards established by the International Association of Chiefs of Police and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) and include standards and practices regarding:

1. bias-based policing,
2. use of force,
3. response to family violence crimes,
4. body camera use,
5. police misconduct complaints,
6. electronic defense weapons use,
7. eyewitness identification procedures,
8. notifications of death and related events, and
9. police pursuits.

The act requires POST to publish the minimum standards and practices on its website and distribute them to law enforcement units. Beginning January 1, 2019, law enforcement units must adopt and maintain (1) the minimum standards and practices or (2) a higher level of accreditation standards developed by POST or CALEA.

Under the act, POST and the DESPP commissioner or her designee must jointly (1) develop a process for reviewing law enforcement units’ compliance with the minimum standards and practices and (2) issue certificates of compliance to units that meet or exceed those standards and practices.

The act prohibits civil actions against a law enforcement unit for damages arising from its failure to adopt and maintain the minimum standards and practices or a higher level of accreditation standards.

POLICE PURSUITS

Existing law requires the DESPP commissioner, in conjunction with POST and other related entities, to adopt a uniform statewide police pursuit policy. The act requires POST, by December 1, 2018, to develop and promulgate standardized forms for (1) reporting each police pursuit and (2) submitting annual reports on such pursuits.

Beginning January 1, 2019, the DESPP commissioner and local police chiefs must require each police officer who engages in a pursuit to report the pursuit using POST’s standard form. By January 31, 2020, the DESPP commissioner and local police chiefs must begin annually reporting to POST, using POST’s standard form, regarding pursuits by their police officers.

Beginning by April 30, 2020, POST must annually compile, analyze, and summarize the annual reports and submit a consolidated police pursuit report with

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any legislative recommendations to the Public Safety and Security Committee. The act allows POST to partner with a Connecticut college or university or a professional police organization to prepare its report.