



General Assembly

January Session, 2019

Raised Bill No. 970

LCO No. 5008



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE CONFIDENTIALITY OF EVIDENCE
SEIZED IN A CRIMINAL INVESTIGATION.***

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

1 Section 1. Subdivision (1) of subsection (b) of section 54-36a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2019*):

4 (b) (1) Whenever property is seized in connection with a criminal
5 arrest or seized pursuant to a search warrant without an arrest, the law
6 enforcement agency seizing such property shall file, on forms
7 provided for this purpose by the Office of the Chief Court
8 Administrator, an inventory of the property seized. The inventory,
9 together with the uniform arrest report, in the case of an arrest, shall be
10 filed with the clerk of the court for the geographical area in which the
11 criminal offense is alleged to have been committed; except, when the
12 property is stolen property and, in the opinion of the law enforcement
13 officer, does not exceed one thousand dollars in value, or when an
14 attempt was made to steal the property but the property at all times
15 remained on the premises in a sealed container, the filing of an

16 inventory shall not be required and such property may be returned to
17 the owner. In the case of property seized in connection with a search
18 warrant without an arrest, the inventory shall be attached to the
19 warrant and shall be filed with the clerk of the court for the
20 geographical area in which the search warrant was issued. If any
21 criminal proceeding is transferred to another court location, then the
22 clerk with whom the inventory is filed shall transfer such inventory to
23 the clerk of the court location to which such action is transferred.
24 Property seized in connection with a criminal arrest or seized pursuant
25 to a search warrant without an arrest shall not be subject to disclosure
26 under the Freedom of Information Act, as defined in section 1-200,
27 unless such property is filed in connection with, or introduced into
28 evidence at a criminal, civil or administration proceeding in the
29 Superior Court.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	54-36a(b)(1)

Statement of Purpose:

To address an issue raised in *Commissioner of Emergency Services and Public Protection, et al. v. F.O.I. Commission*, 330 Conn. 372 concerning the disclosure of documents seized in a criminal investigation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]