AN ACT CONCERNING MENTAL HEALTH CARE AND WELLNESS TRAINING AND SUICIDE PREVENTION FOR POLICE OFFICERS.

SUMMARY

This bill generally prohibits a law enforcement unit from disciplining police officers solely because they seek or receive mental health care services or surrender their work weapons or ammunition. It also requires law enforcement units to request that officers seek a mental health examination before the weapons or ammunition are returned. Under the bill, the mental health examination must be conducted by a mental health professional who is on a list in accordance with the bill.

The bill also prohibits any civil action from being brought against a law enforcement unit for damages arising from a police officer’s acts or omissions with a personal firearm during the period when a work weapon or ammunition is surrendered or six months from the date it was initially surrendered, whichever is longer.

The bill allows officers who were voluntarily admitted to a psychiatric hospital for psychiatric treatment to use their work weapons or ammunition within six months of being admitted and not be guilty of criminal possession of a handgun or firearm, ammunition, or an electronic weapon.

EFFECTIVE DATE: October 1, 2019, except the mental health professional list provision is effective upon passage.

JOB PROTECTION

This bill generally prohibits a law enforcement unit from discharging, disciplining, or penalizing a police officer solely because he or she seeks or receives mental health care services or surrenders his or her work firearm, ammunition, or electronic defense weapon to
seek such services. This prohibition does not apply to officers who (1) seek or receive mental health care services to avoid disciplinary action or (2) refuse to submit to the mental health examination the bill requires before they can have their weapon or ammunition returned.

**RETURNING WEAPONS OR AMMUNITION**

Before the surrendered weapons or ammunition are returned to an officer, the bill requires the law enforcement unit to request that the officer be examined by a licensed clinical social worker, master social worker, professional counselor, psychiatrist, or psychologist (mental health professionals) that is on an approved list for state or municipal officers (see below). The examination must be (1) performed to determine whether the officer is ready to report for official duty and (2) paid for by the unit.

**Approved Lists of Mental Health Professionals**

Under the bill, both the state and municipal lists of licensed mental health professionals must be established by October 1, 2019, and be published on the Department of Emergency Services and Public Protection’s (DESPP) and each municipality’s websites, respectively.

For the state list, the DESPP commissioner, the Police Officer Standards and Training Council, and a representative from labor organizations representing state police officers must develop and maintain a list of in-state mental health professionals.

For the municipal lists, each municipal police department and representatives from labor organizations representing the municipality’s police officers must develop and maintain a list of these in-state mental health professionals.

**CRIMINAL POSSESSION**

Under current law, a person, including a police officer, is prohibited from possessing a handgun or firearm, ammunition, or electronic weapon if he or she was voluntarily admitted to a psychiatric hospital that was not solely for alcohol or drug-dependency, within the preceding six months. Such criminal possessions are a class C felony,
punishable by up to 10 year imprisonment, up to a $10,000 fine, or both.

The bill exempts from this prohibition, officers who were voluntarily admitted to a psychiatric hospital for psychiatric treatment and whose weapons or ammunition were returned in accordance with the bill allowing them to use their work weapons or ammunition within six months of being admitted.

BACKGROUND

Law Enforcement Unit

By law, a law enforcement unit is any agency, organ, or department whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime. It includes the Mohegan and Mashantucket Pequot police units (CGS § 7-294a).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable
Yea 21  Nay 3  (03/19/2019)