



General Assembly

January Session, 2021

Proposed Bill No. 5692

LCO No. 1149



Referred to Committee on JUDICIARY

Introduced by:

REP. CANDELORA, 86th Dist.

REP. DEVLIN, 134th Dist.

REP. O'DEA, 125th Dist.

REP. PERILLO, 113th Dist.

REP. REBIMBAS, 70th Dist.

REP. ZUPKUS, 89th Dist.

**AN ACT DELAYING CERTAIN EFFECTIVE DATES AND MAKING
OTHER REVISIONS OF THE POLICE ACCOUNTABILITY
LEGISLATION OF PUBLIC ACT 20-1 OF THE JULY SPECIAL
SESSION.**

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

1 That certain sections of the general statutes amended by or enacted
2 as part of public act 20-1 of the July special session be amended in the
3 following manners to:

4 (1) Postpone the effective dates of all sections of the bill until July 1,
5 2023, to allow for the development and offering of law enforcement
6 liability insurance policies to individual police officers;

7 (2) Amend subsection (d) of section 52-571k to allow governmental
8 immunity to be a defense except in cases where an officer is acting in a
9 manner evincing extreme indifference to human life, and to permit
10 interlocutory appeals of a trial court's denial of the application of
11 governmental immunity;

12 (3) Revise the prohibition on consent searches to ensure public safety,
13 officer safety, and that investigations into such incidents as sexual
14 assaults and officer-involved shootings are able to be completed with
15 exclusionary samples from witnesses and victims;

16 (4) Properly define justifiable force, to give officers certainty over
17 what is permissible and the ability to properly train to defend
18 themselves, including reestablishment of "threatened infliction" of
19 serious physical injury into subparagraph (B) of subdivision (1) of
20 subsection (c) of section 53a-22 of the general statutes as a justification;

21 (5) Strike in section 7-294d of the general statutes the language
22 allowing for decertification for conduct that "undermines public
23 confidence in law enforcement" and replace with examples of specific
24 conduct;

25 (6) Ensure that mental health assessments of officers required by
26 section 7-291e of the general statutes comply with the Americans with
27 Disabilities Act, and ensure that police officers are able to seek treatment
28 without fear of discipline or losing their jobs;

29 (7) Revise the process by which the Inspector General is chosen and
30 appointed to ensure constitutionality;

31 (8) Strike the phrase "unreasonable, excessive" where it appears in
32 section 7-282e of the general statutes, to ensure an officer is only
33 criminally liable for failing to intervene in another officer's use of force
34 if that force constitutes a crime;

35 (9) Establish due process in section 7-294aaa of the general statutes
36 by requiring subpoenas issued by civilian police review boards be
37 subject to objection proceedings in Superior Court;

38 (10) Increase to fifty per cent the reimbursement rate for
39 nondistressed municipalities for body-worn and dashboard camera
40 equipment;

41 (11) Make optional the requirements that municipalities gain

42 Commission on Accreditation for Law Enforcement Agencies, Inc.,
43 accreditation;

44 (12) Amend sections 29-161h and 29-161q of the general statutes to
45 ensure security guard licensure bar applies to out-of-state police;

46 (13) Permit additional equipment to be made available to police
47 departments under the federal excess military equipment program after
48 public hearing and allow municipalities to appeal decisions of the
49 Governor and Commissioner of Emergency Services and Public
50 Protection;

51 (14) Relax the zero-tolerance standard for officer drug testing,
52 understanding that officers often pick up trace amounts of controlled
53 substances while on duty; and

54 (15) Amend section 29-6d of the general statutes to ensure that
55 officers have the ability to review, with representation, video footage
56 from body-worn or dashboard cameras if an investigation is initiated
57 later than ninety-six hours after the recorded incident.

Statement of Purpose:

To revise the police accountability legislation of public act 20-1 of the July special session in order to restore the due process rights of peace officers entrusted to enforce our laws and protect public safety.