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General Assembly

***Raised Bill No. 6597***

*January Session, 2021*

LCO No. 4342

Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING ACCREDITATION, REPORTING REQUIREMENTS, MENTAL HEALTH, DATA STORAGE SERVICES AND TRAINING OF LAW ENFORCEMENT OFFICERS.***

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

1 Section 1. Section 7-294ee of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) [Until December 31, 2024, the] The Police Officer Standards and  
4 Training Council, established under section 7-294b, and the  
5 Commissioner of Emergency Services and Public Protection or the  
6 commissioner's designee, shall jointly develop, adopt and revise, as  
7 necessary, minimum standards and practices for the administration,

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8 [and] management and operation of law enforcement units, as defined  
9 in section 7-294a. Such minimum standards and practices shall be based  
10 upon standards established by the International Association of Chiefs of  
11 Police and the Commission on Accreditation for Law Enforcement  
12 Agencies, Inc., and shall include, but need not be limited to, standards  
13 and practices regarding bias-based policing, use of force, response to  
14 crimes of family violence, use of body-worn recording equipment,  
15 complaints that allege misconduct by police officers, use of electronic  
16 defense weapons, eyewitness identification procedures, notifications in  
17 death and related events and pursuits by police officers and compliance  
18 with the reporting procedures outlined by the council in guidance  
19 regarding subdivision (2) of subsection (c) of section 7-294 and the  
20 implementation of public act 20-1 of the July special session. The  
21 minimum standards and practices shall be divided into three tiers,  
22 known as tier one, tier two and tier three. Tier one shall consist of  
23 minimum standards and practices designed to protect law enforcement  
24 units from liability, enhance the delivery of services and improve public  
25 confidence in law enforcement units. Tier two shall consist of minimum  
26 standards and practices for the administration, management and  
27 operation of law enforcement units. Tier three shall consist of higher  
28 minimum standards and practices for the administration, management  
29 and operation of law enforcement units. The council shall post [such]  
30 the minimum standards and practices of each tier on the council's  
31 Internet web site and disseminate [such] the minimum standards and  
32 practices of each tier to law enforcement units. The council and  
33 commissioner or the commissioner's designee shall jointly develop a  
34 process to review a law enforcement unit's compliance with [such] the  
35 minimum standards and practices of each tier and issue a certificate of  
36 compliance with [law enforcement] the minimum standards and  
37 practices of tier one, tier two or tier three, as the case may be, to a law  
38 enforcement unit that meets or exceeds [such] the minimum standards  
39 and practices of such tier.

40 (b) On and after January 1, [2019] 2022, and until December 31, [2024]  
41 2023, each law enforcement unit shall adopt and maintain (1) the  
42 minimum standards and practices of tier one developed by the council

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43 pursuant to subsection (a) of this section, or (2) a higher level of  
44 accreditation standards developed by the council or the Commission on  
45 Accreditation for Law Enforcement Agencies, Inc.

46 (c) On and after January 1, 2023, and until December 31, 2024, each  
47 law enforcement unit shall adopt and maintain (1) the minimum  
48 standards and practices of tier two developed by the council pursuant  
49 to subsection (a) of this section, or (2) a higher level of accreditation  
50 standards developed by the council or the Commission on Accreditation  
51 for Law Enforcement Agencies, Inc.

52 ~~[(c)]~~ (d) On and after January 1, 2025, each law enforcement unit shall  
53 ~~[obtain and maintain accreditation]~~ adopt and maintain (1) the  
54 minimum standards and practices of tier three developed by the council  
55 pursuant to subsection (a) of this section, or (2) a higher level of  
56 accreditation standards developed by the Commission on Accreditation  
57 for Law Enforcement Agencies, Inc.

58 (e) If a law enforcement unit fails to ~~[obtain]~~ adopt or maintain ~~[such~~  
59 ~~accreditation]~~ the minimum standards and practices or a higher level of  
60 accreditation standards developed by the council or the Commission on  
61 Accreditation for Law Enforcement Agencies, Inc., in accordance with  
62 the provisions of subsections (b) to (d), inclusive, of this subsection, the  
63 council shall work with the law enforcement unit to [obtain] assist such  
64 unit to adopt and maintain [such] the minimum standards and practices  
65 or the higher level of accreditation standards.

66 (f) If a law enforcement unit fails to comply with the reporting  
67 procedures outlined by the council in guidance regarding subdivision  
68 (2) of subsection (c) of section 7-294 and the implementation of public  
69 act 20-1 of the July special session, (1) the council may recommend to  
70 the Office of Policy and Management and the Secretary of the Office of  
71 Policy and Management may order an appropriate penalty in the form  
72 of the withholding of state funds from such law enforcement unit, and  
73 (2) the council may revoke the certificate of compliance with the  
74 minimum standards and practices of tier one, tier two or tier three, as  
75 the case may be, issued pursuant to this section.

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76        [(d)] (g) No civil action may be brought against a law enforcement  
77 unit for damages arising from the failure of the law enforcement unit to  
78 [(1)] adopt and maintain [such] the minimum standards and practices  
79 or a higher level of accreditation standards developed by the council or  
80 the Commission on Accreditation for Law Enforcement Agencies, Inc.,  
81 pursuant to [subsection] subsections (b) to (d), inclusive, of this section.  
82 [, or (2) obtain and maintain accreditation by the Commission on  
83 Accreditation for Law Enforcement Agencies, Inc., pursuant to  
84 subsection (c) of this section.]

85        Sec. 2. Subdivision (22) of subsection (a) of section 7-294d of the  
86 general statutes is repealed and the following is substituted in lieu  
87 thereof (*Effective from passage*):

88        (22) (A) [Until December 31, 2024, to] To develop, adopt and revise,  
89 as necessary, comprehensive accreditation standards for the  
90 administration and management of law enforcement units, to grant  
91 accreditation to those law enforcement units that demonstrate their  
92 compliance with such standards and, at the request and expense of any  
93 law enforcement unit, to conduct such surveys as may be necessary to  
94 determine such unit's compliance with such standards; and (B) [on and  
95 after January 1, 2025,] to work with any law enforcement unit that has  
96 failed to [obtain] adopt or maintain [accreditation from] the minimum  
97 standards and practices or a higher level of accreditation standards  
98 developed by the council or the Commission on Accreditation for Law  
99 Enforcement Agencies, Inc., pursuant to section 7-294ee, as amended by  
100 this act;

101        Sec. 3. Subsection (a) of section 7-291d of the general statutes is  
102 repealed and the following is substituted in lieu thereof (*Effective from*  
103 *passage*):

104        (a) No law enforcement unit, as defined in section 7-294a, shall  
105 discharge, discipline, discriminate against or otherwise penalize a police  
106 officer, as defined in section 7-294a, who is employed by such law  
107 enforcement unit solely because (1) the police officer seeks or receives  
108 mental health care services, [or] (2) the police officer surrenders his or

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109 her firearm, ammunition or electronic defense weapon used in the  
110 performance of the police officer's official duties to such law  
111 enforcement unit during the time the police officer receives mental  
112 health care services, or (3) of the results of a behavioral health  
113 assessment conducted pursuant to section 7-291e. The provisions of this  
114 subsection shall not be applicable to a police officer who (1) seeks or  
115 receives mental health care services to avoid disciplinary action by such  
116 law enforcement unit, or (2) refuses to submit himself or herself to an  
117 examination as provided in subsection (b) of this section.

118       Sec. 4. (*Effective from passage*) (a) The Commissioner of Administrative  
119 Services, in consultation with the Commissioner of Emergency Services  
120 and Public Protection, shall study and make recommendations  
121 regarding ways to lower the costs incurred by municipal police  
122 departments for digital data storage devices or services, as defined in  
123 section 29-6d of the general statutes. Such study shall examine, at a  
124 minimum, (1) the feasibility of and costs associated with expanding the  
125 storage system used by the Department of Emergency Services and  
126 Public Protection and with building a new storage system to provide  
127 digital data storage devices or services for municipal police  
128 departments, (2) compliance with the Freedom of Information Act, as  
129 defined in section 1-200 of the general statutes, if a municipal police  
130 department stored data from the recordings made by body-worn  
131 recording equipment on a state-owned storage system, (3) cost-sharing  
132 arrangements with municipal police departments that use a state-  
133 owned storage system that consider a specific cost per police officer and  
134 police departments in large municipalities and distressed  
135 municipalities, as defined in section 32-9p of the general statutes, and  
136 (4) any issues associated with a municipal police department  
137 transferring data from one storage system to a state-owned storage  
138 system.

139       (b) Not later than February 1, 2022, the Commissioner of  
140 Administrative Services shall submit, in accordance with the provisions  
141 of section 11-4a of the general statutes, its findings and  
142 recommendations to the joint standing committee of the General

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143 Assembly having cognizance of matters relating to public safety and  
144 security.

145 Sec. 5. Section 4a-53 of the general statutes is repealed and the  
146 following is substituted in lieu thereof (*Effective from passage*):

147 (a) The Commissioner of Administrative Services may join with  
148 federal agencies, other state governments, political subdivisions of this  
149 state or nonprofit organizations in cooperative purchasing plans when  
150 the best interests of the state would be served thereby.

151 (b) The state, through the Commissioner of Administrative Services,  
152 may purchase equipment, supplies, materials and services from a  
153 person who has a contract to sell such property or services to other state  
154 governments, political subdivisions of this state, nonprofit  
155 organizations or public purchasing consortia, in accordance with the  
156 terms and conditions of such contract.

157 (c) The Commissioner of Administrative Services, in conjunction with  
158 the Department of Energy and Environmental Protection and within  
159 available appropriations, shall make known to the chief executive  
160 officer of each municipality the existence of cooperative plans for the  
161 purchase of recycled paper.

162 (d) The Commissioner of Administrative Services, in conjunction  
163 with the Department of Emergency Services and Public Protection, shall  
164 enter into a cooperative purchasing plan with each municipality that  
165 seeks to enter into such plan for the purchase of digital data storage  
166 devices or services, as defined in section 29-6d, for use by municipal  
167 police departments.

168 Sec. 6. (NEW) (*Effective from passage*) (a) Not later than July 1, 2022,  
169 the Police Officer Standards and Training Council, after consultation  
170 with persons with mental or physical disabilities and advocates on  
171 behalf of such persons, shall develop a training curriculum for police  
172 officers regarding interactions with persons with mental or physical  
173 disabilities.

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174 (b) On and after October 1, 2022, each police basic or review training  
175 program conducted or administered by the Police Officer Standards and  
176 Training Council, the Division of State Police within the Department of  
177 Emergency Services and Public Protection or a municipal police  
178 department shall include the training curriculum developed pursuant  
179 to subsection (a) of this section.

180 Sec. 7. Subsection (c) of section 7-277c of the general statutes is  
181 repealed and the following is substituted in lieu thereof (*Effective from*  
182 *passage*):

183 (c) The Office of Policy and Management shall distribute grants-in-  
184 aid to any municipality pursuant to this section during the fiscal years  
185 ending June 30, 2021, and June 30, 2022. Any such grant-in-aid shall be  
186 for up to fifty per cent of the cost of such purchase of body-worn  
187 recording equipment, digital data storage devices or services or  
188 dashboard cameras with a remote recorder, [if the municipality is a  
189 distressed municipality, as defined in section 32-9p, or up to thirty per  
190 cent of the cost of such purchase if the municipality is not a distressed  
191 municipality,] provided the costs of such digital data storage services  
192 covered by a grant-in-aid shall not be for a period of service that is  
193 longer than one year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-294ee
Sec. 2	<i>from passage</i>	7-294d(a)(22)
Sec. 3	<i>from passage</i>	7-291d(a)
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	4a-53
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	7-277c(c)

### **Statement of Purpose:**

To revise the requirements regarding the accreditation of law enforcement units, study ways to lower the costs associated with data storage or services related to body-worn recording equipment, require

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police officers receive training regarding interactions with persons with mental or physical disabilities, and revise the amount of a grant-in-aid to municipalities for the purchase of body-worn recording equipment.

*[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.]*