



General Assembly

January Session, 2021

**Proposed Bill No. 775**

LCO No. 2053



Referred to Committee on JUDICIARY

Introduced by:

SEN. KELLY, 21<sup>st</sup> Dist.

SEN. FORMICA, 20<sup>th</sup> Dist.

**AN ACT REVISING PUBLIC ACT 20-1 OF THE JULY SPECIAL SESSION, ALSO KNOWN AS THE POLICE ACCOUNTABILITY ACT.**

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

1 That the general statutes be amended to:

2 (1) Change the effective date of section 53a-22 of the general statutes,  
3 as amended by section 29 of public act 20-1 of the July special session  
4 from April 1, 2021, to October 1, 2022;

5 (2) Restore the language "threatened infliction of serious injury" to  
6 subparagraph (B) of subdivision (1) of subsection (c) of section 53a-22 of  
7 the general statutes;

8 (3) Amend subparagraph (B) of subdivision (1) of subsection (c) of  
9 section 53a-22 of the general statutes to read "reasonably believes that  
10 the force employed creates no undo risk of injury to a third party";

11 (4) Amend subparagraph (B)(iii)(II) of subdivision (1) of subsection

12 (c) of section 53a-22 of the general statutes to include "or dangerous  
13 instrument" after "possesses a deadly weapon";

14 (5) Revise the penalty for failure to intervene or report in section 7-  
15 282e of the general statutes so that the penalty for such failure does not  
16 exceed that which may be imposed for the commission of the unlawful  
17 act causing the need for such intervention or reporting;

18 (6) Amend sections 7-282e and 18-81nn of the general statutes to  
19 remove all instances of "unreasonable, excessive or illegal use of force"  
20 and replace the same with "criminal use of force";

21 (7) Repeal the limits imposed in sections 54-33b and 54-33o of the  
22 general statutes on circumstances under which law enforcement  
23 officials may conduct consent searches on an individual or motor  
24 vehicles stopped solely for motor vehicle violations;

25 (8) Change the reasonable standard articulated in section 53a-22 of  
26 the general statutes to the reasonableness standard articulated in  
27 *Graham v. O'Connor*;

28 (9) Repeal the changes to qualified immunity established in public act  
29 20-1 of the July special session;

30 (10) Remove the Commission on Accreditation for Law Enforcement  
31 Agencies, Inc. certification requirement articulated in section 7-294ee of  
32 the general statutes;

33 (11) Amend subsection (a) of section 7-291d of the general statutes to  
34 provide that no law enforcement unit shall discharge, discipline,  
35 discriminate against or otherwise penalize a police officer solely because  
36 of the results of a mental health assessment conducted in accordance  
37 with the provisions of section 7-291e of the general statutes or because  
38 the police officer seeks or receives mental health care services or  
39 surrenders his or her firearm, ammunition or electronic defense  
40 weapon;

41 (12) Remove the language "undermines public confidence" in

42 subdivision (24) of subsection (a) of section 7-294d of the general  
43 statutes;

44 (13) Remove deescalation requirements from section 53a-22 of the  
45 general statutes; and

46 (14) Change the effective date of section 7-294hh of the general  
47 statutes from effective from passage to effective January 1, 2022, and  
48 revise said section 7-294hh to hold law enforcement officers harmless if  
49 they acted in good faith while engaging with or managing a crowd.

***Statement of Purpose:***

To make revisions to public act 20-1 of the July special session, known as the Police Accountability Act.