



General Assembly

January Session, 2023

Raised Bill No. 1022

LCO No. 4155



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:

(PS)

AN ACT REQUIRING POLICE OFFICERS TO PROVIDE A DRIVER WITH THE REASON FOR A TRAFFIC STOP AND CONCERNING CERTAIN POLICE OFFICER TRAINING.

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

1 Section 1. (NEW) (*Effective from passage*) Each police officer, as defined
2 in section 54-1m of the general statutes, as amended by this act, stopping
3 a vehicle shall inform the operator of the vehicle of the alleged violation
4 that is the reason for the stop.

5 Sec. 2. (NEW) (*Effective July 1, 2023*) Not later than July 1, 2024, the
6 Police Officer Standards and Training Counsel shall develop a
7 curriculum for review training of police officers on de-escalation, use of
8 force, customer service, diversity and bias. The counsel shall encourage
9 law enforcement units, as defined in section 7-294b of the general
10 statutes, to include such training curriculum as part of their training
11 programs.

12 Sec. 3. Section 54-1m of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective October 1, 2023*):

14 (a) Each municipal police department, the Department of Emergency
15 Services and Public Protection and any other department with authority
16 to conduct a traffic stop shall adopt a written policy that prohibits the
17 stopping, detention or search of any person when such action is solely
18 motivated by considerations of race, color, ethnicity, age, gender or
19 sexual orientation, and such action would constitute a violation of the
20 civil rights of the person. For the purposes of this section: (1)
21 "Department with authority to conduct a traffic stop" means any
22 department that includes, or has oversight of, a police officer, and (2)
23 "police officer" means a police officer within a municipal police
24 department or the Department of Emergency Services and Public
25 Protection or a person with the same authority pursuant to any
26 provision of the general statutes to make arrests or issue citations for
27 violation of any statute or regulation relating to motor vehicles and to
28 enforce said statutes and regulations as policemen or state policemen
29 have in their respective jurisdictions, including, but not limited to: (A)
30 Special policemen or state policemen acting under the provisions of
31 section 29-18, 17a-24 or 17a-465; (B) policemen acting under the
32 provisions of section 29-19; (C) the Commissioner of Motor Vehicles,
33 each deputy commissioner of the Department of Motor Vehicles and
34 any salaried inspector of motor vehicles designated by the
35 commissioner pursuant to section 14-8; (D) State Capitol Police officers
36 acting under the provisions of section 2-1f; (E) special police forces
37 acting under the provisions of section 10a-156b; (F) state policemen
38 acting under the provisions of section 27-107; and (G) fire police officers
39 acting under the provisions of section 7-313a.

40 (b) [Not later than July 1, 2013, the] The Office of Policy and
41 Management, in consultation with the Racial Profiling Prohibition
42 Project Advisory Board established in section 54-1s, and the Criminal
43 Justice Information System Governing Board shall, within available
44 resources, develop and implement a standardized method:

45 (1) To be used by police officers of municipal police departments, the
46 Department of Emergency Services and Public Protection and any other
47 department with authority to conduct a traffic stop to record traffic stop

48 information unless the police officer is required to leave the location of
49 the stop prior to completing such form in order to respond to an
50 emergency or due to some other exigent circumstance within the scope
51 of such police officer's duties. The standardized method and any form
52 developed and implemented pursuant to such standardized method
53 shall allow the following information to be recorded: (A) The date and
54 time of the stop; (B) the specific geographic location of the stop; (C) the
55 unique identifying number of the police officer making the stop, or the
56 name and title of the person making the stop if such person does not
57 have a unique identifying number; (D) the race, color, ethnicity, age and
58 gender of the operator of the motor vehicle that is stopped, provided the
59 identification of such characteristics shall be based on the observation
60 and perception of the police officer responsible for reporting the stop;
61 (E) the nature of the alleged traffic violation or other violation that
62 caused the stop to be made, [and] the statutory citation for such
63 violation and whether the officer informed the operator of such alleged
64 traffic violation or other violation that caused the stop to be made; (F)
65 the disposition of the stop including whether a warning, citation or
66 summons was issued, whether a search was conducted, the authority
67 for any search conducted, the result of any search conducted, the statute
68 or regulation citation for any warning, citation or summons issued and
69 whether a custodial arrest was made; and (G) any other information
70 deemed appropriate. The method shall also provide for (i) notice to be
71 given to the person stopped that if such person believes that such person
72 has been stopped, detained or subjected to a search solely because of
73 race, color, ethnicity, age, gender, sexual orientation, religion or
74 membership in any other protected class, such person may file a
75 complaint with the appropriate law enforcement agency unless the
76 police officer was required to leave the location of the stop prior to
77 providing such notice in order to respond to an emergency or due to
78 some other exigent circumstance within the scope of such police officer's
79 duties, [and] (ii) instructions to be given to the person stopped on how
80 to file such complaint unless the police officer was required to leave the
81 location of the stop prior to providing such instructions in order to
82 respond to an emergency or due to some other exigent circumstance

83 within the scope of such police officer's duties, and (iii) notice to be
84 given to the person stopped of the alleged traffic violation or other
85 violation that caused the stop to be made;

86 (2) To be used to report complaints pursuant to this section by any
87 person who believes such person has been subjected to a motor vehicle
88 stop by a police officer solely on the basis of race, color, ethnicity, age,
89 gender, sexual orientation or religion; and

90 (3) To be used by each municipal police department, the Department
91 of Emergency Services and Public Protection and any other department
92 with authority to conduct a traffic stop to report data to the Office of
93 Policy and Management pursuant to subsection (h) of this section.

94 (c) [Not later than July 1, 2013, the] The Office of Policy and
95 Management, in consultation with the Racial Profiling Prohibition
96 Project Advisory Board, shall develop and implement guidelines to be
97 used by each municipal police department, the Department of
98 Emergency Services and Public Protection and any other department
99 with authority to conduct a traffic stop in (1) training police officers of
100 such agency in the completion of the form developed and implemented
101 pursuant to subdivision (1) of subsection (b) of this section, and (2)
102 evaluating the information collected by police officers of such municipal
103 police department, the Department of Emergency Services and Public
104 Protection or other department with authority to conduct a traffic stop
105 pursuant to subsection (e) of this section for use in the counseling and
106 training of such police officers.

107 (d) [(1) Prior to the date a standardized method and form have been
108 developed and implemented pursuant to subdivision (1) of subsection
109 (b) of this section, each municipal police department, the Department of
110 Emergency Services and Public Protection and any other department
111 with authority to conduct a traffic stop shall, using the form developed
112 and promulgated pursuant to the provisions of subsection (h) in effect
113 on January 1, 2012, record and retain the following information: (A) The
114 number of persons stopped for traffic violations; (B) characteristics of

115 race, color, ethnicity, gender and age of such persons, provided the
116 identification of such characteristics shall be based on the observation
117 and perception of the police officer responsible for reporting the stop
118 and the information shall not be required to be provided by the person
119 stopped; (C) the nature of the alleged traffic violation that resulted in
120 the stop; (D) whether a warning or citation was issued, an arrest made
121 or a search conducted as a result of the stop; and (E) any additional
122 information that such municipal police department, the Department of
123 Emergency Services and Public Protection or any other department with
124 authority to conduct a traffic stop, as the case may be, deems
125 appropriate, provided such information shall not include any other
126 identifying information about any person stopped for a traffic violation
127 such as the person's operator's license number, name or address.

128 (2) On and after the date a standardized method and form have been
129 developed and implemented pursuant to subdivision (1) of subsection
130 (b) of this section, each] Each municipal police department, the
131 Department of Emergency Services and Public Protection and any other
132 department with authority to conduct a traffic stop shall record and
133 retain the information required to be recorded pursuant to such
134 standardized method and any additional information that such
135 municipal police department or the Department of Emergency Services
136 and Public Protection or other department with authority to conduct a
137 traffic stop, as the case may be, deems appropriate, provided such
138 information shall not include any other identifying information about
139 any person stopped for a traffic violation such as the person's operator's
140 license number, name or address.

141 (e) Each municipal police department, the Department of Emergency
142 Services and Public Protection and any other department with authority
143 to conduct a traffic stop shall provide to the Chief State's Attorney and
144 the Office of Policy and Management (1) a copy of each complaint
145 received pursuant to this section, and (2) written notification of the
146 review and disposition of such complaint. No copy of such complaint
147 shall include any other identifying information about the complainant
148 such as the complainant's operator's license number, name or address.

149 (f) Any police officer who in good faith records traffic stop
150 information pursuant to the requirements of this section shall not be
151 held civilly liable for the act of recording such information unless the
152 officer's conduct was unreasonable or reckless.

153 (g) If a municipal police department, the Department of Emergency
154 Services and Public Protection or any other department with authority
155 to conduct a traffic stop fails to comply with the provisions of this
156 section, the Office of Policy and Management shall recommend and the
157 Secretary of the Office of Policy and Management may order an
158 appropriate penalty in the form of the withholding of state funds from
159 such municipal police department, the Department of Emergency
160 Services and Public Protection or such other department with authority
161 to conduct a traffic stop.

162 (h) [Not later than October 1, 2012, each municipal police department
163 and the Department of Emergency Services and Public Protection shall
164 provide to the Office of Policy and Management a summary report of
165 the information recorded pursuant to subsection (d) of this section.] On
166 and after October 1, 2013, each municipal police department, the
167 Department of Emergency Services and Public Protection and any other
168 department with authority to conduct a traffic stop shall provide to the
169 Office of Policy and Management a monthly report of the information
170 recorded pursuant to subsection (d) of this section for each traffic stop
171 conducted, in a format prescribed by the Office of Policy and
172 Management. On and after January 1, 2015, such information shall be
173 submitted in electronic form, and shall be submitted in electronic form
174 prior to said date to the extent practicable.

175 (i) The Office of Policy and Management shall, within available
176 resources, review the prevalence and disposition of traffic stops and
177 complaints reported pursuant to this section, including any traffic stops
178 conducted on suspicion of a violation of section 14-227a, 14-227g, 14-
179 227m or 14-227n. Not later than July 1, 2014, and annually thereafter, the
180 office shall report the results of any such review, including any
181 recommendations, to the Governor, the General Assembly and any

182 other entity deemed appropriate. The Office of Policy and Management
183 shall make such report publicly available on the office's Internet web
184 site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	54-1m

Statement of Purpose:

To require police officers to inform drivers of the reason for a traffic stop and encourage additional police officer training on de-escalation, use of force, customer service, diversity and bias.

[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.]