



Senate

General Assembly

File No. 798

January Session, 2025

Substitute Senate Bill No. 1436

Senate, April 29, 2025

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING POLICE AND DEPARTMENT OF CORRECTION DATA REPORTING REQUIREMENTS.

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

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) A person is guilty of
2 false statement in a law enforcement record when such person
3 intentionally makes a false written statement or enters false information
4 or data in a law enforcement record which such person does not believe
5 to be true and which statement or entry is intended to mislead a public
6 servant in the performance of such public servant's official function.

7 (b) As used in this section, a "law enforcement record" means
8 information collected or maintained in connection with incarceration or
9 the detection or investigation of crimes or motor vehicle violations by a
10 law enforcement unit, as defined in section 7-294a of the general
11 statutes, or the Department of Correction that is inscribed on a tangible
12 medium or that is stored in an electronic or other medium and is
13 retrievable in perceivable form.

14 (c) False statement in a law enforcement record is a class D felony.

15 Sec. 2. Subdivision (2) of subsection (c) of section 7-294d of the general
16 statutes is repealed and the following is substituted in lieu thereof
17 (*Effective October 1, 2025*):

18 (2) The council may cancel or revoke any certificate if: (A) The
19 certificate was issued by administrative error, (B) the certificate was
20 obtained through misrepresentation or fraud, (C) the holder falsified
21 any document in order to obtain or renew any certificate, (D) the holder
22 has been convicted of a felony, (E) the holder has been found not guilty
23 of a felony by reason of mental disease or defect pursuant to section 53a-
24 13, (F) the holder has been convicted of a violation of section 21a-279,
25 (G) the holder has been refused issuance of a certificate or similar
26 authorization or has had his or her certificate or other authorization
27 cancelled or revoked by another jurisdiction on grounds which would
28 authorize cancellation or revocation under the provisions of this
29 subdivision, (H) the holder has been found by a law enforcement unit,
30 pursuant to procedures established by such unit, to have used a firearm
31 in an improper manner which resulted in the death or serious physical
32 injury of another person, (I) the holder has been found by a law
33 enforcement unit, pursuant to procedures established by such unit and
34 considering guidance developed under subsection (g) of this section, to
35 have engaged in conduct that undermines public confidence in law
36 enforcement, including, but not limited to, discriminatory conduct,
37 falsification of reports, issuances of orders that are not lawful orders,
38 failure to report or timely report a death in violation of section 7-294mm
39 or a violation of the Alvin W. Penn Racial Profiling Prohibition Act
40 pursuant to sections 54-1l and 54-1m, provided, when evaluating any
41 such conduct, the council considers such conduct engaged in while the
42 holder is acting in such holder's law enforcement capacity or
43 representing himself or herself to be a police officer to be more serious
44 than such conduct engaged in by a holder not acting in such holder's
45 law enforcement capacity or representing himself or herself to be a
46 police officer, (J) the holder has been found by a law enforcement unit,
47 pursuant to procedures established by such unit, to have used physical

48 force on another person in a manner that is excessive or used physical
49 force in a manner found to not be justifiable after an investigation
50 conducted pursuant to section 51-277a, or (K) the holder has been found
51 by a law enforcement unit, pursuant to procedures established by such
52 unit, to have committed any act that would constitute tampering with
53 or fabricating physical evidence in violation of section 53a-155, perjury
54 in violation of section 53a-156, [or] false statement in violation of section
55 53a-157b or false statement in a law enforcement record in violation of
56 section 1 of this act. Whenever the council believes there is a reasonable
57 basis for suspension, cancellation or revocation of the certification of a
58 police officer, police training school or law enforcement instructor, it
59 shall give notice and an adequate opportunity for a hearing prior to such
60 suspension, cancellation or revocation. Such hearing shall be conducted
61 in accordance with the provisions of chapter 54. Any holder aggrieved
62 by the decision of the council may appeal from such decision in
63 accordance with the provisions of section 4-183. The council may cancel
64 or revoke any certificate if, after a de novo review, it finds by clear and
65 convincing evidence (i) a basis set forth in subparagraphs (A) to (G),
66 inclusive, of this subdivision, or (ii) that the holder of the certificate
67 committed an act set forth in subparagraph (H), (I), (J) or (K) of this
68 subdivision. In any such case where the council finds such evidence, but
69 determines that the severity of an act committed by the holder of the
70 certificate does not warrant cancellation or revocation of such holder's
71 certificate, the council may suspend such holder's certification for a
72 period of up to forty-five days and may censure such holder of the
73 certificate. Any police officer or law enforcement instructor whose
74 certification is cancelled or revoked pursuant to this section may
75 reapply for certification no sooner than two years after the date on
76 which the cancellation or revocation order becomes final. Any police
77 training school whose certification is cancelled or revoked pursuant to
78 this section may reapply for certification at any time after the date on
79 which such order becomes final. For purposes of this subdivision, a
80 lawful order is an order issued by a police officer who is in uniform or
81 has identified himself or herself as a police officer to the person such
82 order is issued to at the time such order is issued, and which order is

83 reasonably related to the fulfillment of the duties of the police officer
84 who is issuing such order, does not violate any provision of state or
85 federal law and is only issued for the purposes of (I) preventing,
86 detecting, investigating or stopping a crime, (II) protecting a person or
87 property from harm, (III) apprehending a person suspected of a crime,
88 (IV) enforcing a law, (V) regulating traffic, or (VI) assisting in emergency
89 relief, including the administration of first aid.

90 Sec. 3. Subsection (h) of section 7-294d of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective October*
92 *1, 2025*):

93 (h) (1) The chief law enforcement officer of each law enforcement
94 unit, or, in the case of a violation by the chief law enforcement officer,
95 the appointing authority of such chief law enforcement officer, shall
96 report to the council any violation where a certificate holder has been
97 found by the law enforcement unit, pursuant to procedures established
98 by such unit, to have: (A) Used unreasonable, excessive or illegal force
99 that causes serious physical injury to or the death of another person, or
100 used unreasonable, excessive or illegal force that was likely to cause
101 serious physical injury or death to another person; (B) while acting in a
102 law enforcement capacity, failed to intervene or stop the use of
103 unreasonable, excessive or illegal force by another police officer that
104 caused serious physical injury or death to another person, or
105 unreasonable, excessive or illegal force that was likely to cause serious
106 physical injury or death to another person, or to notify a supervisor and
107 submit a written report of such acts where the holder has personal
108 knowledge of such acts and had the ability to prevent such acts; (C)
109 intentionally intimidated or harassed another person based upon actual
110 or perceived protected class membership, identity or expression and in
111 doing so threatened to commit or caused physical injury to another
112 person; [and] (D) been terminated, dismissed, resigned or retired under
113 circumstances described in section 7-291c; or (E) engaged in misconduct
114 that reflects upon the truthfulness of the certificate holder, including,
115 but not limited to, (i) the commission of any act that would constitute
116 tampering with or fabricating physical evidence in violation of section

117 53a-155, perjury in violation of section 53a-156, false statement in
118 violation of section 53a-157b or false statement in a law enforcement
119 record in violation of section 1 of this act, or (ii) while acting in a law
120 enforcement capacity, knowingly making a statement found to be
121 untruthful during a criminal, civil or administrative inquiry or
122 proceeding.

123 (2) If the chief law enforcement officer of any municipal police
124 department or the Department of Emergency Services and Public
125 Protection fails to report to the council as required in subdivision (1) of
126 this subsection, the council shall notify the Inspector General who shall
127 investigate such failure to report. The Inspector General shall report the
128 findings of the investigation to the Governor and joint standing
129 committee of the General Assembly having cognizance of matters
130 relating to the judiciary in accordance with the provisions of section 11-
131 4a.

132 (3) The chief law enforcement officer of each law enforcement unit
133 shall promptly notify the appropriate state's attorney of any matter in
134 which the chief law enforcement officer reasonably suspects that a
135 certificate holder has engaged in conduct that constitutes a violation of
136 any criminal law of this state.

137 Sec. 4. Subsection (b) of section 1-210 of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective October*
139 *1, 2025*):

140 (b) Nothing in the Freedom of Information Act shall be construed to
141 require disclosure of:

142 (1) Preliminary drafts or notes provided the public agency has
143 determined that the public interest in withholding such documents
144 clearly outweighs the public interest in disclosure;

145 (2) Personnel or medical files and similar files the disclosure of which
146 would constitute an invasion of personal privacy;

147 (3) Records of law enforcement agencies not otherwise available to

148 the public which records were compiled in connection with the
149 detection or investigation of crime, if the disclosure of such records
150 would not be in the public interest because it would result in the
151 disclosure of (A) the identity of informants or mandated reporters, as
152 described in subsection (b) of section 17a-101, not otherwise known or
153 the identity of witnesses not otherwise known whose safety would be
154 endangered or who would be subject to threat or intimidation if their
155 identity was made known, (B) the identity of minor witnesses, (C)
156 signed or sworn statements of witnesses, (D) information to be used in
157 a prospective law enforcement action if prejudicial to such action, (E)
158 investigatory techniques not otherwise known to the general public, (F)
159 arrest records of a juvenile, which shall also include any investigatory
160 files, concerning the arrest of such juvenile, compiled for law
161 enforcement purposes, (G) the name and address of the victim of a
162 sexual assault under section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or
163 53a-73a, voyeurism under section 53a-189a, injury or risk of injury, or
164 impairing of morals under section 53-21 or family violence, as defined
165 in section 46b-38a, or of an attempt thereof, or (H) uncorroborated
166 allegations subject to destruction pursuant to section 1-216;

167 (4) Records pertaining to strategy and negotiations with respect to
168 pending claims or pending litigation to which the public agency is a
169 party until such litigation or claim has been finally adjudicated or
170 otherwise settled;

171 (5) (A) Trade secrets, which for purposes of the Freedom of
172 Information Act, are defined as information, including formulas,
173 patterns, compilations, programs, devices, methods, techniques,
174 processes, drawings, cost data, customer lists, film or television scripts
175 or detailed production budgets that (i) derive independent economic
176 value, actual or potential, from not being generally known to, and not
177 being readily ascertainable by proper means by, other persons who can
178 obtain economic value from their disclosure or use, and (ii) are the
179 subject of efforts that are reasonable under the circumstances to
180 maintain secrecy; and

181 (B) Commercial or financial information given in confidence, not
182 required by statute;

183 (6) Test questions, scoring keys and other examination data used to
184 administer a licensing examination, examination for employment or
185 academic examinations;

186 (7) The contents of real estate appraisals, engineering or feasibility
187 estimates and evaluations made for or by an agency relative to the
188 acquisition of property or to prospective public supply and construction
189 contracts, until such time as all of the property has been acquired or all
190 proceedings or transactions have been terminated or abandoned,
191 provided the law of eminent domain shall not be affected by this
192 provision;

193 (8) Statements of personal worth or personal financial data required
194 by a licensing agency and filed by an applicant with such licensing
195 agency to establish the applicant's personal qualification for the license,
196 certificate or permit applied for;

197 (9) Records, reports and statements of strategy or negotiations with
198 respect to collective bargaining;

199 (10) Records, tax returns, reports and statements exempted by federal
200 law or the general statutes or communications privileged by the
201 attorney-client relationship, marital relationship, clergy-penitent
202 relationship, doctor-patient relationship, therapist-patient relationship
203 or any other privilege established by the common law or the general
204 statutes, including any such records, tax returns, reports or
205 communications that were created or made prior to the establishment
206 of the applicable privilege under the common law or the general
207 statutes;

208 (11) Names or addresses of students enrolled in any public school or
209 college without the consent of each student whose name or address is to
210 be disclosed who is eighteen years of age or older and a parent or
211 guardian of each such student who is younger than eighteen years of

212 age, provided this subdivision shall not be construed as prohibiting the
213 disclosure of the names or addresses of students enrolled in any public
214 school in a regional school district to the board of selectmen or town
215 board of finance, as the case may be, of the town wherein the student
216 resides for the purpose of verifying tuition payments made to such
217 school;

218 (12) Any information obtained by the use of illegal means;

219 (13) Records of an investigation, including any complaint or the name
220 of a person providing information under the provisions of section 4-
221 61dd or sections 4-276 to 4-280, inclusive;

222 (14) Adoption records and information provided for in sections 45a-
223 746, 45a-750 and 45a-751;

224 (15) Any page of a primary petition, nominating petition, referendum
225 petition or petition for a town meeting submitted under any provision
226 of the general statutes or of any special act, municipal charter or
227 ordinance, until the required processing and certification of such page
228 has been completed by the official or officials charged with such duty
229 after which time disclosure of such page shall be required;

230 (16) Records of complaints, including information compiled in the
231 investigation thereof, brought to a municipal health authority pursuant
232 to chapter 368e or a district department of health pursuant to chapter
233 368f, until such time as the investigation is concluded or thirty days
234 from the date of receipt of the complaint, whichever occurs first;

235 (17) Educational records which are not subject to disclosure under the
236 Family Educational Rights and Privacy Act, 20 USC 1232g;

237 (18) Records, the disclosure of which the Commissioner of
238 Correction, or as it applies to Whiting Forensic Hospital, the
239 Commissioner of Mental Health and Addiction Services, has reasonable
240 grounds to believe may result in a safety risk, including the risk of harm
241 to any person or the risk of an escape from, or a disorder in, a
242 correctional institution or facility under the supervision of the

243 Department of Correction or Whiting Forensic Hospital. Such records
244 shall include, but are not limited to:

245 (A) Security manuals, including emergency plans contained or
246 referred to in such security manuals;

247 (B) Engineering and architectural drawings of correctional
248 institutions or facilities or Whiting Forensic Hospital facilities;

249 (C) Operational specifications of security systems utilized by the
250 Department of Correction at any correctional institution or facility or
251 Whiting Forensic Hospital facilities, except that a general description of
252 any such security system and the cost and quality of such system may
253 be disclosed;

254 (D) Training manuals prepared for correctional institutions and
255 facilities or Whiting Forensic Hospital facilities that describe, in any
256 manner, security procedures, emergency plans or security equipment;

257 (E) Internal security audits of correctional institutions and facilities or
258 Whiting Forensic Hospital facilities;

259 (F) Minutes or recordings of staff meetings of the Department of
260 Correction or Whiting Forensic Hospital facilities, or portions of such
261 minutes or recordings, that contain or reveal information relating to
262 security or other records otherwise exempt from disclosure under this
263 subdivision;

264 (G) Logs or other documents that contain information on the
265 movement or assignment of inmates or staff at correctional institutions
266 or facilities; and

267 (H) Records that contain information on contacts between inmates, as
268 defined in section 18-84, and law enforcement officers;

269 (19) Records when there are reasonable grounds to believe disclosure
270 may result in a safety risk, including the risk of harm to any person, any
271 government-owned or leased institution or facility or any fixture or

272 appurtenance and equipment attached to, or contained in, such
273 institution or facility, except that such records shall be disclosed to a law
274 enforcement agency upon the request of the law enforcement agency.
275 Such reasonable grounds shall be determined (A) (i) by the
276 Commissioner of Administrative Services, after consultation with the
277 chief executive officer of an executive branch state agency, with respect
278 to records concerning such agency; and (ii) by the Commissioner of
279 Emergency Services and Public Protection, after consultation with the
280 chief executive officer of a municipal, district or regional agency, with
281 respect to records concerning such agency; (B) by the Chief Court
282 Administrator with respect to records concerning the Judicial
283 Department; and (C) by the executive director of the Joint Committee on
284 Legislative Management, with respect to records concerning the
285 Legislative Department. As used in this section, "government-owned or
286 leased institution or facility" includes, but is not limited to, an institution
287 or facility owned or leased by a public service company, as defined in
288 section 16-1, other than a water company, as defined in section 25-32a, a
289 certified telecommunications provider, as defined in section 16-1, or a
290 municipal utility that furnishes electric or gas service, but does not
291 include an institution or facility owned or leased by the federal
292 government, and "chief executive officer" includes, but is not limited to,
293 an agency head, department head, executive director or chief executive
294 officer. Such records include, but are not limited to:

295 (i) Security manuals or reports;

296 (ii) Engineering and architectural drawings of government-owned or
297 leased institutions or facilities;

298 (iii) Operational specifications of security systems utilized at any
299 government-owned or leased institution or facility, except that a general
300 description of any such security system and the cost and quality of such
301 system may be disclosed;

302 (iv) Training manuals prepared for government-owned or leased
303 institutions or facilities that describe, in any manner, security
304 procedures, emergency plans or security equipment;

305 (v) Internal security audits of government-owned or leased
306 institutions or facilities;

307 (vi) Minutes or records of meetings, or portions of such minutes or
308 records, that contain or reveal information relating to security or other
309 records otherwise exempt from disclosure under this subdivision;

310 (vii) Logs or other documents that contain information on the
311 movement or assignment of security personnel; and

312 (viii) Emergency plans and emergency preparedness, response,
313 recovery and mitigation plans, including plans provided by a person to
314 a state agency or a local emergency management agency or official;

315 (20) Records of standards, procedures, processes, software and codes,
316 not otherwise available to the public, the disclosure of which would
317 compromise the security or integrity of an information technology
318 system;

319 (21) The residential, work or school address of any participant in the
320 address confidentiality program established pursuant to sections 54-240
321 to 54-240o, inclusive;

322 (22) The electronic mail address of any person that is obtained by the
323 Department of Transportation in connection with the implementation
324 or administration of any plan to inform individuals about significant
325 highway or railway incidents;

326 (23) The name or address of any minor enrolled in any parks and
327 recreation program administered or sponsored by any public agency;

328 (24) Responses to any request for proposals or bid solicitation issued
329 by a public agency, responses by a public agency to any request for
330 proposals or bid solicitation issued by a private entity or any record or
331 file made by a public agency in connection with the contract award
332 process, until such contract is executed or negotiations for the award of
333 such contract have ended, whichever occurs earlier, provided the chief
334 executive officer of such public agency certifies that the public interest

335 in the disclosure of such responses, record or file is outweighed by the
336 public interest in the confidentiality of such responses, record or file;

337 (25) The name, address, telephone number or electronic mail address
338 of any person enrolled in any senior center program or any member of
339 a senior center administered or sponsored by any public agency;

340 (26) All records obtained during the course of inspection,
341 investigation, examination and audit activities of an institution, as
342 defined in section 19a-490, that are confidential pursuant to a contract
343 between the Department of Public Health and the United States
344 Department of Health and Human Services relating to the Medicare and
345 Medicaid programs;

346 (27) Any record created by a law enforcement agency or other federal,
347 state, or municipal governmental agency consisting of a photograph,
348 film, video or digital or other visual image depicting (A) (i) a victim of
349 domestic or sexual abuse, (ii) a victim of homicide or suicide, or (iii) a
350 deceased victim of an accident, if disclosure could reasonably be
351 expected to constitute an unwarranted invasion of the personal privacy
352 of the victim or the victim's surviving family members, or (B) a minor,
353 unless disclosure is required in accordance with the provisions of
354 subdivision (2) of subsection (g) of section 29-6d;

355 (28) Any records maintained or kept on file by an executive branch
356 agency or public institution of higher education, including
357 documentation prepared or obtained prior to May 25, 2016, relating to
358 claims of or testing for faulty or failing concrete foundations in
359 residential buildings and documents or materials prepared by an
360 executive branch agency or public institution of higher education
361 relating to such records;

362 (29) Any record pertaining to a formal complaint against a police
363 officer, as defined in section 7-294a, or a correction officer prior to such
364 complaint being investigated and adjudicated by the proper legal
365 authority.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	7-294d(c)(2)
Sec. 3	<i>October 1, 2025</i>	7-294d(h)
Sec. 4	<i>October 1, 2025</i>	1-210(b)

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new class D felony for false statements in law enforcement and Department of Correction records, which results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300¹ while the average marginal cost for supervision in the community is less than \$600² each year for adults.

The Out Years

¹ Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of violations.

OLR Bill Analysis**sSB 1436****AN ACT CONCERNING POLICE AND DEPARTMENT OF CORRECTION DATA REPORTING REQUIREMENTS.****SUMMARY**

This bill makes it a class D felony to intentionally make a false statement in a law enforcement or Department of Correction (DOC) record. Under the bill, a person is guilty of “false statement in a law enforcement or DOC record” when the (1) person intentionally makes a false written statement or enters false information or data in a law enforcement or DOC record that he or she does not believe to be true and (2) statement or entry is intended to mislead a public servant performing his or her official function. (A class D felony is punishable by up to five years in prison, a fine of up to \$5,000, or both.)

The bill authorizes the Police Officer Standards and Training Council (POST) to cancel or revoke a police officer’s certification if the officer’s law enforcement unit (see BACKGROUND), under its established procedures, finds the officer made a false statement in a law enforcement or DOC record. Existing law already authorizes POST to do this if, among other things, the officer is found to have committed any act that would (1) undermine public confidence in law enforcement, including falsifying reports, or (2) constitute the crimes of tampering with or fabricating physical evidence, perjury, or false statement (see BACKGROUND).

The bill also expands current law’s requirements to report law enforcement officers’ violations to POST in two ways. First, it expands the types of violations that the chief law enforcement officer or the appointing authority, as applicable, must report to POST (see below). Secondly, it requires the chief law enforcement officer’s appointing authority to report the violation to POST if the violator is the chief law

enforcement officer.

The bill also requires the chief law enforcement officer to promptly notify the appropriate state's attorney about any matter in which the officer reasonably suspects that a certificate holder (i.e. certified police officer) has engaged in criminal conduct that violates state law.

It also specifies that the Freedom of Information Act does not require disclosure of any record related to a formal complaint against a police officer (see BACKGROUND) before the proper legal authority investigates and adjudicates the complaint.

Lastly, it also makes conforming changes.

EFFECTIVE DATE: October 1, 2025

VIOLATION REPORTING TO POST

Under existing law, each law enforcement unit's chief law enforcement officer must report to POST when, under the unit's established procedures, an officer is found to have committed certain violations. The bill expands this reporting requirement in two ways.

Expanded Violations

First, the bill expands the types of violations that the chief law enforcement officer must report to POST to include when an officer is found to have:

1. engaged in misconduct that reflects on his or her truthfulness, including any act that constitutes the crimes of tampering with or fabricating physical evidence, perjury, false statement, or false statement in a law enforcement or DOC record, or
2. knowingly made a statement while acting in a law enforcement capacity, which was found to be untruthful during a criminal, civil, or administrative inquiry or proceeding.

Under the bill, a "law enforcement or DOC record" is information collected or maintained (1) in connection with a law enforcement unit's

detection or investigation of crimes or motor vehicle violations or (2) by DOC, that is inscribed on a tangible medium, electronically stored, or other medium and is retrievable in perceivable form.

Chief Law Enforcement Officer's Appointing Authority

Secondly, the bill requires the chief law enforcement officer's appointing authority to report the violation to POST when the violator is the chief law enforcement officer, including the new violations added by the bill (see above) and those under existing law.

Under existing law, the following must be reported to POST when a certificate holder has been found by the unit, under its established procedures, to have:

1. used unreasonable, excessive, or illegal force that (a) causes serious physical injury to, or the death of, another person or (b) was likely to cause serious physical injury or death to another person;
2. while acting in a law enforcement capacity, failed to (a) intervene or stop another police officer's use of unreasonable, excessive, or illegal force that (i) caused another person's serious physical injury or death or (ii) was likely to cause another person's serious physical injury or death, or (b) notify a supervisor and submit a written report about the acts where the holder has personal knowledge of the acts and had the ability to prevent them;
3. intentionally intimidated or harassed another person based on actual or perceived protected class membership, identity, or expression, and in doing so, threatened to commit or caused physical injury to another person; and
4. been (a) terminated or dismissed for malfeasance or other serious misconduct or (b) resigned or retired while under investigation.

BACKGROUND

Law Enforcement Unit

By law, a “law enforcement unit” is any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime (CGS § 7-294a).

Existing False Statement Crime

Under existing law, a person is guilty of making a false statement, which is a class A misdemeanor, when he or she (1) intentionally makes a false written statement that the person does not believe to be true with the intent to mislead a public servant performing an official function and (2) makes the statement under oath or in a form bearing notice, authorized by law, that false statements made in the form are punishable (CGS § 53a-157b). (A class A misdemeanor is punishable by up to 364 days in prison, a fine of up to \$2,000, or both.)

Police Officer

By law, and under the bill, a “police officer” is a sworn member of an organized local police department or the State Police, an appointed constable who performs criminal law enforcement duties, certain special policemen, or any member of a law enforcement unit who performs police duties (CGS § 7-294a).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0 (04/08/2025)