



General Assembly

January Session, 2025

Raised Bill No. 1436

LCO No. 5561



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING POLICE 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 the detection or
9 investigation of crimes or motor vehicle violations by a law enforcement
10 unit, as defined in section 7-294a of the general statutes, that is inscribed
11 on a tangible medium or that is stored in an electronic or other medium
12 and is retrievable in perceivable form.

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

14 Sec. 2. Subdivision (2) of subsection (c) of section 7-294d of the general
15 statutes is repealed and the following is substituted in lieu thereof

16 (Effective October 1, 2025):

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

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

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

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

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

116 53a-155, perjury in violation of section 53a-156, false statement in
117 violation of section 53a-157b or false statement in a law enforcement
118 record in violation of section 1 of this act, or (ii) while acting in a law
119 enforcement capacity, knowingly making a statement found to be
120 untruthful during a criminal, civil or administrative inquiry or
121 proceeding.

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

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

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

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

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

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

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

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

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

179 maintain secrecy; and

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

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

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

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

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

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

207 (11) Names or addresses of students enrolled in any public school or

208 college without the consent of each student whose name or address is to
209 be disclosed who is eighteen years of age or older and a parent or
210 guardian of each such student who is younger than eighteen years of
211 age, provided this subdivision shall not be construed as prohibiting the
212 disclosure of the names or addresses of students enrolled in any public
213 school in a regional school district to the board of selectmen or town
214 board of finance, as the case may be, of the town wherein the student
215 resides for the purpose of verifying tuition payments made to such
216 school;

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

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

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

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

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

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

236 (18) Records, the disclosure of which the Commissioner of

237 Correction, or as it applies to Whiting Forensic Hospital, the
238 Commissioner of Mental Health and Addiction Services, has reasonable
239 grounds to believe may result in a safety risk, including the risk of harm
240 to any person or the risk of an escape from, or a disorder in, a
241 correctional institution or facility under the supervision of the
242 Department of Correction or Whiting Forensic Hospital. Such records
243 shall include, but are not limited to:

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

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

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

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

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

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

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

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

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

294 (i) Security manuals or reports;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

354 (28) Any records maintained or kept on file by an executive branch
355 agency or public institution of higher education, including

356 documentation prepared or obtained prior to May 25, 2016, relating to
357 claims of or testing for faulty or failing concrete foundations in
358 residential buildings and documents or materials prepared by an
359 executive branch agency or public institution of higher education
360 relating to such records;

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

Statement of Purpose:

To (1) establish as a crime the making of a false statement in a law enforcement record, (2) make such violation a reason to cancel or revoke a police officer's certification, (3) require prompt notification to the appropriate state's attorney of any suspected criminal violation by a police officer, and (4) create an exception for disclosure of a formal complaint against a police officer that has not yet been adjudicated.

[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.]