AN ACT CONCERNING POLICE ACCOUNTABILITY.

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

Section 1. Subsection (a) of section 29-4 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) On and after June 15, 2012, and until July 1, 2013, the Commissioner of Emergency Services and Public Protection shall appoint and maintain a sufficient number of sworn state police personnel to efficiently maintain the operation of the Division of State Police as determined by the commissioner in the commissioner's judgment. On and after July 1, 2013, the commissioner shall appoint and maintain a sufficient number of sworn state police personnel to efficiently maintain the operation of the division as determined by the commissioner in accordance with the recommended standards developed pursuant to subsection (f) of this section. Any sworn state police personnel appointed by the commissioner on or after the effective date of this section, shall be certified by the Police Officer Standards and
Training Council under section 7-294d within one year of appointment.

Sec. 2. Section 29-3a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

After graduation from the State Police Training Academy, and before becoming a sworn member of the Division of State Police within the Department of Emergency Services and Public Protection, all state police trainees shall have received a high school diploma or an equivalent approved by the state Department of Education and shall have obtained certification from the Police Officer Standards and Training Council within one year of becoming a sworn member of said division. Nothing in this section shall prohibit prospective state police applicants from being admitted to the State Police Training Academy without having received either the high school diploma or equivalent.

Sec. 3. Section 7-294d of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Police Officer Standards and Training Council shall have the following powers:

(1) To develop and periodically update and revise a comprehensive state and municipal police training plan;

(2) To approve, or revoke the approval of, any state or municipal police training school and to issue certification to such schools and to revoke such certification;

(3) To set the minimum courses of study and attendance required and the equipment and facilities to be required of approved state and municipal police training schools;

(4) To set the minimum qualifications for law enforcement instructors and to issue appropriate certification to such instructors in the field of expertise that such instructors will be teaching.
(5) To require that all probationary candidates receive the hours of basic training deemed necessary before being eligible for certification, such basic training to be completed within one year following the appointment as a probationary candidate, unless the candidate is granted additional time to complete such basic training by the council;

(6) To require the registration of probationary candidates with the academy within ten days of hiring for the purpose of scheduling training;

(7) To issue appropriate certification to police officers who have satisfactorily completed minimum basic training programs;

(8) To require that each police officer satisfactorily complete at least forty hours of certified review training every three years in order to maintain certification, unless the officer is granted additional time not to exceed one year to complete such training by the council;

(9) To develop an interactive electronic computer platform capable of administering training courses and to authorize police officers to complete certified review training at a local police department facility by means of such platform;

(10) To renew the certification of those police officers who have satisfactorily completed review training programs and have submitted to and received a negative result on a urinalysis drug test that screens for controlled substances, including, but not limited to, anabolic steroids;

(11) To establish, in consultation with the Commissioner of Emergency Services and Public Protection, uniform minimum educational and training standards for employment as a police officer in full-time positions, temporary or probationary positions and part-time or voluntary positions;
(12) To develop, in consultation with the Commissioner of Emergency Services and Public Protection, a schedule to visit and inspect police basic training schools and to inspect each school at least once each year;

(13) To consult with and cooperate with universities, colleges and institutes for the development of specialized courses of study for police officers in police science and police administration;

(14) To work with the Commissioner of Emergency Services and Public Protection and with departments and agencies of this state and other states and the federal government concerned with police training;

(15) To make recommendations to the Commissioner of Emergency Services and Public Protection concerning a training academy administrator, who shall be appointed by the commissioner, and concerning the hiring of staff, within available appropriations, that may be necessary in the performance of its functions;

(16) To perform any other acts that may be necessary and appropriate to carry out the functions of the council as set forth in sections 7-294a to 7-294e, inclusive;

(17) To accept, with the approval of the Commissioner of Emergency Services and Public Protection, contributions, grants, gifts, donations, services or other financial assistance from any governmental unit, public agency or the private sector;

(18) To conduct any inspection and evaluation that may be necessary to determine if a law enforcement unit is complying with the provisions of this section;

(19) At the request and expense of any law enforcement unit, to conduct general or specific management surveys;

(20) To develop objective and uniform criteria for recommending any
waiver of regulations or granting a waiver of procedures established by
the council;

(21) To recruit, select and appoint candidates to the position of
municipal probationary candidate [], as defined in section 7-294a,] and
provide recruit training for candidates of the Connecticut Police Corps
program in accordance with the Police Corps Act, 42 USC 14091 et seq.,
as amended from time to time;

(22) To develop, adopt and revise, as necessary, comprehensive
accreditation standards for the administration and management of law
enforcement units, to grant accreditation to those law enforcement units
that demonstrate their compliance with such standards and, at the
request and expense of any law enforcement unit, to conduct such
surveys as may be necessary to determine such unit's compliance with
such standards; [and]

(23) To recommend to the commissioner the appointment of any
council training instructor, or such other person as determined by the
council, to act as a special police officer throughout the state as such
instructor or other person's official duties may require, provided any
such instructor or other person so appointed shall be a certified police
officer. Each such special police officer shall be sworn and may arrest
and present before a competent authority any person for any offense
committed within the officer's precinct; [and]

(24) To develop and implement written policies, on or before January
1, 2021, in consultation with the Commissioner of Emergency Services
and Public Protection concerning the requirements that all police
officers undergo periodic mental health assessments as set forth in
section 16 of this act. Such written policies shall, at a minimum, address
(A) the confidentiality of such assessments, (B) the good faith reasons
that the administrative head of a law enforcement unit, as defined in
section 16 of this act, may rely upon when requesting that a police officer
undergo an additional assessment, (C) the ability of a police officer to contest the results of such assessments, (D) permissible personnel actions that may be taken by a law enforcement unit based on the results of such assessments, (E) the process for selecting psychiatrists and psychologists to conduct such assessments, and (F) financial considerations that may be incurred by law enforcement units or police officers that are attributable to conducting such assessments.

(b) No person may be employed as a police officer by any law enforcement unit for a period exceeding one year unless such person has been certified under the provisions of subsection (a) of this section or has been granted an extension by the council. No person may serve as a police officer during any period when such person's certification has been cancelled or revoked pursuant to the provisions of subsection (c) of this section. In addition to the requirements of this subsection, the council may establish other qualifications for the employment of police officers and require evidence of fulfillment of these qualifications. The certification of any police officer who is not employed by a law enforcement unit for a period of time in excess of two years, unless such officer is on leave of absence, shall be considered lapsed. Upon reemployment as a police officer, such officer shall apply for recertification in a manner provided by the council, provided such recertification process requires the police officer to submit to and receive a negative result on a urinalysis drug test that screens for controlled substances, including, but not limited to, anabolic steroids. The council shall certify any applicant who presents evidence of satisfactory completion of a program or course of instruction in another state or, if the applicant is a veteran or a member of the armed forces or the National Guard, as part of training during service in the armed forces, that is equivalent in content and quality to that required in this state, provided such applicant passes an examination or evaluation as required by the council. For the purposes of this section, "veteran" means any person who was discharged or released under conditions
other than dishonorable from active service in the armed forces and
"armed forces" has the same meaning as provided in section 27-103.

(c) (1) The council may refuse to renew any certificate if the holder
fails to meet the requirements for renewal of his or her certification.

(2) (A) The council may cancel or revoke any certificate if: [(A)] (i) The
certificate was issued by administrative error, [(B)] (ii) the certificate was
obtained through misrepresentation or fraud, [(C)] (iii) the holder
falsified any document in order to obtain or renew any certificate, [(D)]
(iv) the holder has been convicted of a felony, [(E)] (v) the holder has
been found not guilty of a felony by reason of mental disease or defect
pursuant to section 53a-13, [(F)] (vi) the holder has been convicted of a
violation of section 21a-279, [(G)] (vii) the holder has been refused
issuance of a certificate or similar authorization or has had his or her
certificate or other authorization cancelled or revoked by another
jurisdiction on grounds which would authorize cancellation or
revocation under the provisions of this subdivision, [(H)] (viii) the
holder has been found by a law enforcement unit, pursuant to
procedures established by such unit, to have used a firearm in an
improper manner which resulted in the death or serious physical injury
of another person, (ix) the holder has been found by a law enforcement
unit, pursuant to procedures established by such unit, to have engaged
in conduct that undermines public confidence in law enforcement,
including, but not limited to, discriminatory conduct, falsification of
reports or a violation of the Alvin W. Penn Racial Profiling Prohibition
Act pursuant to sections 54-1l and 54-1m, provided, when evaluating
any such conduct, the council considers such conduct engaged in while
the holder is acting in such holder's law enforcement capacity or
representing himself or herself to be a police officer to be more serious
than such conduct engaged in by a holder not acting in such holder's
law enforcement capacity or representing himself or herself to be a
police officer; (x) the holder has been found by a law enforcement unit,
pursuant to procedures established by such unit, to have used physical
force on another person in a manner that is excessive or used physical
force in a manner found to not be justifiable after an investigation
conducted pursuant to section 51-277a, or [(l)] (xi) the holder has been
found by a law enforcement unit, pursuant to procedures established by
such unit, to have committed any act that would constitute tampering
with or fabricating physical evidence in violation of section 53a-155,
perjury in violation of section 53a-156 or false statement in violation of
section 53a-157b. Whenever the council believes there is a reasonable
basis for suspension, cancellation or revocation of the certification of a
police officer, police training school or law enforcement instructor, it
shall give notice and an adequate opportunity for a hearing prior to such
suspension, cancellation or revocation. The council may cancel or
revoke any certificate if, after a de novo review, it finds by clear and
convincing evidence [(i)] (I) a basis set forth in subparagraphs [(A) to
(G)] (A)(i) to (A)(vii), inclusive, of this subdivision, or [(ii)] (II) that the
holder of the certificate committed an act set forth in subparagraph [(H)
or (I)] (A)(viii), (A)(ix), (A)(x) or (A)(xi) of this subdivision. In any such
case where the council finds such evidence, but determines that the
severity of an act committed by the holder of the certificate does not
warrant cancellation or revocation of such holder's certificate, the
council may suspend such holder's certification for a period of up to
forty-five days and may censure such holder of the certificate. Any
police officer or law enforcement instructor whose certification is
cancelled or revoked pursuant to this section may reapply for
recertification no sooner than two years after the date on which the
cancellation or revocation order becomes final. Any police training
school whose certification is cancelled or revoked pursuant to this
section may reapply for certification at any time after the date on which
such order becomes final.

(d) Notwithstanding the provisions of subsection (b) of this section,
(1) any police officer, except a probationary candidate, who is serving
under full-time appointment on July 1, 1982, and (2) any sworn member
of the Division of State Police within the Department of Emergency Services and Public Protection, except a probationary candidate, who is serving under full-time appointment on the effective date of this section, shall be deemed to have met all certification requirements and shall be automatically certified by the council in accordance with the provisions of subsection (a) of section 7-294e.

(e) The provisions of this section shall apply to any person who performs police functions. As used in this subsection, "performs police functions" for a person who is not a police officer, as defined in section 7-294a, means that in the course of such person's official duties, such person carries a firearm and exercises arrest powers pursuant to section 54-1f or engages in the prevention, detection or investigation of crime, as defined in section 53a-24. The council shall establish criteria by which the certification process required by this section shall apply to police officers.

(f) The provisions of this section shall not apply to (1) [any state police training school or program, (2) any sworn member of the Division of State Police within the Department of Emergency Services and Public Protection, (3) Connecticut National Guard security personnel, when acting within the scope of their National Guard duties, who have satisfactorily completed a program of police training conducted by the United States Army or Air Force, (4) employees of the Judicial Department, (5) municipal animal control officers appointed pursuant to section 22-331, or (6) fire police appointed pursuant to section 7-313a. The provisions of this section with respect to renewal of certification upon satisfactory completion of review training programs shall not apply to any chief inspector or inspector in the Division of Criminal Justice who has satisfactorily completed a program of police training conducted by the division. Notwithstanding the provisions of subsection (b) of this section, any police officer certified in accordance with subsection (a) of this section may accept employment with another police department within this state without repeating minimum basic
Sec. 4. Section 7-294e of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Notwithstanding the provisions of any general statute or special act or local law, ordinance or charter to the contrary, each police officer shall forfeit such officer's appointment and position unless recertified by the council according to procedures and within the time frame established by the council. Any sworn member of the Division of State Police within the Department of Emergency Services and Public Protection who is deemed certified under subsection (d) of section 7-294d is required to apply for recertification by the council within the time frame established by the council, unless such member retires from said division within such time frame.

(b) The Police Officer Standards and Training Council may recommend to the Commissioner of Emergency Services and Public Protection any regulations it deems necessary to carry out the provisions of section 7-294a, subsection (a) of section 7-294b, sections 7-294c and 7-294d and this section, giving due consideration to the varying factors and special requirements of law enforcement units.

(c) The Commissioner of Emergency Services and Public Protection may adopt regulations, in accordance with the provisions of chapter 54, as are necessary to implement the provisions of section 7-294a, subsection (a) of section 7-294b, sections 7-294c and 7-294d and this section. Such regulations shall be binding upon all law enforcement units, [except the Division of State Police within the Department of Emergency Services and Public Protection.]

Sec. 5. (NEW) (Effective from passage) (a) As used in this section, "police officer" and "law enforcement unit" have the same meanings as provided in section 7-294a of the general statutes.
(b) The Police Officer Standards and Training Council, in conjunction with the Commissioner of Emergency Services and Public Protection, the Chief State's Attorney, the Connecticut Police Chiefs Association and the Connecticut Coalition of Police and Correctional Officers, shall adopt, in accordance with the provisions of chapter 54 of the general statutes, a uniform, state-wide policy for managing crowds by police officers. Such policy shall establish guidelines for managing crowds in a manner that protects individual rights and preserves the peace during demonstrations and civil disturbances, addresses the permissible and impermissible uses of force by a police officer, the type and amount of training in crowd management that each police officer shall undergo, and the documentation required following any physical confrontations with a civilian during a crowd management incident.

(c) Not later than December 1, 2020, the Commissioner of Emergency Services and Public Protection, in conjunction with the Chief State's Attorney, the Police Officer Standards and Training Council, the Connecticut Police Chiefs Association and the Connecticut Coalition of Police and Correctional Officers, shall (1) post on the eRegulations System, established pursuant to section 4-173b of the general statutes, a notice of intent to adopt regulations setting forth the crowd management policy adopted pursuant to subsection (b) of this section in accordance with the provisions of chapter 54 of the general statutes, and (2) at least once during each five-year period thereafter, amend such regulations to update such policy.

(d) On or after the date the crowd management policy is developed pursuant to subsection (b) of this section, (1) the chief of police or Commissioner of Emergency Services and Public Protection, as the case may be, shall inform each officer within such chief's or said commissioner's department and each officer responsible for law enforcement in a municipality in which there is no organized police department of the existence of the crowd management policy to be employed by any such officer and shall take whatever measures are necessary to familiarize each officer with the policy.
necessary to ensure that each such officer understands the crowd
management policy established under this section, and (2) each police
basic or review training program conducted or administered by the
Division of State Police within the Department of Emergency Services
and Public Protection, the Police Officer Standards and Training
Council or a municipal police department shall include training in such
policy.

Sec. 6. Section 29-8 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

In case of riot or civil commotion in any part of the state, the Division
of State Police within the Department of Emergency Services and Public
Protection, on order of the Governor, shall use its best efforts to suppress
the same. In the event of such participation by the Division of State
Police in the suppression of any riot or similar disorder, the same
immunities and privileges as apply to the organized militia shall apply
to the members of said division, provided, after the crowd management
policy has been adopted as a regulation under section 5 of this act, any
such member is in compliance with such policy.

Sec. 7. Section 7-294s of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

Each police basic or review training program conducted or
administered by the Division of State Police within the Department of
Emergency Services and Public Protection, the Police Officer Standards
and Training Council established under section 7-294b or a municipal
police department in the state shall include tactical training for police
officers regarding the use of physical force, training in the use of body-
worn recording equipment and the retention of data created by such
equipment, and cultural competency and sensitivity and bias-free
policing training, including, but not limited to, implicit bias training. As
used in this section, "implicit bias training" means training on how to
recognize and mitigate unconscious biases against a particular segment of the population that might influence a police officer’s judgments and decisions when interacting with a member of such segment of the population.

Sec. 8. Subsection (e) of section 5-278 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(e) [Where] (1) Except as provided in subdivision (2) of this subsection, where there is a conflict between any agreement or arbitration award approved in accordance with the provisions of sections 5-270 to 5-280, inclusive, on matters appropriate to collective bargaining, as defined in said sections, and any general statute or special act, or regulations adopted by any state agency, the terms of such agreement or arbitration award shall prevail; provided if participation of any employees in a retirement system is effected by such agreement or arbitration award, the effective date of participation in said system, notwithstanding any contrary provision in such agreement or arbitration award, shall be the first day of the third month following the month in which a certified copy of such agreement or arbitration award is received by the Retirement Commission or such later date as may be specified in the agreement or arbitration award.

(2) For any agreement or arbitration award approved before, on or after the effective date of this section, in accordance with the provisions of sections 5-270 to 5-280, inclusive, on matters appropriate to collective bargaining, as defined in said sections, where there is a conflict between a provision of any such agreement or award and the provisions of the Freedom of Information Act, as defined in section 1-200, the provisions of the Freedom of Information Act shall prevail.

Sec. 9. (NEW) (Effective from passage) No collective bargaining agreement or arbitration award entered into before, on or after the
effective date of this section, by the state and any collective bargaining
unit of the Division of State Police within the Department of Emergency
Services and Public Protection may prohibit the disclosure of any
disciplinary action based on a violation of the code of ethics contained
in the personnel file of a sworn member of said division.

Sec. 10. Section 7-291a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

(a) If a law enforcement unit serves a community with a relatively
high concentration of minority residents, the unit shall make efforts to
recruit, retain and promote minority police officers so that the racial and
ethnic diversity of such unit is representative of such community. Such
efforts may include, but are not limited to: (1) Efforts to attract young
persons from the community such unit serves to careers in law
enforcement through enrollment and participation in police athletic
leagues in which police officers support young persons of the
community through mentoring, sports, education and by fostering a
positive relationship between such persons and police officers, the
implementation of explorer programs and cadet units and support for
public safety academies; (2) community outreach; and (3)
implementation of policies providing that when there is a vacant
position in such unit, such position shall be filled by hiring or promoting
a minority candidate when the qualifications of such candidate exceed
or are equal to that of any other candidate or candidates being
considered for such position when such candidates are ranked on a
promotion or examination register or list. For purposes of this section,
"minority" means an individual whose race is defined as other than
white, or whose ethnicity is defined as Hispanic or Latino by the federal
Office of Management and Budget for use by the Bureau of Census of
the United States Department of Commerce.

(b) Not later than January 1, 2021, and annually thereafter, the board
of police commissioners, the chief of police, the superintendent of police
or other authority having charge of a law enforcement unit that serves a community with a relatively high concentration of minority residents shall report to the Police Officer Standards and Training Council on the community's efforts to recruit, retain and promote minority police officers.

Sec. 11. Section 7-294c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

[The] Not later than January 1, 2021, and annually thereafter, the council shall submit an annual report, in accordance with the provisions of section 11-4a, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety which shall include pertinent data regarding (1) the comprehensive municipal police training plan, (2) the recruitment, retention and promotion of minority police officers, and (3) an accounting of all grants, contributions, gifts, donations or other financial assistance.

Sec. 12. Section 6 of public act 19-90 is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There is established a task force to study police transparency and accountability. The task force shall examine: (1) Police officer interactions with individuals who are individuals with a mental, intellectual or physical disability; (2) the merits and feasibility of police officers who conduct traffic stops issuing a receipt to each individual being stopped that includes the reason for the stop and records the demographic information of the person being stopped; [and] (3) strategies that can be utilized by communities to increase the recruitment, retention and promotion of minority police officers, as required by section 7-291a of the general statutes; (4) the merits and feasibility of requiring police officers to procure and maintain professional liability insurance as a condition of employment; (5) the
merits and feasibility of requiring a municipality to maintain professional liability insurance on behalf of its police officers; (6) the establishment of primary and secondary traffic violations in the general statutes; (7) the establishment of a requirement in the general statutes that any police traffic stop be based on the enforcement of a primary traffic violation; (8) how a police officer executes a warrant to enter a residence without giving audible notice of the police officer's presence, authority and purpose before entering in this state and under the laws of other states, including verification procedures of the address where the warrant is to be executed and any documentation that a police officer should leave for the residents where the warrant was executed; (9) how a professional bondsman under chapter 533 of the general statutes, a surety bail bond agent under chapter 700f of the general statutes or a bail enforcement agent under sections 29-152f to 29-152i, inclusive, of the general statutes take into custody the principal on a bond who has failed to appear in court and for whom a rearrest warrant or a capias has been issued pursuant to section 54-65a of the general statutes, in this state and other states, including what process of address verification is used and whether any documentation is left with a resident where the warrant was executed; (10) the necessity of requiring a police officer at a road construction site within a municipality; and (11) any other police officer and transparency and accountability issue the task force deems appropriate.

(b) The task force shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives, one of whom is an individual with a mental, intellectual or physical disability;

(2) Two appointed by the president pro tempore of the Senate, one of whom is a justice-impacted individual;

(3) One appointed by the majority leader of the House of
Representatives, who shall be a member of the Black and Puerto Rican Caucus of the General Assembly;

(4) One appointed by the majority leader of the Senate, who shall be a member of the Connecticut Police Chiefs Association;

(5) Two appointed by the minority leader of the House of Representatives;

(6) Two appointed by the minority leader of the Senate;

(7) The undersecretary of the Criminal Justice Policy and Planning Division within the Office of Policy and Management, or the undersecretary's designee, as a nonvoting member;

(8) The Commissioner of the Department of Emergency Services and Public Protection, or the commissioner's designee, as a nonvoting member; and

(9) The Chief State's Attorney, or the Chief State's Attorney designee, as a nonvoting member.

(c) Any member of the task force appointed under subdivision (1), (2), (3), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.
(f) The administrative staff of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety shall serve as administrative staff of the task force.

(g) Not later than January 1, [2020] 2021, the task force shall submit a preliminary report and not later than December 31, [2020] 2021, a final report on its findings and any recommendations for legislation to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or December 31, [2020] 2021, whichever is later.

Sec. 13. Section 7-294b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There shall be a Police Officer Standards and Training Council which shall be within the Department of Emergency Services and Public Protection, [and which] Until December 31, 2020, the council shall consist of the following members appointed by the Governor: (1) A chief administrative officer of a town or city in Connecticut; (2) the chief elected official or chief executive officer of a town or city in Connecticut with a population under twelve thousand which does not have an organized police department; (3) a member of the faculty of The University of Connecticut; (4) eight members of the Connecticut Police Chiefs Association who are holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state; (5) the Chief State’s Attorney; (6) a sworn municipal police officer whose rank is sergeant or lower; and (7) five public members. [The Commissioner of Emergency Services and Public Protection and the Federal Bureau of Investigation special agent-in-charge in Connecticut or their designees shall be voting ex-officio members of the council. Any nonpublic member of the council shall immediately, upon the termination of such member’s holding the
office or employment that qualified such member for appointment, cease to be a member of the council. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom such member is to succeed in the same manner as the original appointment. The Governor shall appoint a chairperson and the council shall appoint a vice-chairperson and a secretary from among the members. The members of the council shall serve without compensation but shall be entitled to actual expenses involved in the performance of their duties.]

(b) On and after January 1, 2021, the council shall consist of the following members:

(1) The chief elected official or chief executive officer of a town or city within the state with a population in excess of fifty thousand, appointed by the Governor;

(2) The chief elected official or chief executive officer of a town or city within the state with a population of fifty thousand or less, appointed by the Governor;

(3) A member of the faculty of an institution of higher education in the state who has a background in criminal justice studies, appointed by the Governor;

(4) A member of the Connecticut Police Chiefs Association who is holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state with a population in excess of one hundred thousand, appointed by the Governor;

(5) A member of the Connecticut Police Chiefs Association who is holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state with a population in excess of sixty
thousand but not exceeding one hundred thousand, appointed by the Governor;

(6) A member of the Connecticut Police Chiefs Association who is holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state with a population in excess of thirty-five thousand but not exceeding sixty thousand, appointed by the Governor;

(7) A sworn municipal police officer from a municipality within the state with a population exceeding fifty thousand, appointed by the Governor;

(8) A sworn municipal police officer from a municipality within the state with a population not exceeding fifty thousand, appointed by the Governor;

(9) A member of the sworn state police personnel, appointed by the Governor;

(10) A member of the public, who is a person with a physical disability, appointed by the Governor;

(11) A medical professional, appointed by the Governor;

(12) The Chief State's Attorney;

(13) A member of the Connecticut Police Chiefs Association or the person holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state, appointed by the speaker of the House of Representatives;

(14) A member of the Connecticut Police Chiefs Association or the person holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of
a municipality within the state, appointed by the president pro tempore of the Senate;

(15) A member of the Connecticut Police Chiefs Association who is holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state with a population not exceeding thirty-five thousand, appointed by the minority leader of the Senate;

(16) A member of the public who is a justice-impacted person, appointed by the majority leader of the House of Representatives;

(17) A member of the public who is a justice-impacted person, appointed by the majority leader of the Senate; and

(18) A member of the public who is a person with a mental disability, appointed by the minority leader of the House of Representatives.

(c) The Commissioner of Emergency Services and Public Protection and the Federal Bureau of Investigation special agent-in-charge in Connecticut or their designees shall be voting ex-officio members of the council. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from the council. Any nonpublic member of the council shall immediately, upon the termination of such member's holding the office or employment that qualified such member for appointment, cease to be a member of the council. Any vacancy shall be filled by the appointing authority. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom such member is to succeed in the same manner as the original appointment. The Governor shall appoint a chairperson and the council shall appoint a vice-chairperson and a secretary from among the members.

[(b)] (d) Membership on the council shall not constitute holding a
public office. No member of the council shall be disqualified from holding any public office or employment by reason of his appointment to or membership on the council nor shall any member forfeit any such office or employment by reason of his appointment to the council, notwithstanding the provisions of any general statute, special act or local law, ordinance or charter.

Sec. 14. (NEW) (Effective from passage) (a) Except as specified in the model policy adopted and promulgated pursuant to the provisions of subsection (b) of this section, on and after January 1, 2021, any police officer, as defined in section 7-294a of the general statutes, who is authorized to make arrests or who is otherwise required to have daily interactions with members of the public, shall be required to affix and prominently display on the outer-most garment of such officer's uniform the badge and name tag that has been issued to such officer by the law enforcement unit, as defined in section 7-294a of the general statutes, that employs such officer.

(b) Not later than December 31, 2020, the Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly develop and promulgate a model policy to implement the provisions of subsection (a) of this section. Such model policy shall include, but not be limited to, the time, place and manner for ensuring compliance with the provisions of subsection (a) of this section. Such model policy may include specified instances when compliance with the provisions of subsection (a) of this section shall not be required due to public safety-related considerations or other practical considerations, including, but not limited to, the sensitive nature of a police investigation or a police officer's involvement in an undercover assignment.

Sec. 15. Section 7-294a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):
As used in this section, [and] sections 7-294b to 7-294e, inclusive, and section 16 of this act:

(1) "Academy" means the Connecticut Police Academy;

(2) "Applicant" means a prospective police officer who has not commenced employment or service with a law enforcement unit;

(3) "Basic training" means the minimum basic law enforcement training received by a police officer at the academy or at any other certified law enforcement training academy;

(4) "Certification" means the issuance by the Police Officer Standards and Training Council to a police officer, police training school or law enforcement instructor of a signed instrument evidencing satisfaction of the certification requirements imposed by section 7-294d, and signed by the council;

(5) "Council" means the Police Officer Standards and Training Council;

(6) "Governor" includes any person performing the functions of the Governor by authority of the law of this state;

(7) "Review training" means training received after minimum basic law enforcement training;

(8) "Law enforcement unit" means any agency [organ] or department of this state or a subdivision or municipality thereof, or, if created and governed by a memorandum of agreement under section 47-65c, of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut, whose primary functions include the enforcement of criminal or traffic laws, the preservation of public order, the protection of life and property, or the prevention, detection or investigation of crime;


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(9) "Police officer" means a sworn member of an organized local police department or of the Division of State Police within the Department of Emergency Services and Public Protection, an appointed constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a or 29-19 or any member of a law enforcement unit who performs police duties;

(10) "Probationary candidate" means a police officer who, having satisfied preemployment requirements, has commenced employment with a law enforcement unit but who has not satisfied the training requirements provided for in section 7-294d; and

(11) "School" means any school, college, university, academy or training program approved by the council which offers law enforcement training and includes a combination of a course curriculum, instructors and facilities.

Sec. 16. (NEW) (Effective from passage) (a) As used in this section: (1) "Administrative head of each law enforcement unit" means the Commissioner of Emergency Services and Public Protection, the board of police commissioners, the chief of police, superintendent of police or other authority having charge of a law enforcement unit; and (2) "mental health assessment" means a mental health assessment of a police officer conducted by a board-certified psychiatrist or psychologist licensed pursuant to the provisions of chapter 383 of the general statutes, who has experience diagnosing and treating post-traumatic stress disorder.

(b) On and after January 1, 2021, the administrative head of each law enforcement unit shall require each police officer employed by such law enforcement unit to submit, as a condition of continued employment, to a periodic mental health assessment. Each police officer employed by a law enforcement unit shall submit to a periodic mental health assessment not less than once every five years. In carrying out the provisions of this section, the administrative head of each law enforcement unit shall require each police officer employed by such law enforcement unit to submit, as a condition of continued employment, to a periodic mental health assessment not less than once every five years.
enforcement unit may stagger the scheduling of such mental health assessments in a manner that results in approximately twenty per cent of the total number of police officers in the law enforcement unit receiving mental health assessments each year over a five-year period. Notwithstanding the provisions of this subsection, the administrative head of a law enforcement unit may waive the requirement that a police officer submit to a periodic mental health assessment when the police officer has submitted written notification of his or her decision to retire from the law enforcement unit to such administrative head, provided the effective date of such retirement is not more than six months beyond the date on which such periodic mental health assessment is scheduled to occur.

(c) In addition to the mental health assessments required pursuant to subsection (b) of this section, the administrative head of each law enforcement unit may, for good cause shown, require a police officer to submit to an additional mental health assessment. The administrative head of a law enforcement unit requiring that a police officer submit to an additional mental health assessment shall provide the police officer with a written statement setting forth the good faith basis for requiring the police officer to submit to an additional mental health assessment. Upon receiving such written statement, the police officer shall, not later than thirty days after the date of the written request, submit to such mental health assessment.

(d) A law enforcement unit that hires any person as a police officer, who was previously employed as a police officer by another law enforcement unit or employed as a police officer in any other jurisdiction, may require such new hire to submit to a mental health assessment not later than six months after the date of hire. When determining whether such new hire shall be required to submit to a mental health assessment, the law enforcement unit shall give due consideration to factors that include, but are not limited to, the date on which such new hire most recently submitted to a mental health assessment.
assessment.

(e) Any person conducting a mental health assessment of a police officer pursuant to the provisions of this section shall provide a written copy of the results of such assessment to the police officer and to the administrative head of the law enforcement unit employing the police officer.

Sec. 17. (NEW) (Effective from passage) (a) The legislative body of a town may, by ordinance, establish a police civilian review board. The ordinance shall prescribe the number of members of the review board, the method of selection of board members, the terms of office and the procedure for filling any vacancy.

(b) Any police civilian review board established pursuant to subsection (a) of this section may be vested with the authority to: (1) Issue subpoenas to compel the attendance of witnesses before the review board; and (2) require the production for examination of any books and papers that the review board deems relevant to any matter under investigation or in question.

Sec. 18. (NEW) (Effective from passage) Not later than six months after the effective date of this section, each municipal police department shall complete an evaluation of the feasibility and potential impact of the use of social workers by the department for the purpose of remotely responding to calls for assistance, responding in person to such calls or accompanying a police officer on calls where the experience and training of a social worker could provide assistance. Such evaluation shall consider whether (1) responses to certain calls and community interactions could be managed entirely by a social worker or benefit from the assistance of a social worker, and (2) the municipality that the police department serves would benefit from employing, contracting with or otherwise engaging social workers to assist the municipal police department. The municipal police department may consider the use of
mobile crisis teams or implementing a regional approach with other municipalities as part of any process to engage or further engage social workers to assist municipal police departments. The municipal police department shall submit such evaluation immediately upon completion to the Police Officer Standards and Training Council established under section 7-294b of the general statutes.

Sec. 19. Section 29-6d of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2022):

(a) For purposes of this section and section 7-277b:

(1) "Law enforcement agency" means the Division of State Police within the Department of Emergency Services and Public Protection, the special police forces established pursuant to section 10a-156b and any municipal police department; [that supplies any of its sworn members with body-worn recording equipment;]

(2) "Police officer" means a sworn member of a law enforcement agency; [who wears body-worn recording equipment;]

(3) "Body-worn recording equipment" means an electronic recording device that is capable of recording audio and video; [and]

(4) "Dashboard camera" means a dashboard camera with a remote recorder, as defined in section 7-277b; and

[(4) (5) "Digital data storage device or service" means a device or service that retains the data from the recordings made by body-worn recording equipment using computer data storage.

(b) The Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly evaluate and approve the minimal technical specifications of body-worn recording equipment that [may] shall be worn by police officers.
pursuant to this section, dashboard cameras that shall be used in each
police vehicle and digital data storage devices or services that [may]
shall be used by a law enforcement agency to retain the data from the
recordings made by such equipment. [Not later than January 1, 2016,
The] The commissioner and council shall make such minimal technical
specifications available to each law enforcement agency in a manner
determined by the commissioner and council. The commissioner and
council may revise the minimal technical specifications when the
commissioner and council determine that revisions to such
specifications are necessary.

(c) (1) [On and after July 1, 2019, each sworn member of (A) the
Division of State Police within the Department of Emergency Services
and Public Protection, (B) the special police forces established pursuant
to section 10a-156b, (C) any municipal police department for a
municipality that is a recipient of grant-in-aid as reimbursement for
body-worn recording equipment pursuant to subparagraph (A), (B) or
(D) of subdivision (1) of subsection (b) of section 7-277b or subdivision
(2) of said subsection (b), and (D) any municipal police department for
any other municipality that is a recipient of grant-in-aid as
reimbursement for body-worn recording equipment pursuant to
subparagraph (C) of subdivision (1) of said subsection (b) if such sworn
member is supplied with such body-worn recording equipment.] Each
police officer shall use body-worn recording equipment while
interacting with the public in such sworn member's law enforcement
capacity, except as provided in subsection (g) of this section, or in the
case of a municipal police department, in accordance with the
department's policy [i, if] adopted by the department and based on
guidelines maintained pursuant to subsection (j) of this section,
concerning the use of body-worn recording equipment.

(2) Any sworn member of a municipal police department, other than
those described in subdivision (1) of this subsection, may use body-
worn recording equipment as directed by such department, provided
the use of such equipment and treatment of data created by such
equipment shall be in accordance with the provisions of subdivisions (3)
and (4) of this subsection, and subsections (d) to (j), inclusive, of this
section.]

[(3)] (2) Each police officer shall wear body-worn recording
equipment on such officer's outer-most garment and shall position such
equipment above the midline of such officer's torso when using such
equipment.

[(4)] (3) Body-worn recording equipment used pursuant to this
section shall conform to the minimal technical specifications approved
pursuant to subsection (b) of this section, except that a police officer may
use body-worn recording equipment that does not conform to the
minimal technical specifications approved pursuant to subsection (b) of
this section, if such equipment was purchased prior to January 1, 2016,
by the law enforcement agency employing such officer.

(4) Each law enforcement agency shall require usage of a dashboard
camera in each police vehicle used by any police officer employed by
such agency in accordance with the agency's policy adopted by the
agency and based on guidelines maintained pursuant to subsection (j)
of this section, concerning dashboard cameras.

(d) Except as required by state or federal law, no person employed by
a law enforcement agency shall edit, erase, copy, share or otherwise alter
or distribute in any manner any recording made by body-worn
recording equipment or a dashboard camera or the data from such
recording.

(e) A police officer may review a recording from his or her body-worn
recording equipment or a dashboard camera in order to assist such
officer with the preparation of a report or otherwise in the performance
of his or her duties.
(f) If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment or a dashboard camera [with a remote recorder, as defined in subsection (c) of section 7-277b.] is being considered as part of a review of an incident, the officer shall (1) have the right to review such recording in the presence of the officer's attorney or labor representative, and (2) have the right to review recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subdivision (1) of this subsection, or if the officer does not review the recording, not later than ninety-six hours following the recorded incident, whichever is earlier, such recording shall be disclosed, upon request, to the public, subject to the provisions of subsection (g) of this section.

(g) (1) Except as otherwise provided by any agreement between a law enforcement agency and the federal government, no police officer shall use body-worn recording equipment or a dashboard camera, if applicable, to intentionally record (A) a communication with other law enforcement agency personnel, except that which may be recorded as the officer performs his or her duties, (B) an encounter with an undercover officer or informant, (C) when an officer is on break or is otherwise engaged in a personal activity, (D) a person undergoing a medical or psychological evaluation, procedure or treatment, (E) any person other than a suspect to a crime if an officer is wearing such equipment in a hospital or other medical facility setting, or (F) in a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.

(2) No record created using body-worn recording equipment or a dashboard camera of (A) an occurrence or situation described in subparagraphs (A) to (F), inclusive, of subdivision (1) of this subsection, (B) a scene of an incident that involves (i) a victim of domestic or sexual abuse, (ii) a victim of homicide or suicide, or (iii) a deceased victim of an
accident, if disclosure could reasonably be expected to constitute an 
unwarranted invasion of personal privacy in the case of any such victim 
described in this subparagraph, or (C) a minor, shall be subject to 
disclosure under the Freedom of Information Act, as defined in section 
1-200, and any such record shall be confidential, except that a record of 
a minor shall be disclosed if (i) the minor and the parent or guardian of 
such minor consent to the disclosure of such record, (ii) a police officer 
is the subject of an allegation of misconduct made by such minor or the 
parent or guardian of such minor, and the person representing such 
officer in an investigation of such alleged misconduct requests 
disclosure of such record for the sole purpose of preparing a defense to 
such allegation, or (iii) a person is charged with a crime and defense 
counsel for such person requests disclosure of such record for the sole 
purpose of assisting in such person's defense and the discovery of such 
record as evidence is otherwise discoverable.

(h) No police officer shall use body-worn recording equipment prior 
to being trained in accordance with section 7-294s in the use of such 
equipment and in the retention of data created by such equipment, [. 
except that any police officer using such equipment prior to October 1, 
2015, may continue to use such equipment prior to such training.] A law 
enforcement agency shall ensure that each police officer such agency 
employs receives such training at least annually and is trained on the 
proper care and maintenance of such equipment.

(i) If a police officer is aware that any body-worn recording 
equipment or dashboard camera is lost, damaged or malfunctioning, 
such officer shall inform such officer's supervisor as soon as is 
practicable. Upon receiving such information, the supervisor shall 
ensure that the body-worn recording equipment or dashboard camera 
is inspected and repaired or replaced, as necessary. Each police officer 
shall inspect and test body-worn recording equipment prior to each shift 
to verify proper functioning, and shall notify such officer's supervisor 
of any problems with such equipment.
(j) The Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly maintain guidelines pertaining to the use of body-worn recording equipment, retention of data created by such equipment and dashboard cameras and methods for safe and secure storage of such data. Each law enforcement agency and any police officer and any other employee of such agency who may have access to such data shall adhere to such guidelines. The commissioner and council may update and reissue such guidelines, as the commissioner and council determine necessary. The commissioner and council shall, upon issuance of such guidelines or any update to such guidelines, submit such guidelines in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.

Sec. 20. Section 7-277b of the 2020 supplement to the general statutes, as amended by section 54 of public act 20-1, is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Office of Policy and Management shall, within available resources, administer a grant program and establish requirements for applicants to qualify for grants-in-aid for reimbursement (1) for the costs associated with the purchase of body-worn recording equipment or electronic defense weapon recording equipment for use by the sworn members of such municipality’s police department or for use by constables, police officers or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality, and digital data storage devices or services, provided such equipment and device or service conforms to the minimal technical specifications approved pursuant to subsection (b) of section 29-6d, if applicable, and (2) for the first-time purchase of one or more dashboard cameras with a remote
recorder or replacing one or more dashboard cameras purchased prior to December 31, 2010, with one or more dashboard cameras with a remote recorder. Any [such] municipality may apply for such grants-in-aid to the Secretary of the Office of Policy and Management in such form and manner as prescribed by said secretary. Such grants-in-aid shall be distributed as provided in subsection (b) of this section.

(b) [(1) (A)] Any municipality [that purchased], approved for a grant-in-aid by the Office of Policy and Management for the purchase of such body-worn recording equipment, electronic defense weapon recording equipment or digital data storage devices or services, [made] a first-time purchase of one or more dashboard cameras with a remote recorder or [replaced] replacement of one or more dashboard cameras purchased prior to December 31, 2010, with one or more dashboard cameras with a remote recorder during the fiscal years ending June 30, [2017] 2021, and June 30, [2018, shall] 2022, may, within available resources, [be reimbursed] receive a grant-in-aid for up to one hundred per cent of the costs associated with such purchases, provided the costs of such digital data storage services covered by the grant-in-aid shall not be [reimbursed] for a period of service that is longer than one year, and provided further that in the case of [reimbursement for] costs associated with the purchase of body-worn recording equipment, such body-worn recording equipment is purchased in sufficient quantity, as determined by the chief of police in the case of a municipality with an organized police department or, where there is no chief of police, the warden of the borough or the first selectman of the municipality, as the case may be, to ensure that sworn members of such municipality's police department or constables, police officers or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality are supplied with such equipment while interacting with the public in such sworn members', such constables', such police officers' or such persons' law enforcement capacity.
[(B) Any municipality that purchased such body-worn recording equipment during the fiscal years ending June 30, 2017, and June 30, 2018, and paid for such purchase not later than August 31, 2018, shall, within available resources, be reimbursed for up to one hundred percent of the costs associated with such purchase in accordance with subparagraph (A) of this subdivision.

(C) Any municipality that purchased such body-worn recording equipment or digital data storage devices or services on or after January 1, 2012, but prior to July 1, 2016, shall be reimbursed for costs associated with such purchases, but not in an amount to exceed the amount of grant-in-aid such municipality would have received under subparagraph (A) of this subdivision if such purchases had been made in accordance with said subparagraph (A).

(D) Any municipality that was reimbursed under subparagraph (C) of this subdivision for body-worn recording equipment and that purchased additional body-worn recording equipment during the fiscal years ending June 30, 2017, and June 30, 2018, shall, within available resources, be reimbursed for up to one hundred percent of the costs associated with such purchases, provided such equipment is purchased in sufficient quantity, as determined by the chief of police in the case of a municipality with an organized police department or, where there is no chief of police, the warden of the borough or the first selectman of the municipality, as the case may be, to ensure that sworn members of such municipality's police department or constables or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality are supplied with such equipment while interacting with the public in such sworn members', such constables', such police officers' or such persons' law enforcement capacity.

(2) Any municipality that was not reimbursed under subdivision (1) of this subsection and that, not earlier than July 1, 2018, and not later
than June 30, 2021, (A) purchased such body-worn recording
equipment, electronic defense weapon recording equipment or digital
data storage devices or services, (B) made a first-time purchase of one
or more dashboard cameras with a remote recorder, or (C) replaced one
or more dashboard cameras purchased prior to December 30, 2010, with
one or more dashboard cameras with a remote recorder, shall, within
available resources, be reimbursed for up to fifty per cent of the costs
associated with such purchases, provided the costs of such digital data
storage services shall not be reimbursed for a period of service that is
longer than one year.]

(c) For the purposes of this section, "electronic defense weapon
recording equipment" means an electronic defense weapon that is
equipped with electronic audio and visual recording equipment,
"electronic defense weapon" has the same meaning as provided in
section 53a-3, "dashboard camera with a remote recorder" means a
camera that affixes to a dashboard or windshield of a police vehicle that
electronically records video of the view through the vehicle's
windshield and has an electronic audio recorder that may be operated
remotely.

Sec. 21. (NEW) (Effective October 1, 2020) (a) The consent of an
operator of a motor vehicle to conduct a search of a motor vehicle or the
contents of the motor vehicle that is stopped by a law enforcement
official solely for a motor vehicle violation shall not, absent the existence
of probable cause, constitute justification for such law enforcement
official to conduct a search of the motor vehicle or the contents of the
motor vehicle.

(b) Except in the case of a motor vehicle operator who is subject to
standards set forth in 49 CFR 390 to 399, inclusive, as amended from
time to time, no law enforcement official may ask an operator of a motor
vehicle to provide any documentation or identification other than an
operator's license, motor vehicle registration and insurance identity
card when the motor vehicle has been stopped solely for a motor vehicle violation, unless there exists probable cause to believe that a felony or misdemeanor offense has been committed or the operator has failed to produce a valid operator's license.

Sec. 22. Section 54-33b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

[(The officer serving a search warrant may, if such officer)] (a) The consent of a person given to a law enforcement official to conduct a search of such person shall not, absent the existence of probable cause, constitute justification for such law enforcement official to conduct such search.

(b) A law enforcement official serving a search warrant may, if such official has reason to believe that any of the property described in the warrant is concealed in the garments of any person in or upon the place or thing to be searched, search the person for the purpose of seizing the same. When the person to be searched is a woman, the search shall be made by a policewoman or other woman assisting in the service of the warrant, or by a woman designated by the judge or judge trial referee issuing the warrant.

Sec. 23. (Effective from passage) The Chief State's Attorney shall, in consultation with the Chief Court Administrator, prepare a plan to have a prosecutorial official review each charge in any criminal case before the case is docketed. Not later than January 1, 2021, the Chief State's Attorney shall submit such plan to the Office of Policy and Management and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary.

Sec. 24. Section 53a-180 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

[NEW TEXT]
(a) A person is guilty of falsely reporting an incident in the first degree when, knowing the information reported, conveyed or circulated to be false or baseless, such person: (1) Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, catastrophe or emergency under circumstances in which it is likely that public alarm or inconvenience will result; (2) reports, by word or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion or other catastrophe or emergency which did not in fact occur or does not in fact exist; [or] (3) violates subdivision (1) or (2) of this subsection with intent to cause a large scale emergency response; or (4) violates subdivision (1), (2) or (3) of this subsection with specific intent to falsely report another person or group of persons because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person or group of persons. For purposes of this section, "large scale emergency response" means an on-site response to any such reported incident by five or more first responders, and "first responder" means any peace officer or firefighter or any ambulance driver, emergency medical responder, emergency medical technician or paramedic, as those terms are defined in section 19a-175.

(b) Falsely reporting an incident in the first degree is a (1) class D felony for a violation of subdivision (1), (2) or (3) of subsection (a) of this section, or (2) class C felony for a violation of subdivision (4) of subsection (a) of this section.

(c) In addition to any sentence imposed pursuant to subsection (b) of this section, if (1) a person is convicted of an offense in violation of subdivision (3) of subsection (a) of this section that resulted in a large scale emergency response, (2) any agency or department of the state or political subdivision of the state requests financial restitution for costs associated with such emergency response, and (3) the court finds that...
the agency or department of the state or political subdivision of the state
incurred costs associated with such emergency response as a result of
such offense, the court shall order the offender to make financial
restitution under terms that the court determines are appropriate. In
determining the appropriate terms of financial restitution, the court
shall consider: (A) The financial resources of the offender and the
burden restitution will place on other obligations of the offender; (B) the
offender's ability to pay based on installments or other conditions; (C)
the rehabilitative effect on the offender of the payment of restitution and
the method of payment; and (D) other circumstances, including the
financial burden and impact on the agency or department of the state or
political subdivision of the state, that the court determines make the
terms of restitution appropriate. If the court determines that the current
financial resources of the offender or the offender's current ability to pay
based on installments or other conditions are such that no appropriate
terms of restitution can be determined, the court may forego setting
such terms. The court shall articulate its findings on the record with
respect to each of the factors set forth in subparagraphs (A) to (D),
inclusive, of this subsection. Restitution ordered by the court pursuant
to this subsection shall be based on easily ascertainable damages for
actual expenses associated with such emergency response. Restitution
ordered by the court pursuant to this subsection shall be imposed or
directed by a written order of the court containing the amount of actual
expenses associated with such emergency response, as ascertained by
the court. The order of the court shall direct that a certified copy of the
order be delivered by certified mail to the agency or department of the
state or political subdivision of the state. Such order is enforceable in the
same manner as an order pursuant to subsection (c) of section 53a-28.

Sec. 25. Section 53a-180a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2020):

(a) A person is guilty of falsely reporting an incident resulting in
serious physical injury or death when such person commits the crime of
(1) falsely reporting an incident in the first degree as provided in subdivision (1), (2) or (3) of subsection (a) of section 53a-180, [or] (2) falsely reporting an incident in the second degree as provided in subdivision (1), (2) or (3) of subsection (a) of section 53a-180c, or (3) falsely reporting an incident in the first degree as provided in subdivision (4) of subsection (a) of section 53a-180 or falsely reporting an incident in the second degree as provided in subdivision (4) of subsection (a) of section 53a-180c, and such false report described in subdivision (1), (2) or (3) of this subsection results in the serious physical injury or death of another person.

(b) Falsely reporting an incident resulting in serious physical injury or death is a (1) class C felony for a violation of subdivision (1) or (2) of subsection (a) of this section, or (2) class B felony for a violation of subdivision (3) of subsection (a) of this section.

Sec. 26. Section 53a-180b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) A person is guilty of falsely reporting an incident concerning serious physical injury or death when such person commits the crime of falsely reporting an incident in the second degree as provided in (1) subdivision (1), (2) or (3) of subsection (a) of section 53a-180c, or (2) subdivision (4) of subsection (a) of section 53a-180c, and such false report described in subdivision (1) or (2) of this subsection is of the alleged occurrence or impending occurrence of the serious physical injury or death of another person.

(b) Falsely reporting an incident concerning serious physical injury or death is a (1) class D felony for a violation of subdivision (1) of subsection (a) of this section, or (2) class C felony for a violation of subdivision (2) of subsection (a) of this section.

Sec. 27. Section 53a-180c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):
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(a) A person is guilty of falsely reporting an incident in the second degree when, knowing the information reported, conveyed or circulated to be false or baseless, such person gratuitously reports to a law enforcement officer or agency (1) the alleged occurrence of an offense or incident which did not in fact occur, (2) an allegedly impending occurrence of an offense or incident which in fact is not about to occur, [or] (3) false information relating to an actual offense or incident or to the alleged implication of some person therein, or (4) violates subdivision (1), (2) or (3) of this subsection with specific intent to falsely report another person or group of persons because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person or group of persons.

(b) Falsely reporting an incident in the second degree is a (1) class A misdemeanor for a violation of subdivision (1), (2) or (3) of subsection (a) of this section, or (2) class E felony for a violation of subdivision (4) of subsection (a) of this section.

Sec. 28. Section 53a-180d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) A person is guilty of misuse of the emergency 9-1-1 system when such person (1) dials or otherwise causes E 9-1-1 to be called for the purpose of making a false alarm or complaint, [or] (2) purposely reports false information which could result in the dispatch of emergency services, or (3) violates subdivision (1) or (2) of this subsection with specific intent to make a false alarm or complaint or report false information about another person or group of persons because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person or group of persons.

(b) Misuse of the emergency 9-1-1 system is a (1) class B misdemeanor
for a violation of subdivision (1) or (2) of subsection (a) of this section, or (2) class A misdemeanor for a violation of subdivision (3) of subsection (a) of this section.

Sec. 29. Section 53a-22 of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (Effective October 1, 2020):

(a) (1) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of physical force to make an arrest or to prevent an escape from custody.

(2) A peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b), (c) and (d) of this section unless such warrant is invalid and is known by such officer to be invalid.

(b) Except as provided in subsection (a) or (d) of this section, a peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.
(c) [A] (1) Except as provided in subsection (d) of this section, a peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using deadly physical force upon another person for the purposes specified in subsection (b) of this section only when his or her actions are objectively reasonable under the circumstances, and (A) he or she reasonably believes such use to be necessary to [(1) Defend] defend himself or herself or a third person from the use or imminent use of deadly physical force; or [(2) (A)] (B) he or she (i) has exhausted all reasonable alternatives to the use of deadly physical force, (ii) reasonably believes that the force employed creates no substantial risk of injury to a third party, and (iii) reasonably believes such use of force to be necessary to (I) effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony which involved the infliction [or threatened infliction] of serious physical injury, or [(B)] (II) prevent the escape from custody of a person whom he or she reasonably believes has committed a felony which involved the infliction [or threatened infliction] of serious physical injury and if, where feasible under this subdivision, he or she has given warning of his or her intent to use deadly physical force.

(2) For purposes of evaluating whether actions of a peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles are reasonable under subdivision (1) of this subsection, factors to be considered include, but are not limited to, whether (A) the person upon whom deadly physical force was used possessed or appeared to possess a deadly weapon, (B) the peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles engaged in reasonable deescalation measures prior to using deadly physical force, and (C) any conduct of the peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the
Board of Pardons and Paroles led to an increased risk of an occurrence of the situation that precipitated the use of such force.

(d) A peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using achokehold or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain of another person for the purposes specified in subsection (b) of this section only when he or she reasonably believes such use to be necessary to defend himself or herself from the use or imminent use of deadly physical force.

[(d)] (e) Except as provided in subsection [(e)] (f) of this section, a person who has been directed by a peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles to assist such peace officer, special policeman or official to effect an arrest or to prevent an escape from custody is justified in using reasonable physical force when and to the extent that he or she reasonably believes such to be necessary to carry out such peace officer's, special policeman's or official's direction.

[(e)] (f) A person who has been directed to assist a peace officer, special policeman appointed under section 29-18b or authorized official of the Department of Correction or the Board of Pardons and Paroles under circumstances specified in subsection [(d)] (e) of this section may use deadly physical force to effect an arrest or to prevent an escape from custody only when: (1) He or she reasonably believes such use to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of deadly physical force; or (2) he or she is directed or authorized by such peace officer, special policeman or official to use deadly physical force, unless he or she knows that the peace officer, special policeman or official himself or herself is not authorized to use deadly physical force under the
A private person acting on his or her own account is justified in using reasonable physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to effect an arrest or to prevent the escape from custody of an arrested person whom he or she reasonably believes to have committed an offense and who in fact has committed such offense; but he or she is not justified in using deadly physical force in such circumstances, except in defense of person as prescribed in section 53a-19.

Sec. 30. Section 7-282e of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) (1) Any police officer, as defined in section 7-294a, who while acting in such officer's law enforcement capacity, witnesses another police officer use what the witnessing officer objectively knows to be unreasonable, excessive or illegal use of force, shall intervene and attempt to stop such other police officer from using such force. Any such police officer who fails to intervene in such an incident may be prosecuted and punished for the same acts as the police officer who used unreasonable, excessive or illegal force in accordance with the provisions of section 53a-8.

(2) Any police officer who witnesses another police officer use what the witnessing officer objectively knows to be unreasonable, excessive or illegal use of force or is otherwise aware of such use of force by another police officer shall report, as soon as is practicable, such use of force to the law enforcement unit, as defined in section 7-294a, that employs the police officer who used such force. Any police officer required to report such an incident who fails to do so may be prosecuted and punished in accordance with the provisions of sections 53a-165 to 53a-166, inclusive.
(3) No law enforcement unit employing a police officer who intervenes in an incident pursuant to subdivision (1) of this subsection or reports an incident pursuant to subdivision (2) of this subsection may take any retaliatory personnel action or discriminate against such officer because such police officer made such report and such intervening or reporting police officer shall be protected by the provisions of section 4-61dd or section 31-51m, as applicable.

[(a)] (b) Each law enforcement unit [], as defined in section 7-294a, shall create and maintain a record detailing any incident (1) reported pursuant to subdivision (2) of subsection (a) of this section, or (2) otherwise made known to the law enforcement unit during which a police officer [], as defined in section 7-294a, (1) [A] uses physical force that is likely to cause serious physical injury, as defined in section 53a-3, to another person or the death of another person, including, but not limited to, (i) striking another person with an open or closed hand, elbow, knee, club or baton, kicking another person, or using pepper spray, [or an electroshock] an electronic defense weapon, as defined in section 53a-3, or less lethal projectile on another person, [or] (ii) using a chokehold or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain of another person, [(2)] or (iii) using any other form of physical force designated by the Police Officer Standards and Training Council, (B) discharges a firearm, except during a training exercise or in the course of dispatching an animal, or [(3)] (C) engages in a pursuit, as defined in subsection (a) of section 14-283a. Such record shall include, but not be limited to: The name of the police officer, the time and place of the incident, a description of what occurred during the incident and, to the extent known, the names of the victims and witnesses present at such incident.

[(b)] (c) Not later than February 1, [2020] 2021, and annually thereafter, each law enforcement unit shall prepare and submit a report concerning incidents described in subsection [(a)] (b) of this section.
during the preceding calendar year to the Criminal Justice Policy and Planning Division within the Office of Policy and Management. Such report shall include [(1) the records described in subsection (a) of this section, (2) summarized data compiled from such records, and (3)] the records described in subsection (b) of this section and shall be submitted electronically using a standardized method and form disseminated jointly by the Criminal Justice Policy and Planning Division within the Office of Policy and Management and the Police Officer Standards and Training Council. The standardized method and form shall allow compilation of statistics on each use of force incident, including, but not limited to, [(A) (1) the race and gender of such person upon whom force was used, provided the identification of such characteristics shall be based on the observation and perception of the police officer, (B) (2) the number of times force was used on such person, and (C) (3) any injury suffered by such person against whom force was used. The Criminal Justice Policy and Planning Division within the Office of Policy Management and the Police Officer Standards and Training Council may revise the standardized method and form and disseminate such revisions to law enforcement units. Each law enforcement unit shall, prior to submission of any such report pursuant to this subsection, redact any information from such report that may identify a minor, witness or victim.]

(d) The Office of Policy and Management shall, within available appropriations, review the use of force incidents reported pursuant to this section. Not later than December 1, 2021, and annually thereafter, the office shall report, in accordance with the provisions of section 11-4a, the results of any such review, including any recommendations, to the Governor, the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety and the Racial Profiling Prohibition Project Advisory Board established pursuant to section 54-1s.
Sec. 31. Subsection (c) of section 29-161h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(c) No license shall be issued to any person who has been (1) convicted of any felony, (2) convicted of any misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, or equivalent conviction in another jurisdiction, within the past seven years, (3) convicted of any offense involving moral turpitude, [or] (4) discharged from military service under conditions that demonstrate questionable moral character, or (5) decertified as a police officer or otherwise had his or her certification canceled, revoked or refused renewal pursuant to subsection (c) of section 7-294d.

Sec. 32. Section 29-161q of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) Any security service or business may employ as many security officers as such security service or business deems necessary for the conduct of the business, provided such security officers are of good moral character and at least eighteen years of age.

(b) No person hired or otherwise engaged to perform work as a security officer, as defined in section 29-152u, shall perform the duties of a security officer prior to being licensed as a security officer by the Commissioner of Emergency Services and Public Protection, except as provided in subsection (h) of this section. Each applicant for a license shall complete a minimum of eight hours training in the following areas: Basic first aid, search and seizure laws and regulations, use of force, basic criminal justice and public safety issues. The commissioner shall waive such training for any person who, while serving in the armed forces or the National Guard, or if such person is a veteran, within two years of such person's discharge from the armed forces, presents proof
that such person has completed military training that is equivalent to the training required by this subsection, and, if applicable, such person's military discharge document or a certified copy thereof. For the purposes of this subsection, "veteran" means any person who was discharged or released under conditions other than dishonorable from active service in the armed forces, "armed forces" has the same meaning as provided in section 27-103, and "military discharge document" has the same meaning as provided in section 1-219. The training shall be approved by the commissioner in accordance with regulations adopted pursuant to section 29-161x. The commissioner may not grant a license to any person who has been decertified as a police officer or otherwise had his or her certification canceled, revoked or refused renewal pursuant to subsection (c) of section 7-294d.

(1) On and after October 1, 2008, no person or employee of an association, corporation or partnership shall conduct such training without the approval of the commissioner except as provided in subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner and accompanied by a fee of forty dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects required to be taught under this subsection, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person
approved as an instructor in accordance with this section shall notify the
commissioner of such change and such notification shall include both
the old and new addresses.

(2) If a security officer training course described in this subsection is
approved by the commissioner on or before September 30, 2008, the
instructor of such course shall have until April 1, 2009, to apply for
approval as an instructor in accordance with subdivision (1) of this
subsection.

(3) Each person approved as an instructor in accordance with this
section may apply for the renewal of such approval on a form approved
by the commissioner, accompanied by a fee of forty dollars. Such form
may require the disclosure of any information necessary for the
commissioner to determine whether the instructor's suitability to serve
as an instructor has changed since the issuance of the prior approval.
The term of such renewed approval shall not exceed two years.

(c) Not later than two years after successful completion of the training
required pursuant to subsection (b) of this section, or the waiver of such
training, the applicant may submit an application for a license as a
security officer on forms furnished by the commissioner and, under
oath, shall give the applicant's name, address, date and place of birth,
employment for the previous five years, experience in the position
applied for, including military training and weapons qualifications, any
convictions for violations of the law and such other information as the
commissioner may require, by regulation, to properly investigate the
character, competency and integrity of the applicant. The commissioner
shall require any applicant for a license under this section to submit to
state and national criminal history records checks conducted in
accordance with section 29-17a. Each applicant shall submit with the
application two sets of his or her fingerprints on forms specified and
furnished by the commissioner, two full-face photographs, two inches
wide by two inches high, taken not earlier than six months prior to the
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date of application, and a one-hundred-dollar licensing fee, made
payable to the state. Any applicant who received a waiver as provided
in subsection (b) of this section shall be exempt from payment of such
licensing fee. Subject to the provisions of section 46a-80, no person shall
be approved for a license who has been convicted of a felony, any sexual
offense or any crime involving moral turpitude, or who has been
refused a license under the provisions of sections 29-161g to 29-161x,
inclusive, for any reason except minimum experience, or whose license,
having been granted, has been revoked or is under suspension. Upon
being satisfied of the suitability of the applicant for licensure, the
commissioner may license the applicant as a security officer. Such
license shall be renewed every five years for a one-hundred-dollar fee.
The commissioner shall send a notice of the expiration date of such
license to the holder of such license, by first class mail, not less than
ninety days before such expiration, and shall enclose with such notice
an application for renewal. The security officer license shall be valid for
a period of ninety days after its expiration date unless the license has
been revoked or is under suspension pursuant to section 29-161v. An
application for renewal filed with the commissioner after the expiration
date shall be accompanied by a late fee of twenty-five dollars. The
commissioner shall not renew any license that has been expired for more
than ninety days.

(d) Upon the security officer's successful completion of training and
licensing by the commissioner, or immediately upon hiring a licensed
security officer, the security service employing such security officer
shall apply to register such security officer with the commissioner on
forms provided by the commissioner. Such application shall be
accompanied by payment of a forty-dollar application fee payable to the
state. The Division of State Police within the Department of Emergency
Services and Public Protection shall keep on file the completed
registration form and all related material. An identification card with
the name, date of birth, address, full-face photograph, physical
descriptors and signature of the applicant shall be issued to the security
officer, and shall be carried by the security officer at all times while
performing the duties associated with the security officer’s employment.
Registered security officers, in the course of performing their duties,
shall present such card for inspection upon the request of a law
enforcement officer.

(e) The security service shall notify the commissioner not later than
five days after the termination of employment of any registered
employee.

(f) Any fee or portion of a fee paid pursuant to this section shall not
be refundable.

(g) No person, firm or corporation shall employ or otherwise engage
any person as a security officer, as defined in section 29-152u, unless
such person (1) is a licensed security officer, or (2) meets the
requirements of subsection (h) of this section.

(h) During the time that an application for a license as a security
officer is pending with the commissioner, the applicant may perform the
duties of security officer, provided (1) the security service employing
the applicant conducts, or has a consumer reporting agency regulated
under the federal Fair Credit Reporting Act conduct, a state and national
criminal history records check and determines the applicant meets the
requirements of subsection (c) of this section to be a security officer,
[and] (2) the applicant (A) successfully completed the training required
pursuant to subsection (b) of this section, or obtained a waiver of such
training, and (B) performs the duties of a security officer under the direct
on-site supervision of a licensed security officer with at least one year of
experience as a licensed security officer, and (3) the applicant has not
been decertified as a police officer or otherwise had his or her
certification canceled, revoked or refused renewal pursuant to
subsection (c) of section 7-294d. The applicant shall not perform such
duties at a public or private preschool, elementary or secondary school or at a facility licensed and used exclusively as a child care center, as described in subdivision (1) of subsection (a) of section 19a-77. The applicant shall cease to perform such duties pursuant to this subsection when the commissioner grants or denies the pending application for a security license under this section.

(i) Any person, firm or corporation that violates any provision of subsection (b), (d), (e), (g) or (h) of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Sec. 33. (NEW) (Effective from passage) (a) There is established the Office of the Inspector General that shall be an independent office within the Division of Criminal Justice, for administrative purposes only. Not later than September 1, 2020, the Chief State's Attorney shall nominate a prosecutorial official from within the division as Inspector General who, subject to appointment by the General Assembly pursuant to subsection (c) or (d) of this section, shall lead the Office of the Inspector General and: (1) Conduct investigations of peace officers in accordance with section 51-277a of the general statutes; (2) prosecute any case in which the Inspector General determines a peace officer used force found to not be justifiable pursuant to section 53a-22 of the general statutes or where a peace officer fails to intervene in any such incident or to report any such incident, as required under subsection (a) of section 7-282e of the general statutes; and (3) make recommendations to the Police Officer Standards and Training Council established under section 7-294b of the general statutes concerning censure and suspension, renewal, cancelation or revocation of a peace officer's certification.

(b) The Inspector General shall serve a term of four years. On or before the date of the expiration of the term of the Inspector General or
upon the occurrence of a vacancy in the Office of the Inspector General for any reason, the Chief State's Attorney shall nominate a prosecutorial official from within the Division of Criminal Justice to fill that vacancy. The Chief State's Attorney shall not be precluded from renominating an individual who has previously served as Inspector General. The Inspector General shall, upon nomination by the Chief State's Attorney, be appointed by the General Assembly pursuant to subsection (c) or (d) of this section.

(c) Each nomination made by the Chief State's Attorney to the General Assembly for Inspector General shall be referred, without debate, to the committee on the judiciary, which shall report on the nomination not later than thirty legislative days from the time of reference, but no later than seven legislative days before the adjourning of the General Assembly. An appointment by the General Assembly of an Inspector General shall be by concurrent resolution. The action on the passage of each such resolution in the House and in the Senate shall be by vote taken on the electrical roll-call device. The Chief State's Attorney shall, not later than five days after he or she receives notice that a nomination for Inspector General made by him or her has failed to be approved by the affirmative concurrent action of both houses of the General Assembly, make another nomination for Inspector General.

(d) No vacancy in the position of Inspector General shall be filled by the Chief State's Attorney when the General Assembly is not in session unless, prior to such filling, the Chief State's Attorney submits the name of the proposed vacancy appointee to the committee on the judiciary. Within forty-five days, the committee on the judiciary may, upon the call of either chairman, hold a special meeting for the purpose of approving or disapproving such proposed vacancy appointee by majority vote. Failure of the committee to act on such proposed vacancy appointee within such forty-five-day period shall be deemed to be an approval. Any appointment made pursuant to this subsection shall be in effect until the sixth Wednesday of the next regular session of the
General Assembly, and until a successor is appointed.

(e) A prosecutorial official from within the Division of Criminal Justice nominated by the Chief State's Attorney shall serve as interim Inspector General pending appointment by the General Assembly.

(f) After notice and public hearing the Chief State's Attorney may remove the Inspector General for cause and the good of the public service.

(g) The Office of the Inspector General shall be at a location that is separate from the locations of the Office of the Chief State's Attorney or any of the state's attorneys for the judicial districts.

(h) The Inspector General may employ necessary staff to fulfil the duties of the Office of the Inspector General described in subsection (a) of this section. Such staff shall be selected by the Inspector General and shall include, but not be limited to, an assistant state's attorney or a deputy assistant state's attorney, an inspector and administrative staff. As needed by and upon request of the Inspector General, the Office of the Chief State's Attorney shall ensure assistance from additional assistant state's attorneys or deputy assistant state's attorneys, inspectors and administrative staff.

Sec. 34. Section 51-277a of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) (1) Whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, upon another person, the [Division of Criminal Justice shall cause an investigation to be made and shall have the responsibility of determining] Inspector General shall investigate and determine whether the use of physical force by the peace officer was [appropriate]
justifiable under section 53a-22.

(2) (A) Except as provided under subdivision (1) of this subsection, whenever a person dies in the custody of a peace officer or law enforcement agency, the Inspector General shall investigate and determine whether physical force was used by a peace officer upon the deceased person, and if so, whether the use of physical force by the peace officer was justifiable under section 53a-22. If the Inspector General determines the deceased person died as a result of a possible criminal action not involving the use of force by a peace officer, the Inspector General shall refer such case to the Division of Criminal Justice for potential prosecution.

(B) Except as provided under subdivision (1) of this subsection or subparagraph (A) of subdivision (2) of this subsection, whenever a person dies in the custody of the Commissioner of Correction, the Inspector General shall investigate and determine whether the deceased person died as a result of a possible criminal action, and if so, refer such case to the Division of Criminal Justice for potential prosecution.

(3) The Inspector General shall request the appropriate law enforcement agency to provide such assistance as is necessary to determine the circumstances of an incident investigated under subdivision (1) or (2) of this subsection.

(2) On and after January 1, 2020, whenever a peace officer, in the performance of such officer’s duties, uses physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause a preliminary status report to be completed. Inspector General shall complete a preliminary status report that shall include, but need not be limited to, (A) the name of the deceased person, (B) the gender, race, ethnicity and age of the deceased person, (C) the date, time and location of the injury causing such death, (D) the law enforcement agency involved, (E) the status on the
toxicology report, if available, and (F) the death certificate, if available.

The Inspector General shall complete the report and submit a copy of such report not later than five business days after the cause of the death is available in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.

(b) In causing an investigation to be made pursuant to subdivision (1) of subsection (a) of this section, the Chief State's Attorney shall, (1) as provided in section 51-281, designate a prosecutorial official from a judicial district other than the judicial district in which the incident occurred to conduct the investigation, or (2) as provided in subsection (a) of section 51-285, appoint a special assistant state's attorney or special deputy assistant state's attorney to conduct the investigation. The Chief State's Attorney shall, upon the request of such prosecutorial official or special prosecutor, appoint a special inspector or special inspectors to assist in such investigation.

(c) [b] Upon the conclusion of the investigation of the incident, the Inspector General shall file a report with the Chief State's Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of physical force by the peace officer was justifiable under section 53a-22, and (3) any future action to be taken by the Inspector General as a result of the incident. The Chief State's Attorney shall provide a copy of the report to the chief executive officer of the municipality in which the incident occurred and to the Commissioner of Emergency Services and Public Protection or the chief of police of such municipality, as the case may be, and shall make such report available to the public on the Inspector General's Internet web site not later than forty-eight hours after the copies are provided to the chief executive officer and the commissioner or chief of police.
(c) The Office of the Inspector General shall prosecute any case in which the Inspector General determines that the use of force by a peace officer was not justifiable under section 53a-22, and any failure to intervene in any such incident or to report any such incident, as required under subsection (a) of section 7-282e.

Sec. 35. Section 51-281 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

The Chief State's Attorney and each deputy chief state's attorney, state's attorney, assistant state's attorney and deputy assistant state's attorney, including any state's attorney, assistant state's attorney or deputy assistant state's attorney operating under the direction of the Office of the Inspector General established under section 33 of this act, shall be qualified to act in any judicial district in the state and in connection with any matter regardless of the judicial district where the offense took place, and may be assigned to act in any judicial district at any time on designation by the Chief State's Attorney or the Inspector General, as applicable.

Sec. 36. Section 19a-406 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) The Chief Medical Examiner shall investigate all human deaths in the following categories: (1) Violent deaths, whether apparently homicidal, suicidal or accidental, including but not limited to deaths due to thermal, chemical, electrical or radiational injury and deaths due to criminal abortion, whether apparently self-induced or not; (2) sudden or unexpected deaths not caused by readily recognizable disease; (3) deaths under suspicious circumstances; (4) deaths of persons whose bodies are to be cremated, buried at sea or otherwise disposed of so as to be thereafter unavailable for examination; (5) deaths related to disease resulting from employment or to accident while employed; (6) deaths related to disease which might constitute a threat to public health; and
(7) any other death that occurs while the deceased person in the custody of a peace officer or a law enforcement agency or the Commissioner of Correction. The Chief Medical Examiner may require autopsies in connection with deaths in the preceding categories when it appears warranted for proper investigation and, in the opinion of the Chief Medical Examiner, the Deputy Chief Medical Examiner, an associate medical examiner or an authorized assistant medical examiner, an autopsy is necessary. The autopsy shall be performed at the Office of the Chief Medical Examiner or by a designated pathologist at a community hospital. Where indicated, the autopsy shall include toxicologic, histologic, microbiologic and serologic examinations. If a medical examiner has reason to suspect that a homicide has been committed, the autopsy shall be performed at the Office of the Chief Medical Examiner or by a designated pathologist in the presence of at least one other designated pathologist if such other pathologist is immediately available. A detailed description of the findings of all autopsies shall be written or dictated during their progress. The findings of the investigation at the scene of death, the autopsy and any toxicologic, histologic, serologic and microbiologic examinations and the conclusions drawn therefrom shall be filed in the Office of the Chief Medical Examiner.

(b) The Chief Medical Examiner shall designate pathologists who are certified by the Department of Public Health to perform autopsies in connection with the investigation of any deaths in the categories listed in subsection (a) of this section. Any state's attorney or assistant state's attorney, including from the Office of the Inspector General pursuant to section 33 of this act, shall have the right to require an autopsy by a pathologist so designated in any case in which there is a suspicion that death resulted from a criminal act. The official requiring said autopsy shall make a reasonable effort to notify whichever one of the following persons, eighteen years of age or older, assumes custody of the body for purposes of burial: Father, mother, husband, wife, child, guardian, next
of kin, friend or any person charged by law with the responsibility for
burial, that said autopsy has been required, however performance of
said autopsy need not be delayed pending such notice.

(c) If there are no other circumstances which would appear to require
an autopsy and if the investigation of the circumstances and
examination of the body enable the Chief Medical Examiner, the Deputy
Chief Medical Examiner, an associate medical examiner or an
authorized assistant medical examiner to conclude with reasonable
certainty that death occurred from natural causes or obvious traumatic
injury, the medical examiner in charge shall certify the cause of death
and file a report of his findings in the Office of the Chief Medical
Examiner.

Sec. 37. Section 19a-407 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2020):

(a) All law enforcement officers, state's attorneys, prosecuting
attorneys, other officials, physicians, funeral directors, embalmers and
other persons shall promptly notify the Office of the Chief Medical
Examiner of any death coming to their attention which is subject to
investigation by the Chief Medical Examiner under this chapter, shall
assist in making dead bodies and related evidence available to that
office for investigations and postmortem examinations, including
autopsies, and shall cooperate fully with said office in making the
investigations and examinations herein provided for. In conducting
such investigations or examinations, the Chief Medical Examiner may
issue subpoenas requiring the production of medical reports, records or
other documents concerning the death under investigation and
compelling the attendance and testimony of any person having
pertinent knowledge of such death.

(b) In cases of apparent homicide or suicide, or of accidental death,
the cause of which is obscure, or any other death that occurs while the
deceased person is in the custody of a peace officer or a law enforcement agency or the Commissioner of Correction, the scene of the event shall not be disturbed until authorized by the Chief Medical Examiner or his or her authorized representative. Upon receipt of notification of a death as provided herein, the Chief Medical Examiner or his or her authorized representative shall view and take charge of the body without delay.

(c) In conducting his or her investigation, the Chief Medical Examiner or his or her authorized representative shall have access to any objects, writings or other articles of property in the custody of any law enforcement official which in the Chief Medical Examiner's opinion may be useful in establishing the cause or manner of death. Upon the Chief Medical Examiner's request, a law enforcement official having custody of such articles shall deliver them to the Chief Medical Examiner, along with copies of any reports of the analysis of such articles by such law enforcement official. The Chief Medical Examiner shall analyze such articles and return them to the official from whom they were obtained. When such articles are no longer required to be kept for the purposes of justice, the law enforcement official who has custody of them shall deliver them to the person or persons entitled to their custody. If such articles are not claimed by such person or persons entitled thereto within one year after the date of death, such articles may be disposed of by the law enforcement official as provided in section 54-36.

(d) Any person who wilfully fails to comply with any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than one year, or both.

Sec. 38. Section 7-282d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

No municipal police department may impose any quota with respect to the issuance of citations to pedestrians or summonses for motor vehicle violations upon any policeman in such department. Nothing in
this section shall prohibit such department from using data concerning
the issuance of such citations or summonses in the evaluation of an
individual's work performance provided such data is not the exclusive
means of evaluating such performance. As used in this section, "quota"
means a specified number of citations issued to pedestrians or
summonses for motor vehicle violations to be issued within a specified
period of time. |

Sec. 39. Section 29-2b of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2020):

The Department of Emergency Services and Public Protection shall
not impose any quota with respect to the issuance of citations to
pedestrians or summonses for motor vehicle violations upon any
policeman in said department. Nothing in this section shall prohibit said
department from using data concerning the issuance of such citations or
summonses in the evaluation of an individual's work performance,
provided such data is not the exclusive means of evaluating such
performance. As used in this section, "quota" means a specified number
of citations issued to pedestrians or summonses for motor vehicle
violations to be issued within a specified period of time. |

Sec. 40. (NEW) (Effective from passage) (a) For purposes of this section:

(1) "Law enforcement agency" means the Division of State Police
within the Department of Emergency Services and Public Protection or
any municipal police department;

(2) "Controlled equipment" means military designed equipment on
the United States Department of State Munitions Control List, as
provided in 22 CFR 121, as amended from time to time, or the United
States Department of Commerce Control List, as provided in Subtitle B
of 15 CFR 774, as amended from time to time, such as small arms, night
vision devices, High Mobility Multipurpose Wheeled Vehicles, Mine
Resistant Ambush Protected Vehicles, aircraft and watercraft; and
(3) "Vehicle" has the same meaning as provided in section 14-1 of the general statutes.

(b) On and after the effective date of this section, no law enforcement agency may acquire or use controlled equipment for training purposes or as part of a response to an incident, except as provided in subsection (d) of this section.

(c) (1) Not later than six months after the effective date of this section, each law enforcement agency shall lawfully sell, transfer or otherwise dispose of any controlled equipment the agency has in its possession.

(2) Not later than February 1, 2021, each law enforcement agency shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety its inventory of controlled equipment possessed on the effective date of this section and how each item of equipment was sold, transferred or otherwise disposed of.

(d) (1) A law enforcement agency may request of the office of the Governor and the Department of Emergency Services and Public Protection the ability to retain or acquire certain vehicles that are controlled equipment and the office and department may jointly approve such request, provided the law enforcement agency demonstrates the vehicles are necessary for disaster or rescue purposes and provides notice to the public of such proposed retention or acquisition of such vehicles, except that the ability to retain or acquire Mine Resistant Ambush Protected Vehicles may only be approved for the Division of State Police within the Department of Emergency Services and Public Protection.

(2) The office of the Governor and the Department of Emergency Services and Public Protection shall notify the joint standing committees of the General Assembly having cognizance of matters relating to the
judiciary and public safety of any requests approved pursuant to
subdivision (I) of this subsection.

Sec. 41. (NEW) (Effective October 1, 2020, and applicable to any cause of
action arising from an incident committed on or after October 1, 2020) (a) As
used in this section:

(1) "Law enforcement unit" has the same meaning as provided in
section 7-294a of the general statutes; and

(2) "Police officer" has the same meaning as provided in section 7-294a of the general statutes.

(b) No police officer, acting alone or in conspiracy with another, or
any other individual acting under color of state law, shall deprive any
person or class of persons of the equal protection of the laws of this state,
or of the equal privileges and immunities under the laws of this state,
including, without limitation, the protections, privileges and
immunities guaranteed under article first of the Constitution of the
state.

(c) Any person aggrieved by a violation of subsection (b) of this
section may bring a civil action, triable by jury, in the Superior Court for
damages against a police officer who committed the violation and
against the law enforcement unit employing such police officer at the
time of the violation. In any civil action brought under this section in
which the plaintiff prevails, the plaintiff may be awarded costs and
reasonable attorney's fees. In any civil action brought under this section,
if the court finds that a violation of subsection (b) of this section was
deliberate, wilful or committed with reckless indifference, the court may
award punitive damages.

(d) Neither governmental immunity nor qualified immunity shall be
a defense to a violation of subsection (b) of this section. Nor shall it be a
defense to a violation of subsection (b) of this section, that a violation
committed by a police officer was not made in furtherance of a policy or practice of the law enforcement unit.

(e) A civil action brought pursuant to this section shall be commenced not later than three years after the date on which the cause of action accrues.

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

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