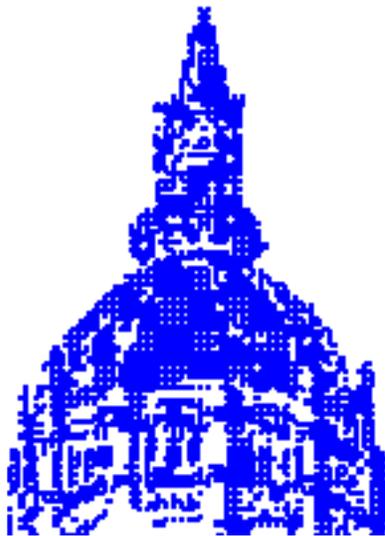


Office of Legislative Research
Connecticut General Assembly



Police



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2007-R-0479
August 7, 2007

NOTICE TO READERS

This report provides brief highlights of new laws affecting Police enacted during the 2007 regular and special sessions. At the end of each summary we indicate the public act (PA) number.

Not all provisions of the acts are included here. Complete summaries of all 2007 public acts will be available in the fall when OLR's Public Act Summary book is published; some are already on OLR's webpage: <http://www.cga.ct.gov/olr/OLRPASums.asp>

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov/>

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POLICE OFFICER STANDARDS AND TRAINING COUNCIL

A new law replaces the member of the Connecticut Coalition of Police and Corrections Officers on the Police Officer Standards and Training Council with a sworn municipal police officer ranked sergeant or lower. The coalition is defunct.
PA 07-17, effective upon passage

MUTUAL AID COMPACT

A new law establishes the Intrastate Mutual Aid Compact as a legal statewide mechanism for participating towns to request and provide mutual aid during a declared local civil preparedness emergency. Responding personnel, including police, have the same rights, duties, privileges, and immunities as they have in their own towns.
PA 07-56, effective October 1, 2007

AQUIFER PROTECTION

A new law allows towns to establish, by ordinance, fines of up to \$1,000 for violations of aquifer protection regulations. Police officers or others authorized by a town's chief executive may cite violators.
PA 07-85 (§ 5), effective October 1, 2007

PEOPLE TRAFFICKING

A new law creates the 26-member Trafficking in Persons Council, which must include a municipal police chief, to:

1. consult with government and non-government organizations and develop recommendations to strengthen state and local efforts to prevent people trafficking, protect and help victims, and prosecute traffickers;
2. identify criteria for providing services to adult victims and their children; and
3. hold meetings to provide updates and report progress.

PA 07-107, effective upon passage

DOMESTIC VIOLENCE

A new law expands the circumstances under which a court may issue standing criminal restraining orders.

It establishes procedures police must follow when releasing anyone arrested for a family violence crime, and it absolves police officers of liability in any civil action for personal or property damage resulting from the release conditions.

It makes family violence arrestees guilty of a crime if they intentionally violate a

nonfinancial condition of release set by a police officer.

It allows law enforcement officers to seize any electronic defense weapon in plain view or possessed by an arrestee at a family violence crime scene.

PA 07-123, effective October 1, 2007

POLICE RESPONSE TO REPORTS OF MISSING PERSONS

By January 1, 2008, a new law requires the Police Officer Standards and Training Council to develop and implement a policy governing the way law enforcement agencies take and respond to reports of missing persons.

PA 07-151, effective July 1, 2007

POLICE PENSION

A new law requires towns that provide pension benefits to survivors of paid police and firefighters who die in the line of duty to continue to provide the benefits after the surviving spouse remarries.

PA 07-161, effective October 1, 2007

FIREARMS

Under a new law, anyone whose lawfully possessed firearm (except an antique firearm) is lost or stolen must file a police report within 72 hours after he or she discovers or should have discovered the loss or theft. Penalties for a violation range

from an infraction to a class C felony for failing to report within the deadline. Prior law required the reports only for the theft of assault weapons and contained no penalties.

The new law also requires the Department of Public Safety (DPS) commissioner, when issuing permits to carry handguns (but not eligibility certificates to obtain them) to give permittees a copy of the law requiring the reports.

PA 07-163, effective October 1, 2007

PROTECTION OF RESIDENTIAL ADDRESSES OF OFFICIALS

By law, the Department of Motor Vehicles (DMV) may withhold certain public officials' home addresses from public disclosure if disclosure could present a threat to their safety; if the officials request this in writing. Instead, DMV may disclose the official's business address. These officials include judges, police, corrections officers, prosecuting attorneys, and members of the Board of Pardons and Paroles. The act adds Judicial Branch employees regularly engaged in court-ordered enforcement or investigatory activities, federal law enforcement officers who live and work in Connecticut, and state referees.

PA 07-167 (§ 6), effective October 1, 2007

LAW ENFORCEMENT AND FIRE RESCUE VESSELS

New legislation establishes responsibilities for vessel operators (1) being approached by a law enforcement or fire rescue vessel using an audible signal device and displaying appropriate flashing lights or (2) approaching a stationary law enforcement or rescue vessel. It subjects violators to penalties. **PA 07-179**, effective July 1, 2007

SCHOOL SECURITY

A new law establishes a competitive state grant for FY 08 to improve security infrastructure in schools, install security systems in schools' primary entryways, purchase portable security devices, and train school personnel to use the devices and the infrastructure. To receive a grant, a district must show that it (1) has conducted a uniform security assessment of its school entrances and any security infrastructure, (2) has an emergency plan at its schools developed with applicable state and local first-responders, and (3) periodically practices the plan. The security assessment must be carried out under the supervision of the district's local law enforcement agency and use the Safe Schools Facilities Check List published by the National Clearinghouse for Educational Facilities.

The new law requires colleges, universities, and private occupational schools to (1) by October 1, 2007, to have emergency response plans and (2) submit the plans, by that date and annually thereafter, to the public safety and emergency management and homeland security commissioners and local first-responders. Institutions must consult local first-responders in developing the plans.

PA 07-208, effective July 1, 2007, except for the security grants, which take effect upon passage.

EVENT DATA RECORDERS (EDR) IN MOTOR VEHICLES

A new law limits who may, and under what circumstances, retrieve, get, keep, and use a motor vehicle's EDR data. The EDR records a vehicle's dynamic, time-series data (1) in the moments before a crash (e.g., vehicle speed versus time data) or (2) during a crash including (e.g., change in velocity (delta-V) versus time data). Among those who may lawfully retrieve and use the data are peace officers under a lawful search warrant.

The new law also prohibits anyone from knowingly altering or deleting EDR data, or knowingly destroying an EDR, after a crash that resulted in a death or a serious physical injury

before a peace officer has been given a reasonable amount of time to obtain a search warrant. **PA 07-235**, effective October 1, 2007

MUNICIPAL EMPLOYEES

A new law requires political subdivisions to provide employees (1) who are parties to a civil union and (2) have worked for the political subdivision for at least 12 months and 1,250 hours during the past 12 months, with the same Family and Medical Leave Act (FMLA) benefits that federal law provides to parties to a marriage.

It allows employees who have worked for political subdivisions for at least 12 months and 1,250 hours during the past 12 months to request leave to serve as an organ or bone marrow donor. Political subdivisions include any town, city, borough, school district, fire district, improvement association, and other districts or associations.

The new law states that it cannot be construed to authorize leave in addition to the 12 weeks allowed within a 12-month period under the federal FMLA, which cover political subdivision employees. Federal regulations state that (1) the federal FMLA does not supersede any provision of state law that provides greater rights and (2) if leave is taken for a purpose covered by state law but not federal law, it does not

count toward the 12 weeks allowed under the federal FMLA (29 CFR 825.701). It is unclear how the provisions of this law and federal law will be interpreted.

PA 07-245, effective October 1, 2007 except the provisions on “marital status” and anti-discrimination laws are effective upon passage.

PHARMACY PRACTICE

A new law allows the consumer protection and public health commissioners to (1) exchange information relating to a license or registration issued by their respective agencies or (2) exchange investigative information concerning violations of the law with each other, the chief state's attorney, and law enforcement agencies.

PA 07-252, effective October 1, 2007

STATE POLICE

Pay Inequities

A new law requires the administrative services commissioner, within available appropriations, to (1) study the pay scale for sworn state police officers to identify any pay inequities and (2) report her findings and recommendations to the Public Safety and Security Committee by February 1, 2008. **PA 07-202**, effective upon passage

Social Security Retirement Age

A new law increases the age, from 65 to the eligibility age for full Social Security retirement benefits, after which a Tier I state retiree no longer receives the additional temporary retirement benefit. This ties the cut-off for the additional benefits to the age at which people are eligible for full Social Security benefits.

Under federal law, the age that a person is eligible for full Social Security retirement benefits is increasing each year in two-month increments until it reaches age 66 in 2008 (e.g., a person who turns 65 in 2007, is not eligible for full federal benefits until reaching age 65 and 10 months). It will stay at age 66 for 11 years, then gradually increase again until reaching age 67 in 2025.

PA 07-211, effective October 1, 2007

DPS Regulations

A new law allows the public safety commissioner to adopt regulations to implement provisions of one state and three federal laws to provide for national criminal history record checks to determine an employee's or volunteer's suitability and fitness to care for the safety and well-being of children, the elderly, and people with disabilities. The state law is the National Crime Prevention and Privacy Compact. The federal

laws are the 1993 National Child Protection Act, 1994 Violent Crime Control and Law Enforcement Act, and 1998 Volunteers for Children Act.

PA 07-246, effective October 1, 2007

False Alarms and State Police Response

A new law establishes fines for State Police response to repeated false alarms in buildings where the State Police is expected to respond, ranging from \$25 for the fourth offense in a calendar year to \$100 for the seventh and subsequent offenses.

PA 07-246, effective October 1, 2007

Trooper Strength

Under a new law, DPS must begin a new trooper training class if, during FY 08, the number of its sworn personnel falls below 1,220.

PA 07-1 (§ 79), July Special Session, effective July 1, 2007

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