



General Assembly

January Session, 2021

**Raised Bill No. 1093**

LCO No. 5983



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING CIVILIAN POLICE REVIEW BOARDS,  
SECURITY GUARDS, BODY-WORN RECORDING EQUIPMENT AND  
SEARCHES BY POLICE.**

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

1 Section 1. Section 7-294aaa of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) The legislative body of a town may, by ordinance, establish a  
4 civilian police review board. The ordinance shall, at a minimum,  
5 prescribe: (1) The scope of authority of the civilian police review board;  
6 (2) the number of members of the civilian police review board; (3) the  
7 process for the selection of board members, whether elected or  
8 appointed; (4) the term of office for board members; and (5) the  
9 procedure for filling any vacancy in the membership of the civilian  
10 police review board.

11 (b) Any civilian police review board established pursuant to  
12 subsection (a) of this section may be vested with the authority to: (1)  
13 Issue subpoenas to compel the attendance of witnesses before such  
14 board; and (2) require the production for examination of any books and

15 papers that such board deems relevant to any matter under  
16 investigation or in question.

17 (c) (1) The person to whom such subpoena is issued may, not later  
18 than fifteen days after service of such subpoena, or on or before the time  
19 specified in the subpoena for compliance if such time is less than fifteen  
20 days after service, serve upon the board written objection to the  
21 subpoena and file such objection in the Superior Court. The court in  
22 which such motion is pending may (A) quash or modify the subpoena  
23 if it is unreasonable and oppressive or if it seeks the production of  
24 materials not relevant to the subject under investigation or in question  
25 pursuant to subsection (b) of this section, or (B) condition denial of the  
26 motion upon the advancement by the board who requested the  
27 subpoena of the reasonable cost of producing any materials the board is  
28 seeking.

29 (2) If the person to whom such subpoena is issued fails to appear or  
30 if having appeared refuses to testify or produce the evidence required  
31 by such subpoena, the Superior Court, upon application of such board,  
32 shall have jurisdiction to order such person to appear or to give  
33 testimony or produce such evidence, as the case may be.

34 ~~[(c)]~~ (d) The provisions of this section shall not be construed to affect  
35 the operation of, or impose any limitation upon, a civilian police review  
36 board established prior to July 31, 2020.

37 ~~[(d)]~~ (e) Upon receipt of a written request from the Office of the  
38 Inspector General, established pursuant to section 51-277e, a civilian  
39 police review board shall stay and take no further action in connection  
40 with any proceeding that is the subject of an investigation or criminal  
41 prosecution that is being conducted pursuant to said section or section  
42 51-277a. Any stay of proceedings imposed pursuant to this subsection  
43 shall not exceed six months from the date on which the civilian police  
44 review board receives such written request from the Office of the  
45 Inspector General, and such stay of proceedings may be terminated  
46 sooner if the Office of the Inspector General provides written

47 notification to the civilian police review board that a stay of proceedings  
48 is no longer required.

49 Sec. 2. Subsection (f) of section 29-6d of the general statutes is  
50 repealed and the following is substituted in lieu thereof (*Effective October*  
51 *1, 2021*):

52 (f) (1) If a police officer is giving a formal statement about the use of  
53 force or if a police officer is the subject of a disciplinary investigation in  
54 which a recording from body-worn recording equipment or a  
55 dashboard camera with a remote recorder, as defined in subsection (c)  
56 of section 7-277b, is being considered as part of a review of an incident,  
57 the officer shall ~~[(1)]~~ have the right to review (A) such recording in the  
58 presence of the officer's attorney or labor representative, and ~~[(2)~~ have  
59 the right to review] (B) recordings from other body-worn recording  
60 equipment capturing the officer's image or voice during the incident.  
61 Not later than forty-eight hours following an officer's review of a  
62 recording under subparagraph (A) of this subdivision, ~~[(1) of this~~  
63 ~~subsection,]~~ or if the officer does not review the recording, not later than  
64 ninety-six hours following the ~~[recorded incident]~~ initiation of such  
65 disciplinary investigation, whichever is earlier, such recording shall be  
66 disclosed, upon request, to the public, subject to the provisions of  
67 subsection (g) of this section.

68 (2) If a request is made for public disclosure of a recording from body-  
69 worn recording equipment or a dashboard camera of an incident about  
70 which (A) a police officer has not been asked to give a formal statement  
71 about the alleged use of force, or (B) a disciplinary investigation has not  
72 been initiated, any police officer whose image or voice is captured on  
73 the recording shall have the right to review such recording in the  
74 presence of the officer's attorney or labor representative. Not later than  
75 forty-eight hours following an officer's review of a recording under this  
76 subdivision, or if the officer does not review the recording, not later than  
77 ninety-six hours following the request for disclosure, whichever is  
78 earlier, such recording shall be disclosed to the public, subject to the  
79 provisions of subsection (g) of this section.

80 Sec. 3. Subsection (f) of section 29-6d of the general statutes, as  
81 amended by section 19 of public act 20-1 of the July special session, is  
82 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
83 *2022*):

84 (f) (1) If a police officer is giving a formal statement about the use of  
85 force or if a police officer is the subject of a disciplinary investigation in  
86 which a recording from body-worn recording equipment or a  
87 dashboard camera with a remote recorder, as defined in subsection (c)  
88 of section 7-277b, is being considered as part of a review of an incident,  
89 the officer shall ~~[(1)]~~ have the right to review (A) such recording in the  
90 presence of the officer's attorney or labor representative, and ~~[(2) have~~  
91 ~~the right to review]~~ (B) recordings from other body-worn recording  
92 equipment capturing the officer's image or voice during the incident.  
93 Not later than forty-eight hours following an officer's review of a  
94 recording under subparagraph (A) of this subdivision, ~~[(1) of this~~  
95 ~~subsection,]~~ or if the officer does not review the recording, not later than  
96 ninety-six hours following the ~~[recorded incident]~~ initiation of such  
97 disciplinary investigation, whichever is earlier, such recording shall be  
98 disclosed, upon request, to the public, subject to the provisions of  
99 subsection (g) of this section.

100 (2) If a request is made for public disclosure of a recording from body-  
101 worn recording equipment or a dashboard camera of an incident about  
102 which (A) a police officer has not been asked to give a formal statement  
103 about the alleged use of force, or (B) a disciplinary investigation has not  
104 been initiated, any police officer whose image or voice is captured on  
105 the recording shall have the right to review such recording in the  
106 presence of the officer's attorney or labor representative. Not later than  
107 forty-eight hours following an officer's review of a recording under this  
108 subdivision, or if the officer does not review the recording, not later than  
109 ninety-six hours following the request for disclosure, whichever is  
110 earlier, such recording shall be disclosed to the public, subject to the  
111 provisions of subsection (g) of this section.

112 Sec. 4. Subsection (c) of section 29-161h of the general statutes is

113 repealed and the following is substituted in lieu thereof (*Effective October*  
114 *1, 2021*):

115 (c) No license shall be issued to any person who has been (1)  
116 convicted of any felony, (2) convicted of any misdemeanor under  
117 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175,  
118 53a-176, 53a-178 or 53a-181d, or equivalent conviction in another  
119 jurisdiction, within the past seven years, (3) convicted of any offense  
120 involving moral turpitude, (4) discharged from military service under  
121 conditions that demonstrate questionable moral character, or (5)  
122 decertified as a police officer or otherwise had his or her certification  
123 canceled, revoked or refused renewal pursuant to subsection (c) of  
124 section 7-294d, or under the laws of any other jurisdiction.

125 Sec. 5. Section 29-161q of the general statutes is repealed and the  
126 following is substituted in lieu thereof (*Effective October 1, 2021*):

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

131 (b) No person hired or otherwise engaged to perform work as a  
132 security officer, as defined in section 29-152u, shall perform the duties  
133 of a security officer prior to being licensed as a security officer by the  
134 Commissioner of Emergency Services and Public Protection, except as  
135 provided in subsection (h) of this section. Each applicant for a license  
136 shall complete a minimum of eight hours training in the following areas:  
137 Basic first aid, search and seizure laws and regulations, use of force,  
138 basic criminal justice and public safety issues. The commissioner shall  
139 waive such training for any person who, while serving in the armed  
140 forces or the National Guard, or if such person is a veteran, within two  
141 years of such person's discharge from the armed forces, presents proof  
142 that such person has completed military training that is equivalent to  
143 the training required by this subsection, and, if applicable, such person's  
144 military discharge document or a certified copy thereof. For the

145 purposes of this subsection, "veteran" means any person who was  
146 discharged or released under conditions other than dishonorable from  
147 active service in the armed forces, "armed forces" has the same meaning  
148 as provided in section 27-103, and "military discharge document" has  
149 the same meaning as provided in section 1-219. The training shall be  
150 approved by the commissioner in accordance with regulations adopted  
151 pursuant to section 29-161x. The commissioner may not grant a license  
152 to any person who has been decertified as a police officer or otherwise  
153 had his or her certification canceled, revoked or refused renewal  
154 pursuant to subsection (c) of section 7-294d, or under the laws of any  
155 other jurisdiction.

156 (1) On and after October 1, 2008, no person or employee of an  
157 association, corporation or partnership shall conduct such training  
158 without the approval of the commissioner except as provided in  
159 subdivision (2) of this subsection. Application for such approval shall  
160 be submitted on forms prescribed by the commissioner and  
161 accompanied by a fee of forty dollars. Such application shall be made  
162 under oath and shall contain the applicant's name, address, date and  
163 place of birth, employment for the previous five years, education or  
164 training in the subjects required to be taught under this subsection, any  
165 convictions for violations of the law and such other information as the  
166 commissioner may require by regulation adopted pursuant to section  
167 29-161x to properly investigate the character, competency and integrity  
168 of the applicant. No person shall be approved as an instructor for such  
169 training who has been convicted of a felony, a sexual offense or a crime  
170 of moral turpitude or who has been denied approval as a security  
171 service licensee, a security officer or instructor in the security industry  
172 by any licensing authority, or whose approval has been revoked or  
173 suspended. The term for such approval shall not exceed two years. Not  
174 later than two business days after a change of address, any person  
175 approved as an instructor in accordance with this section shall notify the  
176 commissioner of such change and such notification shall include both  
177 the old and new addresses.

178 (2) If a security officer training course described in this subsection is

179 approved by the commissioner on or before September 30, 2008, the  
180 instructor of such course shall have until April 1, 2009, to apply for  
181 approval as an instructor in accordance with subdivision (1) of this  
182 subsection.

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

190 (c) Not later than two years after successful completion of the training  
191 required pursuant to subsection (b) of this section, or the waiver of such  
192 training, the applicant may submit an application for a license as a  
193 security officer on forms furnished by the commissioner and, under  
194 oath, shall give the applicant's name, address, date and place of birth,  
195 employment for the previous five years, experience in the position  
196 applied for, including military training and weapons qualifications, any  
197 convictions for violations of the law and such other information as the  
198 commissioner may require, by regulation, to properly investigate the  
199 character, competency and integrity of the applicant. The commissioner  
200 shall require any applicant for a license under this section to submit to  
201 state and national criminal history records checks conducted in  
202 accordance with section 29-17a. Each applicant shall submit with the  
203 application two sets of his or her fingerprints on forms specified and  
204 furnished by the commissioner, two full-face photographs, two inches  
205 wide by two inches high, taken not earlier than six months prior to the  
206 date of application, and a one-hundred-dollar licensing fee, made  
207 payable to the state. Any applicant who received a waiver as provided  
208 in subsection (b) of this section shall be exempt from payment of such  
209 licensing fee. Subject to the provisions of section 46a-80, no person shall  
210 be approved for a license who has been convicted of a felony, any sexual  
211 offense or any crime involving moral turpitude, or who has been  
212 refused a license under the provisions of sections 29-161g to 29-161x,

213 inclusive, for any reason except minimum experience, or whose license,  
214 having been granted, has been revoked or is under suspension. Upon  
215 being satisfied of the suitability of the applicant for licensure, the  
216 commissioner may license the applicant as a security officer. Such  
217 license shall be renewed every five years for a one-hundred-dollar fee.  
218 The commissioner shall send a notice of the expiration date of such  
219 license to the holder of such license, by first class mail, not less than  
220 ninety days before such expiration, and shall enclose with such notice  
221 an application for renewal. The security officer license shall be valid for  
222 a period of ninety days after its expiration date unless the license has  
223 been revoked or is under suspension pursuant to section 29-161v. An  
224 application for renewal filed with the commissioner after the expiration  
225 date shall be accompanied by a late fee of twenty-five dollars. The  
226 commissioner shall not renew any license that has been expired for more  
227 than ninety days.

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

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



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

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

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

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

280 Sec. 6. Section 54-33b of the general statutes is repealed and the  
281 following is substituted in lieu thereof (*Effective October 1, 2021*):

282 (a) [The consent of a person given to a law enforcement official to  
283 conduct a search of such person shall not, absent the existence of  
284 probable cause, constitute justification for such law enforcement official  
285 to conduct such search] A law enforcement official may ask a person if  
286 he or she may conduct a search of their person, provided such law  
287 enforcement official has reasonable and articulable suspicion that  
288 weapons, contraband or other evidence of a crime is contained upon the  
289 person, or that the search is reasonably necessary to further an ongoing  
290 law enforcement investigation. A law enforcement official who solicits  
291 consent to search a person shall, whether or not the consent is granted,  
292 complete a police report documenting the reasonable and articulable  
293 suspicion for the solicitation of consent, or the facts and circumstances  
294 that support the search being reasonably necessary to further an  
295 ongoing law enforcement investigation.

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

304 Sec. 7. Section 54-33o of the general statutes is repealed and the  
305 following is substituted in lieu thereof (*Effective October 1, 2021*):

306 (a) (1) [No] A law enforcement official may ask an operator of a motor  
307 vehicle to conduct a search of a motor vehicle or the contents of the  
308 motor vehicle that is stopped by a law enforcement official, [solely for a  
309 motor vehicle violation] provided such law enforcement official has  
310 reasonable and articulable suspicion that weapons, contraband or other  
311 evidence of a crime is contained within the vehicle. A law enforcement

312 official who solicits consent to search a motor vehicle shall, whether or  
313 not the consent is granted, complete a police report within forty-eight  
314 hours documenting the reasonable and articulable suspicion for the  
315 solicitation of consent.

316 (2) Any search by a law enforcement official of a motor vehicle or the  
317 contents of the motor vehicle that is stopped by a law enforcement  
318 official solely for a motor vehicle violation shall be (A) based on  
319 probable cause, or (B) after having received [the unsolicited] consent to  
320 such search from the operator of the motor vehicle in written form or  
321 recorded by body-worn recording equipment or a dashboard camera,  
322 each as defined in section 29-6d.

323 (b) No law enforcement official may ask an operator of a motor  
324 vehicle to provide any documentation or identification other than an  
325 operator's license, motor vehicle registration, insurance identity card or  
326 other documentation or identification directly related to the stop, when  
327 the motor vehicle has been stopped solely for a motor vehicle violation,  
328 unless there exists probable cause or reasonable and articulable  
329 suspicion to believe that a felony or misdemeanor offense has been  
330 committed or the operator has failed to produce a valid operator's  
331 license.

332 Sec. 8. Section 54-33a of the general statutes is repealed and the  
333 following is substituted in lieu thereof (*Effective October 1, 2021*):

334 (a) As used in sections 54-33a to 54-33g, inclusive, "property"  
335 includes, but is not limited to, documents, books, papers, films,  
336 recordings, records, data and any other tangible thing; and "tracking  
337 device" means an electronic or mechanical device that permits the  
338 tracking of the movement of a person or object.

339 (b) Upon complaint on oath by any state's attorney or assistant state's  
340 attorney or by any two credible persons, to any judge of the Superior  
341 Court or judge trial referee, that such state's attorney or assistant state's  
342 attorney or such persons have probable cause to believe that any  
343 property (1) possessed, controlled, designed or intended for use or

344 which is or has been used or which may be used as the means of  
345 committing any criminal offense; or (2) which was stolen or embezzled;  
346 or (3) which constitutes evidence of an offense, or which constitutes  
347 evidence that a particular person participated in the commission of an  
348 offense, is within or upon any place, thing or person, such judge or judge  
349 trial referee, except as provided in section 54-33j, may issue a warrant  
350 commanding a proper officer to enter into or upon such place or thing,  
351 search such place, thing or person and take into such officer's custody  
352 all such property named in the warrant.

353 (c) Upon complaint on oath by any state's attorney or assistant state's  
354 attorney or by any two credible persons, to any judge of the Superior  
355 Court or judge trial referee, that such state's attorney or assistant state's  
356 attorney or such persons have probable cause to believe that a criminal  
357 offense has been, is being, or will be committed and that the use of a  
358 tracking device will yield evidence of the commission of that offense,  
359 such judge or judge trial referee may issue a warrant authorizing the  
360 installation and use of a tracking device. The complaint shall identify  
361 the person on which or the property to, in or on which the tracking  
362 device is to be installed, and, if known, the owner of such property.

363 (d) A warrant may issue only on affidavit sworn to by the  
364 complainant or complainants before the judge or judge trial referee and  
365 establishing the grounds for issuing the warrant, which affidavit shall  
366 be part of the arrest file. If the judge or judge trial referee is satisfied that  
367 grounds for the application exist or that there is probable cause to  
368 believe that grounds for the application exist, the judge or judge trial  
369 referee shall issue a warrant identifying the property and naming or  
370 describing the person, place or thing to be searched or authorizing the  
371 installation and use of a tracking device and identifying the person on  
372 which or the property to, in or on which the tracking device is to be  
373 installed. The warrant shall be directed to any police officer of a  
374 regularly organized police department or any state police officer, to an  
375 inspector in the Division of Criminal Justice, to a conservation officer,  
376 special conservation officer or patrolman acting pursuant to section 26-  
377 6 or to a sworn motor vehicle inspector acting under the authority of

378 section 14-8. Except for a warrant for the installation and use of a  
379 tracking device, the warrant shall state the date and time of its issuance  
380 and the grounds or probable cause for its issuance and shall command  
381 the officer to search within a reasonable time the person, place or thing  
382 named, for the property specified. A warrant for the installation and use  
383 of a tracking device shall state the date and time of its issuance and the  
384 grounds or probable cause for its issuance and shall command the  
385 officer to complete the installation of the device within a specified  
386 period not later than ten days after the date of its issuance and authorize  
387 the installation and use of the tracking device, including the collection  
388 of data through such tracking device, for a reasonable period of time not  
389 to exceed thirty days from the date the tracking device is installed. Upon  
390 request and a showing of good cause, a judge or judge trial referee may  
391 authorize the use of the tracking device for an additional period of thirty  
392 days.

393 (e) No police officer of a regularly organized police department or  
394 any state police officer, an inspector in the Division of Criminal Justice,  
395 a conservation officer, special conservation officer or patrolman acting  
396 pursuant to section 26-6 or a sworn motor vehicle inspector acting under  
397 the authority of section 14-8, shall seek, execute or participate in the  
398 execution of a no-knock search warrant. A search warrant authorized  
399 under this section shall require that an officer provide notice of such  
400 officer's identity, authority and purpose prior to entering the place to be  
401 searched for the execution of such search warrant. Prior to undertaking  
402 any search or seizure pursuant to the search warrant, the executing  
403 officer shall read and give a copy of the search warrant to the person to  
404 be searched or the owner of the place to be searched or, if the owner is  
405 not present, to any occupant of the place to be searched. If the place to  
406 be searched is unoccupied, the executing officer shall leave a copy of the  
407 search warrant suitably affixed to the place to be searched. For purposes  
408 of this subsection, "no-knock warrant" means a warrant authorizing  
409 police officers to enter certain premises without first knocking and  
410 announcing their presence or purpose prior to entering the property.

411 [(e)] (f) A judge or judge trial referee may issue a warrant pursuant to

412 this section for records or data that are in the actual or constructive  
413 possession of a foreign corporation or business entity that transacts  
414 business in this state, including, but not limited to, a foreign corporation  
415 or business entity that provides electronic communication services or  
416 remote computing services to the public. Such a warrant may be served  
417 on an authorized representative of the foreign corporation or business  
418 entity by hand, mail, commercial delivery, facsimile or electronic  
419 transmission, provided proof of delivery can be established. When  
420 properly served with a warrant issued pursuant to this section, the  
421 foreign corporation or business entity shall provide to the applicant all  
422 records or data sought by the warrant within fourteen business days of  
423 being served with the warrant, unless the judge or judge trial referee  
424 determines that a shorter or longer period of time is necessary or  
425 appropriate.

426       [(f)] (g) The inadvertent failure of the issuing judge or judge trial  
427 referee to state on the warrant the time of its issuance shall not in and of  
428 itself invalidate the warrant.

429       Sec. 9. Section 53a-22 of the general statutes, as amended by section  
430 29 of public act 20-1 of the July special session and section 2 of substitute  
431 house bill 6462 of the current session, is amended by adding subsection  
432 (h) as follows (*Effective January 1, 2022*):

433       (NEW) (h) In determining whether use of force by a peace officer who  
434 is a police officer, as defined in subsection (a) of section 29-6d, is justified  
435 pursuant to this section, the trier of fact may draw an unfavorable  
436 inference from a police officer's deliberate failure in violation of section  
437 29-6d, as amended by this act, to record such use of physical force.

438       Sec. 10. Section 52-571k of the general statutes is repealed and the  
439 following is substituted in lieu thereof (*Effective July 1, 2021*):

440       (a) As used in this section:

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

443 (2) "Police officer" has the same meaning as provided in section 7-  
444 294a.

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

451 (c) Any person aggrieved by a violation of subsection (b) of this  
452 section may bring a civil action for equitable relief or damages in the  
453 Superior Court. A civil action brought for damages shall be triable by  
454 jury.

455 (d) (1) In any civil action brought under this section, governmental  
456 immunity shall only be a defense to a claim for damages when, at the  
457 time of the conduct complained of, the police officer had an objectively  
458 good faith belief that such officer's conduct did not violate the law.  
459 There shall be no interlocutory appeal of a trial court's denial of the  
460 application of the defense of governmental immunity. Governmental  
461 immunity shall not be a defense in a civil action brought solely for  
462 equitable relief.

463 (2) In any civil action brought under this section, the trier of fact may  
464 draw an adverse inference from a police officer's deliberate failure, in  
465 violation of section 29-6d, as amended by this act, to record any event  
466 that is relevant to such action.

467 (e) In an action under this section, each municipality or law  
468 enforcement unit shall protect and save harmless any such police officer  
469 from financial loss and expense, including legal fees and costs, if any,  
470 arising out of any claim, demand or suit instituted against such officer  
471 by reason of any act undertaken by such officer while acting in the  
472 discharge of the officer's duties. In the event such officer has a judgment  
473 entered against him or her for a malicious, wanton or wilful act in a  
474 court of law, such municipality shall be reimbursed by such officer for

475 expenses it incurred in providing such defense and shall not be held  
 476 liable to such officer for any financial loss or expense resulting from such  
 477 act.

478 (f) In any civil action brought under this section, if the court finds that  
 479 a violation of subsection (b) of this section was deliberate, wilful or  
 480 committed with reckless indifference, the plaintiff may be awarded  
 481 costs and reasonable attorney's fees.

482 (g) A civil action brought pursuant to this section shall be commenced  
 483 not later than one year after the date on which the cause of action  
 484 accrues. Any notice of claim provision set forth in the general statutes,  
 485 including, but not limited to, the provisions of subsection (d) of section  
 486 7-101a and subsection (a) of section 7-465 shall not apply to an action  
 487 brought under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	7-294aaa
Sec. 2	<i>October 1, 2021</i>	29-6d(f)
Sec. 3	<i>July 1, 2022</i>	29-6d(f)
Sec. 4	<i>October 1, 2021</i>	29-161h(c)
Sec. 5	<i>October 1, 2021</i>	29-161q
Sec. 6	<i>October 1, 2021</i>	54-33b
Sec. 7	<i>October 1, 2021</i>	54-33o
Sec. 8	<i>October 1, 2021</i>	54-33a
Sec. 9	<i>January 1, 2022</i>	53a-22
Sec. 10	<i>July 1, 2021</i>	52-571k

**Statement of Purpose:**

To (1) provide explicit language for the objection to and enforcement of a subpoena issued by a civilian police review board, (2) modify provision concerning viewing by a police officer and his or representative of body-worn recording equipment or dashboard camera footage, (3) ban police officers decertified in other states from being licensed as a security guard, (4) ban no-knock search warrants and modify police search statutes, and (5) allow the court to draw adverse or unfavorable inferences in the case of a police officer's deliberate failure to record an incident of use of force.



*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*