



Police Locals Report on 2021 CT General Assembly Session

It will take some time and examination to determine exactly how the new laws that the state legislature passed will impact police officers. The State Capitol still remains closed based on COVID-19, which adds to the difficulty in getting accurate and timely information. But a quick synopsis can be of use. This is a summation of legislative actions that you might want to know about:

The legislature passed an extension of the **start date of the new deadly force standard. It goes into effect on January 1, 2022.**

Senate Bill 1093 passed. Section 6 of this bill allows limited consent search of persons, not motor vehicles. Reasonable suspicion must be achieved before a request for the search of a person. A form must be filled out whether consent was granted or not.

SB 1093 also:

- **Section 2 and 3 allows a police officer to see or hear video or recordings that contain their image or voice before releasing it to the public**
- Section 1 establishes a process for someone to object to a civilian review board's subpoena
- **section 11 establishes that an officer can be decertified by POST for issuing unlawful orders that undermine public confidence**
- bans no knock warrants
- **Sections 8 and 9 allow a judge and/or jury to draw an "adverse inference" in a criminal or civil case if an officer has deliberately turned off their body or dash camera in a physical force or civil rights violation incident**

https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&which_year=2021&bill_num=1093

House Bill 6597 died for lack of time. This bill would have given some limited protection to police officers who fail their mid-career mental health exam (similar to the protection that an officer who voluntarily seeks mental treatment now gets). A bad section of this bill also would have changed a statute that said an officer can be decertified by POST for "repeated" misconduct to a single action.

<https://www.cga.ct.gov/2021/BA/PDF/2021HB-06597-R01-BA.PDF>

We were able to stop an attempt to do away with school resource officer jobs. **House Bill 6621 passed. It requires more training for school resource officers on social-emotional learning and restorative practices.**

https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&which_year=2021&bill_num=6621

Senate Bill 363 gives the state attorney general the power to prosecute civil rights violations in civil court lawsuits. While the attorney general explained that the target of such suits would

likely be municipalities, it is possible for the AG to sue a particular public employee such as a police officer. Accordingly, we sought and were able to get language that protects a police officer from being compelled to testify in civil court (where there is no 5th amendment protection against self-incrimination) and then having that testimony flipped over to criminal court.

<https://www.cga.ct.gov/2021/BA/PDF/2021SB-00363-R01-BA.PDF>

We were able to convince a member of the legislature to not pursue a bill that would allow for not hiring police officers to protect the public at fairs and sporting events that do not serve alcohol. We explained that some of these events can take on the size of a small city.

<https://www.cga.ct.gov/2021/TOB/H/PDF/2021HB-06049-R00-HB.PDF>

Unfortunately, **SB 123**, which increased the penalty for killing or seriously assaulting a police dog from a Class D to a Class C felony, died due to a filibuster in the House. It had passed the legislature's Public Safety Committee and Senate unanimously.

https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&which_year=2021&bill_num=123

SB 1011 requires police departments to train officers who may be responding to a medical emergency on how to use Narcan/opioid antagonists. It also allows POST to start a "working group" on allowing departments to have officers trained and use allergic emergency epi-pens.

<https://www.cga.ct.gov/2021/BA/PDF/2021SB-01011-R01-BA.PDF>

SB 1202 allows DOT to establish a work zone speed camera pilot program for two years. This will occur on state highways with speed limits over 45 miles per hour, at up to three sites. The decision to ticket will be made by the state police. (Sections 330-339)

<https://www.cga.ct.gov/2021/BA/PDF/2021SB-01202-R02SS1-BA.PDF>

Sections 87 and 88 of the same bill allow for a pilot program of crisis response using mental health workers (Connection to Recovery through Intervention, Support, and Initiating Services Initiative). This will be at state police Troop D. It includes a task force aimed at expanding such response statewide.

SB 1202 also contains language that provides benefits (through June 30, 2024) of "lost wages, out-of-pocket medical expenses, and burial expenses to qualifying essential employees who could not work due to contracting COVID-19" according to the legislature's research office (Section 323). This program will be run by the State Comptroller. Section 324 offers some protection to workers who might experience employer harassment because of a Covid workers' compensation claim.

Senate Bill 1201, the new Cannabis bill, passed into law. POST must come up with instructions for officers on how to determine how much cannabis exceeds the new law's possession limits. The Office of Legislative Research reports that "The bill allows individuals age 21 or older (consumers) to possess, use, or otherwise consume cannabis, up to a specified possession limit. Specifically, the amount of cannabis must not exceed (1) 1.5 ounces of cannabis plant material and five ounces of such material in a locked container in the person's residence or locked glove box or trunk in the person's motor vehicle, (2) an equivalent amount of cannabis products, or (3)

an equivalent combined amount of cannabis and cannabis products. Starting July 1, 2023, the possession limit does not include any live plants or cannabis plant material derived from live plants that the person cultivated in accordance with the bill's home-grow provisions”

The three hundred plus page bill creates a range of new penalties, erases some past cannabis convictions, establishes new DUI rules.

<https://www.cga.ct.gov/2021/BA/PDF/2021SB-01201-R02SS1-BA.PDF>

We were able to stop ideas prior to and during the session regarding legislative requiring collecting data on pedestrian stops and citizen complaints in the aggregate and possibly identifying individual officers.

The research staff that compile and interprets Penn Act data and runs the Police Accountability Task Force is moving from Central CT State University to the University of Connecticut. Their director said that this allows them to interact more with the law school and other disciplines at UConn.

Thanks to POACT (the Police Officers Association of Connecticut) and the CT State Police Union for helping Council 4 lobbyists with the wins detailed in this report and in stopping some of the worst legislative ideas. Though we often disagree with the CT Police Chiefs Association and have been on opposite sides on some disciplinary and collective bargaining language, the chiefs were helpful in stopping some ideas that would take due process away from police officers.

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