

OFFICE OF FISCAL ANALYSIS

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sSB-397

AN ACT CONCERNING DEMOCRACY AND GOVERNMENT ACCOUNTABILITY.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Judicial Dept. (Probation)	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Sections 1 and 2 create a new cause of action and allow the Office of the Attorney General (OAG) to bring a civil or administrative action for certain violations of a person's constitutional rights resulting in no fiscal impact to the state. The OAG has the resources and expertise to meet the requirements of the bill. The court system disposes of over 250,000 cases annually and the number of cases is not anticipated to be great enough to need additional resources.

Sections 3 and 4, which allow the Division of Criminal Justice (DCJ) and the Office of Inspector General (OIG) to access certain evidence and scenes of investigation, is not anticipated to result in a fiscal impact as DCJ and OIG have the capacity and expertise to conduct these investigations.

Section 5 (1) prohibits peace officers from wearing a facial covering or personal disguise in certain circumstances and **(2)** requires peace officers to be clearly identified by their badge and name tag. Violations

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of these provisions is a class D Misdemeanor, resulting in a potential cost to the Judicial Department for probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost for supervision in the community is less than \$600¹ each year for adults and \$450 each year for juveniles.

Section 6, which prohibits an armed military force from another state, territory, or district from entering Connecticut for military duty here without the Governor's permission, results in no fiscal impact to the state.

Section 7, which prohibits peace officers, from detaining, arresting, or taking someone into custody based on a civil offense in certain locations unless the officer (1) is acting in his or her official capacity and (2) has a judicial warrant for the individual, results in no fiscal impact to the state or municipalities.

Section 8 makes changes to the Police Officer Standards and Training Council (POST-C) comparative certification process and does not have a fiscal impact because POST-C has the existing expertise to implement these changes.

Section 9, which expands liability for certain actions to apply to the employers of all federal law enforcement officers, does not result in a fiscal impact to the state.

Section 10, which limits prosecutorial immunity for federal officers and employees, results in no fiscal impact to the state.

Section 11, which prohibits law enforcement units from hiring peace officers who (1) were dismissed for malfeasance or serious misconduct calling into question the fitness to serve as an officer or (2) resigned or retired during an investigation for this conduct, results in no fiscal

¹ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses and fines imposed under section 5.