



General Assembly

Substitute Bill No. 397

February Session, 2026



**AN ACT CONCERNING DEMOCRACY AND GOVERNMENT
ACCOUNTABILITY.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) Every person or entity,
2 including a federal or state officer or employee who, under color of any
3 statute, ordinance, regulation, custom or usage, of the United States or
4 the state of Connecticut, subjects, or causes to be subjected, any citizen
5 of this state or other person within the jurisdiction thereof to the
6 deprivation of any rights, privileges or immunities secured by the
7 United States Constitution, shall be liable to the party injured in an
8 action at law or other proper proceeding for redress.

9 (b) (1) In a civil action brought pursuant to subsection (a) of this
10 section, if the defendant is held liable, the court may award damages,
11 including, but not limited to, nominal damages, actual damages,
12 compensatory damages, punitive damages, injunctive relief and other
13 appropriate equitable relief, to protect the peaceable exercise or
14 enjoyment of the right or rights secured by the United States
15 Constitution.

16 (2) In a civil action brought pursuant to subsection (a) of this section,
17 if the defendant is held liable, the court shall award the plaintiff
18 reasonable attorney's fees and costs in the court's discretion.

19 (c) It is the intent of the legislature that in construing the provisions
20 of this section, the courts shall be guided by interpretations given by
21 federal and state courts to 42 USC 1983, as amended from time to time,
22 except that under this section an injured person may bring a claim
23 against a federal officer or employee. Any person named as a defendant
24 under the provisions of this section shall be entitled to raise any
25 applicable immunities or defenses under federal or state law, and
26 federal officers or employees shall be immune to the same degree as an
27 equivalent state officer or employee.

28 (d) No provision of this section shall be construed to constitute a
29 waiver of sovereign immunity.

30 Sec. 2. Section 3-129g of the 2026 supplement to the general statutes
31 is repealed and the following is substituted in lieu thereof (*Effective from*
32 *passage*):

33 (a) The Attorney General may investigate, intervene in or bring a civil
34 or administrative action in the name of the state, seeking injunctive or
35 declaratory relief, damages, and any other relief that may be available
36 under law, whenever any person is or has engaged in a practice or
37 pattern of conduct, or has established a policy, that:

38 (1) Subjects, or causes to be subjected, other persons to the
39 deprivation of any rights, privileges or immunities secured by the
40 constitutions or laws of this state or the United States; or

41 (2) Interferes, or attempts to interfere, by threats, intimidation or
42 coercion, with the exercise or enjoyment by other persons of any rights,
43 privileges or immunities secured by the constitutions or laws of this
44 state or the United States.

45 (b) In conducting any investigation under this section, the Attorney
46 General may issue subpoenas and interrogatories, and otherwise gather
47 information, in the same manner and to the same extent as is provided
48 in section 35-42. No information obtained pursuant to the provisions of
49 this subsection may be used in a criminal proceeding.

50 (c) The Attorney General may investigate, intervene in or bring a civil
51 or administrative action in the name of the state, seeking injunctive or
52 declaratory relief, damages and any other relief that may be available
53 under law, whenever any person, acting under color of any statute,
54 ordinance, regulation, custom or usage, of the United States or the state
55 of Connecticut:

56 (1) Subjects, or causes to be subjected, other persons to the
57 deprivation of any rights, privileges or immunities secured by the
58 Constitution of the United States or the state Constitution; or

59 (2) Interferes, or attempts to interfere, by physical obstruction,
60 threats, intimidation or coercion, with the exercise or enjoyment by
61 other persons of any rights, privileges or immunities secured by the
62 Constitution of the United States or the state Constitution.

63 [[c)] (d) If the Attorney General prevails in a civil action brought
64 pursuant to this section, the court shall order the distribution of any
65 award of damages to the injured person. In a matter involving the
66 interference or attempted interference with any right protected by the
67 [constitutions of this state or the United States] Constitution of the
68 United States or the state Constitution, the court may also award civil
69 penalties against each defendant in an amount not exceeding two
70 thousand five hundred dollars for each violation, provided such
71 violation has been established by clear and convincing evidence. Any
72 civil penalty that is received pursuant to this subsection shall be
73 deposited in the General Fund.

74 [[d)] (e) In lieu of bringing a civil action under this section, the
75 Attorney General may accept an assurance of the discontinuance of any
76 allegedly unlawful or unconstitutional practice from any person
77 engaged in such practice. Thereafter, any evidence of a violation of such
78 assurance shall constitute prima facie proof of violation of the applicable
79 law or right in any action commenced by the Attorney General.

80 [[e)] (f) Nothing in this section shall limit the right of a person
81 adversely affected by a violation of chapter 814c to file a complaint with

82 the Commission on Human Rights and Opportunities.

83 ~~[(f)]~~ (g) Nothing in this section shall limit the jurisdiction of the
84 Commission on Human Rights and Opportunities under chapter 814c.

85 ~~[(g)]~~ (h) The Attorney General shall not bring an action under the
86 provisions of this section during the pendency of a matter involving the
87 same parties and the same alleged facts and circumstances before the
88 Commission on Human Rights and Opportunities.

89 ~~[(h)]~~ (i) Nothing in this section shall permit the Attorney General to
90 bring an action that would otherwise be barred under the applicable
91 statute of limitations or repose.

92 ~~[(i)]~~ (j) The Attorney General shall post on the Attorney General's
93 Internet web site information on how to properly file a complaint with
94 the Commission on Human Rights and Opportunities. The Attorney
95 General may, as appropriate, refer cases to the Commission on Human
96 Rights and Opportunities.

97 ~~[(j)]~~ (k) Nothing in this section shall permit the Attorney General to
98 assert any claim against a state agency or a state officer or state
99 employee in such officer's or employee's official capacity, regarding
100 actions or omissions of such state agency, state officer or state employee.
101 If the Attorney General determines that a state officer or state employee
102 is not entitled to indemnification under section 5-141d, the Attorney
103 General may, as relates to such officer or employee, take any action
104 authorized under this section.

105 ~~[(k)]~~ (l) With regard to any action brought pursuant to this section
106 against a person for a pattern or practice of conduct in violation of
107 section 46a-64, 46a-64c, 46a-81d or 46a-81e, or, as a result of an
108 investigation conducted pursuant to this section, of a potential violation
109 of section 46a-64, 46a-64c, 46a-81d or 46a-81e, the Attorney General may
110 petition the superior court for the judicial district in which the violation
111 or alleged violation occurred for any relief available under subsection
112 (b) of section 46a-89, in addition to any relief as described in subsection

113 (a) or (c) of this section.

114 (m) With regard to any action brought pursuant to subsection (c) of
115 this section, the Attorney General may petition the superior court for the
116 judicial district in which the violation or alleged violation occurred for
117 any relief available under this section. Upon filing of the complaint, the
118 court may order any declaratory or temporary injunctive relief required
119 to make the complainant whole. The court shall order a hearing to be
120 had upon such complaint not more than five days after the date of filing
121 the complaint and the Attorney General shall cause notice to be given to
122 any interested party of the time and place for the hearing upon such
123 complaint. A continuance of the hearing may be granted upon consent
124 of the parties. The court shall, on the day fixed for such hearing and
125 without unnecessary delay, proceed to hear the parties. The court may
126 order, amend or continue any declaratory or temporary injunctive relief.

127 Sec. 3. Section 51-277a of the 2026 supplement to the general statutes
128 is repealed and the following is substituted in lieu thereof (*Effective from*
129 *passage*):

130 (a) (1) As used in this section:

131 (A) "Peace officer" means a member of the Division of State Police
132 within the Department of Emergency Services and Public Protection or
133 an organized local police department, a chief inspector or inspector in
134 the Division of Criminal Justice, a state marshal while exercising
135 authority granted under any provision of the general statutes, a judicial
136 marshal in the performance of the duties of a judicial marshal, a
137 conservation officer or special conservation officer, as defined in section
138 26-5, a constable who performs criminal law enforcement duties, a
139 special policeman appointed under section 29-18, 29-18a, 29-18b or 29-
140 19, an adult probation officer, an official of the Department of Correction
141 authorized by the Commissioner of Correction to make arrests in a
142 correctional institution or facility, any investigator in the investigations
143 unit of the office of the State Treasurer, an inspector of motor vehicles in
144 the Department of Motor Vehicles, who is certified under the provisions

145 of sections 7-294a to 7-294e, inclusive, any federal law enforcement
146 officer as defined under 18 USC 115(c)(1) and 34 USC 50301(5), or a
147 member of a law enforcement unit of the Mashantucket Pequot Tribe or
148 the Mohegan Tribe of Indians of Connecticut created and governed by
149 a memorandum of agreement under section 47-65c who is certified as a
150 police officer by the Police Officer Standards and Training Council
151 pursuant to sections 7-294a to 7-294e, inclusive;

152 (B) "Deadly physical force" has the same meaning as provided in
153 section 53a-3; and

154 (C) "Electronic defense weapon" has the same meaning as provided
155 in section 53a-3.

156 [(a) (1)] (2) Whenever a peace officer, in the performance of such
157 officer's duties, uses physical force upon another person and such
158 person dies as a result thereof or uses deadly physical force [, as defined
159 in section 53a-3,] upon another person, the Division of Criminal Justice
160 shall cause an investigation to be made and the Inspector General shall
161 have the responsibility of determining whether the use of physical force
162 by the peace officer was justifiable under section 53a-22, as amended by
163 this act. The use of an electronic defense weapon [, as defined in section
164 53a-3,] by a peace officer shall not be considered deadly physical force
165 for purposes of this section.

166 [(2)] (3) (A) Except as provided under subdivision [(1)] (2) of this
167 subsection, whenever a person dies in the custody of a peace officer or
168 law enforcement agency, the Inspector General shall investigate and
169 determine whether physical force was used by a peace officer upon the
170 deceased person, and if so, whether the use of physical force by the
171 peace officer was justifiable under section 53a-22, as amended by this
172 act. If the Inspector General determines the deceased person may have
173 died as a result of criminal action not involving the use of force by a
174 peace officer, the Inspector General shall refer such case to the Chief
175 State's Attorney or a state's attorney for potential prosecution.

176 (B) Except as provided under subdivision [(1)] (2) of this subsection

177 or subparagraph (A) of this subdivision, [(2) of this subsection,]
178 whenever a person dies in the custody of the Commissioner of
179 Correction, the Inspector General shall investigate and determine
180 whether the deceased person may have died as a result of criminal
181 action, and, if so, refer such case to the Chief State's Attorney or a state's
182 attorney for potential prosecution.

183 [(3)] (4) Whenever a person who (A) is a next of kin of a deceased
184 person, (B) is not notified of such deceased person's death as required
185 pursuant to section 7-294mm and no other person who is a next of kin
186 of the deceased person was so notified, and (C) requests of the Office of
187 the Inspector General an investigation of the lack of notification or
188 timely notification of such death, the Inspector General shall investigate
189 and determine whether there was any malfeasance on the part of a peace
190 officer, except for a federal law enforcement officer, or a supervisor of
191 the peace officer, except for a federal law enforcement officer, in the
192 failure to provide such notification or timely notification, and if so, may
193 make recommendations to the Police Officer Standards and Training
194 Council established under section 7-294b concerning censure,
195 suspension, renewal, cancelation or revocation of the peace officer's or
196 supervisor's certification, provided any such recommendation may be
197 made to said council only in a case where such failure is found to be
198 intentional or made with reckless indifference. If there is no finding that
199 such failure was intentional or made with reckless indifference, a
200 recommendation may be made to the officer's or supervisor's employing
201 agency for any further disciplinary action as so determined by such
202 employing agency.

203 [(4)] (5) (A) The Inspector General shall request the appropriate law
204 enforcement agency to provide such assistance as is necessary to
205 investigate and make a determination under subdivision [(1), (2) or (3)]
206 (2), (3) or (4) of this subsection.

207 (B) The Division of Criminal Justice and the Inspector General shall
208 have the unrestricted right to access the scene and collect evidence
209 whenever a peace officer, in the performance of such officer's duties,

210 uses physical force upon another person and such person dies as a result
211 thereof or uses deadly physical force, or a person dies in the custody of
212 a peace officer or law enforcement agency, regardless of whether such
213 incident involved only peace officers employed by the federal
214 government and did not involve any peace officer employed by the state
215 or a municipality.

216 (C) If any person restricts the Division of Criminal Justice or the
217 Inspector General's right to access the scene and collect evidence as set
218 forth in subparagraph (B) of this subdivision, the Division of Criminal
219 Justice or the Inspector General may bring an action in the Superior
220 Court for injunctive relief against any person who has committed the
221 violation. Upon filing of the complaint, the court may order any
222 declaratory or temporary injunctive relief required to make the
223 complainant whole. The court shall order a hearing to be had upon such
224 complaint not more than five days after the date of filing the complaint
225 and the Division of Criminal Justice or the Inspector General shall cause
226 notice to be given to any interested party of the time and place for the
227 hearing upon such complaint. A continuance of the hearing date may be
228 granted upon consent of the parties. The court shall, on the day fixed for
229 such hearing and without unnecessary delay, proceed to hear the
230 parties. The court may order, amend or continue any declaratory or
231 temporary injunctive relief.

232 [(5)] (6) Whenever a peace officer, in the performance of such officer's
233 duties, uses physical force or deadly physical force upon another person
234 and such person dies as a result thereof, the Inspector General shall
235 complete a preliminary status report that shall include, but need not be
236 limited to, (A) the name of the deceased person, (B) the gender, race,
237 ethnicity and age of the deceased person, (C) the date, time and location
238 of the injury causing such death, (D) the law enforcement agency
239 involved, (E) the status on the toxicology report, if available, and (F) the
240 death certificate, if available. The Inspector General shall complete the
241 report and submit a copy of such report not later than five business days
242 after the cause of the death is available to the Chief State's Attorney and,
243 in accordance with the provisions of section 11-4a, to the joint standing

244 committees of the General Assembly having cognizance of matters
245 relating to the judiciary and public safety.

246 (b) Upon the conclusion of the investigation of an incident described
247 in subdivision [(1) or] (2) or (3) of subsection (a) of this section, the
248 Inspector General shall file a report with the Chief State's Attorney
249 which shall contain the following: (1) The circumstances of the incident,
250 (2) a determination of whether the use of physical force by the peace
251 officer was justifiable under section 53a-22, as amended by this act, and
252 (3) any recommended future action to be taken by the Office of the
253 Inspector General as a result of the incident. The Chief State's Attorney
254 shall provide a copy of the report to the chief executive officer of the
255 municipality in which the incident occurred and to the Commissioner
256 of Emergency Services and Public Protection or the chief of police of
257 such municipality, as the case may be, and shall make such report
258 available to the public on the Division of Criminal Justice's Internet web
259 site not later than forty-eight hours after the copies are provided to the
260 chief executive officer and the commissioner or chief of police.

261 (c) The Office of the Inspector General shall prosecute any case in
262 which the Inspector General determines that (1) the use of force by a
263 peace officer was not justifiable under section 53a-22, as amended by
264 this act, or (2) there was a failure to intervene in such incident or to
265 report any such incident, as required under subsection (a) of section 7-
266 282e or section 18-81nn.

267 Sec. 4. Section 53a-22 of the 2026 supplement to the general statutes
268 is repealed and the following is substituted in lieu thereof (*Effective from*
269 *passage*):

270 (a) (1) For purposes of this section: [a] (A) A reasonable belief that a
271 person has committed an offense means a reasonable belief in facts or
272 circumstances which if true would in law constitute an offense. If the
273 believed facts or circumstances would not in law constitute an offense,
274 an erroneous though not unreasonable belief that the law is otherwise
275 does not render justifiable the use of physical force to make an arrest or

276 to prevent an escape from custody; and (B) notwithstanding the
277 provisions of subdivision (9) of section 53a-3, "peace officer" has the
278 same meaning as provided in section 51-277a, as amended by this act.

279 (2) A peace officer or an authorized official of the Department of
280 Correction or the Board of Pardons and Paroles who is effecting an
281 arrest pursuant to a warrant or preventing an escape from custody is
282 justified in using the physical force prescribed in subsections (b), (c) and
283 (d) of this section unless such warrant is invalid and is known by such
284 officer to be invalid.

285 (b) Except as provided in subsection (a) or (d) of this section, a peace
286 officer or an authorized official of the Department of Correction or the
287 Board of Pardons and Paroles is justified in using physical force upon
288 another person when and to the extent that he or she reasonably believes
289 such use to be necessary to: (1) Effect an arrest or prevent the escape
290 from custody of a person whom he or she reasonably believes to have
291 committed an offense, unless he or she knows that the arrest or custody
292 is unauthorized; or (2) defend himself or herself or a third person from
293 the use or imminent use of physical force while effecting or attempting
294 to effect an arrest or while preventing or attempting to prevent an
295 escape.

296 (c) (1) Except as provided in subsection (d) of this section, a peace
297 officer or an authorized official of the Department of Correction or the
298 Board of Pardons and Paroles is justified in using deadly physical force
299 upon another person for the purposes specified in subsection (b) of this
300 section only when his or her actions are objectively reasonable under the
301 given circumstances at that time, and:

302 (A) He or she reasonably believes such use to be necessary to defend
303 himself or herself or a third person from the use or imminent use of
304 deadly physical force; or

305 (B) He or she (i) has reasonably determined that there are no available
306 reasonable alternatives to the use of deadly physical force, (ii)
307 reasonably believes that the force employed creates no unreasonable

308 risk of injury to a third party, and (iii) reasonably believes such use of
309 force to be necessary to (I) effect an arrest of a person whom he or she
310 reasonably believes has committed or attempted to commit a felony
311 which involved the infliction of serious physical injury, and if, where
312 feasible, he or she has given warning of his or her intent to use deadly
313 physical force, or (II) prevent the escape from custody of a person whom
314 he or she reasonably believes has committed a felony which involved
315 the infliction of serious physical injury and who poses a significant
316 threat of death or serious physical injury to others, and if, where feasible,
317 he or she has given warning of his or her intent to use deadly physical
318 force.

319 (2) For purposes of evaluating whether actions of a peace officer or
320 an authorized official of the Department of Correction or the Board of
321 Pardons and Paroles are reasonable under subdivision (1) of this
322 subsection, factors to be considered include, but are not limited to,
323 whether (A) the person upon whom deadly physical force was used
324 possessed or appeared to possess a deadly weapon, (B) the peace officer
325 or an authorized official of the Department of Correction or the Board
326 of Pardons and Paroles engaged in reasonable deescalation measures
327 prior to using deadly physical force, and (C) any unreasonable conduct
328 of the peace officer or an authorized official of the Department of
329 Correction or the Board of Pardons and Paroles led to an increased risk
330 of an occurrence of the situation that precipitated the use of such force.

331 (d) A peace officer or an authorized official of the Department of
332 Correction or the Board of Pardons and Paroles is justified in using a
333 chokehold or other method of restraint applied to the neck area or that
334 otherwise impedes the ability to breathe or restricts blood circulation to
335 the brain of another person for the purposes specified in subsection (b)
336 of this section only when he or she reasonably believes such use to be
337 necessary to defend himself or herself or a third person from the use or
338 imminent use of deadly physical force.

339 (e) Except as provided in subsection (f) of this section, a person who
340 has been directed by a peace officer or an authorized official of the

341 Department of Correction or the Board of Pardons and Paroles to assist
342 such peace officer or official to effect an arrest or to prevent an escape
343 from custody is justified in using reasonable physical force when and to
344 the extent that he or she reasonably believes such to be necessary to
345 carry out such peace officer's or official's direction.

346 (f) A person who has been directed to assist a peace officer or an
347 authorized official of the Department of Correction or the Board of
348 Pardons and Paroles under circumstances specified in subsection (e) of
349 this section may use deadly physical force to effect an arrest or to
350 prevent an escape from custody only when: (1) He or she reasonably
351 believes such use to be necessary to defend himself or herself or a third
352 person from what he or she reasonably believes to be the use or
353 imminent use of deadly physical force; or (2) he or she is directed or
354 authorized by such peace officer or official to use deadly physical force,
355 unless he or she knows that the peace officer or official himself or herself
356 is not authorized to use deadly physical force under the circumstances.

357 (g) A private person acting on his or her own account is justified in
358 using reasonable physical force upon another person when and to the
359 extent that he or she reasonably believes such use to be necessary to
360 effect an arrest or to prevent the escape from custody of an arrested
361 person whom he or she reasonably believes to have committed an
362 offense and who in fact has committed such offense; but he or she is not
363 justified in using deadly physical force in such circumstances, except in
364 defense of person as prescribed in section 53a-19.

365 (h) In determining whether use of force by a peace officer who is a
366 police officer, as defined in subsection (a) of section 29-6d, is justified
367 pursuant to this section, the trier of fact may draw an unfavorable
368 inference from a police officer's deliberate failure in violation of section
369 29-6d to record such use of physical force.

370 Sec. 5. (NEW) (*Effective from passage*) (a) As used in this section: (1)
371 "Peace officer" has the same meaning as provided in section 51-277a of
372 the general statutes, as amended by this act; and (2) "facial covering"

373 means any opaque mask, garment, helmet, headgear or other item that
374 conceals or obscures the facial identity of an individual, including, but
375 not limited to, a balaclava, tactical mask, gator, ski mask and any similar
376 type of facial covering or face-shielding item.

377 (b) A peace officer, while carrying out the enforcement of laws of this
378 state, any other state or the United States, shall not wear any facial
379 covering or personal disguise while interacting with the public in the
380 performance of such officer's duties, except for (1) a medical grade facial
381 covering that is designed to protect the health and safety of the peace
382 officer, provided protecting the health and safety of the officer does not
383 include protecting the identity of the peace officer, (2) any facial
384 covering designed to prevent the transmission of airborne diseases, (3)
385 any facial covering designed to protect against exposure to smoke
386 during a fire-involved situation, (4) any facial covering necessary to
387 perform duties during a water rescue operation, (5) any facial covering
388 related to protection against exposure to biological or chemical agents
389 during an incident where such agents may be present, (6) any facial
390 covering protecting against freezing temperatures, provided such facial
391 covering is worn during an activity not requiring oral communication
392 with the public or a person sought to be placed in custody, or (7) any
393 facial covering necessary to perform duties during an active undercover
394 operation or assignment which have been authorized to be worn by
395 supervising personnel or court order. Notwithstanding the provisions
396 of this subsection, a peace officer assigned to a bomb squad, motorcycle
397 unit or specialized weapons and tactics team is permitted to utilize gear
398 necessary to protect such officer's face and head from physical harm
399 while performing the duties associated with such assignment.

400 (c) In accordance with the provisions of section 7-294ii of the general
401 statutes, a peace officer, while carrying out the enforcement of laws of
402 this state, any other state or the United States, shall be clearly identified
403 by such officer's badge and name tag on the officer's uniform, unless (1)
404 such officer is performing duties during an active undercover
405 assignment authorized by supervising personnel, (2) compliance is
406 excused pursuant to the model policy adopted pursuant to section 7-

407 294ii of the general statutes, or (3) compliance is excused pursuant to a
408 court order.

409 (d) Any peace officer who violates the provisions of subsection (b) or
410 (c) of this section shall be guilty of a class D misdemeanor.

411 (e) Notwithstanding any other law, any peace officer who is found to
412 have committed an intentional tort of assault, battery, false
413 imprisonment, false arrest, abuse of process or malicious prosecution
414 pursuant to state law or 28 USC 2680(h), while wearing a facial covering
415 or personal disguise in a knowing and wilful violation of this section,
416 shall not be entitled to assert any privilege or immunity for such officer's
417 tortious conduct against a claim of civil liability.

418 Sec. 6. (NEW) (*Effective from passage*) No armed military force from
419 another state, territory or district is permitted to enter the state of
420 Connecticut for the purpose of engaging in military duty within this
421 state without the express written permission of the Governor of this
422 state, unless such force has been called into active service of the United
423 States and is acting under authority of the President of the United States.

424 Sec. 7. (NEW) (*Effective from passage*) (a) As used in this section:

425 (1) "Protected area" means any of the following buildings or locations,
426 including the grounds of such buildings or locations and any garages or
427 parking lots utilized in the operation of such buildings or locations,
428 irrespective of whether such garages or parking lots are contiguous to
429 the buildings or locations:

430 (A) A school, including, but not limited to, a preschool, primary or
431 secondary school, vocational school or college or university;

432 (B) A medical or mental health facility, including, but not limited to,
433 a hospital, doctor's office, health clinic, vaccination or testing site, urgent
434 care center, site that serves pregnant individuals or community health
435 center;

436 (C) A place of worship or religious study, whether in a structure

437 dedicated to activities of faith or a temporary facility or location where
438 such activities take place;

439 (D) A place where children gather, including, but not limited to, a
440 playground, recreation center, child care center, before or after-school
441 care center, foster care facility, group home for children or school bus
442 stop;

443 (E) A social services establishment, including, but not limited to, a
444 crisis center, domestic violence shelter, victims services center, child
445 advocacy center, supervised visitation center, family justice center,
446 community-based organization, facility that serves disabled persons,
447 homeless shelter, drug or alcohol counseling and treatment facility, or
448 food bank, pantry or other establishment distributing food or other
449 essentials of life to people in need;

450 (F) A place where disaster or emergency response and relief is
451 provided, including, but not limited to, such places along evacuation
452 routes, where shelter or emergency supplies, food or water are being
453 distributed, or registration for disaster-related assistance or family
454 reunification is underway;

455 (G) A place where a funeral, graveside ceremony, rosary, wedding or
456 other religious or civil ceremonies or observances occur; or

457 (H) A place where there is an ongoing parade, demonstration or rally.

458 (2) "State facility" means any building, or part thereof, owned, leased,
459 occupied, controlled by or used for business by an office or agency of
460 the Executive Department, either directly or indirectly, including, but
461 not limited to, entities providing direct services on behalf of offices or
462 agencies, but not including state-owned property leased to a federal
463 entity. "State facility" includes the grounds of such facility and any
464 garages or parking lots utilized in the operation of such facility,
465 irrespective of whether such garages or parking lots are contiguous to
466 the facility.

467 (3) "Municipal facility" means any building or part thereof, owned,
468 leased, occupied, controlled by or used for business by a municipal
469 government, either directly or indirectly, including, but not limited to,
470 entities providing direct services on behalf of a municipal government.
471 "Municipal facility" includes the grounds of such facility and any
472 garages or parking lots utilized in the operation of such facility,
473 irrespective of whether such garages or parking lots are contiguous to
474 the facility.

475 (b) No peace officer, as defined in section 51-277a of the general
476 statutes, as amended by this act, shall detain, arrest or otherwise take an
477 individual in a protected area, state facility or municipal facility into
478 custody on the basis of a civil offense, unless (1) such peace officer is
479 acting in the peace officer's official capacity, and (2) the individual to be
480 detained, arrested or otherwise taken into custody is the subject of a
481 judicial warrant.

482 (c) (1) Any individual aggrieved by a violation of this section may
483 bring a civil action for equitable relief or damages in the Superior Court.
484 A civil action brought for damages may be triable by jury.

485 (2) In any action pursuant to this section, the court may grant a
486 plaintiff such legal and equitable relief which it deems appropriate,
487 including, but not limited to, temporary or permanent injunctive relief,
488 punitive damages, attorney's fees and court costs.

489 Sec. 8. Section 7-294d of the general statutes is amended by adding
490 subsection (i) as follows (*Effective from passage*):

491 (NEW) (i) (1) As used in this subsection, "comparative certification"
492 means the certification of a candidate for a police officer position, who
493 has served as a police officer in another state or in a law enforcement
494 unit within the state that is not subject to the provisions of the general
495 statutes and the regulations of Connecticut state agencies applicable to
496 the Police Officer Standards and Training Council.

497 (2) A candidate for comparative certification to a position as a police

498 officer in any law enforcement unit within the state shall satisfactorily
499 meet all entry level requirements of the council. The candidate shall also
500 complete a police basic training program approved by the council.

501 (3) The council may grant a full or partial waiver of the police basic
502 training requirement, specifying the elements of the program, if any, the
503 candidate will be required to satisfactorily complete. A request for
504 waiver of the requirement of police basic training shall be forwarded to
505 the council, in writing, by the chief of police of the law enforcement unit
506 seeking to employ such police officer, giving all pertinent information.
507 If the request for a waiver originates from a municipality or agency for
508 which there is no chief of police, or concerns the position of chief of
509 police, the request shall be made by the candidate's appointing
510 authority.

511 (4) In determining whether to waive all or a portion of the required
512 police basic training program, the council shall evaluate in comparison
513 to current standards the quality and extent of the candidate's (A)
514 previous basic training and certification as a police officer; (B) formal,
515 professional and in-service training and education in law enforcement
516 and criminal justice; (C) length of service and field experience as a police
517 officer; and (D) length of absence from employment with a law
518 enforcement unit.

519 (5) The council may waive those portions of the police basic training
520 program for which a candidate demonstrates (A) the satisfactory
521 completion of a substantially equivalent training or educational
522 program in another state or jurisdiction, (B) a length of service with field
523 experience sufficient to establish a practical mastery of the required
524 skills, or (C) a satisfactory combination of both.

525 (6) The council may not waive any portion of the required basic
526 training program for any candidate, even if the candidate previously
527 held certification from another state, local or federal law enforcement
528 agency, if such certification did not require the completion of a
529 substantially equivalent training or educational program, including a

530 minimum of four hundred eighty hours of training.

531 Sec. 9. Section 52-571j of the general statutes is repealed and the
532 following is substituted in lieu thereof (*Effective from passage*):

533 (a) For the purposes of this section, "peace officer" has the same
534 meaning as provided in section [53a-3] 51-277a, as amended by this act,
535 except "peace officer" does not include [a special agent of the federal
536 government or] a member of a law enforcement unit of the
537 Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of
538 Connecticut.

539 (b) An employer of a peace officer who interferes with any person
540 taking a photographic or digital still or video image of such peace officer
541 or another peace officer acting in the performance of such peace officer's
542 duties shall be liable to such person in an action at law, suit in equity or
543 other proper proceeding for redress.

544 (c) An employer of a peace officer shall not be liable under subsection
545 (b) of this section if the peace officer had reasonable grounds to believe
546 that the peace officer was interfering with the taking of such image in
547 order to (1) lawfully enforce a criminal law of this state, a federal
548 criminal law or a municipal ordinance, whichever is applicable, (2)
549 protect the public safety, (3) preserve the integrity of a crime scene or
550 criminal investigation, (4) safeguard the privacy interests of any person,
551 including a victim of a crime, or (5) lawfully enforce court rules and
552 policies of the Judicial Branch with respect to taking a photograph,
553 videotaping or otherwise recording an image in facilities of the Judicial
554 Branch.

555 (d) Notwithstanding any other law, any peace officer who is found to
556 have committed an intentional tort of assault, battery, false
557 imprisonment, false arrest, abuse of process or malicious prosecution,
558 pursuant to state law or 28 USC 2680(h), while interfering with any
559 person taking a photographic or digital still or video image of such
560 peace officer or another peace officer acting in the performance of such
561 peace officer's duties, shall not be entitled to assert any privilege or

562 immunity for their tortious conduct against a claim of civil liability.

563 Sec. 10. (NEW) (*Effective from passage*) In any prosecution for an
564 offense, no federal officer, employee or agent shall have immunity for
565 any action taken under color of federal law, unless such officer's,
566 employee's or agent's action was: (1) Authorized by federal law; and (2)
567 necessary and proper to execute such officer's, employee's or agent's
568 official duties as a federal officer, employee or agent.

569 Sec. 11. Section 7-291c of the general statutes is repealed and the
570 following is substituted in lieu thereof (*Effective from passage*):

571 (a) No law enforcement unit, as defined in section 7-294a, shall hire
572 any person as a police officer, as defined in said section 7-294a, who was
573 previously employed as a [police] peace officer, as defined in section 51-
574 277a, as amended by this act, by such unit or in any other jurisdiction
575 and who (1) was dismissed for malfeasance or other serious misconduct
576 calling into question such person's fitness to serve as a [police] peace
577 officer; or (2) resigned or retired from such officer's position while under
578 investigation for such malfeasance or other serious misconduct.

579 (b) Any law enforcement unit that has knowledge that any former
580 police officer of such unit who (1) (A) was dismissed for malfeasance or
581 other serious misconduct, or (B) resigned or retired from such officer's
582 position while under investigation for such malfeasance or other serious
583 misconduct; and (2) is an applicant for the position of police officer with
584 any other law enforcement unit, shall inform such other unit and the
585 Police Officer Standards and Training Council established under section
586 7-294b of such dismissal, resignation or retirement.

587 (c) The provisions of this section shall not apply to any [police] peace
588 officer who is exonerated of each allegation against such officer of such
589 malfeasance or other serious misconduct.

590 (d) For purposes of this section, (1) "malfeasance" means the
591 commonly approved usage of "malfeasance"; and (2) "serious
592 misconduct" means improper or illegal actions taken by a [police] peace

593 officer in connection with such officer's official duties that could result
594 in a miscarriage of justice or discrimination, including, but not limited
595 to, (A) a conviction of a felony, (B) fabrication of evidence, (C) repeated
596 use of excessive force, (D) acceptance of a bribe, or (E) the commission
597 of fraud.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	3-129g
Sec. 3	<i>from passage</i>	51-277a
Sec. 4	<i>from passage</i>	53a-22
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	7-294d(i)
Sec. 9	<i>from passage</i>	52-571j
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	7-291c

Statement of Legislative Commissioners:

In Sec. 3. "deadly force" was changed to "deadly physical force" for accuracy.

JUD *Joint Favorable Subst.*