



General Assembly

**Amendment**

February Session, 2026

LCO No. 5055



Offered by:

REP. FISHBEIN, 90<sup>th</sup> Dist.

REP. HOWARD, 43<sup>rd</sup> Dist.

To: Subst. Senate Bill No. 397

File No. 399

Cal. No. 455

(As Amended)

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

1 Strike subparagraphs (B) and (C) of subdivision (5) of subsection (a)  
2 of section 3 in their entirety and insert the following in lieu thereof:

3 "(B) After a scene is fully secured and deemed safe by the responding  
4 law enforcement agency with jurisdiction over such scene, the Division  
5 of Criminal Justice and the Inspector General shall have the unrestricted  
6 right to access the scene and collect evidence whenever a peace officer,  
7 in the performance of such officer's duties, uses physical force upon  
8 another person and such person dies as a result thereof or uses deadly  
9 physical force, or a person dies in the custody of a peace officer or law  
10 enforcement agency, regardless of whether such incident involved only  
11 peace officers employed by the federal government and did not involve  
12 any peace officer employed by the state or a municipality.

13        (C) If any person unreasonably restricts the Division of Criminal  
14 Justice or the Inspector General's right to access the scene and collect  
15 evidence as set forth in subparagraph (B) of this subdivision, the  
16 Division of Criminal Justice or the Inspector General may bring an  
17 action in the Superior Court for injunctive relief against any person who  
18 has committed the violation. Upon filing of the complaint, the court may  
19 order any declaratory or temporary injunctive relief required to make  
20 the complainant whole. The court shall order a hearing to be had upon  
21 such complaint not more than five days after the date of filing the  
22 complaint and the Division of Criminal Justice or the Inspector General  
23 shall cause notice to be given to any interested party of the time and  
24 place for the hearing upon such complaint. A continuance of the hearing  
25 date may be granted upon consent of the parties. The court shall, on the  
26 day fixed for such hearing and without unnecessary delay, proceed to  
27 hear the parties. The court may order, amend or continue any  
28 declaratory or temporary injunctive relief."