OFFICE OF LEGISLATIVE RESEARCH
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ResearchReport

Public Safety Terminology: Police Officers, Defined

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Issue

Identify Connecticut's statutory definitions for "police officer" and briefly describe the statutes that use them.

Summary

In general, "police officer" is not specifically defined in a large majority of the dozens of statutes that use the phrase, but there are currently seven separate definitions for "police officer" that collectively have six different meanings. Four of these definitions are used for purposes of an individual statute. Among the others, the most used definition was established for purposes of the laws governing the structure and powers of the Police Officer Standards and Training Council (POST) (CGS § 7-294a(9)). The definitions are detailed below along with brief descriptions of the statutes that expressly use them.

Police Officer Terms

POST Definition

CGS § 7-294a establishes several definitions for specified POST-related laws (referred to hereafter as POST definitions). Under this statute, a "police officer" is:

1. a sworn member of an organized local police department or the State Police;
2. an appointed constable who performs criminal law enforcement duties;

3. a special police officer appointed by the Department of Emergency Services and Public Protection (DESPP) commissioner to, generally, (a) police state buildings or lands, (b) investigate public assistance fraud, (c) secure Department of Children and Families (DCF) buildings or facilities, or (d) police the premises of a utility or transportation company; or

4. any member of a law enforcement unit who performs police duties.

The statute defines "law enforcement unit" as any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime.

The Attorney General's office has reviewed these definitions, noting that they do not define what "primary functions" or "police duties" are. However, the office has interpreted "primary functions" as including those which are objectively integral to the proper performance of the unit's overall duties and responsibilities. Additionally, the office has construed that "police duties" encompass one or more of the following activities: (1) enforcing criminal or traffic laws; (2) preserving public order; (3) protecting life or property; and (4) preventing, detecting, or investigating crime (i.e. bringing the examples listed in the "law enforcement unit" definition into the one for "police officer"). Based on this understanding, the office listed several positions as qualifying as police officers under the statute, such as animal control officers (Atty. Gen. Op. 1993-028; see also OLR Report 2008-R-0670, Atty. Gen. Op. 2013-006, and Atty. Gen. Op. 2023-002).

Appendix 1 below lists and briefly describes the statutes that use the POST definition of "police officer."

Police Recording Equipment Definition

The state's main law governing body and dashboard camera use and recordings by law enforcement defines "police officer" similar to the above POST definition. Specifically, as (1) a sworn member of a law enforcement unit or (2) any member of a law enforcement unit who performs police duties. Under this statute, "law enforcement unit" has the same meaning as its POST definition (CGS § 29-6d, as amended by PA 25-100 and PA 26-45, § 15).

Two other laws incorporate this police officer definition. One generally involves state funding for police recording device and service purchases by municipalities for police officers and others (CGS § 7-277b), and the second governs the use of physical force by peace officers, police officers, and others in making arrests or preventing escape (CGS § 53a-22, as amended by PA 25-29, § 9, and PA 26-14, § 4).

Civil Restraining Order Definition

The law governing civil restraining orders defines "police officer" as a (1) State Police officer or (2) sworn member of a municipal police department (CGS § 46b-15, as amended by PA 25-78, § 14).

Two public health statutes also use this definition. Both of these statutes generally require police officers and others to maintain certain items in their vehicles. One requires certain communication aids for helping interact with people with autism spectrum disorder, cognitive impairment, or nonverbal learning disorder (CGS § 19a-910), and the other requires copies of documents concerning (1) behavioral and mental health evaluation and treatment resources available to children and (2) services and resources available to victims of domestic violence (CGS § 19a-910a).

Single-Use Definitions

A criminal procedure statute on the use of electronic defense weapons separately defines "police officer" the same as the above civil restraining order definition. This law generally requires DESPP and municipal police departments that authorize their police officers to use an electronic defense weapon to adopt and maintain a written policy that meets or exceeds POST's model policy (CGS § 54-1t).

A higher education statute concerning a Police Officer Loan Subsidy Program for subsidizing interest rates on Connecticut Higher Education Supplemental Loan Authority loans to police officers employed in a distressed municipality defines "police officer" as a sworn member of a municipal police department (CGS § 10a-247d).

A labor law that addresses workers' compensation eligibility for police officers and others for post-traumatic stress injury defines "police officer" as having the same meaning as the above POST definition but excluding an officer of a law enforcement unit of the Mashantucket Pequot or Mohegan tribes (CGS § 31-294k).

The Alvin W. Penn Racial Profiling Prohibition Act, which generally prohibits police officers from engaging in racial profiling, defines "police officer" as a (1) police officer within a municipal police department or DESPP or (2) person with the same authority under state law to make arrests or issue citations for violating any motor vehicle law and to enforce them as a municipal police officer or State Police officer has in his or her respective jurisdiction. The law specifies that this second type includes:

1. special police officers appointed by the DESPP commissioner for state property;

2. special police officers or State Police officers enforcing traffic regulations at Department of Mental Health and Addiction Services or DCF facilities;

3. police officers appointed by DESPP for a utility or transportation company;

4. the Department of Motor Vehicles (DMV) commissioner, deputy commissioners, and designated salaried inspectors (who are authorized, by law, to enforce motor vehicle statutes and regulations);

5. State Capitol Police officers;

6. UConn and Connecticut State Colleges and Universities police;

7. State Police officers enforcing traffic regulations at the Department of Veterans Affairs; and

8. fire police (who, by law, have powers over traffic control and regulation) (CGS § 54-1m, as amended by PA 25-65, § 18).

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Appendix 1: Statutes That Expressly Use the CGS § 7-294a(9) Definition of "Police Officer"

Statute(s)	Public Act Amendment(s)	Brief Description
3-122a	25-61, § 1 26-12, § 10	Sets requirements for the Fallen Hero Fund, which provides death benefits to surviving family of police officers and others
7-282e	None	Requires intervening in and reporting of the use of unreasonable, excessive, or illegal force by a police officer
7-282f	None	Sets firearm incident reporting requirements
7-291b	None	Requires law enforcement units to develop and implement guidelines for recruiting, retaining, and promoting minority police officers
7-291c	26-14, § 12	Prohibits law enforcement units from hiring someone as a police officer who was dismissed for malfeasance or serious misconduct calling into question his or her fitness to serve or resigned or retired during an investigation into such conduct
7-291d	None	Provides employment protections for police officers who seek or receive mental health care services
7-291e	None	Requires police officers to submit to periodic behavioral health assessments
7-294b	26-45, § 6	Sets membership requirements for POST
7-294c	None	Requires POST to submit an annual report that includes data on municipal police training; the recruitment, retention and promotion of minority police officers; and financial assistance
7-294d	26-12, § 66 26-14, § 9	Establishes the main powers and duties of POST
7-294e	None	Requires police officers to be recertified by POST and authorizes POST to recommend and DESPP to adopt regulations
7-294u	None	Requires police officers to be trained on the use of opioid antagonists and law enforcement units to acquire and maintain a supply of them
7-294dd	None	Requires any law enforcement unit that hires a police officer from another within two years after the officer has been certified to reimburse the initial hiring unit for part of the cost of certification
7-294ff	None	Requires law enforcement units and others to adopt and maintain a written critical incident and peer support policy that meets or exceeds the standards in POST's model policy
7-294hh	None	Requires POST to adopt and periodically update a uniform, statewide policy for managing crowds by police officers
7-294ii	None	Requires certain police officers to affix and prominently display their badges and name tags
7-294nn	None	Requires law enforcement units to adopt policies permitting police officers to wear a religious head covering while on duty
7-294oo	None	Requires police officers, before completing a vehicle stop, to verbally tell the vehicle's driver the purpose for the stop

Appendix 1 (continued)

Statute(s)	Public Act Amendment(s)	Brief Description
7-294rr	None	Requires police officers to provide specified assistance to adult sexual assault victims
7-294uu	None	Allows certain department heads to declare that a respective employee died in the line of duty if the death was caused by a cardiac event, stroke, or pulmonary embolism within 24 hours after the individual finished a shift or training
10a-77	25-16, § 6 25-22, § 59 25-95, § 10 26-12, § 69	Waives tuition at Connecticut State Community College for several people, including dependent children of police officers killed in the line of duty
10a-99	25-22, § 86 25-95, § 11 26-12, § 70	Waives tuition at the Connecticut State University System for several people, including dependent children of police officers killed in the line of duty
10a-105	25-61, § 5 25-95, § 12 26-12, § 71	Waives tuition at UConn for several people, including dependent children of police officers killed in the line of duty
14-10	25-78, § 10 26-24, §§ 7-9	Regulates disclosure of DMV-related records, including allowing police officers and others to limit their information to a business address
14-11/ (PA 25-159, § 29)	None	Requires law enforcement units and others, when requested, to give yellow envelopes and related public awareness materials for people with cognitive impairments or physical disabilities
14-66	25-55, § 6 26-24, § 34	Regulates wrecker towing and transporting, including prohibiting wrecker services from offering any gratuities or inducements to any police officer for towing business or recommendations
14-283a	None	Regulates pursuits by police officers
14-283b	25-159, § 64	Requires drivers to reduce their vehicles' speed and move over when approaching certain emergency vehicles, including certain ones operated by police officers
15-69a (PA 25-65, § 28)	None	Exempts police officers and others from the prohibition against intentionally projecting a laser on or at an aircraft or its flight path
15-72b	None	Exempts police officers and others from the prohibition against operating, or programming to operate, an unmanned aircraft at a particular height over the boundaries of a private premises without the owner's prior approval
15-101b & 15-101c (PA 25-1, §§ 6 & 7)	None	Exempts police officers and others from the prohibition against operating, or programming to operate, an unmanned aircraft at a particular height over a critical infrastructure facility or within a certain distance of one

Appendix 1 (continued)

Statute(s)	Public Act Amendment(s)	Brief Description
15-101b & 15-101d (PA 25-1, §§ 6 & 8)	None	Exempts police officers and others from the prohibition against equipping an aircraft or unmanned aircraft with certain weapons or ammunition
19a-904	None	Requires hospitals that determine that a patient who died at or who was attended, treated, assisted, handled, or transported to the hospital by a police officer or certain others to notify the officer or other person if the patient had an airborne infectious disease
29-1mm (PA 25-168, § 138)	26-45, § 19	Requires DESPP to establish a police training center at any Connecticut State Colleges and Universities institution to train and educate police officers in crime scene processing, the collection and analysis of forensic evidence, and criminal investigations
52-571k	None	Establishes a civil cause of action against police officers who deprive an individual or class of individuals of the equal protection or privileges and immunities of state law
Not yet codified (PA 26-42, § 57)	26-76, § 36	Prohibits, with exceptions, police officers and others from knowingly being within 250 feet of elections sites
Not yet codified (PA 26-128, § 1)	None	Requires DESPP to establish a one-day training program for police officers available online aimed at officer retention and readiness