



Substitute House Bill No. 7308

Public Act No. 17-225

AN ACT CONCERNING CAMERA AND RECORDING DEVICES AND EQUIPMENT USED BY POLICE.

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

Section 1. (*Effective from passage*) (a) There is established a task force to examine the use of body-worn recording equipment by state and municipal police in accordance with section 29-6d of the general statutes, as amended by this act. Such task force shall examine (1) whether such statute should be expanded or otherwise amended, including, but not limited to, a consideration of whether such statute or any other statute should address the use of electronic defense weapon recording equipment, as defined in section 7-277b of the general statutes, as amended by this act, (2) training associated with the use of such equipment, and (3) data storage and freedom of information issues associated with the data created by the use of such equipment.

(b) The task force shall consist of (1) the following members or their designees: (A) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety, (B) the Chief State's Attorney, (C) the Chief Public Defender, and (D) the chairperson of the Freedom of Information Commission; (2) (A) an active or retired judge appointed by the Chief Justice of the Supreme Court, (B) a municipal police chief appointed by the president of the Connecticut Police Chiefs Association, (C) a representative of the Police Officer Standards and Training Council, (D) a representative of the State Police Training School appointed by the Commissioner of Emergency Services and Public Protection, and (E) a representative of the criminal defense bar appointed by the president of the Connecticut Criminal Defense Lawyers Association; (3) six public members, appointed one each by the president pro tempore of the Senate, the speaker of the House of Representatives, the Senate Republican president pro tempore, the majority leader of the Senate, the majority leader of the House of Representatives and the minority leader of the House of Representatives; and (4) four sworn police officers, (A) one of whom is a member of the Connecticut State Police Union, appointed by the president pro tempore of the Senate, (B) one of whom is a member of a municipal police department that serves a municipality with seventy-five thousand residents or more, appointed by the speaker of the House of Representatives, (C) one of whom who is female, appointed by the Senate Republican president pro tempore, and (D) one of whom is a member of a municipal police department that serves a municipality with less than seventy-five thousand residents, appointed by the minority leader of the House of Representatives.

(c) Not later than February 1, 2018, the task force established pursuant to subsection (a) of this section, shall report its findings and any recommendations for legislation to the joint standing committees of the General

Assembly having cognizance of matters relating to the judiciary and public safety, in accordance with section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or February 1, 2018, whichever is later.

Sec. 2. Section 7-277b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Office of Policy and Management shall, within available resources, administer a grant program to provide grants-in-aid to reimburse (1) each municipality for the costs associated with the purchase by such municipality of body-worn recording equipment, electronic defense weapon recording equipment for use by the sworn members of such municipality's police department or for use by constables, police officers or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality, and digital data storage devices or services, provided such equipment and device or service conforms to the minimal technical specifications approved pursuant to subsection (b) of section 29-6d, if applicable, and (2) any municipality making a first-time purchase of one or more dashboard cameras with a remote recorder. Any such municipality may apply for such grants-in-aid to the Secretary of the Office of Policy and Management in such manner as prescribed by said secretary. Such grants-in-aid shall be distributed as provided in subsection (b) of this section.

(b) (1) (A) Any municipality that purchased such body-worn recording equipment or electronic defense weapon recording equipment or made a first-time purchase of one or more dashboard cameras with a remote recorder during the fiscal years ending June 30, 2017, and June 30, 2018, and digital data storage devices or services during the fiscal year ending June 30, 2017, shall, within available resources, be reimbursed for up to one hundred per cent of the costs associated with such purchases, provided the costs of such digital data storage services shall not be reimbursed for a period of service that is longer than one year, and provided further that in the case of reimbursement for costs associated with the purchase of body-worn recording equipment, such body-worn recording equipment is purchased in sufficient quantity, as determined by the chief of police in the case of a municipality with an organized police department or, where there is no chief of police, the warden of the borough or the first selectman of the municipality, as the case may be, to ensure that [each sworn member] sworn members of such municipality's police department [is] or constables, police officers or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality are supplied with such equipment while interacting with the public in such sworn [member's] members', such constables', such police officers' or such persons' law enforcement capacity.

(B) Any municipality that purchased such body-worn recording equipment or digital data storage devices or services on or after January 1, 2012, but prior to July 1, 2016, shall be reimbursed for costs associated with such purchases, but not in an amount to exceed the amount of grant-in-aid such municipality would have received under subparagraph (A) of this subdivision if such purchases had been made in accordance with said subparagraph (A).

(C) Any municipality that was reimbursed under subparagraph (B) of this subdivision for body-worn recording equipment and that purchased additional body-worn recording equipment during the fiscal [year] years ending June 30, 2017, and June 30, 2018, shall, within available resources, be reimbursed for up to one hundred per cent of the costs associated with such purchases, provided such equipment is purchased in sufficient quantity, as determined by the chief of police in the case of a municipality with an organized police department or, where there is no chief of police, the warden of the borough or the first selectman of

the municipality, as the case may be, to ensure that [each sworn member] sworn members of such municipality's police department [is] or constables or other persons who perform criminal law enforcement duties under the supervision of a resident state trooper serving such municipality are supplied with such equipment while interacting with the public in such sworn [member's] members', such constables', such police officers' or such persons' law enforcement capacity.

(2) Any municipality that was not reimbursed under subdivision (1) of this subsection and that purchased such body-worn recording equipment [and] or electronic defense weapon recording equipment, digital data storage devices or services or for a first-time purchase of one or more dashboard cameras with a remote recorder during the fiscal year ending June 30, [2018] 2019, shall, within available resources, be reimbursed for up to fifty per cent of the costs associated with such purchases, provided the costs of such digital data storage services shall not be reimbursed for a period of service that is longer than one year.

(c) For the purposes of this section, "electronic defense weapon recording equipment" means an electronic defense weapon that is equipped with electronic audio and visual recording equipment, "electronic defense weapon" has the same meaning as provided in section 53a-3, "dashboard camera with a remote recorder" means a camera that affixes to a dashboard or windshield of a police vehicle that electronically records video of the view through the vehicle's windshield and has an electronic audio recorder that may be operated remotely.

Sec. 3. Subsection (c) of section 29-6d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(c) (1) On and after July 1, 2016, each sworn member of (A) the Division of State Police within the Department of Emergency Services and Public Protection, (B) the special police forces established pursuant to section 10a-156b, (C) any municipal police department for a municipality that is a recipient of grant-in-aid as reimbursement for body-worn recording equipment pursuant to subparagraph (A) or (C) of subdivision (1) of subsection (b) of section 7-277b, as amended by this act, or subdivision (2) of said subsection (b), and (D) any municipal police department for any other municipality that is a recipient of grant-in-aid as reimbursement for body-worn recording equipment pursuant to subparagraph (B) of subdivision (1) of said subsection (b) if such sworn member is supplied with such body-worn recording equipment, shall use body-worn recording equipment while interacting with the public in such sworn member's law enforcement capacity, except as provided in [subsections (g) and (j)] subsection (g) of this section, or in the case of a municipal police department, in accordance with the department's policy, if adopted by the department and based on guidelines maintained pursuant to subsection (j) of this section, concerning the use of body-worn recording equipment.

(2) Any sworn member of a municipal police department, other than those described in subdivision (1) of this subsection, may use body-worn recording equipment as directed by such department, provided the use of such equipment and treatment of data created by such equipment shall be in accordance with the provisions of subdivisions (3) and (4) of this subsection, and subsections (d) to (j), inclusive, of this section.

(3) Each police officer shall wear body-worn recording equipment on such officer's outer-most garment and shall position such equipment above the midline of such officer's torso when using such equipment.

(4) Body-worn recording equipment used pursuant to this section shall conform to the minimal technical specifications approved pursuant to subsection (b) of this section, except that a police officer may use body-worn recording equipment that does not conform to the minimal technical specifications approved pursuant

to subsection (b) of this section, if such equipment was purchased prior to January 1, 2016, by the law enforcement agency employing such officer.

Sec. 4. Subsection (j) of section 29-6d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(j) [**Not later than January 1, 2016, the**] **The** Commissioner of Emergency Services and Public Protection and the Police Officer Standards and Training Council shall jointly **[issue]** **maintain** guidelines pertaining to the use of body-worn recording equipment, retention of data created by such equipment and methods for safe and secure storage of such data. Each law enforcement agency and any police officer and any other employee of such agency who may have access to such data shall adhere to such guidelines. The commissioner and council may update and reissue such guidelines, as the commissioner and council determine necessary. The commissioner and council shall, upon issuance of such guidelines or any update to such guidelines, submit such guidelines in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.