



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Police Officer Standards and Training Council
Connecticut Police Academy

GENERAL NOTICE 19 – 05

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Karen Boisvert 
Academy Administrator

Date: December 24, 2019

Subject: AN ACT CONCERNING THE TRUST ACT. (Public Act No. 19-20, 19-23)
Effective October 1, 2019

NOTE: This General Notice should not be construed as legal advice about the Trust Act. It is merely a summary of the Act. Law Enforcement Officers with specific legal questions about the Act should refer such questions to their own municipal counsel.

Public Acts 19-20 and 19-23, also known as the “Trust Act,” created new guidelines for how Connecticut Law Enforcement works and cooperates with U.S. Immigration and Customs Enforcement (ICE).

Public Acts 19-20 and 19-23 (in pertinent part)¹:

1. Apply generally to law enforcement officers, bail commissioners or judicial intake, assessment or referral specialists, or employees of a school police or security department;
2. Prohibit law enforcement officers from **arresting or detaining** an individual pursuant to an immigration detainer **unless**:
 - (i) the detainer is accompanied by a warrant issued or signed by a judicial officer,
 - (ii) the individual has been convicted of a class A or B felony, **or**
 - (iii) the individual is identified as a possible match in the federal Terrorist Screening Database or similar database;

¹ The public acts are more expansive than what is captured in this summary and should be consulted directly.

3. Prohibit law enforcement officers from giving federal immigration authority **access to interview** an individual in custody **unless**:
 - (i) the individual has been convicted of a class A or B felony;
 - (ii) the individual is identified as a possible match in the federal Terrorist Screening Database or similar database; **or**
 - (iii) is the subject of a US District Court order to comply with an immigration officer's subpoena.
4. Upon receiving a civil immigration detainer, a law enforcement agency **must provide a copy of the detainer to the affected individual** who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. The acts specify that if a law enforcement agency provides a federal immigration authority with **information on an individual's release**, the law enforcement agency shall provide the individual and individual's attorney a copy of that notification. If the law enforcement agency cannot reach the individual or individual's attorney, then the law enforcement agency must make a good faith attempt to contact the detained individual's designee. The law enforcement agency must send the copy along with the reason in writing that the agency is complying with the detainer.
5. Specify that before responding to a **request for notification of an individual's release from the agency's custody** of an individual suspected of violating a federal immigration law or who has been issued a final order of removal, a law enforcement officer must first forward any such request to the head of the law enforcement agency;
6. Prohibit using **time or resources to communicate** with a federal immigration authority regarding the custody status or release of an individual targeted by a civil immigration detainer, except if the law enforcement agency notifies the affected individual, in writing, of its intent to comply with the detainer and the reason for doing so;
7. Specify that, while records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act, the Trust Act must not be construed to require disclosure of any record that is exempt under the Freedom of Information Act (FOIA)
8. Require, beginning January 1, 2020, the legislative body of municipalities to report specified information every six months to the Office of Policy and Management (OPM), if their law enforcement agency provided ICE access to an individual, including
 - a. data on the number and demographic characteristics of individuals to whom the agency provided ICE access,
 - b. the date ICE access was provided, and
 - c. whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means.

The Trust Act has not changed processes for entering information into Automated Fingerprints Identification system (AFIS) of an arrested individual or the accessing of information from the National Crime Information Center (NCIC) concerning an arrested individual.

The Public Acts are available for viewing at:

PA 19-20- <https://www.cga.ct.gov/2019/act/Pa/pdf/2019PA-00020-R00SB-00992-PA.PDF>

PA 19-23- <https://www.cga.ct.gov/2019/act/Pa/pdf/2019PA-00023-R00SB-01115-PA.PDF>

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