


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

**GENERAL NOTICE 18-02**

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

**From:** Thomas E. Flaherty  
Police Academy Administrator 

**Date:** April 17, 2018

**Subject:** **Criminal Possession of a Firearm, Ammunition or an Electronic Defense Weapon.**

All law enforcement agencies should be aware of an important change to C.G.S. Section 53a-217c, *Criminal Possession of a Pistol or Revolver. Class C Felony*. This law was amended by Public Acts 13-3 and 13-220, and no exceptions were included for law enforcement personnel. The relevant portion states:

“(a) A person is guilty of criminal possession of a pistol or revolver when such person possesses a pistol or revolver, as defined in section 29-27, and (1) has been convicted of a felony *committed prior to, on or after October 1, 2013*, or of a violation of section 21a-279 [illegal possession of a controlled substance], 53a-58 [negligent homicide with a motor vehicle], 53a-61 [assault in the 3<sup>rd</sup> degree], 53a-61a [assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability 3<sup>rd</sup> degree], 53a-62 [threatening in the 2<sup>nd</sup> degree], 53a-63 [reckless endangerment in the 1<sup>st</sup> degree], 53a-96 [unlawful restraint in the 2<sup>nd</sup> degree], 53a-175 [riot in the 1<sup>st</sup> degree], 53a-176 [riot in the 2<sup>nd</sup> degree], 53a-178 [inciting to riot], or 53a-181d [stalking in the 2<sup>nd</sup> degree], *committed on or after October 1, 1994*.

b) Criminal possession of a pistol or revolver is a class C felony, *for which two years of the sentence imposed may not be suspended or reduced by the court*, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(Emphasis supplied).

(Emphasis supplied).

Additionally, law enforcement agencies should be aware that C.G.S. Section 53a-217, *Criminal Possession of a Firearm, Ammunition or an Electronic Defense Weapon. Class C felony*, as amended by Public Act 13-3, provides, in relevant part, as follows:

a) A person is guilty of criminal possession of a firearm, ammunition or an electronic defense weapon when such person possesses a firearm, ammunition or an electronic defense weapon and (1) has been convicted of a felony committed *prior to, on or after* October 1, 2013, or of a violation of section 21a-279 [illegal possession of a controlled substance], 53a-58 [negligent homicide with a motor vehicle], 53a-61 [assault in the 3<sup>rd</sup> degree], 53a-61a [assault of an elderly, blind, disabled or pregnant person or a person with intellectual disability 3<sup>rd</sup> degree], 53a-62 [threatening in the 2<sup>nd</sup> degree], 53a-63 [reckless endangerment in the 1<sup>st</sup> degree], 53a-96 [unlawful restraint in the 2<sup>nd</sup> degree], 53a-175 [riot in the 1<sup>st</sup> degree], 53a-176 [riot in the 2<sup>nd</sup> degree], 53a-178 [inciting to riot], or 53a-181d [stalking in the 2<sup>nd</sup> degree], *committed on or after October 1, 2013*.

b) Criminal possession of a firearm, ammunition or an electronic defense weapon is a class C felony, *for which two years of the sentence imposed may not be suspended or reduced by the court*, and five thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(Emphasis supplied).

Please note that neither of these statutes provide exceptions for law enforcement officers. Both sections apply to law enforcement officers convicted of felony offenses retroactively in perpetuity. The list of misdemeanor disqualifiers in Section 53a-217(c) is retroactive to October 1, 1994 and the similar prohibitions contained in Section 53a-217 were effective on the date of passage, October 1, 2013. These statutes make it unlawful for officers convicted of one a felony, or one or more of the listed offenses, to possess firearms, ammunition, or electronic control weapons (ECWs). The statutes *do not* exempt such possession even if only for the purposes of required recertification training.

All law enforcement agencies should ensure that they have no officers in violation of these statutes. If there are such officers, measures should be taken in the short-term to remove them from police duties necessitating the carrying of firearms, ammunition, and ECWs. Officers who cannot possess firearms, ammunition or ECWs cannot be lawfully certified or recertified as required by POSTC statutes and regulations. To remove these disabilities, affected officers must seek and obtain a pardon from the Connecticut Board of Pardons and Paroles. See online at <http://www.ct.gov/bopp/site/default.asp> for further information.