



General Assembly

**Substitute Bill No. 5055**

February Session, 2024



**AN ACT STRENGTHENING POLICE DATA REPORTING REQUIREMENTS.**

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) A person is guilty of  
2 false statement in a law enforcement record when such person  
3 intentionally makes a false written statement or enters false information  
4 or data in a law enforcement record which such person does not believe  
5 to be true and which statement or entry is intended to mislead a public  
6 servant in the performance of such public servant's official function.

7 (b) As used in this section, a "law enforcement record" means  
8 information collected or maintained in connection with the detection or  
9 investigation of crimes or motor vehicle violations by a law enforcement  
10 unit, as defined in section 7-294a of the general statutes, that is inscribed  
11 on a tangible medium or that is stored in an electronic or other medium  
12 and is retrievable in perceivable form.

13 (c) False statement in a law enforcement record is a class D felony.

14 Sec. 2. Subdivision (2) of subsection (c) of section 7-294d of the general  
15 statutes is repealed and the following is substituted in lieu thereof  
16 (*Effective October 1, 2024*):

17 (2) The council may cancel or revoke any certificate if: (A) The

18 certificate was issued by administrative error, (B) the certificate was  
19 obtained through misrepresentation or fraud, (C) the holder falsified  
20 any document in order to obtain or renew any certificate, (D) the holder  
21 has been convicted of a felony, (E) the holder has been found not guilty  
22 of a felony by reason of mental disease or defect pursuant to section 53a-  
23 13, (F) the holder has been convicted of a violation of section 21a-279,  
24 (G) the holder has been refused issuance of a certificate or similar  
25 authorization or has had his or her certificate or other authorization  
26 cancelled or revoked by another jurisdiction on grounds which would  
27 authorize cancellation or revocation under the provisions of this  
28 subdivision, (H) the holder has been found by a law enforcement unit,  
29 pursuant to procedures established by such unit, to have used a firearm  
30 in an improper manner which resulted in the death or serious physical  
31 injury of another person, (I) the holder has been found by a law  
32 enforcement unit, pursuant to procedures established by such unit and  
33 considering guidance developed under subsection (g) of this section, to  
34 have engaged in conduct that undermines public confidence in law  
35 enforcement, including, but not limited to, discriminatory conduct,  
36 falsification of reports, issuances of orders that are not lawful orders,  
37 failure to report or timely report a death in violation of section 7-294mm  
38 or a violation of the Alvin W. Penn Racial Profiling Prohibition Act  
39 pursuant to sections 54-1l and 54-1m, provided, when evaluating any  
40 such conduct, the council considers such conduct engaged in while the  
41 holder is acting in such holder's law enforcement capacity or  
42 representing himself or herself to be a police officer to be more serious  
43 than such conduct engaged in by a holder not acting in such holder's  
44 law enforcement capacity or representing himself or herself to be a  
45 police officer, (J) the holder has been found by a law enforcement unit,  
46 pursuant to procedures established by such unit, to have used physical  
47 force on another person in a manner that is excessive or used physical  
48 force in a manner found to not be justifiable after an investigation  
49 conducted pursuant to section 51-277a, or (K) the holder has been found  
50 by a law enforcement unit, pursuant to procedures established by such  
51 unit, to have committed any act that would constitute tampering with  
52 or fabricating physical evidence in violation of section 53a-155, perjury

53 in violation of section 53a-156, [or] false statement in violation of section  
54 53a-157b or false statement in a law enforcement record in violation of  
55 section 1 of this act. Whenever the council believes there is a reasonable  
56 basis for suspension, cancellation or revocation of the certification of a  
57 police officer, police training school or law enforcement instructor, it  
58 shall give notice and an adequate opportunity for a hearing prior to such  
59 suspension, cancellation or revocation. Such hearing shall be conducted  
60 in accordance with the provisions of chapter 54. Any holder aggrieved  
61 by the decision of the council may appeal from such decision in  
62 accordance with the provisions of section 4-183. The council may cancel  
63 or revoke any certificate if, after a de novo review, it finds by clear and  
64 convincing evidence (i) a basis set forth in subparagraphs (A) to (G),  
65 inclusive, of this subdivision, or (ii) that the holder of the certificate  
66 committed an act set forth in subparagraph (H), (I), (J) or (K) of this  
67 subdivision. In any such case where the council finds such evidence, but  
68 determines that the severity of an act committed by the holder of the  
69 certificate does not warrant cancellation or revocation of such holder's  
70 certificate, the council may suspend such holder's certification for a  
71 period of up to forty-five days and may censure such holder of the  
72 certificate. Any police officer or law enforcement instructor whose  
73 certification is cancelled or revoked pursuant to this section may  
74 reapply for certification no sooner than two years after the date on  
75 which the cancellation or revocation order becomes final. Any police  
76 training school whose certification is cancelled or revoked pursuant to  
77 this section may reapply for certification at any time after the date on  
78 which such order becomes final. For purposes of this subdivision, a  
79 lawful order is an order issued by a police officer who is in uniform or  
80 has identified himself or herself as a police officer to the person such  
81 order is issued to at the time such order is issued, and which order is  
82 reasonably related to the fulfillment of the duties of the police officer  
83 who is issuing such order, does not violate any provision of state or  
84 federal law and is only issued for the purposes of (I) preventing,  
85 detecting, investigating or stopping a crime, (II) protecting a person or  
86 property from harm, (III) apprehending a person suspected of a crime,  
87 (IV) enforcing a law, (V) regulating traffic, or (VI) assisting in emergency

88 relief, including the administration of first aid.

89 Sec. 3. Subsection (h) of section 7-294d of the general statutes is  
90 repealed and the following is substituted in lieu thereof (*Effective October*  
91 *1, 2024*):

92 (h) (1) The chief law enforcement officer of each law enforcement unit  
93 shall report to the council any violation where a certificate holder has  
94 been found by the law enforcement unit, pursuant to procedures  
95 established by such unit, to have: (A) Used unreasonable, excessive or  
96 illegal force that causes serious physical injury to or the death of another  
97 person, or used unreasonable, excessive or illegal force that was likely  
98 to cause serious physical injury or death to another person; (B) while  
99 acting in a law enforcement capacity, failed to intervene or stop the use  
100 of unreasonable, excessive or illegal force by another police officer that  
101 caused serious physical injury or death to another person, or  
102 unreasonable, excessive or illegal force that was likely to cause serious  
103 physical injury or death to another person, or to notify a supervisor and  
104 submit a written report of such acts where the holder has personal  
105 knowledge of such acts and had the ability to prevent such acts; (C)  
106 intentionally intimidated or harassed another person based upon actual  
107 or perceived protected class membership, identity or expression and in  
108 doing so threatened to commit or caused physical injury to another  
109 person; [and] (D) been terminated, dismissed, resigned or retired under  
110 circumstances described in section 7-291c; or (E) engaged in misconduct  
111 that reflects upon the truthfulness of the certificate holder, including,  
112 but not limited to, (i) the commission of any act that would constitute  
113 tampering with or fabricating physical evidence in violation of section  
114 53a-155, perjury in violation of section 53a-156, false statement in  
115 violation of section 53a-157b or false statement in a law enforcement  
116 record in violation of section 1 of this act, or (ii) while acting in a law  
117 enforcement capacity, knowingly making a statement found to be  
118 untruthful during a criminal, civil or administrative inquiry or  
119 proceeding.

120 (2) If the chief law enforcement officer of any municipal police

121 department or the Department of Emergency Services and Public  
122 Protection fails to report to the council as required in subdivision (1) of  
123 this subsection, the council shall notify the Inspector General who shall  
124 investigate such failure to report. The Inspector General shall report the  
125 findings of the investigation to the Governor and joint standing  
126 committee of the General Assembly having cognizance of matters  
127 relating to the judiciary in accordance with the provisions of section 11-  
128 4a.

129 (3) The chief law enforcement officer of each law enforcement unit  
130 shall promptly notify the appropriate state's attorney of any matter in  
131 which the chief law enforcement officer reasonably suspects that a  
132 certificate holder has engaged in conduct that constitutes a violation of  
133 any criminal law of this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	7-294d(c)(2)
Sec. 3	<i>October 1, 2024</i>	7-294d(h)

**JUD**      *Joint Favorable Subst.*