



# Acts Affecting Criminal Justice and Public Safety

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## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting crime and public safety enacted during the 2022 regular session and June special session (JSS). OLR's other Acts Affecting reports, including Acts Affecting First Responders, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include bonding provisions. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrpasums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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## Table on Penalties

The law authorizes courts to impose imprisonment, fines, or both when sentencing a convicted criminal. Table 1 displays the range of prison terms and fines that judges may impose for each classification of crime. Some crimes have a mandatory minimum sentence not specified in the table. Also, repeated or persistent offenders may face higher sentences than specified here.

**Table 1: Crime Classifications and their Penalties**

Felony or Misdemeanor	Prison Term	Fine
Class A felony—murder with special circumstances	Life without the possibility of release	Up to \$20,000
Class A felony—murder	25 to 60 years	Up to \$20,000
Class A felony—aggravated sexual assault of a minor	25 to 50 years	Up to \$20,000
Class A felony	10 to 25 years	Up to \$20,000
Class B felony—1st degree manslaughter with a firearm	5 to 40 years	Up to \$15,000
Class B felony	1 to 20 years	Up to \$15,000
Class C felony	1 to 10 years	Up to \$10,000
Class D felony	Up to 5 years	Up to \$5,000
Class E felony	Up to 3 years	Up to \$3,500
Class A misdemeanor	Up to 364 days*	Up to \$2,000
Class B misdemeanor	Up to 6 months	Up to \$1,000
Class C misdemeanor	Up to 3 months	Up to \$500
Class D misdemeanor	Up to 30 days	Up to \$250

\*Effective October 1, 2021, the law reduced the maximum sentence for misdemeanors to 364 days ([PA 21-32](#), § 35, codified at [CGS § 53a-36a](#), 2022 Supp).

## **Crimes and Penalties**

### ***Cannabis Gifts and Transfers***

A new law specifically prohibits individuals from gifting, selling, or transferring cannabis to another person under the following circumstances:

1. to induce, or in exchange for, any donation for any purpose, including any charitable donation or any donation made to gain admission to any event;
2. at any location, other than a dispensary facility, retailer, or hybrid-retailer (a) where a consumer may purchase any item other than cannabis, a cannabis product, or services related to cannabis or (b) that requires consideration, including membership in any club, to gain admission to the location; or
3. as part of any giveaway associated with attendance at any event, including a door prize, goodie bag, or swag bag.

In addition to any existing penalty, the act subjects anyone who violates this provision to the following:

1. a municipal fine the act allows to be locally adopted, which may be up to \$1,000 per violation;
2. a Department of Emergency Services and Public Protection (DESPP) fine of \$1,000 per offense (payable by mail); and
3. an administrative hearing held by the Department of Revenue Services (DRS) commissioner for failing to pay taxes, which may result in a civil penalty of up to \$1,000 per violation ([PA 22-103](#), §§ 2 & 3, effective upon passage).

### ***Car Theft Penalties***

This session, the legislature established a new penalty structure for larceny of a motor vehicle. The act provides for graduated penalties based on whether the person has prior convictions for this crime, rather than based on the vehicle's value as under prior law. These changes result in a lower penalty for a first offense than under prior law; the penalty for subsequent offenses may differ from prior law, depending on the vehicle's value ([PA 22-115](#), §§ 8-10 & 13-18, effective October 1, 2022).

### ***Catalytic Converters***

A new law makes several changes in the law about the receipt and sale of catalytic converters, including prohibiting anyone other than a motor vehicle recycler or motor vehicle repair shop from selling more than one unattached converter to a scrap metal processor, junk dealer, or junkyard

owner or operator in a day. It also establishes several recordkeeping requirements and other conditions, such as affixing or writing a stock number on converters.

Violations of the act are the same as existing law's violations of the motor vehicle recycler and junk dealer laws, which are class C misdemeanors ([PA 22-43](#), effective July 1, 2022).

### ***Online Dating Services***

A new law requires online dating operators offering services in Connecticut to provide Connecticut users with safety awareness notifications (e.g., whether the operator conducts criminal background screenings) before allowing them to use their online dating platforms. It also authorizes the Department of Consumer Protection commissioner to penalize violators up to \$25,000 per violation. Lastly, it sets up a grant program administered by DESPP to provide education and training about online abuse ([PA 22-82](#), §§ 1-6, various effective dates).

### ***Penalty for Violations of Gun Dealer Alarm System Requirement***

Under a new law, the DESPP commissioner may, after notice and an opportunity for a hearing, impose a civil penalty of up to \$100 for violations of the burglar alarm system requirement for firearms dealers. Each violation is a separate offense, and, in cases of continuing violations, each day is a separate offense subject to an aggregate penalty of up to \$4,900 ([PA 22-102](#), § 1, effective July 1, 2022).

### ***Smoke Detectors***

New legislation specifies that the Fire Safety Code must require smoke detectors in all single and multi-family residences, removing from prior law distinctions for existing and newly built residences. The act also eliminates a provision in prior law that the code must require smoke detectors in these residences be capable of operating using any power source allowed in the standards adopted in the code. By law, a person who violates the Fire Safety Code must be imprisoned up to six months, fined up to \$1,000 with a \$200 mandatory minimum, or both ([PA 22-75](#), § 2, effective October 1, 2022).

## **Criminal and Civil Procedure**

### ***Concurrent Jurisdiction Over Offenses Committed by Minors on Federal Military Installations***

The Department of Defense (DOD) cannot prosecute individuals who are not subject to the Uniform Code of Military Justice, such as minors. As a result, any prosecutions of minors for crimes they

commit on military installations over which the federal government has exclusive jurisdiction generally must occur under federal law.

In response to concerns about minors being prosecuted in this manner, the legislature passed a law requiring the state to exercise concurrent jurisdiction with the United States in matters where (1) a minor has violated federal law while on a DOD military installation, (2) the installation is located on land that the state previously ceded exclusive jurisdiction over to the federal government, and (3) the U.S. attorney or U.S. District Court for the state waives exclusive jurisdiction over that matter ([PA 22-63](#), effective October 1, 2022).

### ***Connecticut Interstate Depositions and Discovery Act***

A new law adopts the Uniform Interstate Depositions and Discovery Act (UIDDA) and applies its provisions to any request for discovery in a superior court or probate court action pending on or filed on or after July 1, 2023. UIDDA provides procedures for courts in one state to issue subpoenas for out-of-state depositions and discovery. Generally, it harmonizes the out-of-state subpoena process for state court cases with Federal Rules of Civil Procedure ([PA 22-26](#), §§ 44-52 & 63, most provisions effective July 1, 2023).

### ***Driving Under the Influence (DUI)***

This year, the legislature made minor changes in DUI- and impaired boating-related laws that do the following:

1. allow law enforcement officers to test only the driver, not the passenger, for impairment based on cannabis odor if the officer reasonably suspects that the driver is violating DUI laws;
2. add impaired boating to the list of prior offenses that would exclude a defendant from participation on the accelerated rehabilitation diversionary program;
3. specify that drug influence evaluations do not need to start within two hours after the suspect last drove;
4. expand the types of “motor vehicles” covered by the drunk driving law to include a snowmobile or all-terrain vehicle, consistent with the criminal laws governing driving under the influence; and
5. allow the Department of Motor Vehicles (DMV) to send, with the driver’s written consent, notice of an administrative hearing decision by personal delivery (e.g., e-mail) rather than by certified mail ([PA 22-40](#), §§ 12-14, effective July 1, 2022, and [PA 22-44](#), §§ 8 & 10, July 1, 2022).

### ***Limitation on Discretionary Extraditions***

This session, the legislature passed a law limiting the governor's discretionary authority to extradite individuals accused of performing acts in Connecticut that result in crimes in another state. Specifically, under the new law, he may only do so if the acts would also be punishable under Connecticut's laws if their consequences, as claimed by the demanding state, had taken effect in this state ([PA 22-19](#), § 5, effective July 1, 2022).

### ***Limitation on Judicial Resources to Assist Certain Out-of-State Investigations***

A new law generally prohibits state judicial offices (e.g., public defenders) from providing information or using state resources to help another state's investigation of, or imposing civil or criminal liability on a person or entity for, (1) providing, seeking, receiving, or inquiring about reproductive health care or gender-affirming services that are legal in this state or (2) assisting another person or entity to do so ([PA 22-19](#), § 6, effective July 1, 2022; [PA 22-118](#), § 488, effective July 1, 2022).

### ***Next Day Arraignment for Children Charged With Certain Crimes***

A new law requires that when a child is arrested for a firearms or motor vehicle offense, the arraignment must be scheduled for the next business day following the date the child was arrested. Prior law did not impose a specific timeframe for arraignment ([PA 22-26](#), § 11, effective July 1, 2022).

### ***Pleading Party's Responsibility for Attorney's Fees for False Allegations or Denials***

A new law increases, from \$10 to \$500 per offense, the cap on attorney's fees that a party can recover due to a false allegation or denial. By law, any allegation or denial in a civil pleading made without reasonable cause and found untrue makes the pleading party responsible for reasonable expenses incurred by the other party ([PA 22-26](#), § 43, effective October 1, 2022).

### ***Pre-Arraignment Interviews***

By law, prior to arraignment, the judicial branch's Court Support Services Division (CSSD) must promptly interview anyone referred by the police or a judge. Under prior law, a person held at a police station may be interviewed by video conference. A new law instead allows CSSD to conduct the pre-arraignment interview by remote technology ([PA 22-26](#), § 28, effective upon passage).

## ***Searches by Probation Officers***

[PA 21-1](#), June Special Session (JSS), § 18, limits when cannabis odor or possession can justify a search or motor vehicle stop. A new law creates an exemption from this limitation, allowing a supervising probation officer to search or stop his or her probationer who, as a condition of probation, is prohibited from using or possessing cannabis ([PA 22-26](#), § 38, effective upon passage).

## ***Summons to Participate in Actions Based on Reproductive Health or Gender-Affirming Services***

By law, Connecticut judges are generally authorized to issue a summons ordering a person located in this state who is a material witness to provide testimony for another state's criminal prosecution or grand jury investigation at that other state's request. A new law prohibits Connecticut judges from issuing a summons when the other state's prosecution or investigation is for a violation of its law regarding reproductive health care or gender-affirming services that are legal in Connecticut. However, the new law allows a judge to issue a subpoena if the acts being prosecuted or investigated would also constitute an offense in this state ([PA 22-19](#), § 4, and [PA 22-118](#), § 487, effective July 1, 2022).

## **Departments, Commissions, and Councils**

### ***DESPP Coordinating Advisory Board***

A new law expands the membership of the DESPP Coordinating Advisory Board from 16 to 18 by adding the Department of Mental Health and Addiction Services (DMHAS) and Department of Children and Families (DCF) commissioners. The board advises DESPP on ways to improve emergency response communications and related issues ([PA 22-47](#), § 24, effective October 1, 2022).

### ***E 9-1-1 Commission***

New legislation increases the membership of the E 9-1-1 Commission from 13 to 16 by adding the Department of Public Health (DPH), DMHAS, and DCF commissioners, or their respective designees, as members. The commission generally advises DESPP on planning, designing, implementing, and coordinating the statewide emergency 9-1-1 telephone system and the public safety data network ([PA 22-47](#), § 23, effective October 1, 2022).

## ***Statewide Hate Crimes Advisory Council***

A new law requires the head of the Hate Crimes Investigative Unit (see below) to serve as a member of the Office of the Chief State's Attorney's Statewide Hate Crimes Advisory Council, whose membership the act expands to include this position. By law, this council is responsible for making annual recommendations for legislation about hate crimes to the legislature's Judiciary and Public Safety committees ([PA 22-9](#), § 3, effective July 1, 2022).

## **Domestic Violence**

### ***Domestic Violence and Children's Mental Health Resources***

Starting January 1, 2023, a new law requires certain first responders to distribute the following information on mental health and domestic violence resources: (1) DCF children's behavioral and mental health resources document and (2) the judicial branch's Office of Victim Services (OVS) domestic violence victim resources document.

The new law specifically does the following:

1. requires state and municipal police officers and emergency medical technicians, including medical responders, to keep copies of these documents in any vehicle they use to carry out their duties;
2. allows them to provide copies to anyone they think may benefit from the resources; and
3. requires peace officers at the scene of a family violence incident to provide victims with the OVS victim resource document and, if there is a child at the scene, a copy of the DCF children's resources document ([PA 22-47](#), §§ 62-64, effective July 1, 2022).

### ***Domestic Violence Victims as a Protected Class***

A new law prohibits discrimination based on someone's status as a domestic violence victim in employment, public accommodations, housing, the granting of credit, and other areas over which the Commission on Human Rights and Opportunities (CHRO) has jurisdiction. The new law authorizes a domestic violence victim aggrieved by an alleged discriminatory practice to file discrimination complaints with CHRO. It also expressly adds status as a domestic violence victim to the list of protected classes (e.g., religion, gender, race, and disability) ([PA 22-82](#), §§ 7 & 10-21, effective October 1, 2022).

## **Fee Waivers**

### ***Court Fees for Indigent Parties***

A new law provides for appellate review of fee waiver applications to start civil and habeas actions. By law, if the court finds that a party in a civil or criminal matter is indigent and unable to pay the court fees or the service of process cost, then the court must waive the fees and the state must pay the fees and cost. If a fee waiver application is denied, then the court clerk schedules a hearing upon the applicant's request. Under the new law, if after a hearing the Superior Court denies the fee waiver application for starting a civil or habeas action or the cost of the service of process, then the aggrieved party may petition the Appellate Court for review at no charge ([PA 22-26](#), § 22, effective October 1, 2022).

### ***Fees and Costs of Pretrial Diversionary Programs for Certain Drug Crimes***

Last year, the legislature sunset CSSD's pretrial programs for people charged with certain drug crimes but established a new, similar program starting April 1, 2022 ([PA 21-1](#), JSS, §§ 166 & 167).

Under prior law (for both the sunset and replacement programs), a pretrial program participant going to an out-of-state program provider must pay both the Connecticut and out-of-state program fees and costs. A new law instead requires them to pay only the out-of-state fees and costs.

Under prior law, generally a program participant would have to pay the court a nonrefundable program fee and the cost of any related treatment to the treatment provider. Under the new law, if CSSD allows the person to participate in an applicable program in another state, then the person must only pay the program fee and participation costs required by the out-of-state program provider. The bill also explicitly prohibits the court from waiving out-of-state program fees and costs ([PA 22-26](#), §§ 39-42, effective October 1, 2022).

## **Firearms**

### ***Community Gun Violence Intervention and Prevention***

This session, the legislature passed initiatives to help reduce community gun violence in the state. A new law requires DPH to establish a community gun violence intervention and prevention program and annually report to the legislature's Public Health Committee, starting by January 1, 2023, on the program's activities.

The act also establishes a 23-member Commission on Community Gun Violence Intervention and Prevention to advise the DPH commissioner on developing evidence-based, evidenced-informed, community-centric gun programs and strategies to reduce community gun violence in the state. The commission must advise DPH on developing criteria for grant opportunities that arise through the department's community gun violence intervention and prevention program ([PA 22-118](#), §§ 80-81, effective upon passage).

### ***Fingerprinting and Identification Requirements***

By law, a nonresident with a valid out-of-state gun permit may apply directly to the DESPP commissioner for a Connecticut handgun permit. Under a new law, the DESPP commissioner, when processing these permit applications, must follow the same fingerprinting and positive identification procedures required under existing law for local officials who process temporary state handgun permit applications ([PA 22-102](#), § 4, effective July 1, 2022).

### ***Firearms Permitting by Local Officials***

A new law authorizes the chief executive officer of any municipality without a police chief to perform specified firearms permitting functions, rather than a town's first selectman or borough's warden (e.g., when issuing gun dealer and temporary state handgun permits). It also authorizes these municipal officers to designate the municipality's resident state trooper, or a state police officer from the State Police troop with jurisdiction over the municipality, to perform these functions ([PA 22-102](#), §§ 2-3 & 6-9, effective July 1, 2022).

### ***Notice to Town of Failed Firearm Background Check***

A new law requires DESPP to notify a town's police chief (or, if none, the town first selectman or borough warden) if a resident failed a background check when trying to purchase a firearm ([PA 22-115](#), §§ 3 & 4, effective October 1, 2022).

### ***Permit Issuance by Tribal Police Departments***

A new law allows the police chiefs of federally recognized Native American tribes in the state with a law enforcement unit (i.e., the Mashantucket Pequot and Mohegan police chiefs) to issue temporary state handgun permits under the statutory permit approval process to applicants who are bona fide permanent residents of the tribal reservations. Under the new law, if the tribal law enforcement unit accepts these applications, then the police chief of any other law enforcement unit with jurisdiction over the tribal reservation may not issue the permits. Previously, tribal reservation residents had to apply for these permits to the local official (police chief, borough

warden, or first selectman) of the municipality in which the reservation is located ([PA 22-102](#), § 2, effective July 1, 2022).

## **Juvenile Justice**

### ***Access to Juvenile Delinquency Records***

Starting in June 2023, a new law gives municipal employees and agents access to juvenile delinquency records if they are involved in the proceeding or delivery of related services. Police officers already have access to juvenile delinquency records for criminal investigations; the act specifically requires that they have electronic access to these records.

The act also requires the judicial branch's CSSD to report by March 1, 2023, on progress made toward implementing these provisions ([PA 22-115](#), §§ 5, 19 & 20, effective June 1, 2023, except the CSSD reporting provision takes effect upon passage).

### ***Chemical Agents and Prone Restraints Report***

Prior law required the Department of Correction (DOC) commissioner and the CSSD executive director to report monthly to the Juvenile Justice Policy and Oversight Committee (JJPOC) on any use of chemical agents or prone restraints on children under age 18 detained in a facility the commissioner or executive director operates or oversees. A new law instead requires the commissioner and executive director to submit the report to JJPOC within 30 days after such an instance occurred, rather than monthly ([PA 22-26](#), § 12, effective upon passage).

### ***Juvenile and Youthful Offender Records Disclosure***

A new law expands the circumstances under which juvenile delinquency and youthful offender records may be disclosed. Specifically, the new law allows such records to be disclosed to law enforcement officials and prosecutors seeking an order to detain a child. The new law also makes public juvenile records transferred to the adult criminal docket in conformity with a Second Circuit Court of Appeals decision ([PA 22-26](#), §§ 9, 10 & 30, effective upon passage, except the youthful offenders' records provision (§ 30) is effective July 1, 2022).

### ***Juvenile Arrest, Detention, and Related Procedures***

A new law makes various changes to juvenile arrest procedures after an alleged delinquent act, such as (1) generally requiring an arrested child to be brought before a judge within five business days after the arrest; (2) allowing the court to order electronic monitoring if a child was charged with a second or subsequent motor vehicle or property theft offense; and (3) in certain

circumstances, increasing the maximum period, from six to eight hours, that a child may be held in a community correctional center or lockup without a judge's detention order.

Among other related provisions, the act also requires the following: (1) the chief state's attorney to develop and implement a training program on the juvenile detention application process for prosecutors and most peace officers; (2) the official court detention form to instruct judges who decline to order detention to articulate their reasons why; and (3) the police and prosecutors, not just the judicial branch, to compile and categorize data on detention order requests ([PA 22-115](#), §§ 1, 6, 7 & 21, most provisions effective October 1, 2022).

### ***Juvenile Justice-Related Reports***

A new law requires DCF and CSSD to report on the transfer of juvenile delinquency services from DCF to the judicial branch under [PA 18-31](#). It also requires CSSD to review and report on certain juvenile justice issues, such as the effectiveness of pretrial diversionary programs. Each report must be submitted to the Judiciary Committee by December 31, 2022 ([PA 22-115](#), §§ 11 & 12, effective upon passage).

### ***Next Day Arraignment for Children Charged With Certain Crimes***

A new law requires a child's arraignment for a firearms or motor vehicle offense to be scheduled for the next business day following the arrest date. Prior law did not impose a specific arraignment timeframe ([PA 22-26](#), § 11, effective July 1, 2022).

### ***Serious Homicide, Firearm, or Sexual Offender Juvenile Prosecutions***

Existing law allows a prosecutor to ask the court to designate a proceeding as a "serious sexual offender prosecution" when a juvenile is referred for a sexually related crime and the case is not transferred to adult court. The sentencing for juveniles convicted under this designation must include certain components beyond standard sentencing, including at least five years of "special juvenile probation."

This year, the legislature expanded this law to include certain homicide or firearm related crimes and renames the designation as a "serious homicide, firearm, or sexual offender prosecution." The act makes various other changes affecting these cases, such as allowing the juvenile portion of the sentence to be extended for up to 60 months ([PA 22-115](#), § 2, effective October 1, 2022).

## **Law Enforcement**

### ***Accreditation Standards for Law Enforcement Units***

The legislature made various changes in state law's minimum standards and practices for administering and managing law enforcement units, including eliminating a requirement that units obtain and maintain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) by 2025. Instead, by 2026, units must either (1) be certified as meeting the requirements for three state-accreditation tiers developed by the Police Officer Standards and Training Council (POST) or (2) meet a higher level of accreditation standards developed by CALEA ([PA 22-119](#), effective upon passage).

### ***Chief State's Attorney Discipline***

A new law allows the Criminal Justice Commission to reprimand and suspend the chief state's attorney, rather than only being able to remove him or her as under prior law ([PA 22-111](#), effective October 1, 2022).

### ***DRS Special Police***

A new law designates DRS special police as "peace officers," giving them certain powers and legal protections under state law (e.g., allowing them to use a hand-held cellphone while driving while performing official duties within the scope of their employment). By law, the DRS special police are appointed by the DESPP commissioner and have all the powers of state police ([PA 22-117](#), §§ 8-14, effective upon passage).

### ***Fingerprinting Fees Charged by Independent Contractors***

By law, the DESPP commissioner may enter into agreements with independent contractors to electronically take and transmit fingerprints and demographic information to the State Police Bureau of Identification (SPBI) for processing criminal history records checks. A new law (1) eliminates the requirement that the commissioner require these contractors to collect and remit the statutory fingerprinting fee to SPBI and (2) increases, from \$15 to \$30, the maximum convenience fee the commissioner may authorize these contractors to charge for fingerprinting ([PA 22-7](#), effective July 1, 2022).

### ***Grant Program for Body and Dashboard Cameras and Related Equipment and Services***

A new law extends, to FY 23, the municipal grant program for costs associated with purchasing eligible police body cameras, digital data storage devices or services, and certain dashboard

cameras. By law, the grants cover up to 50% of the associated costs for distressed municipalities and up to 30% for all other municipalities ([PA 22-118](#), § 332, effective July 1, 2022).

### ***Hate Crimes Unit and Related Reporting***

New legislation requires the DESPP commissioner to establish, within the State Police, a Hate Crimes Investigative Unit. It makes the unit responsible for (1) working to prevent and detect hate crimes and (2) compiling, monitoring, analyzing, and sharing data about them.

The act also broadens reporting of bigotry- or bias-motivated crimes by local law enforcement entities. Under the act, they, along with other state and tribal law enforcement, must report on the broader list of crimes covered by the act and do so using a standardized form or other reporting system created by POST ([PA 22-9](#), §§ 1, 2 & 4, various effective dates).

### ***Law Enforcement Mental Health and Training***

A new law includes several provisions about the police officer mental health and training, including ones that do the following:

1. extend existing employment protections to certain police officers who seek or receive mental health care services after undergoing a required behavioral health assessment;
2. eliminate police basic and review training on handling incidents involving a person affected with a serious mental illness and replace it with training on interacting with people who have mental or physical disabilities or are deaf, hard of hearing, or deaf-blind; and
3. require a report on the use of online or remote technology by POST for police officer training after initial certification ([PA 22-64](#), §§ 1, 2, 5 & 7, various effective dates).

### ***Law Enforcement Officers Authorized to Request Property Loss Records***

A new law modifies provisions about access to and production of insurance company records relating to the company's investigation of certain property losses. Prior law generally allowed an "authorized agency," specifically, the Insurance Department commissioner and certain state and local fire marshals, to request the release of, and be furnished with, information from an insurance company's investigation into losses caused by fires of "suspicious" or incendiary origin.

The act amends the loss circumstances by (1) adding explosions and (2) replacing the term "suspicious" with "undetermined." It also expands an "authorized agency" to include certain federal, state, and local law enforcement officers that investigate fires or explosives, allowing them to request the insurance company's information ([PA 22-75](#), § 1, effective October 1, 2022).

## ***Police Violations Report***

A new law requires law enforcement units to report to POST instances where police officers commit certain prohibited actions (e.g., excessive force or failure to intervene). It also requires the Office of the Inspector General to investigate law enforcement units who fail to report and submit its findings to the governor and Judiciary Committee ([PA 22-114](#), §§ 4 & 5, effective October 1, 2022).

## ***Project Longevity***

A new law transfers certain responsibilities for the Project Longevity Initiative from the Office of Policy and Management (OPM) to the Judicial Branch as of July 1, 2022. Project Longevity is a comprehensive, community-based initiative to reduce gun violence in certain cities (i.e., Bridgeport, Hartford, New Haven, and Waterbury). Among other things, the new law also requires the chief court administrator to create and submit a plan to the legislature on implementing the initiative statewide if the OPM secretary does not do so ([PA 22-118](#), § 123, effective upon passage).

## ***Religious Head Coverings***

New legislation requires each law enforcement unit, by October 1, 2022, to adopt or amend a policy to allow its police officers to wear religious head coverings that correspond to their religious beliefs while on duty and wearing a uniform or other authorized attire, except where the unit requires its officers to use tight-fitting protective headgear ([PA 22-66](#), effective upon passage).

## ***Traffic Management***

Beginning October 1, 2023, a new law requires police basic or review training programs to include a traffic incident management (TIM) training curriculum developed by POST. This requirement applies to training conducted or administered by POST, the Division of State Police within DESPP, and municipal police departments. By October 1, 2022, the act also requires the DESPP commissioner to develop and submit to relevant legislative committees a plan that includes recommended funding to expand the use of drones for investigating vehicle accidents and other traffic incidents ([PA 22-132](#), effective upon passage).

## **Prison**

### ***Commercial Driver's License (CDL) Test for Incarcerated People***

A new law requires DOC and DMV to take certain actions to make the CDL knowledge test available to incarcerated people who are (1) reentering the community within six months and (2) not disqualified from driving a commercial vehicle. By January 1, 2023, the DOC commissioner must make space and technology available for test preparation and for test administration, and the DMV

commissioner must assign personnel and other resources to administer the test in writing or electronically at DOC facilities ([PA 22-10](#), effective October 1, 2022).

### ***Cost of Incarceration***

A new law makes changes to the costs of incarceration laws. By law the DOC commissioner must assess inmates the costs of their incarceration. The law gives the state a claim against any property owned by an inmate except for property that meets the following criteria:

1. property that is statutorily exempt from execution to satisfy court judgments and exempt property of a farm partnership;
2. money from a contract for reenacting the inmate's violent crime in various media (such as movies and books) or from the expression of the person's thoughts or feelings about the crime which by law must be paid to the Office of Victim Services;
3. property acquired for work performed during incarceration as part of a program designated or defined in DOC regulation as job training, skill development, a career opportunity, or an enhancement program; and
4. property the inmate acquired after he or she was released from incarceration.

The new law exempts up to \$50,000 of an inmate's other assets except those for inmates incarcerated for capital felony or murder with special circumstances, felony murder, 1st and 2nd degree sexual assault, 1st degree aggravated sexual assault, or aggravated sexual assault of a minor.

The new law also makes the state's lien against lawsuit proceeds applicable only to inmates incarcerated for the crimes specified above ([PA 22-118](#), §§ 457-458, effective upon passage, and applicable to costs of incarceration incurred before, on, or after that date (May 7, 2022)).

### ***Free Menstrual Products Provided at Correctional Institutions***

By law, York Correctional Institution must provide free menstrual products to inmates upon request. However, starting July 1, 2023, a new law requires the institution to do so without stigmatizing the individuals requesting the products, in accordance with guidelines that the DPH commissioner must develop by July 1, 2022. Under the new law school districts, acting by the DOC commissioner, must also provide such products in accordance with the DPH guidelines to individuals confined in any DOC institution and attending a school within the district, upon request and as soon as practicable, in a quantity appropriate to the person's health needs ([PA 22-118](#), §§ 82, 83 & 89, effective July 1, 2022, except the provision regarding the DPH guidelines takes effect upon passage).

## ***Health Care Services at Prisons***

A new law requires the DOC commissioner to develop a plan with specified components for providing health care services to inmates at DOC correctional institutions. These components include mental health, substance use disorder, and dental care services. By February 1, 2023, the commissioner must report to the Judiciary and Public Health committees on the plan along with recommendations for implementing legislation and an implementation timeline ([PA 22-133](#), effective upon passage).

Another new law requires the DOC commissioner to annually review, evaluate, and make recommendations on (1) substance use disorder and mental health services for incarcerated individuals and (2) reintegrating these individuals into the community. In doing so, the commissioner must consult with DMHAS and the judicial branch. Starting by January 1, 2023, the commissioner must annually report on this review to the Appropriations, Judiciary, and Public Health committees ([PA 22-118](#), § 207, effective upon passage).

## ***Isolated Confinement***

This session, the legislature passed a law that limits the amount of time and circumstances under which an incarcerated person may be held in isolated confinement. It also places new limits on its use (e.g., ensuring physical and mental health evaluations). Under the law, isolated confinement means any form of confinement that places an incarcerated person in a cell with less than the following time out of a cell: (1) four hours per day, beginning July 1, 2022; (2) in the general population, four-and-a half hours per day, beginning October 1, 2022; and (3) in the general population, five hours per day, beginning on and after April 1, 2023.

Among other things, the act also (1) requires that any use of isolated confinement maintain the least restrictive environment needed for the safety of incarcerated individuals, staff, and facility security and (2) prohibits DOC from holding minors in isolated confinement ([PA 22-18](#), § 3, effective July 1, 2022).

## ***Workforce Development for Incarcerated and Reentering Individuals***

This session, the legislature required the Office of Workforce Strategy's chief workforce officer, in consultation with the DOC commissioner, to develop a plan to expand the state's workforce development programming for individuals who are incarcerated or reentering the community. The plan must include increased opportunities for these individuals to receive workforce technological training. The chief workforce officer must (1) implement the plan by January 1, 2023, and (2) report on the plan to the Commerce Committee by January 1, 2024 ([SA 22-24](#), effective upon passage).

## **Sentencing, Immunities, and Erasures**

### ***Immunity for Architects During Emergencies***

A new law grants civil immunity to licensed architects who volunteer to help certain public safety officials evaluate the safety of built environments (e.g., homes, buildings, streets) after a declared civil preparedness emergency due to a major disaster or emergency ([PA 22-86](#), effective October 1, 2022).

### ***Liability Protection for Certain Attorneys***

The law generally shields from liability any attorney appointed by the court, pursuant to the Superior Court rules, to (1) inventory the files of an inactive, suspended, disbarred, or resigned attorney and (2) take necessary action to protect their clients' interests. The bill specifically extends this liability protection to attorneys who are court-appointed pursuant to the court's inherent authority to regulate attorney conduct and inventory deceased attorneys' files. This liability protection does not apply to damage or injury committed by the attorney that is wanton, reckless, or malicious ([PA 22-26](#), § 17, effective upon passage).

### ***Record Erasure of Certain Convictions***

By law certain crimes are eligible for record erasure. Misdemeanors are subject to erasure seven years after the person's most recent conviction, and felonies are subject to erasure 10 years after the most recent conviction. The law also specifies that certain crimes are ineligible for record erasure (e.g., family violence crimes and nonviolent or violent sexual offenses requiring sex offender registration).

Prior law also designated as ineligible for record erasure any offense for which a defendant has not served or completed serving the sentence (including any period of incarceration, special parole, parole, or probation) until the applicable time period has elapsed, and the defendant has completed the sentence. A new law eliminates this provision and instead makes any conviction for any offense ineligible for record erasure until the defendant has completed serving the sentence imposed for any offense or offenses for which the defendant has been convicted ([PA 22-26](#), § 34, effective January 1, 2023).

### ***Record Erasure Related to Decriminalized Offenses***

Under prior law, upon the petition of someone convicted for an act that was later decriminalized, the court must immediately order the physical destruction of all related police, court, and prosecution records. A new law requires instead that the records be erased, not physically destroyed.

The new law specifies that this does not apply to any police, court, or state’s attorney records information with references to more than one count unless and until all counts in the information are entitled to erasure. However, electronic records or parts of electronic records released to the public that reference a charge that would otherwise be entitled to record erasure must be erased before release ([PA 22-26](#), § 36, effective January 1, 2023).

### ***Sentence Modifications***

[PA 21-102](#), § 25, as amended by [PA 21-104](#), § 63, expanded eligibility for sentence modifications (i.e., sentence reduction, defendant discharge, or placement of the defendant on probation or conditional discharge), effective October 1, 2021. A new law specifies that defendants sentenced before, on, or after October 1, 2021, are entitled to this sentence modification provision ([PA 22-36](#), effective upon passage).

## **Studies, Task Forces, Working Groups, and Grant Programs**

### ***Child Sexual Abuse and Exploitation Task Force***

A new law establishes a nine-member task force to study the sexual abuse and exploitation of children on the internet, or facilitated by internet users in the state, from January 1, 2019, through December 31, 2021. The study must examine the following topics:

1. the types and frequency of this abuse and exploitation,
2. grooming tactics used by adults to engage in this abuse and exploitation, and
3. any barriers that may prevent the adequate or timely investigation or prosecution of this abuse and exploitation.

The task force must report its findings and recommendations to the Children’s Committee by January 1, 2023 ([PA 22-87](#), § 8, effective upon passage).

### ***Mental Health and Law Enforcement Studies***

A new law includes several initiatives to address the mental health of both police officers and those with whom they interact, including the following:

1. setting up an 11-member task force to study law enforcement officers’ mental health needs;
2. requiring UConn’s Institute for Municipal and Regional Policy, in consultation with the United Way of Connecticut, to study a representative sample of 9-1-1 calls and analyze the percentage of the calls that would be more appropriately directed to the 2-1-1 Infoline program; and

3. having DMHAS examine its Community and Law Enforcement for Addiction Recovery project.

For each initiative, a report must be submitted to the Public Safety and Security Committee by January 1, 2023 ([PA 22-64](#), §§ 3, 4 & 6, effective upon passage).

### ***Motor Vehicle Accident Report Form Task Force***

New legislation creates a 13-member task force to examine the uniform motor vehicle accident report form and consider changes to it to address issues such as length and completion time for investigators. The task force must submit a report with its findings and recommendations to the Public Safety and Security Committee by January 1, 2023 ([SA 22-7](#), effective upon passage).

### ***Professional Bondsman, Bail Enforcement Agent, and Surety Bail Bond Agent Task Force***

[SA 21-22](#) established a task force to study the state's regulation of professional bondsmen, bail enforcement agents, and surety bail bond agents. The task force must, among other things, examine the ways other states regulate these professions and recommend how to achieve greater accountability and oversight of them. This act extends certain task force deadlines, such as requiring recommendations to be submitted to the Public Safety and Security Committee one year later on January 1, 2023 ([SA 22-15](#), effective upon passage).

### ***Rural Speed Enforcement Grant Program***

Beginning July 1, 2022, new legislation requires DESPP, within available resources, to administer a grant program for speed enforcement activities on rural roads. Eligible municipalities under the act have a population of less than 25,000 and a law enforcement unit or resident state trooper to apply to the program as DESPP prescribes. The act caps program grants at \$5,000 but allows eligible municipalities to receive up to 10 grants. DESPP must continue to award grants until all resources dedicated to the program are spent ([PA 22-118](#), § 78, effective upon passage).

### ***School Resource Officer Impact Study on Students With Disabilities***

A new law requires the Board of Regents for Higher Education to select a higher education institution to (1) study school resources officers' role and impact on students with disabilities and (2) report its findings to the Judiciary Committee by December 1, 2022. Among other things, the study must develop metrics for assessing the officers' efficacy, particularly in the context of interacting with students with disabilities, and detail the funding mechanisms for employing these officers ([PA 22-114](#), § 3, effective upon passage).

## ***Unified School District # 1 Study***

A new law requires DOC, in consultation with the State Department of Education (SDE), to study how Unified School District #1 (USD #1), the school district within DOC that serves inmates, is funded and how that funding compares to that of other school districts. By January 1, 2023, DOC must submit a report on its findings and recommendations, if any, to the Appropriations and Education committees ([PA 22-80](#), § 30, effective upon passage).

## ***Working Group on Criminalizing Coercion and Inducement***

A new law establishes a 10-member working group to (1) examine and develop recommendations on potential legislation to criminalize acts of coercion and inducement as described under federal law and (2) report its recommendations to the Judiciary Committee by January 15, 2023 ([PA 22-118](#), § 216, effective upon passage).

## **Victim Rights and Services**

### ***Address Confidentiality Program***

By law, the address confidentiality program, administered by the secretary of the state, allows certain victims (e.g., domestic violence and sexual assault victims) to receive a substitute mailing address to keep their residential address confidential due to safety concerns. A new law expands the program by allowing the following individuals to participate:

1. victims of 1st or 2nd degree kidnapping, 1st or 2nd degree kidnapping with a firearm, or human trafficking;
2. victims of child abuse that was substantiated by DCF and the basis of a restraining or civil protection order; and
3. children who are the subject of petitions to terminate parental rights granted by the court ([PA 22-87](#), § 9-11, effective July 1, 2022).

### ***Erased Records' Disclosure to Victims***

Existing law allows certain individuals and entities to disclose to a crime victim or the victim's legal representative that his or her case was dismissed. Under the law, if the disclosure contains information from erased records, then the defendant's identity must not be released except to the crime victim or the victim's representative upon written application to the court.

Under prior law, the victim's written application to the court must state (1) that a civil action for loss or damage resulting from the criminal act has begun or (2) the intent to bring that action. A new law allows the victim or his or her representative to also access these records if (1) a civil action to

enforce a financial restitution order has begun or (2) he or she intends to bring that action ([PA 22-26](#), § 35, effective January 1, 2023).

### ***Mandated Reporters***

The law generally imposes a legal responsibility on a specified class of “mandated reporters” (e.g., doctors, social workers, and school employees) to report to the appropriate authorities any reasonable suspicion or belief that a child is being abused or neglected. During this session, the legislature expanded the list of mandated reporters to include paid youth camp staff members age 21 or older. Paid youth camp directors and paid assistant directors are already mandated reporters ([PA 22-87](#), § 4, effective October 1, 2022).

### ***Student Sexual Assault and Abuse Risk Assessment***

A new law creates a mechanism to assess the risk of students becoming victims of sexual assault or abuse by adults. It does so by requiring DPH, starting with the 2022-23 school year, to biennially administer the Connecticut School Health Survey to randomly selected high schools, so long as DPH receives funding for the survey from the Centers for Disease Control ([PA 22-87](#), §§ 1 & 2, effective July 1, 2022).

## **Miscellaneous**

### ***Private Investigator Registration Applicants***

A new law sets conditions under which private detectives and private detective agencies may employ private investigator registration applicants to perform private investigator duties while their registrations are pending with the DESPP commissioner. Under prior law, state regulations required private detectives and private detective agencies to use DESPP-registered employees to fulfill employment contracts with clients ([PA 22-130](#), § 1, effective upon passage).

### ***Procedures for 9-1-1 Calls***

Under a new law, DESPP must collaborate with specified state agencies to develop a plan for incorporating mental and behavioral health and substance abuse disorder diversion into the procedures used by public safety answering points (PSAPs) to dispatch emergency services in response to 9-1-1 calls. By January 1, 2023, the commissioner must report to legislative committees on the plan’s development, implementation recommendations, and timeline ([PA 22-47](#), § 26, effective upon passage).

### ***Security Officer License Applicants***

New legislation eliminates a condition under which security services may employ security officer license applicants to perform security officer duties while their applications are pending with the DESPP commissioner. Specifically, the act eliminates the requirement that the applicant work under the direct on-site supervision of a security officer with at least one year of experience in that role ([PA 22-130](#), § 2, effective upon passage).

### ***Statewide Emergency Service Telecommunications Plan***

By law, DESPP's Division of Statewide Emergency Telecommunications, in cooperation with the Public Utilities Regulatory Authority, must develop a statewide emergency service telecommunications plan. This plan must identify certain systems needed to provide coordinated emergency service telecommunications to all state residents, including people with physical disabilities. A new law specifies that the plan must also address residents who need mental health, behavioral health, or substance use disorder services ([PA 22-47](#), § 22, effective October 1, 2022).

### ***Statewide Sexual Abuse and Assault Awareness and Prevention Program***

By law, DCF, in collaboration with SDE and the Connecticut Alliance to End Sexual Violence or a similar entity, must identify or develop a statewide sexual abuse and assault awareness and prevention program for use by boards of education. A new law delays the deadline for DCF to develop the program until July 1, 2023, and correspondingly delays the deadline for school boards to implement the program until the 2023-24 school year. Under the new law, the instructional modules must be available to all school employees, not only teachers ([PA 22-87](#), § 6, effective July 1, 2022).

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