



General Assembly

Amendment

January Session, 2025

LCO No. 9384



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. HARDING, 30th Dist.

To: Subst. House Bill No. **7259**

File No. 953

Cal. No. 535

(As Amended)

***"AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES
CONCERNING CRIMINAL JUSTICE."***

1 Strike section 4 in its entirety and insert the following in lieu thereof:

2 "Sec. 4. Section 54-192h of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2025*):

4 (a) For the purposes of this section:

5 [(1) "Administrative warrant" means a warrant, notice to appear,
6 removal order or warrant of deportation issued by an agent of a federal
7 agency charged with the enforcement of immigration laws or the
8 security of the borders, including ICE and the United States Customs
9 and Border Protection, but does not include a warrant issued or signed
10 by a judicial officer.

11 (2)] (1) "Civil immigration detainer" means a request from a federal

12 immigration authority to a local or state law enforcement agency for a
13 purpose including, but not limited to:

14 (A) Detaining an individual suspected of violating a federal
15 immigration law or who has been issued a final order of removal;

16 (B) Facilitating the (i) arrest of an individual by a federal immigration
17 authority, or (ii) transfer of an individual to the custody of a federal
18 immigration authority;

19 (C) Providing notification of the release date and time of an
20 individual in custody; and

21 (D) Notifying a law enforcement officer, through DHS Form I-247A,
22 or any other form used by the United States Department of Homeland
23 Security or any successor agency thereto, of the federal immigration
24 authority's intent to take custody of an individual;

25 [(3) "Confidential information" means any information obtained and
26 maintained by a law enforcement agency relating to (A) an individual's
27 (i) sexual orientation, or (ii) status as a victim of domestic violence or
28 sexual assault, (B) whether such individual is a (i) crime witness, or (ii)
29 recipient of public assistance, or (C) an individual's income tax or other
30 financial records, including, but not limited to, Social Security numbers;]

31 [(4)] (2) "Federal immigration authority" means any officer, employee
32 or other person otherwise paid by or acting as an agent of ICE or any
33 division thereof or any officer, employee or other person otherwise paid
34 by or acting as an agent of the United States Department of Homeland
35 Security or any successor agency thereto who is charged with
36 enforcement of the civil provisions of the Immigration and Nationality
37 Act;

38 [(5)] (3) "ICE" means United States Immigration and Customs
39 Enforcement or any successor agency thereto; and

40 [(6) "ICE access" means any of the following actions taken by a law

41 enforcement officer with respect to an individual who is stopped by a
42 law enforcement officer with or without the individual's consent,
43 arrested, detained or otherwise under the control of a law enforcement
44 official or agency:

45 (A) Responding to a civil immigration detainer or request for
46 notification pursuant to subparagraph (B) of this subdivision
47 concerning such individual;

48 (B) Providing notification to a federal immigration authority that
49 such individual is being or will be released at a certain date and time
50 through data sharing or otherwise;

51 (C) Providing a federal immigration authority nonpublicly available
52 information concerning such individual regarding release date or time,
53 home address or work address, whether obtained through a computer
54 database or otherwise;

55 (D) Allowing a federal immigration authority to interview such
56 individual under the control of the law enforcement agency;

57 (E) Allowing a federal immigration authority to use a facility or
58 resources in the control of a law enforcement agency to conduct
59 interviews, administrative proceedings or other immigration
60 enforcement activities concerning such individual; or

61 (F) Providing a federal immigration authority information regarding
62 dates and times of probation or parole supervision or any other
63 information related to such individual's compliance with the terms of
64 probation or parole;

65 "ICE access" does not include submission by a law enforcement
66 officer of fingerprints to the Automated Fingerprints Identification
67 system of an arrested individual or the accessing of information from
68 the National Crime Information Center by a law enforcement officer
69 concerning an arrested individual;

70 (7) "Judicial officer" means any judge of the state or federal judicial
71 branches and any federal magistrate judge. "Judicial officer" does not
72 mean an immigration judge;

73 (8) "Law enforcement agency" means any agency for which a law
74 enforcement officer is an employee of or otherwise paid by or acting as
75 an agent of;]

76 [(9)] (4) "Law enforcement officer" means:

77 (A) Each officer, employee or other person otherwise paid by or
78 acting as an agent of the Department of Correction;

79 (B) Each officer, employee or other person otherwise paid by or acting
80 as an agent of a municipal police department;

81 (C) Each officer, employee or other person otherwise paid by or
82 acting as an agent of the Division of State Police within the Department
83 of Emergency Services and Public Protection; and

84 (D) Each judicial marshal, state marshal and adult probation officer.
85 [;]

86 [(10)] "Bail commissioner or intake, assessment or referral specialist"
87 means an employee of the Judicial Branch whose duties are described in
88 section 54-63d; and

89 (11) "School police or security department" means any police or
90 security department of (A) the constituent units of the state system of
91 higher education, as defined in section 10a-1, (B) a public school, or (C)
92 a local or regional school district.

93 (b) (1) No law enforcement officer, bail commissioner or intake,
94 assessment or referral specialist, or employee of a school police or
95 security department shall:

96 (A) Arrest or detain an individual pursuant to a civil immigration
97 detainer unless (i) the detainer is accompanied by a warrant issued or

98 signed by a judicial officer, (ii) the individual has been convicted of a
99 class A or B felony offense, or (iii) the individual is identified as a
100 possible match in the federal Terrorist Screening Database or similar
101 database;

102 (B) Expend or use time, money, facilities, property, equipment,
103 personnel or other resources to communicate with a federal
104 immigration authority regarding the custody status or release of an
105 individual targeted by a civil immigration detainer, except as provided
106 in subsection (e) of this section;

107 (C) Arrest or detain an individual based on an administrative
108 warrant;

109 (D) Give a federal immigration authority access to interview an
110 individual who is in the custody of a law enforcement agency unless the
111 individual (i) has been convicted of a class A or B felony offense, (ii) is
112 identified as a possible match in the federal Terrorist Screening
113 Database or similar database, or (iii) is the subject of a court order issued
114 under 8 USC 1225(d)(4)(B); or

115 (E) Perform any function of a federal immigration authority, whether
116 pursuant to 8 USC 1357(g) or any other law, regulation, agreement,
117 contract or policy, whether formal or informal.

118 (2) The provisions of this subsection shall not prohibit submission by
119 a law enforcement officer of fingerprints to the Automated Fingerprints
120 Identification system of an arrested individual or the accessing of
121 information from the National Crime Information Center by a law
122 enforcement officer concerning an arrested individual.

123 (c) Prior to responding to a request for notification of the release date
124 and time from custody of a law enforcement agency of an individual
125 suspected of violating a federal immigration law or who has been issued
126 a final order of removal, the law enforcement officer shall forward the
127 request to the head of the law enforcement agency for review.

128 (d) Any confidential information of an individual who comes into
129 contact with a law enforcement officer may be disclosed to a federal
130 immigration authority only if such disclosure is:

131 (1) Authorized in writing by the individual to whom the information
132 pertains, or by the parent or guardian of such individual if the
133 individual is a minor or not legally competent to consent to such
134 disclosure;

135 (2) Necessary in furtherance of a criminal investigation of terrorism;
136 or

137 (3) Otherwise required by law.

138 (e) (1) Upon receiving a civil immigration detainer, a law enforcement
139 agency shall provide a copy of the detainer to the affected individual
140 who is the subject of the detainer and inform the individual whether the
141 law enforcement agency intends to comply with the detainer. If a law
142 enforcement agency provides ICE with notification that an individual is
143 being, or will be released on a certain date, the law enforcement agency
144 shall promptly provide to the individual and to the individual's attorney
145 or shall make a good faith effort to contact one other individual who the
146 individual may designate, a copy of such notification as well as the
147 reason, in writing, that such law enforcement agency is complying with
148 the detainer.

149 (2) All records relating to ICE access maintained by law enforcement
150 agencies shall be deemed public records under the Freedom of
151 Information Act, as defined in section 1-200. Records relating to ICE
152 access include, but are not limited to, data maintained by the law
153 enforcement agency regarding the number and demographic data of
154 individuals to whom the agency has provided ICE access, the date ICE
155 access was provided to an individual, the type of ICE access provided
156 to an individual, the amount of resources expended on providing ICE
157 access and any communication between the law enforcement agency
158 and any federal immigration authority. No provision of this section

159 shall be construed to require disclosure of any record exempt from
160 disclosure under section 1-210 or 1-215.

161 (3) Beginning January 1, 2020, the legislative body of any
162 municipality with a law enforcement agency that has provided ICE
163 access to an individual during the prior six months shall provide to the
164 Office of Policy and Management, on an ongoing basis every six months,
165 data regarding the number and demographic data of individuals to
166 whom the law enforcement agency has provided ICE access, the date
167 ICE access was provided to an individual and whether the ICE access
168 was provided as part of compliance with a civil immigration detainer or
169 through other means. Data may be provided in the form of statistics or,
170 if statistics are not maintained, as individual records, provided
171 personally identifiable information is redacted.

172 (f) The Office of Policy and Management shall ensure that the
173 requirements of this section are disseminated to, and appropriate
174 training is provided for, all affected law enforcement agencies and
175 school police or security departments and employees and agents of such
176 law enforcement agencies and school police or security departments.
177 Such training may entail how law enforcement officers and other
178 officials performing similar duties will adhere to the provisions of this
179 section and how they will interact with crime victims, criminal suspects
180 and individuals cooperating with law enforcement officers.

181 (g) No provision of this section shall be construed to provide, expand
182 or ratify the legal authority of any law enforcement agency to detain an
183 individual based on a civil immigration detainer request.]

184 (b) Each law enforcement officer who receives a civil immigration
185 detainer with respect to an individual who is in the custody of the law
186 enforcement officer shall detain such individual pursuant to such civil
187 immigration detainer. Such law enforcement officer shall notify a
188 federal immigration authority within two days of releasing any such
189 individual who matriculates through the justice system."

190 Strike section 6 in its entirety and renumber the remaining sections
191 and internal references accordingly