



General Assembly

Amendment

January Session, 2025

LCO No. 8628



Offered by:

REP. FISHBEIN, 90th Dist.

REP. HOWARD, 43rd Dist.

To: Subst. House Bill No. 7259

File No. 808

Cal. No. 508

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 54-192h of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2025*):

5 (a) For the purposes of this section:

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

12 (2) "Civil immigration detainer" means a request from a federal
13 immigration authority to a local or state law enforcement agency for a

14 purpose including, but not limited to:

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

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

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

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

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

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

39 (5) "ICE" means United States Immigration and Customs
40 Enforcement or any successor agency thereto;

41 (6) "ICE access" means any of the following actions taken by a law
42 enforcement officer with respect to an individual who is stopped by a

43 law enforcement officer with or without the individual's consent,
44 arrested, detained or otherwise under the control of a law enforcement
45 official or agency:

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

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

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

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

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

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

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

71 (7) "Judicial officer" means any judge of the state or federal judicial

72 branches and any federal magistrate judge. "Judicial officer" does not
73 mean an immigration judge;

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

77 (9) "Law enforcement officer" means:

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

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

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

85 (D) Each judicial marshal, state marshal and adult probation officer;

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] Except as provided in subdivision (2) of this subsection,
97 arrest or detain an individual pursuant to a civil immigration detainer;
98 [unless (i) the detainer is accompanied by a warrant issued or signed by
99 a judicial officer, (ii) the individual has been convicted of a class A or B

100 felony offense, or (iii) the individual is identified as a possible match in
101 the federal Terrorist Screening Database or similar 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 in a case
106 where the individual has been charged, after a finding of probable
107 cause, with a class A, B or C felony offense or a family violence crime
108 pursuant to section 46b-38h, or as provided in subsection (e) of this
109 section;

110 (C) Arrest or detain an individual based on an administrative
111 warrant, unless such individual has been charged, after a finding of
112 probable cause, with a class A, B or C felony offense or a family violence
113 crime pursuant to section 46b-38h;

114 (D) Give a federal immigration authority access to interview an
115 individual who is in the custody of a law enforcement agency unless the
116 individual (i) has been [convicted of] charged with, after a finding of
117 probable cause, a class A, [or] B or C felony offense or a family violence
118 crime pursuant to section 46b-38h, (ii) is identified as a possible match
119 in the federal Terrorist Screening Database or similar database, or (iii) is
120 the subject of a court order issued under 8 USC 1225(d)(4)(B); or

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

124 (2) A law enforcement officer or bail commissioner may detain, for a
125 period not to exceed forty-eight hours, an individual pursuant to a civil
126 immigration detainer if:

127 (A) The detainer is accompanied by a warrant issued or signed by a
128 judicial officer;

129 (B) The individual has been charged, after a finding of probable

130 cause, with a class A, B or C felony offense or a family violence crime
131 pursuant to section 46b-38h; or

132 (C) The individual is identified as a possible match in the federal
133 Terrorist Screening Database or similar database.

134 (3) The provisions of this subsection shall not prohibit submission by
135 a law enforcement officer of fingerprints to the Automated Fingerprints
136 Identification system of an arrested individual or the accessing of
137 information from the National Crime Information Center by a law
138 enforcement officer concerning an arrested individual.

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

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

147 (1) Authorized in writing by the individual to whom the information
148 pertains, or by the parent or guardian of such individual if the
149 individual is a minor or not legally competent to consent to such
150 disclosure;

151 (2) Necessary in furtherance of a criminal investigation of terrorism;
152 or

153 (3) Otherwise required by law.

154 (e) (1) Upon receiving a civil immigration detainer, a law enforcement
155 agency shall provide a copy of the detainer to the affected individual
156 who is the subject of the detainer and inform the individual whether the
157 law enforcement agency intends to comply with the detainer. If a law
158 enforcement agency provides ICE with notification that an individual is

159 being, or will be released on a certain date, the law enforcement agency
160 shall promptly provide to the individual and to the individual's attorney
161 or shall make a good faith effort to contact one other individual who the
162 individual may designate, a copy of such notification as well as the
163 reason, in writing, that such law enforcement agency is complying with
164 the detainer.

165 (2) All records relating to ICE access maintained by law enforcement
166 agencies shall be deemed public records under the Freedom of
167 Information Act, as defined in section 1-200. Records relating to ICE
168 access include, but are not limited to, data maintained by the law
169 enforcement agency regarding the number and demographic data of
170 individuals to whom the agency has provided ICE access, the date ICE
171 access was provided to an individual, the type of ICE access provided
172 to an individual, the amount of resources expended on providing ICE
173 access and any communication between the law enforcement agency
174 and any federal immigration authority. No provision of this section
175 shall be construed to require disclosure of any record exempt from
176 disclosure under section 1-210 or 1-215.

177 (3) Beginning January 1, 2020, the legislative body of any
178 municipality with a law enforcement agency that has provided ICE
179 access to an individual during the prior six months shall provide to the
180 Office of Policy and Management, on an ongoing basis every six months,
181 data regarding the number and demographic data of individuals to
182 whom the law enforcement agency has provided ICE access, the date
183 ICE access was provided to an individual and whether the ICE access
184 was provided as part of compliance with a civil immigration detainer or
185 through other means. Data may be provided in the form of statistics or,
186 if statistics are not maintained, as individual records, provided
187 personally identifiable information is redacted.

188 (f) The Office of Policy and Management shall ensure that the
189 requirements of this section are disseminated to, and appropriate
190 training is provided for, all affected law enforcement agencies and
191 school police or security departments and employees and agents of such

192 law enforcement agencies and school police or security departments.
 193 Such training may entail how law enforcement officers and other
 194 officials performing similar duties will adhere to the provisions of this
 195 section and how they will interact with crime victims, criminal suspects
 196 and individuals cooperating with law enforcement officers.

197 (g) No provision of this section shall be construed to provide, expand
 198 or ratify the legal authority of any law enforcement agency to detain an
 199 individual based on a civil immigration detainer request, except in a
 200 case where the individual has been charged, after a finding of probable
 201 cause, with a class A, B or C felony offense or a family violence crime
 202 pursuant to section 46b-38h."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2025	54-192h