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EXECUTIVE SUMMARY

In addition to laws, regulations and accreditation, use of force by members of the Simsbury Police Department is governed by Department directives. Four current Department directives and practices were examined for clarity, consistency, representation of contemporary policing needs and philosophy. Training opportunities were reviewed for intent, value and support. This analysis also looked at the use of force by the Department over the last five years, including complaints about use of force.

Current directives and practice may benefit from the addition of some contemporary terminology, topics, explicit requirements, and a restructure of the format of the directives. New formatting and additional content exists in new draft directives that have evolved over the last few years, but the new directives are still in draft form. They are not in effect nor are these draft directives included in this analysis.

A look at the overall Department use of force for the last five years showed a very low number of use of force incidents each year. Much of the force was used to control a combative person or physically resistant person who needed to be evaluated at a hospital for a mental health crisis (70% of incidents that required use of force).

Historically, complaints about excessive force have been extremely low. There were two complaints in the last five (5) years, both were fully investigated. One investigation (2015) determined by a preponderance of the evidence that the misconduct or malfeasance complained of did not occur. The individual involved in the second investigation (2016) did not want an investigation. The Department did investigate, but could not determine whether or not the actions occurred.

A temporary Department directive (D.D. 20-02) was issued in June 2020 to meet recently changed mandatory statewide standards through Compliance to Law Enforcement Standards and Practices (CLESP) Program. The standards addressed the use of force in regards to de-escalation, chokeholds, and a duty to intervene. Many of the new requirements were in practice, but not explicit in any current Department directive.

There will be a statewide policy on the use of force that each police department will have to adopt. This Department will adopt the policy as required and incorporate any additional accreditation and community standards, as well as guidelines, expectations, requirements, parameters for decision-making, values and responsibilities.
CURRENT USE OF FORCE POLICIES/PROCEDURES

Federal and State of Connecticut law, State policy and regulation, and Simsbury Police Department policy and procedure govern the use of force by sworn members of this police department. Currently, there are four (4) Department policies and procedures that directly guide and regulate use of force. The Department has other policies, procedures, and directives that also guide and regulate the use of force indirectly. In addition, instruction and training (practice) guide and regulate department use of force. The four (4) current Department policies and procedures that directly guide and regulate use of force are:

1. General Order 1-2 Use of Force
This policy provides general guidelines and communicates the values, philosophy, and culture surrounding expectations and use of force. It does so by providing key definitions of relevant terminology; a broad description of a progressive use of force model or matrix; restrictions; specific types of authorized weapons; and requirements for training, post-use of force medical assistance, procedures, and reporting, and convening a firearms review board. This policy was originally issued in 2002 and numerous amendments were made since, primarily to incorporate changes to the law, regulations, accreditation standards, or equipment. This is a current directive, not a draft or proposed directive.

2. Operational Procedure 4-1d Less Lethal Munitions (Attachment 2)
This directive establishes procedures for the safe and proper carry, use, and deployment of authorized less-lethal munitions (bean bag round) as an option for controlling violent or potentially violent subjects (violence toward self or others). The directive describes the authorized equipment; requirements for training, post-use, and reporting; deployment considerations and procedures (including impact areas of the body) and restrictions. It was issued in 2017. This is a current directive, not a draft or proposed directive.

3. Operational Procedure 4-1e Conducted Electronic Weapon-Taser (Attachment 3)
This directive establishes procedures for use of the authorized conducted electrical weapon (hereafter referred to as Taser). The directive provides state statutes that authorize police to carry weapons and to use force. It defines relevant terminology and describes authorized equipment, wearing and deployment of the Taser, and requirements for training, medical attention and reporting. The original directive was General Order 1-3 and it was issued in 2015. It was amended and changed to the current directive and issued in 2017. This directive follows an established statewide policy on the use of a Taser, pursuant to Connecticut Police Officer Standards and Training Council (POSTC) General Notice 14-02 (Attachment 3a). This is a current directive, not a draft or proposed directive.

4. Operational Procedure 41-1f Pursuit (Attachment 4)
This directive establishes procedures in accordance with the Police Officer Standards and Training Council Pursuit Motor Vehicle Pursuit Policy (Uniform Statewide Pursuit Policy). The directive provides definitions and a variety of procedures that include the use of firearms and forcing a vehicle to stop, as well as training and reporting requirements. This directive was established in 2003 and has been amended numerous times. It follows the most recent POSTC statewide policy,
under POSTC General Notice 19-04 (Attachment 4a), pursuant to a requirement of C.G.S.14-283a. This is a current directive, not a draft or proposed directive.

POSTC Revision to CLESP Standard #16
The Connecticut Compliance to Law Enforcement Standards and Practices (CLESP) Program are minimum standards and practices developed by POSTC, based upon standards established by the International Association of Chiefs of Police and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) that each law enforcement unit in CT shall adopt and maintain, pursuant to Public Act 18-161. Standard #16 became effective on September 7, 2018 and required:

16. The agency to have a policy concerning the use of force including deadly force which is in compliance with current law, and includes the following provisions:
   a) A listing of the lethal and less lethal weapons authorized by the agency; and
   b) A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons; and
   c) Describes the initial training and in-service training requirements for all weapons.

On June 11, 2020 POSTC held a special meeting to modify and adopt changes to CLESP Standard #16 to include a policy that must explicitly address a law enforcement officer’s duty to intervene and report unreasonable, excessive, and/or illegal use of force with a series of specific requirements. General Notice 20-04 (Attachment 5) was distributed by POSTC to police departments and I issued Department Directive 20- 02 (Attachment 5a) on June 30, 2020 to maintain compliance with CLESP. The Department Directive is temporary to provide the same guidance, direction, requirement, etc. of a policy or procedure, but it is not permanent. It is temporary until a new policy or procedure is in place. Department Directive 20-02 follows:

PURPOSE

The Connecticut Police Officer Standards and Training Council (POSTC) modified and adopted changes to the Compliance to Law Enforcement Standards and Practices (CLESP) program, minimum standards and practices that each law enforcement agency in Connecticut shall adopt and maintain. Specifically, CLESP standard #16 was modified and adopted on June 12, 2020 and dispersed to law enforcement agencies through General Notice 20-04. The standard, as well as this directive addresses the prohibition of neck restraints/chokeholds, the duty to intervene and report unreasonable, excessive, and/or illegal use of force and de-escalation/calming strategies.

POLICY

It is the policy of the Simsbury Police Department to meet or exceed the Commission on Accreditation of Law Enforcement Agencies (CALEA) standards, State of CT Accreditation standards and CT CLESP standards and to comply with state and federal law. Elements of this directive will be incorporated into General Order 1-2 Use of Force upon approval from the Simsbury Police Commission and/or other department orders/procedures.

CLESP Standard#16 reads (June 12, 2020),

The agency has a policy concerning the use of force including deadly force that complies with current state and federal law. The use of force policy must explicitly address a law enforcement officer’s duty to intervene and report unreasonable, excessive, and/or illegal use of force. The policy shall include the following provisions:

a) A guideline, use of force response matrix or other continuum where an individual/suspect/offender’s actions dictate responsive use of force levels;

D.D. 20-02
CLESP #16 – Use of Force
b) A requirement that officers deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force when feasible;

c) A prohibition against the intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to, (1). Arm bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object is prohibited. The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.

d) A listing of the lethal and less lethal weapons authorized by the agency;

e) A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons;

f) Describes the initial training and in-service training requirements for all weapons;

ghome that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency’s use of force policy and/or a violation of state of federal statute (illegal), shall contact a supervisor as soon as practical;

h) A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;

i) A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and

j) A prohibition against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.

PROCEDURE

The existing use of force policy (General Order 1-2) currently provides a guideline or use of force matrix where an individual/suspect/offender’s actions dictate responsive use of force levels. There is currently a pending revision of General Order 1-2.

Members of the Department will continue to deploy de-escalation/calming strategies when feasible and/or verbal warnings prior to the use of force when feasible. These have been staples in both our training and practice. This CLESP standard requirement is included in a pending revision of General Order 1-2.

Current use of force policy lists the lethal and less lethal weapons authorized by the agency and mandates that officers receive and are trained in policy prior to carrying any lethal or less lethal weapon. The initial training and in-service training requirement for all weapons will be expanded in the pending revision of the order(s) to provide a better description.
Effective Immediately,

a) Officers are required to deploy de-escalation/calming strategies and or/verbal warnings prior to the use of force when feasible.

b) It is prohibited for a sworn member to intentionally use a chokehold or other method of restraint applied to the neck area of another person, including but not limited to,
   (1) Arm bar hold,
   (2) Carotid artery hold,
   (3) Lateral vascular neck restraint,
   (4) Neck restraint or hold with a knee or other object is prohibited.

The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.

c) Any sworn member who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency’s use of force policy and/or a violation of state of federal statute (illegal), shall contact a supervisor as soon as practical;

d) A sworn member will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;

e) A sworn member who has knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and

f) There shall be no retaliation against any sworn member that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.

D.D. 20-02
CLESP #16 – Use of Force
National (CALEA) and State of Connecticut Accreditation and External Reviews

The Commission on Accreditation for Law Enforcement Agencies (CALEA) is a credentialing authority that was established in 1979 by the nation’s leading law enforcement executive associations (International Association of Chiefs of Police, National Organization of Black Law Enforcement Executives, National Sheriff’s Association, and the Police Executive Research Forum). CALEA designates a chapter of requirements or standards relating to the use of force that the Department has to meet in order to achieve or maintain national accreditation. The standards require the Department to address topics such as reasonable force, deadly force, warning shots, less lethal weapons, rendering aid, reporting use of force, administrative reviews, and annual analyses, training, etc. This Department has been in the CALEA accreditation process since 2008. Through 2016, our policies and practices were reviewed annually by CALEA assessors. Since 2016, CALEA changed the assessor review process, and certain policies, such as use of force, are reviewed by an assessor twice in a four (4) year period. The Department is also accredited through the State of CT (since 2003). The State of CT accreditation program does not regularly review our policies for use of force because we meet the CALEA standards. As preparation for CALEA assessments, accreditation teams from other CALEA agencies in Connecticut review our policies through a mock assessment.

Internal Reviews and Training of Policies

Newly hired officers are required to understand each policy relating to use of force prior to the issuance of relevant equipment/tools. The temporary exception to the rule is while under instruction and strict supervision during the police academy.

General Order 1-2 Use of Force (G.O. 1-2) is reviewed by functions of the Department several times each year. Two examples of function review are accreditation and training. The accreditation team reviews each policy annually for national and/or state accreditation compliance. Department use of force instructors review and instruct on the policy multiple times each year for training, instruction, and preparing for such (e.g. for use of pepper spray, baton, and firearms). In addition, each sworn member of the Department is required to review G.O. 1-2 at least once each year during firearms training. The reality is that each sworn member reviews the policy several times each year due to various opportunities.

Operational Procedures 4-1e (Taser) and 41-1f (Pursuit) are reviewed by sworn personnel and trained on at least annually. That training consists of a review of the current legal case law on the topic, review of the reporting requirements for Department and State required forms, review of techniques and responsibilities of each topic. In addition, live role playing exercises are performed using the Taser that cause officers to utilize de-escalation techniques and various verbalization skills to diffuse live, in person scenarios.

Operational Procedure 4-1d Less Lethal Munitions is reviewed and trained on at least every two years.
TRAINING

Department General Orders and Operational Procedures are reviewed and used for training regularly. They communicate an organization’s values, philosophy, and culture. They provide general guidelines, expectations, requirements, parameters for decision-making, as well as instructions, processes and responsibilities. This includes de-escalation, a use of force matrix, notification and reporting requirements, alternatives and options, warnings, communication, etc. These policies and procedures (values, guidelines, parameters for instruction, requirements, etc.) are integrated into each of our training opportunities that have the potential for a response to aggression or resistance. The following are some of the relevant training opportunities:

1. **Response to Aggression/Resistance (Use of Force)**
   For the last five years, sworn members annually participate in a two-day use of force training within the department. This training includes opportunities to practice skills and demonstrate proficiencies at different speeds, under varying conditions, situations and scenarios that involve role playing, de-escalation, decision-making and various stress levels. The practical exercises involve technical skills with a handgun, patrol rifle, Taser, oleoresin capsicum spray (pepper spray), less lethal shotgun with bean bag rounds, and the baton. It includes communication skills and techniques for compliance, including clear, concise, and effective direction and verbal de-escalation. Use of the environment (distance, time, concealment, and cover), distraction, and aggression avoidance techniques are instructed and practiced. In addition to the practical aspect of the training, instruction and training on policy, procedure and law are incorporated by discussion, demonstration, video, reading, case law and examples. The Department has five (5) use of force instructors, who together along with the training sergeant prepare and instruct sworn members during the annual two-day training, when a need is identified, or during additional opportunities for training.

   Sworn members, excluding the command staff, attend annual in-service training hosted by the West Hartford Police Department. In this annual four (4) day, regional training opportunity, sworn members receive opportunities for practical skills with the handgun and patrol rifle (which includes state qualification, decision-based scenarios and techniques). Specifically, handcuffing, decision shooting, de-escalation, active shooter/threat, and officer involved shooting training.

   During these annual trainings, each sworn member (absent the command staff) participates in a minimum of six (6) hours handgun training, six (6) hours of patrol rifle training, two (2) hours of Taser training, one (1) hour of pepper spray training and one (1) hour of baton training. Each of those same members participates in at least two (2) hours of less lethal munitions training every other year. Command staff (Chief and Lieutenants) participates in at least the mandatory minimum requirements for maintaining police certification through POSTC and certification/proficiency with certain force options (e.g. pepper spray), but they each normally exceed those minimum requirements significantly. All of these trainings incorporate the same major components as described in our annual two-day use of force training, policy and procedure (to include law), practical situations (to include scenarios and decision making) and de-escalation techniques.
2. **Handcuffs/Mechanical Restraints**

   Handcuffs are used to safely restrain an individual to minimize harm to others or oneself and to prevent the escape of a detainee or person in custody. They are intended to be used temporarily. Training in the proper use of handcuffs begins at the police academy and has historically reoccurred on an irregular frequency through classes off-site or through Department instructors. In 2019, we implemented annual training for each member through a Department instructor. This does not simply include safe application and removal of handcuffs, but techniques are also instructed and demonstrated to obtain compliance through de-escalation where applicable. It also includes reasonable care for the person in handcuffs to prevent injury. Instruction is provided during this training to prevent positional asphyxia (inadequate breathing due to restraint or compression) and recognition and treatment of excited delirium (life-threatening heart arrhythmias often associated with stimulant use or psychiatric disorders). Positional asphyxia and excited delirium are also part of the curriculum for annual Department holding facility training, annual emergency medical responder (EMR) training, and other trainings.

   Leg irons are used with the Department on a very limited basis. They are tools that officers can use if a prisoner has a prior history of escape or is/has been combative. However, they are most commonly used when escorting a prisoner to the hospital for a medical evaluation.

   There is not currently a directive on handcuffs.

3. **Mental Health - Crisis Intervention Team**

   Since at least 2007, the Department has sent members (sworn and non-sworn) to a week-long class called Crisis Intervention Team (CIT). The training focuses on recognition, awareness, de-escalation, problem solving, and temporary resolution strategies and resources to achieve the most successful outcome possible for a person going through a mental health crisis. The objectives include improved access to resources for the person in crisis, their family, and first responders and a reduction in use of force and injury to all. There are periodic (usually annual) training updates that CIT members attend. The Department currently has fifteen (15) CIT members, and four (4) additional members were scheduled to attend in 2020, but the pandemic has delayed this training opportunity. A directive is pending that provides department-wide guidance and procedures specific to CIT training and responses. Many members have received much abbreviated versions of the mental health crisis awareness and de-escalation techniques in a variety of training opportunities over the last fifteen (15) years.

4. **Mental Health – General**

   Department members receive a minimum of one (1) hour of mental health training annually through Department instructors, during annual in-service training (four days hosted at the West Hartford Police Department), and through numerous other trainings. Project Lifesaver is an example. This program is designed to quickly locate a person who has wandered from a caregiver (e.g. person with Alzheimer’s). Membership trains every two years on use of the equipment relating to the program and on de-escalation, communication strategies, mental health awareness, disabilities, and developmental or spectrum disorders.
5. **Law Enforcement Active Diffusion Strategies (LEADS)**

LEADS is a comprehensive instructional class that includes lectures, demonstrations, role playing, and practical scenarios designed for effective communication skills, de-escalation techniques, and physical confrontation avoidance. The course identifies ways to recognize aggressive behaviors and prevent them from escalating. It teaches active diffusion strategies and a response if de-escalation is not successful. The Department had three (3) members enrolled to become instructors in this training in the fall of 2019 (hosted by Simsbury Police), but the class was postponed due to a lack of enrollment. It was rescheduled for March 2020, but again postponed due to the COVID-19 pandemic. It is scheduled for November 2020. Once the three (3) members become instructors in LEADS, they will provide this training to the remainder of the sworn membership.

6. **Use of Force Summit**

Daigle Law Group hosts an annual three-day Use of Force Summit for law enforcement around the country. The conference presents a wide range of topics relating to use of force, but focuses on proper legal and operational standards including the development of practices and policies. Some areas include de-escalation, reporting and investigation of the use of force, developing scenario based training, and crowd management. Eight (8) members have attended the conference since 2016, and seven more members are scheduled for December 2020.

**POSTC Basic Police Academy Training**

POSTC provides the basic police training for entry level, non-certified officers. The curriculum includes classroom (e.g. law) and practical (e.g. technical skills and decision making) instruction with use of force, de-escalation, conflict management, etc.

**POSTC Re-certification Requirements (Professional Development)**

POSTC mandates a minimum number of hours of required trainings for all police officers (regardless of rank) that have to be completed every three (3) years for an officer to maintain POSTC certification. Most of the training has been in a classroom or practical environment, not virtual. The following is a list of the mandatory topics and minimum required hours to maintain POSTC certification. Officers normally receive far more training every 3 years than these requirements.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firearms (2 hours of firearms and 1 hour of use of force)</td>
<td>9</td>
</tr>
<tr>
<td>Sexual Assault Crisis</td>
<td>2</td>
</tr>
<tr>
<td>Human Relations (1 hour mental illness &amp; 1 hour fair and impartial policing)</td>
<td>3</td>
</tr>
<tr>
<td>Police and the Law (Legal update)</td>
<td>7</td>
</tr>
<tr>
<td>Patrol Procedures</td>
<td>2</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>2</td>
</tr>
<tr>
<td>Juvenile Matters</td>
<td>1</td>
</tr>
<tr>
<td>Gangs</td>
<td>1</td>
</tr>
<tr>
<td>Hate and Bias Crimes</td>
<td>1</td>
</tr>
<tr>
<td>Various Electives</td>
<td>32</td>
</tr>
</tbody>
</table>

**Total** 60 hours
Additionally, state statute requires that officers receive 2 hours of training each year in human trafficking that is not included in the POSTC requirements.

REPORTING

When force is used by a member, an incident report, the Response to Aggression or Resistance report (use of force report), and CT Electronic Defense Weapons Report and/or Pursuit Forms (if applicable) are required. Officers who witness the use of force are required to complete an incident report. All reports are reviewed by a sworn member’s immediate supervisor. Depending on the circumstances, the use of force may be investigated separately by a supervisor (sergeant or above). The criteria are not absolute, but considerations for a separate investigation are the type of force/weapon used, injuries, or special circumstances. The investigation will include statements from witnesses and evidence (e.g. video) and a memo from the investigator that will provide incident details, recommendations, corrections, a determination of policy compliance or non-compliance, etc.

Incident Report
Cumulatively, the four (4) current use of force directives require officers to complete an incident report (an electronic report that includes data and a narrative) any time physical force is applied, action is taken which results in or is alleged to have resulted in the injury of another person, and discharge of a weapon (intentional or accidental) other than for training purposes. This includes deployment (discharge or not) of a firearm or Taser. It also includes physical restraint of a person without injury and the use of handcuffs on a physically non-compliant person. This is a CALEA standard (4.2.1).

Department Response to Aggression or Resistance Report
This report is a Department form that is required and is specifically inscribed in three of the four current directives. It is not explicitly in the pursuit directive, but if force was used during a pursuit, it is necessary to complete the report under General Order 1-2. The Response to Aggression or Resistance Report is also referred to as a Use of Force Report/Form.

Electronic Defense Weapons Report
Operational Procedure 4-1e Taser requires completion of a State of CT Electronic Defense Weapons Report Form, in addition to the incident report. This complies with a state model policy for use of a Taser.

Pursuit Reporting
Operational Order 41-1f Pursuit requires completion of an incident report and a pursuit form if an officer is involved in a pursuit. The state model policy requires submission of a pursuit form to the State of CT. Supervisors are required under the pursuit directive to prepare a detailed report on any pursuit or use of any forcible stopping technique.
Notification to Supervisor
Each patrol shift is staffed by at least one patrol sergeant, who is responsible for the shift. All other officers (including detectives and sworn support staff) are assigned a supervisor for their normal assignments. All are assigned to a sergeant for their normal assignments, except for the Special Projects Officer (SPO). The SPO primarily performs accreditation work and normally reports to the accreditation manager (Administrative Lieutenant). The current use of force directives do not explicitly state that sworn personnel must notify their supervisor as soon as practical after a response to aggression or resistance event (after they use force). O.P. 4-1d Less-Lethal Munitions, O.P. 4-1e Taser and O.P. 41-1f Pursuits explicitly require the notification of a supervisor. O.P. 4-1d explicitly requires a supervisor to respond to the incident. These notification requirements will be explicit in future use of force directives.

Report to State’s Attorney
Current State law requires notification to the State’s Attorney Office if physical force by a police officer causes the death of another person or if a police officer uses deadly force. The Division of Criminal Justice will investigate the use of force, designate a state’s attorney to the investigation, and determine whether the officer’s use of force was appropriate under legal standards. These responsibilities will rest with the Office of the Inspector General (established through Public Act 20-1) in the future.

Sec. 51-277a. Investigation of the use of physical force by a peace officer that results in death of another person or use of deadly force. Reporting. (a)(1) Whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, upon another person, the Division of Criminal Justice shall cause an investigation to be made and shall have the responsibility of determining whether the use of physical force by the peace officer was appropriate under section 53a-22. The division shall request the appropriate law enforcement agency to provide such assistance as is necessary to determine the circumstances of the incident.

(2) On and after January 1, 2020, whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause a preliminary status report to be completed that shall include, but need not be limited to, (A) the name of the deceased person, (B) the gender, race, ethnicity and age of the deceased person, (C) the date, time and location of the injury causing such death, (D) the law enforcement agency involved, (E) the status on the toxicology report, if available, and (F) the death certificate, if available. The division shall complete the report and submit a copy of such report not later than five business days after the cause of the death is available in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.
(b) In causing an investigation to be made pursuant to subdivision (1) of subsection (a) of this section, the Chief State's Attorney shall, (1) as provided in section 51-281, designate a prosecutorial official from a judicial district other than the judicial district in which the incident occurred to conduct the investigation, or (2) as provided in subsection (a) of section 51-285, appoint a special assistant state's attorney or special deputy assistant state's attorney to conduct the investigation. The Chief State's Attorney shall, upon the request of such prosecutorial official or special prosecutor, appoint a special inspector or special inspectors to assist in such investigation.

(c) Upon the conclusion of the investigation of the incident, the Division of Criminal Justice shall file a report with the Chief State's Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of physical force by the peace officer was appropriate under section 53a-22, and (3) any future action to be taken by the division as a result of the incident. The Chief State's Attorney shall provide a copy of the report to the chief executive officer of the municipality in which the incident occurred and to the Commissioner of Emergency Services and Public Protection or the chief of police of such municipality, as the case may be, and shall make such report available to the public on the division's Internet web site not later than forty-eight hours after the copies are provided to the chief executive officer and the commissioner or chief of police.

Reporting to the State of Connecticut Office of Policy and Management
As of 2020, the State of CT requires each police department to create and maintain a record of incidents of use of physical force and discharge of a firearm and report the same to the Office of Policy and Management on an annual basis, pursuant to statute 7-282e. The report includes all reports from each use of force incident, summarized data compiled from the records, statistics on each use of force, the number of times force was used on a person, and any injuries suffered by person against whom force was used.

Administrative Review of Each Response to Aggression or Resistance
An administrative review of each response to aggression or resistance is completed by each member of the command staff (Lieutenants and Chief of Police). This includes a review of each report, any audio/video of the incident or other piece of evidence, as well as a recommendation from the Commander who oversees the division in which force was used. This requirement is in General Order 1-2 and a CALEA standard (4.2.2).

Annual Response to Aggression or Resistance (Use of Force) Analysis
The Administrative Commander and the Training Sergeant produce an annual analysis of use of force activities, policies and practices. This is a CALEA standard (4.2.4). It is an in-depth look at the circumstances surrounding the incident, as well as identification of any needs (e.g. training or equipment), policy or procedure revision, etc.
USE OF FORCE ANALYSIS

Each year, the Administrative Commander and the Training Sergeant compile an analysis of the Department use of force. Response to Aggression or Resistance (R.A.R.) reports and incident reports are the two main sources of information for the analysis. An R.A.R. is only completed if force is used beyond placing a hand on a person or handcuffing a compliant person. There has to be some sort of resistance or aggression.

<table>
<thead>
<tr>
<th>CALENDAR YEAR</th>
<th>TOTAL # UOF</th>
<th>HANDS</th>
<th>OC</th>
<th>TASER</th>
<th>BATON</th>
<th>FIREARM</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>10</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2016</td>
<td>14</td>
<td>11</td>
<td>0</td>
<td>1 (L)</td>
<td>0</td>
<td>1 (P)</td>
<td>1</td>
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<tr>
<td>2017</td>
<td>12</td>
<td>11</td>
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<td>2 (1L &amp; 1A)</td>
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<td>12</td>
<td>12</td>
<td>1</td>
<td>1 (DS)</td>
<td>1</td>
<td>1 (P)</td>
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<tr>
<td>2019</td>
<td>13</td>
<td>10</td>
<td>0</td>
<td>3 (1L &amp; 2CD)</td>
<td>0</td>
<td>2 (P)</td>
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</table>

Of the 13 response to aggression or resistance incidences in 2019, nine (9) of the people were considered to be in crisis (e.g. suicidal, mental health crisis or highly intoxicated due to substances). Seven (7) of the nine (9) in crisis were strictly mental health issues, while the remaining two (2) involved criminal acts as well (Causing a Public Disturbance/Breach of Peace and Crash with Evading Responsibility with Breach of Peace). Eight (8) individuals were not charged with a crime and were sent to a hospital for an emergency evaluation because they were a danger to themselves, others, or gravely disabled.

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>In Crisis</td>
<td>Hospital</td>
</tr>
<tr>
<td>Not In Crisis</td>
<td>Arrest</td>
</tr>
</tbody>
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31% 69%
38% 62%
Over the last five (5) years, 70% of incidents requiring use of force involved a person in crisis, due to mental health or high intoxication from alcohol or another substance. Almost all of the responses to aggression or resistance were with hands. Officers had to control a person by the wrist or arm because they were non-compliant or use their hands and body weight to restrain a person from harming themselves, the officer, a third person or to prevent them from fleeing.

During that same five (5) year period, 90% of the individuals were white, 7% were black and 3% were Asian. Of the 61 individuals, 95% were non-Hispanic and 67% were male. O.C. (pepper spray) was used once on a white, non-Hispanic male. The baton was used once on a white, non-Hispanic male. It was not used to strike the person, but instead to put pressure on his leg to gain compliance. A firearm was removed from the holster and pointed at a person on three occasions. During one of the occasions, it was pointed at two people. Three (3) of the four people were white, non-Hispanic males and one (1) was a white, Hispanic male.
The Taser was used seven (7) times over the last four (4) years. It was used three (3) times to aim the laser on a person only. There was no discharge or Taser contact with a person. The Taser was removed once from the holster and the arc was used to gain compliance. There was no contact with the person. The drive stun was used once during this time period (contact was made with a person without using the projectiles). On two separate occasions, the Taser cartridges were discharged at a person. Each time that the Taser was used, the person was a white, non-Hispanic male. All of the injuries associated with the use of force were minimal (abrasions, skin marks or small punctures from a Taser, bruising).

CONTEMPORARY MOVEMENT

Most recently, concerns regarding aspects of use of force have included the following: banning chokeholds/strangleholds and shooting at moving vehicles, requiring de-escalation, warning before shooting, exhausting all alternatives before shooting, a duty to intervene, a use of force continuum, and comprehensive reporting. These eight (8) areas are most often associated with the Scantwait campaign.

Chokehold and Strangleholds
Current Department directives do not ban the use of chokeholds or strangulation holds. General Order 1-2 Use of Force provides a model for the delivery of less lethal weapons and projectiles, based on the circumstances and the level of force authorized. Section G of G.O. 1-2 Use of Force provides a description and picture of areas of the body for determining contact areas for less lethal weapons (baton) and projectiles (bean bag rounds), based on potential for injury. Intentional
impact to the head and neck area will be avoided unless the use of deadly force is justified, necessary, and appropriate. Section F of O.P. 4-1d Less-Lethal Munitions provides a similar description and picture for areas of the body. “The head, throat, neck, spine and groin are not to be specifically targeted at any distance unless deadly force is authorized or the situation dictates otherwise.” It further states that “Target area with the greatest potential for serious or fatal injury consisting of the chest, spine, head, neck or throat. Only considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.” Chokeholds and strangleholds are not taught. Our policies clearly deter force to the neck area unless deadly force is justified and the most recently added Department Directive 20-02 addresses chokeholds and strangleholds specifically.

**Shooting at Moving Vehicles**

Shooting at moving vehicles has been prohibited by Department directives since at least 1998, absent very limited circumstances. The current directive that prohibits shooting at moving vehicles is General Order 1-2 Use of Force section D. Restrictions on Use of Firearms 2. Use of Force and with the exception “to protect a person from use of imminent use of deadly force and when there is no risk of injury to innocent persons.” It is also prohibited under Operational Procedure 41-1f Pursuit section E, absent certain circumstances, which reads:

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
   a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
   b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

These current directives adhere to the State of CT Model Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4 and section 14-283a of the CT General Statutes. It is the mandated minimum standard for all police pursuits in CT. This section of the Police Department directive (O.P. 41-1f) is identical to the respective section of the State Model Policy.
Require De-Escalation
De-escalation is taught in all of our training and classes that relate to the use or potential use of force, mental health and medical service, as noted in the training section of this document. Including the word or the concept of de-escalation in our directives is in the Areas For Consideration section of this document. De-escalation efforts should be required when possible.

Require Warning Before Shooting
Members are trained to provide clear and concise commands in situations that require immediate action to prevent injury. The commands may be “drop the gun”, “drop the knife”, “show me your hands”, etc. Although not explicit, these are implied warnings. Section F 5. O.P. 4-1e Taser states in part “Whenever possible, prior to a CEW (Taser) deployment, a loud, clear warning of a CEW (Taser) deployment should be made.” The law requires officers to warn a person of the intent to use deadly physical force where feasible. Members are instructed through training, but it is not in the directives. The language about warnings is addressed in the Areas For Consideration section of this document. The 8cantwait campaign advocates for a verbal warning in all situations before using deadly force.

Exhaust All Alternatives Before Shooting
The current directives do require the exhaustion of all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force, but it is written differently with like meaning. General Order 1-2 Use of Force authorizes “only the amount of force absolutely necessary”.

Duty To Intervene
From the initial basic police academy through continued professional development, members are instructed about the “duty to intervene.” Our current directives do not provide any direct language regarding the duty to intervene. It is addressed in the Areas For Consideration section of this document.

Require Use of Force Continuum
Current policy allows for “only the amount of force absolutely necessary to achieve lawful objectives in accordance with state statute.” (General Order 1-2 Use of Force). Department directives describe a progressive use of force model, the degree of which should be in direct relationship to the amount of resistance or threat. For example Section B of General Order 1-2 Use of Force reads in part:

1. Officers will use only the minimum amount of force which is necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves from harm.

2. When force is necessary, the degree of force that is employed should be in direct relationship to the amount of resistance offered or the immediate threat to the officer or others.
3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

Section C of General Order 1-2 Use of Force specifically limits the use of deadly force, permitting use under the following circumstances:

An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury or death.

There are very clear restrictions on the use of force and of each weapon in the directives. For example, Section B.3. and 5. of General Order 1-2 Use of Force states in part:

3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

The use of kinetic energy impact projectiles is considered an impact/self defense weapon when deployed to areas of the suspect’s body that are considered unlikely to cause death or serious physical injury.

The use of kinetic energy impact projectiles is considered a deadly force weapon if intentionally deployed at the head or neck.

5. The Simsbury Police Department does not authorize the use of "pain compliance" as a response to passive, non-violent demonstrators engaged in an act of civil disobedience.

Further examples include, Section F.1. and 2. of General Order 1-2 Use of Force which state in part:

1. Officers shall be trained prior to issue of OC (Oleo-Resin Capsicum) aerosol spray. OC is an intermediate weapon and should only be used after verbal persuasion has failed and the subject demonstrates aggressiveness through actions and/or words.

2. All officers shall be trained prior to issue of the ASP-F26 Expandable Baton. Areas of the body which shall not be struck are the head, neck, groin, face, spinal column, collarbone, and coccyx.

The current directives are very strict and clear and provide standards that meet the 8cantwait description about force continuum requirements:
Require Comprehensive Reporting
Our current directives require comprehensive reporting each time force is used, including pointing a firearm or Taser.

COMPLAINTS OF EXCESSIVE USE OF FORCE

In the last five years, there were two complaints of unnecessary force by an officer. One complaint was received and investigated in 2015. It was determined by a preponderance of the evidence that the misconduct or malfeasance complained of “man handling” did not occur. The complainant was a white male under arrest for a road rage incident. The second complaint was received in 2016. An officer put his hand on the shoulder area of a man he was interacting with, just prior to performing a pat frisk for weapons. Immediately after the officer put his hand on the man’s shoulder, he complied and was cooperative. A pat frisk was not necessary at that point because the officer was able to see that he was not likely carrying a weapon. The complainant was a black male, whose vehicle resembled the description of one used in a recent robbery. The officer did not complete a use of force or response to aggression/resistance report at the time, because he felt that simply putting his hand on the man’s shoulder was not force that was reportable in that manner. The complainant wanted to be sure that his concerns were documented, but he did not feel the need for an investigation. It was investigated and the investigation was unable to determine whether or not the complaint that the officer aggressively put his hand on him occurred.
AREAS FOR CONSIDERATION

The current directives described throughout this document are the existing directives. They each have slightly varying descriptions for the level of force that is authorized, even within the same directive. On the first page of General Order 1-2, the current policy allows only the amount of force absolutely necessary, while section B of the same policy allows only the minimum amount of force which is necessary and reasonable. Other current directives, O.P. 4-1d Less–Lethal Munitions and O.P. 4-1e Taser states that officers will only use the level of force that is reasonable to accomplish lawful objectives. Each directive needs consistency.

Some current directives explicitly require notifications to supervisory personnel, where other directives do not. There should be explicit notification requirements and procedures that are consistent in regards to supervisor or command staff notifications. In a future directive, there will be explicit requirements for a supervisor response to certain incidents that involve force.

The Department has conducted administrative reviews of each use of force incident for many years. Within the last few years, the Department has expanded reviews to include a force investigation based on the type of force option used, the injury or circumstances. The investigation has been assigned to a sergeant or a lieutenant. The practice of conducting a force investigation, separate from the incident, will be in a future directive. It provides for a timely and thorough investigation of all the circumstances involving the use of force, from a quality assurance and compliance perspective.

Currently, there is no directive specific to handcuffing. Although the use of handcuffs is not typically viewed as the application of force, it is very closely related. Handcuffs are used regularly with compliant and non-compliant suspects, detainees, arrestees or others that may be a harm to self or others. A handcuff directive will address when and how to use handcuffs (including leg irons), along with many of the other aspects in a force option directive (e.g. prohibitions/restrictions, reporting requirements, care and maintenance, etc.).

Two current Department directives prohibit shooting at moving vehicles, but the wording in each directive is not identical. For consistency, they should be identical. The wording in O.P. 41-1f Pursuit is identical to the state model policy. General Order 1-2 is not verbatim to the state model policy and it is much more restrictive in regards to the risk of injury to innocent persons. O.P. 41-1f and the State Model Pursuit Policy do not address the risk to innocent persons. Future directives will be consistent.

The use of de-escalation is throughout current directives, training and practice, but it is not specifically mentioned in any directive. The terminology, along with clear guidance, expectations and requirements in a directive(s) will provide some clarity and serve to strengthen current practice. The terminology will be added in a future directive(s).

Providing a warning to a person, when feasible, that force may be used against them to stop a threat or to gain compliance is the law for deadly force use, but also the practice for all types of force options. The warning may sometimes be implied based on the circumstances (actions). This practice is not in any of the directives and it will be in future directives.
New directives will explain more thoroughly the requirements, when feasible, to exhaust other reasonable alternatives prior to the use of force.

None of the current directives state that an officer has the duty to intervene and to report use of force believed to be unreasonable or excessive. The requirement to intervene has been taught to officers since the police academy, but it will be included in future directives.

The Department has been working on new draft policies and procedures that change the structure, more so than the content, of the current use of force related policies and procedures. For many years, General Order 1-2 Use of Force served as the policy and procedure for all use of force options. Every time that a law, procedure (form, notification, technology, etc.) or use of force option changed, the policy would need an update. The new draft policies and procedures (not included in this document) provide a General Order for use of force. The General Order will communicate the values, philosophy, culture, expectations, laws and accreditation standards. It will provide reporting, training and medical assistance requirements, prohibitions or restrictions (chokeholds and strangleholds), use of de-escalation, and force options based on a matrix-type system. This will provide consistency. Specific force options (e.g. o.c. spray, baton, non-weapon, etc.) will have an individual Operating Procedure that would include instructions, checklists, processes, responsibilities, notification requirements, care, storage, and maintenance.

The Connecticut Police Officer Standards and Training Council (POSTC) formed a committee on June 18, 2020 to create a statewide use of force policy. That statewide policy is pending. Bill 6004 was passed into law on July 31, 2020 and some of the sections apply to the use of force. These changes will need to be considered.

I expect that Connecticut will create a mandatory statewide policy within the next few months that each law enforcement agency will need to adopt. That policy will be shared with the Simsbury Police Commission and collectively new directives will be created that adhere to the new mandate and the expectations of this community. I expect many of the topics discussed in this document (chokeholds, duty to intervene and report, de-escalation, warnings, use of force continuum or matrix, etc.) to be in the statewide policy.

Department directives, such as use of force, will be made available to the public online.

The following pages contain some redactions pursuant to Connecticut General Statute 1-210(b). Redactions are marked with a capital X and/or the word REDACTION.
Use of Force Policy

PURPOSE

To establish policy concerning the use of force by sworn members of the Simsbury Police Department.

POLICY

It is the policy of the Simsbury Police Department to allow only the amount of force absolutely necessary to achieve lawful objectives in accordance with state statute.

DEFINITIONS

1. Non-deadly force: A degree of force which is neither intended nor likely to cause injury, which is used by an officer to control a situation or the actions or behavior of a person or persons.

2. Deadly force: A degree of force which can reasonably be expected to cause serious physical injury or death.

3. Serious physical injury: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the function of any bodily member or organ.

4. Reasonable belief: When facts or circumstances the officer knows or should know are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

G.O. 1-2
Use of Force
Less lethal force philosophy: A concept of planning and force application which meets operational objectives with less potential for causing death or serious physical injury than conventional police tactics. The potential for causing death or serious physical injury with kinetic energy impact projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where the subject is struck in an area that might conceal a closed injury, including such areas as the chest, back, thoracic and abdominal cavities and the groin.

When engaging a target, the officer should evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation is the desired goal, and alternative target areas/response should be considered when rounds are not effective. Alternative target area/response considerations will be based on the circumstances the officer is encountering and the established department safety priorities.

Kinetic Energy Impact Projectiles: Sock round projectiles which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury when compared to conventional projectiles.

Conducted Electrical Weapons (CEW): The CEW (also known as an Electronic Defense Weapon or EDW) is a less than lethal weapon designed to disrupt a subject’s central nervous system by employing battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

B. PROGRESSIVE USE OF FORCE

1. Officers will use only the minimum amount of force which is necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves from harm.

2. When force is necessary, the degree of force that is employed should be in direct relationship to the amount of resistance offered or the immediate threat to the officer or others.

3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

The use of kinetic energy impact projectiles is considered an impact/self-defense weapon when deployed to areas of the suspect’s body that are considered unlikely to cause death or serious physical injury.

G.O. 1-2
Use of Force
The use of kinetic energy impact projectiles is considered a deadly force weapon if intentionally deployed at the head or neck.

4. The department acknowledges that extraordinary circumstances may compel deviation from the letter of this policy. Such situations will be judged on the reasonableness of an officer’s actions based on that specific set of circumstances.

5. The Simsbury Police Department does not authorize the use of "pain compliance" as a response to passive, non-violent demonstrators engaged in an act of civil disobedience.

C. USE OF DEADLY FORCE

1. The use of deadly physical force by officers of the Simsbury Police Department is permitted under the following circumstances:

   An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury or death.

2. A "fleeing felon" should not be presumed to pose an immediate threat to life in the absence of actions that would lead one to believe such is the case, such as a previously demonstrated threat or a wanton disregard for human life. Deadly force may only be used against a human being when the conditions in section (1), above, are present.

3. The use of deadly force is permitted to kill an animal which presents an immediate physical threat to an officer or another person, or an animal which is so badly injured that it should be euthanized from the standpoint of humaneness.

D. RESTRICTIONS ON USE OF FIREARMS

1. Warning shots are prohibited.

2. Officers will not discharge their weapons at or from a moving vehicle, except to protect a person from use or imminent use of deadly force and when there is no risk of injury to innocent persons.

3. Use of firearms is prohibited against any individual the officer knows or reasonably believes to be under sixteen years of age, except to protect any person from use or imminent use of deadly force.

G.O. 1-2
Use of Force
E. WEAPON MOUNTED LIGHT SYSTEMS

1. The Sig Sauer 229 pistol is equipped with the Streamlight TLR-1s weapon mounted light system. The Colt M4 Monolithic CQB carbine (M4) is each equipped with an Inforce WMLx weapon mounted light system.

2. The weapon mounted light systems are intended for use only in conjunction with the respective firearm and under authorized circumstances. Authorized circumstances are limited to those that may ordinarily require the use of a firearm.

3. The weapon mounted light systems are not to be detached and used as a flashlight.

4. The Sig Sauer 229 and Colt M4 Monolithic CQB carbine (M4) with weapon mounted light systems are not to be used exclusively as a light source.

F. LESS LETHAL WEAPONS

1. Officers shall be trained prior to issue of OC (Oleo-Resin Capsicum) aerosol spray. OC is an intermediate weapon and should only be used after verbal persuasion has failed and the subject demonstrates aggressiveness through actions and/or words.

2. All officers shall be trained prior to issue of the ASP-F26 Expandable Baton. Areas of the body which shall not be struck are the head, neck, groin, face, spinal column, collarbone, and coccyx.

3. Detectives and undercover assigned officers are authorized to carry the ASP-F20 Expandable Baton.

4. Kinetic energy impact projectiles (sock round):

   a. The only less lethal (sock round) ammunition authorized is that which has been approved by the Administrative Commander of the Department.

5. All officers shall be trained prior to issue of the Taser X2 Conducted Electrical Weapon (CEW). Use of the CEW shall be in accordance with General Order 4-1 Use of Conducted Electrical Weapons.

G.O. 1-2
Use of Force
G. LESS LETHAL DEPLOYMENT AREAS

Less lethal weapons and projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force authorized.

The Monadnock PR-24 training chart is the recognized department model for determining contact areas for kinetic energy impact weapons, based on potential for injury.

Green Areas — These areas will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response.

Yellow/Red Areas — These areas will be considered when an escalation of force above green (areas) is necessary and appropriate, acknowledging an increase in the potential for death or serious physical injury.

Head/Neck — Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.
MONADNOCK BATON CHART

G.O. 1-2
Use of Force
H. NON-ISSUED/PERSONAL BACK-UP FIREARMS

1. Officers are limited to carrying no more than X handguns while on-duty, one of which shall be the Department issued handgun.

2. Whenever an officer is carrying a handgun, on or off-duty on their badge, they shall be in possession of their official badge and identification card.

3. An officer using their position as a Police Officer as their authority to carry a handgun under LEOSA off-duty is only authorized by the Department to carry ammunition and handguns approved by the Chief of Police or designee. For a listing of the general preauthorized off-duty handguns and ammunition refer to the "Approved Weapons and Ammunition" listing located in the appendix.

4. Officers are responsible for any and all maintenance and upkeep cost for any personally owned handgun.

5. To obtain authorization to carry a personally owned handgun for off-duty use under their status as a sworn police officer or on-duty as a back-up weapon, an officer must comply with the following:
   a. Officers who do not possess a valid pistol permit and who elect to carry a personally owned handgun off-duty or on-duty as a back-up weapon, must qualify annually with that handgun on a Department approved course of fire.
   b. Each handgun and holster must be inspected by a Certified Firearms Instructor and the method of carry approved.
   c. Personally owned handguns and ammunition carried for off-duty and on-duty back-up purposes must be approved by the Department.
   d. The general requirement for a personally owned handgun to be approved for off-duty or on-duty back-up carry are as follows:
      1. Of good quality and manufactured by a reputable, recognized, established manufacturer of firearms with no known current safety recalls specific to the desired firearm.
      2. XXXXXXX XXXXXX REDACTED XXXX XXX XX XXXXXXX XXXX XXXX;
      3. XXXXXXX XXXXXX REDACTED XXXX XX XXXX XXXX X XXXXXX.

G.O. 1-2
Use of Force
e. The general requirements for personally owned ammunition to be approved for off-duty or on-duty back-up carry are as follows:

1. Shall be "of reputable manufacturer", "factory new", and consist of no previously used or loaded components.
2. Shall be XXXXXXXX REDACTED XXXXXXXXXXX X X X X X X X X X X X X X X X X X X X X X X X X X X X X.
3. Shall not XX XXXX REDACTED XX XXXXXXXXXXX X X XXXXXX.

f. If the handgun and/or ammunition and method of carry is approved by a Department firearms instructor and the officer has qualified with the handgun through a Department instructor, the “Request to Carry Additional Weapon” form can be submitted to the Chief of Police for review and authorization.

6. The Training Sergeant shall record and file the serial number, caliber, make and model of the handgun and the ammunition specifications of all backup and off-duty firearms.

I. SPECIAL WEAPONS

1. Patrol vehicles will be equipped with a Colt M4 Monolithic CQB carbine (M4). XXXX XXXXXXXXXXXXXXXXXXXXX REDACTED XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

2. The M4 will be secured in the appropriate locking gun mount located in the marked patrol vehicle in a “cruiser safe” configuration.

3. XXXXXXXXXXXXXXXXXXXXX REDACTED XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

4. The locking mechanism on the patrol carbine locking gun mount (as well as the sock round shotgun locking mount) will be inspected for proper function as part of the daily cruiser inspection. This inspection will be noted on the officer’s daily “Cruiser Checklist” and will be conducted in a safe location.

5. Rifles may be removed from the locking mount for inspection, care and cleaning, and for training. Each qualified officer will inspect his/her vehicle carbine rifle/sock round shotgun at the start of each shift to ensure it is in proper working order.

G.O. 1-2
Use of Force
6. Officers assigned to the patrol unit as well as the detective unit will be trained in the deployment and use of the M4 on a yearly basis.

J. OFF-DUTY WEAPONS

1. Officers are not required to carry a firearm when off duty. If an officer is off duty and not carrying a department-approved weapon, he or she is neither expected nor required to take action as a police officer. If an off-duty officer is carrying a departmental approved weapon and is within the boundaries of Simsbury, then that officer is required to act if police action is needed.

2. Officers are authorized to carry department weapons to and from work, outside the boundaries of Simsbury (Connecticut only) with proper authorization for training purposes, or when the officer is within the boundaries of the Town.

   Officers residing outside the State of Connecticut shall adhere to their home-state firearms laws and ordinances.

3. Officers shall not bring any unauthorized weapon into the confines of the department without the permission of the Chief of Police.

4. Because weapons attract children and young adults, care shall be taken to properly secure those weapons taken home in accordance with Connecticut State law as well as department rules and regulations.

5. Weapons kept at police headquarters will be secured under lock and key.

K. POST-USE OF FORCE MEDICAL ASSISTANCE

Officers shall provide and document appropriate medical assistance following any use of force. Individuals who have been subjected to OC spray shall be provided with the opportunity to rinse affected areas with cool water. Refusal of an offer of assistance shall be documented in writing.

L. REPORTING

1. Officers will complete an incident report, as well as a use of force report any time:

   a. they take action which results in, or is alleged to have resulted in, the injury or death of another person;

G.O. 1-2
Use of Force
b. they discharge any weapon other than for training or recreational purposes, whether intentional or accidental;

c. they apply force through the use of lethal or less-lethal weapons; or

d. physical force is applied.

Only an incident report is required when an animal is humanely euthanized. A use of force form is not required.

2. When possible, prior to discharge of a firearm on animal-related calls, the officer shall orally report the need to euthanize an animal to the shift supervisor. In all other cases after a firearm has been discharged, the shift supervisor should be notified as soon as possible. The officer, prior to the end of the shift during which the weapon was discharged, shall submit a written report. If the officer involved is unable to complete the report, the officer’s supervisor shall complete the report prior to the end of the shift. The report shall be submitted through the Operational Commander to the Administrative Commander and to the Chief of Police.

3. A copy of reports involving use of force shall be forwarded to the Operational Commander and the Administrative Commander for an administrative review. After review, the Operational Commander and the Administrative Commander will forward their copies with recommendations and comments to the chief of police. The Administrative Commander shall maintain a file of all such reports.

4. The Administrative Commander and the Training Sergeant shall produce an annual analysis of instances in which force was used.

M. POST-USE OF FORCE PROCEDURES

1. Any time death or serious injury results from an employee's use of force, that employee will be released from field duty by the supervisor as soon as practical. The employee shall not resume a line duty assignment until the incident has been administratively reviewed.

2. During the period of time an investigation into the incident is being conducted, the chief of police may assign the officer to internal duty. Such relief from regular duty will not be considered a suspension or disciplinary action, but is rather an administrative course of action for the purpose of relieving the officer from performance of field duty while undergoing emotional stress as a result of the incident.

3. Any officer involved in a shooting resulting in injury or death shall be advised of the following:

G.O. 1-2
Use of Force
a. his or her rights relative to criminal and internal investigations;

b. that there will be a criminal investigation;

c. that there will be a separate investigation conducted by Internal Affairs;

d. that the office of the chief state's attorney will be called as soon as is reasonably possible, pursuant to general statute 51-277a and will initiate a separate investigation;

e. that the office of the chief medical examiner shall be notified when death has occurred, pursuant to general statute 51-277a;

f. that the officer will be temporarily reassigned, and that such reassignment is not disciplinary in nature; and

g. that psychological support services are available.

4. A complete investigation shall be conducted concerning any discharge of a firearm, on or off duty, intentional or accidental. It shall consist of an on-scene investigation by the officer's immediate supervisor and, when appropriate, on-scene investigation by the unit commander or his designee.

N. FIREARMS REVIEW BOARD

Upon conclusion of the administrative investigation conducted by the internal affairs officer as designated by the Chief of Police, the Chief of Police shall convene a firearms discharge review board. The board shall consist of the Operational Commander and/or Administrative Commander, the officer's immediate supervisor at the time of the incident, and the Training Sergeant. The board will review the incident, including the internal affairs report, and determine if the discharge of the weapon was in compliance with department guidelines.

O. TRAINING AND ISSUANCE OF WEAPONS

1. Only officers who have demonstrated proficiency with department-authorized weapons are authorized to carry and use such weapons.

2. Only Department authorized ammunition shall be used on duty.

3. The Training Sergeant shall coordinate issue of new weapons, including recording the serial number of the weapon and inspection by a firearm instructor.

G.O. 1-2
Use of Force
4. Each officer authorized to carry lethal and less-lethal weapons shall receive a copy of this policy and be instructed in its contents.

5. Officers will receive training with less lethal weapons they are authorized to carry or use, at least biennially. Officers trained in the CEW shall receive training annually and be required to demonstrate proficiency with the CEW during the training. Firearms qualification shall take place at minimum twice per year, with the exception of the Chief of Police, the Administrative Commander and the Operational Commander who shall qualify once per year.

6. Weapons training shall be conducted by a certified instructor, including review of agency policy and inspection of the weapon by the instructor, inspection by a certified armorer and fully documented by the Training Sergeant.

7. If a weapon is determined to be unsafe the following process will ensue:
   a. the weapon will be removed from service immediately and placed in an evidence locker or the armory;
   b. the officer will be issued a safe, proper functioning weapon by a certified firearms instructor, certified armorer, shift supervisor, training sergeant, Administrative Commander, or the Operational Commander depending on the circumstances for the removal of the weapon;
   c. the issuing official will document the reason for the removal of the unsafe weapon as well as document the serial number, make and model of the newly issued weapon, and forward a copy of this documentation to the senior firearms instructor, training sergeant, Administrative Commander, and the Operational Commander;
   d. a certified armorer will inspect, repair if possible, or return to the manufacturer for repair or replacement any weapon determined to be unsafe. Once per year a certified department armorer will take down and clean each service weapon.

8. If an officer fails to qualify with a weapon, the following process will ensue:
   a. the officer will be given a second opportunity to qualify;
   b. if unsuccessful, the officer will be given four hours of remedial training;
   c. if unsuccessful, the officer shall be assigned to administrative responsibilities (without the firearm) and given ten days in which to practice on his/her own;

G.O. 1-2
Use of Force
d. if unsuccessful at this point, the chief of police shall review the circumstances related to the failure to qualify and make recommendations up to and including dismissal.

For specifications on Department pre-authorized/issued weapons and ammunition, see G.O. 1-2 Appendix A
Less-Lethal Munitions Policy

PURPOSE

The purpose of this directive is to establish guidelines for the safe and proper carry, use and deployment of authorized less-lethal munitions as a less-lethal method for controlling violent or potentially violent subjects.

POLICY

It shall be the policy of the Simsbury Police Department to minimize the potential for serious injury or death to the public, criminal suspects and departmental personnel by authorizing and deploying less-lethal munitions when deemed reasonably necessary to accomplish lawful objectives. Less-lethal munitions enhance public and officer safety and have proven to be an effective less-lethal alternative for taking violent offenders into custody. Officers will only use the level of force that is reasonable to accomplish lawful objectives.

A. DEFINITIONS DEFINE

1. Specialty Impact Munitions (SIMs) -- Less-lethal kinetic energy impact projectiles designed to be used at extended range which may cause temporary pain compliance or incapacitation.

B. AUTHORIZED EQUIPMENT

1. Only department issued or approved less-lethal munitions and weapons are authorized for carry, use and deployment.

O.P. 4-1d
Less-Lethal Munitions
2. Officers shall not tamper with or alter in any manner, any less-lethal devices, munitions, or weapon system.

3. Only department issued, specifically dedicated Remington 870 12 gauge weapon systems shall be used for deploying 12 gauge shotgun Specialty Impact Munitions.

4. A 12 gauge Specialty Impact Weapon system and munitions will be assigned to each patrol vehicle and available for use by authorized personnel. The SIM weapon system will be secured in the appropriate locking gun mount in the patrol vehicle interior. The SIM weapon system will be secured in this mount in a “cruiser safe” configuration. Traditional “cruiser safe” mode of carry XXXXXXXXXXXX REDACTED 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D. DEPLOYMENT CONSIDERATIONS

1. Less-lethal munitions are considered a less-lethal force control option. As is the case with all response to aggression/resistance (R.A.R.) tools and techniques, these munitions are not absolutely effective on all subjects and officers should have alternate plans in place to deal with such situations.

2. Less-lethal munitions are an alternative to "hands on" altercations and are not a substitute for appropriate deadly force. Officers are reminded of the deployment limitations and optimal range of the less-lethal munitions they are deploying. As such, the use of these munitions against armed subjects may not be appropriate. Officers should not be placed in positions of undue risk in order to use or deploy less-lethal force options.

3. Officers should consider, but are not limited to the following deployment consideration guidelines in the proper authorized use and deployment of less-lethal munitions;

   a. Against subject(s) exhibiting violent or potentially violent behavior who are threatening the safety of themselves or others and the officer's attempts to subdue the subject(s) by other force options that are not reasonable, would be ineffective, or could potentially lead to a heightened level of injury to officers or suspects.

   b. When it is deemed unsafe for an officer to approach or contact a violent or potentially violent or armed subject.

   c. Against aggressive animals who pose an immediate risk of injury to people, pets or livestock or significant damage to property.

   d. Circumstances in which other force control options appear to be more hazardous for the officer, subject, or others when attempting to gain compliance of a physically resistive violent subject.

E. GENERAL DEPLOYMENT PROCEDURES

1. Officers should only use and deploy less-lethal munitions consistent with their training, case law and department directives. Officers must adhere to established safety practices when handling and deploying department less-lethal munitions.

2. Officers should, if feasible and safe to do so, ensure all personnel at the scene are notified by radio or other means that less-lethal munitions are being deployed and may be used if time and conditions permit.

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Less-Lethal Munitions
3. Officers deploying less-lethal munitions should have a lethal force cover option immediately available to them and should remember to properly use cover and distance to ensure officer safety.

4. Officers deploying less-lethal munitions should have at least one other officer present and identified to serve as a contact officer for purposes of handcuffing and securing if the situation allows.

F. SPECIALTY IMPACT MUNITIONS (SIMs) PROCEDURES

1. Officers should, if feasible and safe to do so, verbally announce the immediate pending deployment of SIMs by verbally stating "BEAN BAG" to prepare and notify officers.

2. Officers should adhere to the recommended minimum and maximum SIMs deployment distances and human target areas as provided by their training.

3. Target Zones: The head, throat, neck, spine and groin are not to be specifically targeted at any distance unless deadly force is authorized or the situation dictates otherwise.
   a. Zone 1 -- Preferred target zone consisting of large muscle groups including buttocks, calf and thighs. Presents the least risk of injury.
   b. Zone 2 -- Medium muscle groups such as the abdominal area presenting a slightly higher risk of injury than Zone 1 target zones.
   c. Zone 3 -- Target area with the greatest potential for serious or fatal injury consisting of the chest, spine, head, neck or throat. Only considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.

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Less-Lethal Munitions
Impact Areas

- Consider the need for immediate incapacitation as well as the potential for causing injury – then balance these factors while making the point of aim decision.

- Shots to “Center Mass” provide for the highest probability of causing immediate incapacitation, but also have the potential to cause serious injury or death.

- Areas such as the head, neck, spine, and groin should be avoided if possible.

Impact Areas – ZONE 1

- Consists of large muscle groups. Where the threat level is appropriate and this zone is viable, it should be considered first
  - Buttocks
  - Thigh
  - Calf
  - The groin area should not be intentionally targeted
Impact Areas – ZONE 2

- Consists of medium muscle groups
  - Abdominal area
  - The spine & kidneys should not be intentionally targeted

Impact Areas – ZONE 3

- This zone carries the greatest potential for serious or fatal injury and should be avoided when possible. It should only be considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.
  - Chest (center mass)
  - Spine
  - Head and Neck
Impact Areas

- The shoulders and arms are primarily skeletal areas
- Because of the mobility of the shoulders and arms there is greater potential to miss and unintentionally strike another zone
- Careful consideration should be given before aiming for the shoulders or arms

4. XXXXXXXXXX
   a. XXXXXXXX REDACTED XXXXXXX XXXXXXXXXX-- XXXXXXX XXXXXXXXXX XXXXX.XXX.

5. Prior to deploying Specialty Impact Munitions, the officer should consider:
   a. Appropriate response to aggression/resistance for the exhibited level/type of threat or resistance;
   b. Distance which impacts energy, accuracy and response time;
   c. Available target areas, subject stature/condition/age and clothing involved; and
   d. Department safety priorities.
   e. Officers shall exercise safe handling procedures, equivalent to that of any other lethal firearm, when using or deploying Specialty Impact Weapons or Munitions.

O.P. 4-1d
Less-Lethal Munitions
G. RESTRICTIONS

1. Less-lethal munitions shall never be used punitively, as coercion, or as a threat in the absence of actual or threatened physical resistance or aggression.

2. Officers are prohibited from discharging their firearms as a means of warning or frightening a person.

3. Less-lethal munitions should not be deployed against handcuffed prisoners unless significant physical resistance has to be overcome and their use is reasonably necessary.

4. Officers shall not engage in unsafe practices when handling, using or deploying less-lethal munitions.

5. Generally, the head, throat, neck, spine and groin are not to be specifically targeted by SIMs at any distance unless the intent is to deliver deadly force, or the situation dictates otherwise.

6. Less-lethal munitions should not be deployed in the following circumstances unless the situation dictates otherwise:
   a. Subjects with known serious pre-existing medical conditions.
   b. Subjects known to be or who are obviously pregnant.
   c. Feeble, very old or very young subjects.
   d. Subjects of a small stature irrespective of age.
   e. Subjects in control of a moving motor vehicle.
   f. Subjects in a position of height sufficient to cause serious injury from a fall.
   g. Subjects in a position of a water hazard sufficient to cause drowning.
   h. Subjects in a threatening situation to themselves or others in which sympathetic reaction would create a substantial injury hazard.
   i. Situations involving flammable or hazardous materials/environments such as drug labs.

H. AFTER ACTION PROCEDURES

1. The supervisor will be notified and respond if possible to the scene of all pending and actual deployments of less-lethal munitions. Officers are not required to wait for the arrival of the supervisor prior to necessary deployment.

2. Officers should always perform a wellness assessment of the exposed subject for any injury or condition that may require medical attention as soon as possible after the subject is secured.
3. When less-lethal munitions are used or deployed on a subject, it is the responsibility of the officers on scene to render any needed medical aid as soon as possible after the suspect is secured.

4. Subjects exposed to less-lethal munitions should be medically checked and cleared by EMS. Any exposed subject who asks for, exhibits or otherwise is deemed in need of further medical assistance should be transported to medical facilities to allow for further medical treatment and monitoring. All subjects exposed to less-lethal munitions in a zone 3 area shall be transported by EMS to a medical facility for evaluation.

5. Officers should be cognizant of warning indicators that may be present related to potential sudden in-custody death or other medical related concerns.

6. Subjects with known pre-existing medical conditions, suffering from a drug overdose, cocaine psychosis, excited delirium, or exhibiting other in-custody death warning signs should be provided with immediate medical attention as necessary.

7. The R.A.R. incident will be investigated by supervisory personnel, documented and properly processed according to General Order 1-2 Section 9. R.A.R. Reporting.

8. Deployed munitions, casings or other physical evidence should be collected and placed into evidence. Photographs and distance measurements of all evidence and injuries should also be accomplished if possible. All injuries will be fully documented and recorded.

I. REPORTING

1. Deployment of less-lethal munitions is considered a R.A.R. and as such, falls under normal R.A.R. reporting procedures under Operational Procedure 4-1e. In addition to an incident report, the deploying officer will complete a R.A.R. report.

2. Other assisting witness officers will complete a supplemental report.

J. ISSUANCE, HANDLING, MAINTENANCE, STORAGE AND INVENTORY

1. Department less-lethal munitions and dedicated weapons shall be inspected and approved by trained personnel prior to issuance and inspected at least annually. All inspections shall be documented.

O.P. 4-1d
Less-Lethal Munitions
2. Department less-lethal devices and munitions and dedicated weapons found to be unsafe or unsatisfactory will be removed from service and repaired/replaced. They will be secured and marked out of service in the armory.

3. All less-lethal munitions should be stored separately from lethal munitions. Less-lethal munitions that have reached their expiration warranty date may be used for training purposes only.
Taser Policy

PURPOSE

To establish department policy governing the use of Conducted Electrical Weapons (CEW) by sworn members of the Simsbury Police Department and to ensure compliance with applicable state statute(s) and regulations adopted by the Police Officer Standards and Training Council.

POLICY

Officers will only use the level of force that is reasonable to accomplish lawful objectives.

A. RESPONSE TO AGGRESSION/RESISTANCE (R.A.R.) AUTHORITY

1. Per CGS 53a-22, police officers are justified in using physical force when and to the extent that they reasonably believe such to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom they reasonably believed to have committed an offense, unless they know that the arrest or custody is unauthorized; or (2) defend themselves or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

2. Officers are specifically granted the legal authority to carry weapons under C.G.C.53-206 while engaged in the pursuit of such officer’s official duties.

B. DEFINITIONS

1. Conducted Electrical Weapon: (Also referred to as an ‘Electronic Defense Weapon’ or ‘EDW’). The CEW is a less than lethal weapon designed to disrupt a subject’s central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

O.P. 4-1e
Conducted Electrical Weapon - Taser
2. Less-Than-Lethal Force: A Response to Aggression/Resistance which is not likely to cause death or serious physical injury.

3. Active Resistance: Any physical act, or failure to act, undertaken by a subject, against an officer, that could reasonably interfere with or defeat a lawful attempt by the officer to gain physical control of the subject.

4. Passive Resistance: The mere failure or refusal to cooperate with the lawful directions of a police officer by one or more unarmed, non-violent persons, such as in the case of an act of civil disobedience or a non-violent handcuffed prisoner.

5. Deployment: Does not include the mere removal of the CEW from the holster, but does include any use of a CEW against any person, including the illumination of the laser sight onto an individual.

C. AUTHORIZED EQUIPMENT

1. Only department issued CEWs are authorized for carry, use and deployment.

2. Officers shall not tamper with or alter in any manner, any CEW or cartridge.

3. Only a department issued TaserX2 CEW and Department issued Taser 25’ cartridges shall be used.

4. All sworn officers below the rank of Lieutenant and the Animal Control Officer will be assigned a Taser X2. The CEW and cartridges will be carried in the Department issued holster. When not carried, the CEW will be stored under lock and key.

D. TRAINING

1. All sworn personnel below the rank of Lieutenant and the Animal Control Officer shall be trained in the proper carry and use of the CEW.

2. All sworn personnel have access to the Department CEW and Response to Aggression/Resistance policies and receive training as to its content prior to obtaining authorization to carry a CEW. CEWs may only be deployed by sworn personnel who have demonstrated proficiency and satisfactorily completed this agency’s approved training.

O.P. 4-1e
Conducted Electrical Weapon - Taser
3. CEW training shall be conducted by a P.O.S.T.C. certified instructor and shall include: policy review, weapon inspection, written exam and demonstrated proficiency by firing a minimum of two cartridges. All training shall be fully documented by the Training Sergeant. Initial certification shall be a six-hour block with a two-hour block of yearly requalification. If the officer fails to pass qualification the following procedure shall apply:

   a. The officer will be given a second opportunity to qualify;
   
   b. If unsuccessful, the officer will be given four hours of remedial training;
   
   c. If unsuccessful at this point, the Chief of Police shall review the circumstances related to the failure to qualify and make recommendations up to and including dismissal.

E. WEARING OF THE CEW

1. The device shall be carried in an approved waist or thigh holster on the side of the body opposite the service handgun. Officers not assigned to uniformed patrol may be authorized to utilize other department-approved holsters and carry the device consistent with department training and the requirement as set out in this paragraph.

2. The device shall be carried in accordance with manufacturer’s recommendations and department training. The CEW shall be pointed in a safe direction during loading, unloading, or when handled in other than an operational deployment.

3. Officers shall inspect their CEW prior to the beginning of their assignment and any other time where necessary or appropriate to ensure all equipment is present and functioning properly. The inspections shall include a spark test and checking that the battery level is sufficient. If the battery level readout indicates 20% or less, return the CEW battery to a Sergeant for replacement. Spark tests shall be conducted in accordance with manufacturer recommendations and training, with the CEW pointed in a safe direction.

4. Officers shall carry a minimum of X cartridges in a manner consistent with manufacturer recommendations and department training. Cartridges shall be replaced according to the manufacturer’s expiration requirements.

5. Officers are not authorized to carry CEW’s off-duty and are not authorized to store CEW’s in personal vehicles unless traveling immediately to or from work.

6. Officers shall store CEW’s in such a manner as to prevent damage, theft, unauthorized use, or unintentional use. Because weapons attract children and young adults, care shall be taken to properly secure CEW’s so that they are not accessible to them.

O.P. 4-1e
Conducted Electrical Weapon -Taser
7. Officers shall report any loss, damage, or replacement needs to the Training Sergeant or their supervisor as soon as practicable.

F. DEPLOYMENT OF THE CEW

1. A supervisor shall be notified and requested to respond to the scene of a potential or completed CEW deployment as soon as possible.

2. As in all R.A.R., certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when deploying a CEW against persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, the infirm, or those in obvious ill health.

3. Upon discharging the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.

4. The subject should be secured as soon as practical while disabled by the CEW to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. Personnel should deploy the CEW for one standard cycle and then evaluate the situation to determine if subsequent cycles are necessary. Each application of the CEW should be independently justifiable. Officers should only deploy the CEW to the extent necessary to gain control of the subject.

5. Whenever possible, prior to a CEW deployment, a loud, clear warning of a CEW deployment should be made. When aiming the CEW at a subject, officers should adhere to the manufacturer’s preferred target zones whenever reasonably possible. Officers should take into consideration the capabilities and limitations of the CEW whenever employing it at close quarters.

6. A CEW should be aimed by use of the aiming lasers when possible. Fixed sights shall be used when the laser sights are ineffective or as a secondary aiming tool.

7. The device may also be deployed in certain circumstances in a “drive stun” mode. Deployment of the CEW in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is deployed in this manner, it is primarily a pain compliance tool; is minimally effective compared to a conventional cartridge deployment; and is more likely to leave marks on the subject’s skin.

8. Officers should not intentionally activate more than one CEW at a time against a subject.

O.P. 4-1e
Conducted Electrical Weapon -Taser
9. The CEW should not be deployed:

- In a punitive or coercive manner.
- On any subject demonstrating only passive resistance.
- In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).
- Where it is likely that the subject may drown or fall from an elevated area.

10. The shift supervisor in charge at the time of the CEW deployment shall ensure that the following CEW download procedures are followed:

**Laser and/or Arc Use (no CEW contact)**
Supervisors will download the CEW and place the downloaded file in the SPD Electronic Taser Storage Drive. A hard copy of the download will also be attached to the use of force report. If the CEW is functioning properly, the supervisor will return the CEW to the officer. If the CEW is not functioning properly, the supervisor will issue the officer a spare CEW from the armory.

**Probe and/or Drive Stun Deployment**
Supervisors will notify the Duty Officer as soon as practical. Supervisors will download the CEW and place the downloaded file in the SPD Electronic Taser Storage Drive. A hard copy of the download will also be attached to the use of force report. If the CEW is functioning properly, the supervisor will assign new cartridges to the officer and send the Training Sergeant an email with the serial number(s) of the cartridges assigned. If the CEW is not functioning properly, the supervisor will issue the officer a spare CEW from the armory.

**Probe and/or Drive Stun Deployment involving death or possible death.**
Supervisors will secure the scene and follow the established process to notify the Duty Officer, State’s Attorney, etc.

11. The expended CEW cartridge(s) and probes shall be collected as evidence and shall be clearly marked as a biohazard. The probes should be carefully placed, sharp tip first, back into the side of the expended cartridge.

12. Injuries to the subject resulting from CEW use shall be documented in the officer’s incident report, the use of force report, and through photographs. Officers should also document lack of injury through the same methods.

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O.P. 4-1e
Conducted Electrical Weapon - Taser
G. MEDICAL ATTENTION

Any subject struck with a CEW shall be offered medical attention. In most circumstances, probes can be removed by Law Enforcement without further medical intervention.

Probe Non-Removal Body Areas

CEW probes will not be removed by Law Enforcement when the probe(s) have penetrated vulnerable areas of the body such as the genitalia, female breast(s), eyes, or skin above the clavicles. Suspicion that a CEW probe might be embedded in bone, blood vessel, or other sensitive structure will not be removed.

Mandatory Transport to Hospital

The patient will be transported to a hospital, regardless of the patient's request, under the following circumstances: when the probe is embedded in the eye, genitals, or bone; seizure is witnessed after CEW exposure; there is excessive bleeding from the probe site after probe removal; cardiac arrest, complaints of chest pain, palpitations; respiratory distress; change in mental status after exposure; the patient is pregnant and/or any other serious injury that would require immediate medical attention at a medical facility.

H. REPORTING

1. Beginning January 1, 2015, following any deployment of a CEW, the officer deploying the CEW shall complete prior to the end of shift where practicable:

   - An incident report.
   - A Simsbury R.A.R. report.

2. Reports must be completed in their entirety and specifically describe the justification for the R.A.R., including events and communications leading up to the physical confrontation, the subject’s behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.

3. Shift supervisors shall promptly review all reports generated regarding the deployment of a CEW and determine whether or not that the deployment was appropriate. The supervisor’s findings regarding the deployment of the CEW shall be documented in the R.A.R. form. The Operational Commander will promptly review the R.A.R. and forward all paperwork and documented findings to the Administrative Commander, who will review and determine if the R.A.R. was appropriate and in line with department policy and law.

   O.P. 4-1e
   Conducted Electrical Weapon -Taser
4. Shift supervisors shall download and update the firmware of all CEWs used by officers assigned to their shift. This download/update will occur on a quarterly basis. The downloaded report will be saved under the officer’s name in the CEW electronic storage drive.

5. The Administrative Commander shall conduct an annual review (calendar) of all CEW deployments in the field in order to evaluate compliance with policy and law. If there is no department use of a CEW within a calendar year, the Administrative Commander will make notification to the State of Connecticut Criminal Justice Policy and Planning Division within the Office of Policy and Management no later than January 15th covering the preceding calendar year.

6. The Administrative Commander will report any training needs to the Training Sergeant and any policy needs to the Chief of Police.

I. ISSUANCE, HANDLING, MAINTENANCE, STORAGE AND INVENTORY

1. Department CEWs shall be inspected and approved by trained personnel (CEW Instructors) prior to issuance and inspected by sergeants during the quarterly download. All inspections shall be documented.

2. The Training Sergeant shall maintain electronic records (issuance, maintenance, repair, usage, etc.) for each CEW. On a quarterly basis, officers authorized to carry a CEW will submit their issued CEW to a shift supervisor, who will conduct a quarterly download of the internal data. The quarterly downloads will be stored in a Taser drive on the local server and sergeants will e-mail a data analysis and compliance review to the Patrol Commander.

3. Department CEWs and cartridges found to be unsafe or unsatisfactory will be immediately reported to a supervisor and removed from service and repaired/replaced. The supervisor will issue a replacement CEW and/or cartridge and make notification to the Training Sergeant.

O.P. 4-1e
Conducted Electrical Weapon - Taser
1. PURPOSE AND SCOPE:

A. Purpose: To establish Department policy governing the use of Conducted Electrical Weapons (CEW) by sworn members of the Anytown Police Department.

B. This Model Policy is intended to provide guidance for proper deployment and use of a CEW by a police officer in the field. This Model Policy is implemented via a Model Lesson Plan and related Instructor’s Addendum compiled in conjunction with this policy as part of a Connecticut CEW Model Policy and Training Module.

2. DISCUSSION:

A. This policy deals with the use of the CEW. Police officers sometimes use force to ensure public safety or to effect an arrest, and as with all use of force, the use of less than lethal options must be “objectively reasonable.” Officers are not constrained by rules of engagement that would establish a subject’s use of force as a prerequisite to the application of reasonable force. Nor should this order be interpreted to suggest that an officer is required to engage in prolonged hand to hand combat, risking injury, prior to utilizing an alternative means of force to gain compliance from a subject.

B. Officers are specifically granted the legal authority to carry and use weapons under C.G.S. 53-206 “while engaged in the pursuit of such officer's official duties.”

3. DEFINITIONS:

A. CONDUCTED ELECTRICAL WEAPON: The CEW is a non-lethal weapon designed to disrupt a subject’s central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

B. REASONABLE FORCE: The level of force that is objectively reasonable and necessary to accomplish a lawful purpose.

C. PHYSICAL FORCE: Any force that exceeds mere touching.

D. LESS-THAN-LETHAL FORCE: A use of force which is not likely to cause death or serious physical injury.
E. ACTIVE RESISTANCE: Any physical act undertaken by a subject, against an officer, that could reasonably defeat a lawful attempt by the officer to gain control of the subject.

4. POLICY:

A. It shall be the policy of the Anytown Police Department that all officers will only use the level of force necessary to accomplish lawful objectives.

B. It shall be the policy of the Anytown Police Department that when a subject is injured through any use of a CEW, the officer shall offer the injured party medical assistance when such medical assistance is reasonably necessary. In the case of obvious physical injury or when otherwise prudent, the officer shall request medical dispatch.

C. It shall be the policy of the Anytown Police Department that following any use of a CEW, a written report will be generated and filed to accommodate CEW use tracking. Reports must be completed in their entirety and specifically describe the justification for the use of force, including events and communications leading up to the physical confrontation, the subject’s behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.

D. It shall be the policy of the Anytown Police Department that all written reports generated regarding the use of a CEW be promptly reviewed by a supervisor to determine that the use of the CEW was appropriate. Should a determination be made by the supervisor that the use of the CEW was questionable or inappropriate, the matter shall be immediately referred for further review per Department policy.

E. It shall be the policy of the Anytown Police Department that all sworn person have access to the Departmental CEW policy and receive training as to its content prior to obtaining authorization to carry a CEW. CEW’s may only be used only by sworn personnel who have satisfactorily completed this agency’s approved training.

F. It shall be the policy of the Anytown Police Department to conduct an annual review of all CEW use in the field in order to evaluate policy compliance.

5. WEARING OF THE CEW:

A. The device shall be carried in an approved holster on the side of the body opposite the service handgun if it is to be worn in a waist holster or a thigh holster. Officers not assigned to uniformed patrol may be authorized to utilize other Department-approved holsters and carry the weapon consistent with Department training and the requirement as set out in this paragraph.

B. The device shall be carried in accordance with manufacturer’s recommendations and Department training. The CEW shall be pointed in a safe direction during loading, unloading, or when handled in other than an operational deployment.
C. Officers authorized to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge’s leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer’s expiration requirements.

6. USE OF THE CEW:

A. Recognizing that it may not always be possible to do so, a supervisor should be requested to respond to the scene of a potential or completed CEW application.

B. As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using a CEW against children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health.

C. Upon firing the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.

D. The subject should be secured as soon as practical while disabled by the CEW to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

E. Whenever possible, prior to a CEW use, a loud, clear warning of a CEW deployment should be made. When aiming the CEW at a subject, officers should adhere to the manufacturer’s preferred target zones whenever reasonably possible. Officers should take into consideration the capabilities and limitations of the CEW whenever employing it at close quarters.

F. A CEW should be aimed by use of the aiming laser(s) when possible. Fixed sights shall be used when the laser sight(s) are ineffective or as a secondary aiming tool.

G. The device may also be used in certain circumstances in a “drive stun” mode. Use of the CEW in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is used in this manner, it is primarily a pain compliance tool; is minimally effective compared to a conventional cartridge deployment; and is more likely to leave marks on the subject’s skin.

H. The CEW shall not be used:

1. In a punitive or coercive manner;

2. On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion;
3. On any suspect who does not demonstrate an overt intention (1) to use violence or force against themselves, the officer or another person, or (2) to flee in order to resist or avoid detention or arrest, (3) actively resist arrest;

4. On any subject demonstrating only passive resistance unless clear warnings are given by the officer who will then be responsible for administering the application of the CEW on the subject;

5. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane);

6. In any environment where the subject’s fall could reasonably result in death (such as in water or on an elevated structure).

7. MEDICAL ATTENTION

   A. Any subject against whom a CEW is used shall be evaluated by qualified medical personnel. Qualified medical personnel include medical professionals including medical doctors, licensed nurses, EMS first responders, or police officers certified in the use of a CEW and currently certified at no less than the Emergency Medical Responder (EMR) level (formerly known as Medical Response Technician (MRT)). The Department must also be cognizant of any medical regulations or guidelines regarding CEW’s asserted by any medical authority having jurisdiction over the agency in whose jurisdiction the CEW is used.

   B. Probes that have entered the skin shall only be removed under proper medical authority.

   C. The following persons shall be transported to a hospital for examination following exposure to a CEW. Any person who:

      1. Loses consciousness, exhibits irregular breathing or is known to be under the influence of drugs or medications;

      2. Is hit in a sensitive area (e.g., face, head, female breasts, male groin);

      3. Does not appear to recover properly after being energized;

      4. Has been energized more than three times or has been subjected to a continuous energy cycle of 15 seconds or more;

      5. Has had more than one CEW effectively used against him or her in any given incident;
6. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to CEW deployment;

7. Is in a potentially susceptible population category, including children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;

8. Exhibits bizarre or violent behavior, including self-mutilation;

9. Is naked in a public place or exhibits signs of overheating;

10. Evidences slurring or slowness of speech.
Pursuit Policy

PURPOSE
To establish policy and procedure governing police pursuits.

POLICY
It is the policy of the Simsbury Police Department to balance the risks of a vehicular pursuit with the need to immediately apprehend a fleeing vehicle operator and/or occupant(s), with the safety of the public the highest priority, as authorized by the Statewide Uniform Pursuit Policy, C.G.S. 14-283a and in accordance with the Police Officer Standards and Training Council Pursuit Policy.

DEFINITIONS
Pursuit: An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer’s attempt to stop such vehicle.

Authorized Emergency Vehicle: A police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.

Primary Unit: The police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.

Secondary Units: Any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Supervisor: A person designated by the Department to have supervisory control over the operation of the agency’s vehicles during a pursuit.

O.P. 41-1f
Pursuit
Communications: The central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.

PROCEDURES:

A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has very recently committed, is committing or is attempting to commit a violent crime or threat thereof that may cause serious physical injury or death to another person, or that there are exigent circumstances that warrant the need to apprehend a person in a timely manner because of the potential for harm to the public if the apprehension does not occur. In all circumstances, motor vehicle pursuit is prohibited when the potential danger to the officer and the public posed by the pursuit outweighs the need for apprehending a fleeing individual by such means. Generally, the following types of crimes, or reasonable belief the following crimes have occurred, would warrant pursuit:
   a. murder, manslaughter (any type),
   b. any assault with serious physical injury or threat of serious physical injury,
   c. robbery with serious physical injury or threat of serious physical injury,
   d. a vehicle independent of a pursuit that presents an immediate threat of serious physical injury and/or death,
   e. criminal attempt for these crimes,
   f. kidnapping (Exception where no serious physical injury/threat of is required)

   Officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.

2. Offenses that constitute infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.

3. Officers involved in the pursuit and their supervisors shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.

4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following criteria:

O.P. 41-1f
Pursuit
• The underlying crime for which the operator or occupants are suspected of committing;
• Whether the identity of the operator or occupant is known and apprehension by other means is possible;
• That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
• Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
• Environmental factors such as, weather, time of the day, visibility;
• Relative capability of the police vehicle(s) and the vehicle being pursued;
• Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
• The presence of other people in the police vehicle,
• Population density, vehicular and pedestrian traffic.

B. Pursuit Operations

1. All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.

2. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device and emergency lights shall be used during all such pursuits.

3. Upon engaging in a pursuit, officers shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. Officers shall keep communications updated on the pursuit. Communications personnel shall immediately notify the Shift Supervisor, clear the radio channel of non-emergency traffic, and relay necessary information to other officers of this Department or other agencies and adjacent police departments in whose direction the pursuit is proceeding.

4. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.

5. Unless circumstances dictate otherwise, a pursuit will not consist of more than three police vehicles, one of which shall be designated as the primary unit. No other personnel will join the pursuit unless instructed to do so by a supervisor.

6. The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

O.P. 41-1f
Pursuit
C. Supervisor Responsibilities

1. When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the Department supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.

2. When possible, a supervisor will respond to the location where a vehicle has been stopped following a pursuit.

3. In all cases where a pursuit enters another jurisdiction the Shift Supervisor will ensure communications personnel immediately notifies the appropriate law enforcement agency for that jurisdiction. If that agency has access to the RAFS radio system, pursuing officers may be instructed to switch to the appropriate RAFS radio frequency.

4. In the event multiple agencies are involved in the pursuit, supervisors from the respective agencies will communicate with each other to determine the respective responsibilities of each agency and to determine which agency will assume primary operational control of the pursuit.

5. The supervisors will also communicate with each other regarding any external conditions pertinent to the continuation of the pursuit. Communications between police agencies will be conducted by inter-agency police radio, mobile data terminal or telephone.

D. Pursuit Tactics

1. Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.
3. Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.

4. Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.

5. All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices such as stop sticks.

6. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

E. Use of Firearms during a Pursuit

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.

   a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.

   b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

F. Dispatcher Responsibilities

1. The dispatcher shall immediately notify the Shift Supervisor of a pursuit in progress.

2. The dispatcher shall maintain communication with units involved in the pursuit and advise units not involved to refrain from non-critical radio transmissions.

O.P. 41-1f
Pursuit
3. Dispatchers shall notify the appropriate police agency when it is anticipated a pursuit will enter another jurisdiction.

4. When another agency requests assistance with a pursuit, the Simsbury Dispatcher will obtain the reason for the pursuit from the requesting agency and the supervisor will be notified of the pursuit immediately.

G. Termination of Pursuit

1. The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

2. The pursuit may be terminated by the primary unit at any time.

3. A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need for immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.

4. A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.

5. A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.

6. A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.

H. Inter-jurisdictional Pursuits

1. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency’s area of law enforcement responsibility or cross the state line. Municipal police agencies and the State Police shall notify each other whenever entering the other’s area of law enforcement responsibility.

2. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.

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Pursuit
3. In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:

a. Directed by such supervisor; or
b. The involved pursuit unit is unable to request assistance; or
c. The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.

d. If the reason for the pursuit does not comply with this order, Simsbury units will not join in the pursuit. Simsbury units will not continue out of town on another agency’s pursuit unless authorized by the supervisor for officer safety reasons. Once the pursuing officer’s safety is provided for by the arrival of other units, the Simsbury unit will discontinue its role in the pursuit and return to Simsbury.

4. In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.

5. Agencies pursuing a vehicle into another jurisdiction must notify that jurisdiction as soon as practical, provide that agency with all available information pertinent to the pursuit, including but not limited to:

- The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
- Location, speed, and direction of travel
- Vehicle and occupant(s) description
- The number of vehicles and agencies involved in the pursuit
- Whether assistance is requested/needed or not
- Other available information as to the conditions of the pursuit

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Pursuit

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The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

I. Post-Pursuit Reporting and Review

1. Any officer involved in a pursuit or use of any forcible stopping technique must submit an incident report, Simsbury Police Pursuit Form and State of Connecticut Pursuit Tracking Form to the Shift Supervisor during the tour of duty in which the pursuit occurred. The reports shall be reviewed by the supervisor and command staff to determine if policy has been complied with and to detect and correct any training deficiencies.

2. The Shift Supervisor at the time shall prepare a detailed report on any pursuit or use of any forcible stopping technique occurring within the Town of Simsbury or in which Simsbury officers were involved. The report shall be submitted as soon as possible to the Operational Commander. The Shift Supervisor shall provide a verbal or written summary report to the Operational Commander within 24 hours of the event.

3. If a pursuit in which Simsbury units have participated causes property damage, or ends in an accident, or if an outside agency pursuit causes damage or injury or ends in an accident within the Town of Simsbury, the Operational Commander/Duty Officer shall be notified immediately. If serious injury or death has resulted from a pursuit, the Operational Commander/Duty Officer and the Chief of Police shall be notified immediately.

4. The Operational Commander will review all submitted reports, share with command staff for review and forward the same to the Chief with a conclusion.

5. Annually, the Operational Commander will conduct a documented annual analysis of pursuit reports. The analysis shall include a review of policy and reporting procedures and identification of any additions, deletions or modifications warranted in pursuit procedures. The analysis will be submitted to the Chief of Police for approval. Additionally, the Operational Commander will complete the State of Connecticut Annual Pursuit Report and submit it to agency identified for collecting this data for the State of Connecticut no later than January 31st, covering the preceding calendar year. The Operational Commander shall indicate on the form whether Simsbury was the initiating agency or a secondary unit.

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Pursuit
J. Other Pursuit Considerations

1. High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer’s driving abilities will safely permit. Operation will be in adherence to all Department directives.

2. Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.

3. Offensive driving tactics are limited – Deliberate contact between vehicles (i.e. intentional collision, PIT maneuver or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy.

4. Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.

5. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.

6. A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

K. Forced Stop Procedures (Alternative Measures)

1. Forced stop procedures, to include but not limited to, PIT maneuver, boxing-in, intentional collision, and roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;

2. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.

3. Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.

4. Forced stop procedures must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.

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Pursuit
5. Forced stop procedures shall be conducted in accordance with Department policy and training.

A. Roadblocks

1. Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;

- A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or
- Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.
- The use of roadblocks shall be used in accordance with Department policy and training.

B. Boxing-In

1. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.

2. Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.

3. It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.

4. Boxing-in technique shall be used in accordance with Department policy and training.

C. Intentional Collision of the Offending Vehicle

1. A deliberate contact between a police vehicle and a violator’s vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.

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Pursuit
2. This technique shall be used in accordance with Department policy and training.

3. When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.

D. Tire Deflation Devices – Stop Sticks

1. Police officers must first complete a Department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with Department policy.

2. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

L. Training

1. The Sergeant in Charge of Training will be responsible for providing initial and annual update training with regard to this policy and in safe driving tactics to sworn members and communications personnel. The provisions of Sections 14-238a-1 to 14-238a-4, inclusive, of the regulations of CT State Agencies shall be part of the curriculum for all police basic recruit-training and re-certification programs in CT.

2. Pursuit training programs shall consist of:

   • Knowledge of applicable statutes
   • Court decisions impacting police pursuits
   • Department policy
   • Supervisory and individual responsibilities in a police pursuit
   • Reporting requirements
   • Inter-jurisdictional considerations
   • Pursuit driving skills and techniques

3. The Sergeant in Charge of Training will be responsible for documenting all training and review updates of this policy.
POSTC Model Policy - Pursuits
Police Motor Vehicle Pursuit Policy

Sec. 1. Purpose
The purpose of this policy is to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes This policy shall serve as the minimum standard for all police pursuits in Connecticut, involving POSTC Certified Police Officers. Additional requirements adopted by an individual police agency shall not conflict with any provision of this policy.

Sec. 2. Policy
Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.

Sec. 3. Definitions
1. “Pursuit” means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer’s attempt to stop such vehicle.

2. “Authorized emergency vehicle” means a police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.

3. “Primary unit” means the police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.

4. “Secondary unit” means any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

5. “Supervisor” means a person designated by the police agency to have supervisory control over the operation of the agency’s vehicles during a pursuit.

6. “Communications” means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.

7. “Uniform Statewide Pursuit Policy, “known as “the policy” or “this policy,” means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.

8. “Police agency” means the Division of State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.
9. “Crime of Violence” - An offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of, injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another person may be used in the course of committing the offense.

Sec. 4. Procedures
A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.

2. Offenses that constitute Infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.

3. The officers involved in the pursuit and their supervisor’s shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.

4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following:

   The underlying crime for which the operator or occupants are suspected of committing;
   Whether the identity of the operator or occupant is known and apprehension by other means is possible;
   That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
   Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
   Environmental factors such as, weather, time of the day, visibility;
   Relative capability of the police vehicle(s) and the vehicle being pursued;
   Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
   The presence of other people in the police vehicle;
   Population density, vehicular and pedestrian traffic.
Sec. 5. Pursuit Operations
All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.

Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.

Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit.

Communications personnel shall immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.

When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.

Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to participate by a supervisor.

The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

Sec. 6. Supervisory Responsibilities
When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.

Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

Sec. 7. Pursuit Tactics
Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes
available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.

Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.

Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.

All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices such as stop sticks.

Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

Sec. 8. Use of Firearms during a Pursuit
1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
   a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
   b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

Sec. 9. Termination of the Pursuit
The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

The pursuit may be terminated by the primary unit at any time.

A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.
A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.

A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.

*A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.*

**Sec. 10. Inter-Jurisdictional Pursuits**

The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency’s area of law enforcement responsibility or cross the state line.

Municipal police agencies and the State Police shall notify each other whenever entering the other’s area of law enforcement responsibility.

A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.

In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:

Directed by such duty supervisor or desk officer; or

The involved pursuit unit is unable to request assistance; or

The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit.

Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.

In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.
Agencies pursuing a vehicle into another jurisdiction must most notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:

The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed

Location, speed, and direction of travel

Vehicle and occupant(s) description

The number of vehicles and agencies involved in the pursuit

Whether assistance is requested/needed or not

Other available information as to the conditions of the pursuit

The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

Sec. 11. Post-Pursuit Reporting

Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.

Each police agency shall periodically analyze its police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.

Post-Pursuit reports shall be completed for each police pursuit in accordance with department policy and training.

In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes Not later than January 31, 2020, and annually thereafter, each Chief of Police and the Commissioner of the Department of Emergency Services and Public Protection shall submit an annual report to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC.
Each police agency involved in the pursuit must report their involvement to POSTC on the designated reporting form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

Sec. 12 Other Pursuit Considerations

High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer’s driving abilities will safely permit.

Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.

Offensive driving tactics are limited - Deliberate contact between vehicles, (i.e., intentional collision, PIT Maneuver, or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy.

Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.

Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.

A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

Sec. 13. Forced Stop Procedures (Alternative Measures)

Forced stop procedures, to include but not limited to PIT Maneuver, Boxing-in, and Intentional collision. Roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;

Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.

Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.

Forced stop procedures must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.

Forced stop procedures shall be conducted in accordance with department policy and training.
Roadblocks
Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;

A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or

Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.

The use of a roadblock shall be used in accordance with department policy and training.

Boxing-In
Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.

Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.

It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.

Boxing-in techniques shall be used in accordance with department policy and training.

Intentional Collision of the Offending Vehicle
A deliberate contact between a police vehicle and a violator’s vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.

This technique should be used in accordance with department policy and training.

When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.

Tire Deflation Devices – Stop Sticks
Police officers must first complete a department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with department policy.
Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

Sec. 14. Vehicle Pursuit Training
Police officers who drive police vehicles shall be given initial and biennial update training in the agency’s pursuit policy and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and re-certification programs in Connecticut.

Pursuit Training Programs shall consist of:

Knowledge of applicable statues

Court decisions impacting police pursuits

Department policy

Supervisory and individual responsibilities in a police pursuit

Reporting requirements

Inter-jurisdictional considerations

Pursuit driving skills and techniques.
Police Officer Standards and Training Council

Compliance to Law Enforcement Standards and Practices (CLESP) Program

(Minimum Standards)
June 12, 2020
The agency has a policy concerning governing bias based policing and, at a minimum, includes the following provisions:

A prohibition against bias based policing in traffic contacts, field contacts and in asset seizure and forfeiture efforts; and

Training agency personnel in bias-based policing issues including legal aspects; and

Assuring all traffic stop data is collected and transmitted for analysis as required by law; and

Assuring that officers distribute the appropriate notice to the operator; and

Reporting complaints from motorists related to perceived profiling as required by law.

Guidance: Refer to CGS 54-1m
The agency has a policy concerning complaints that allege misconduct by law enforcement officers which meets or exceeds the minimum standards as required by the POST-C Model Policy and makes the policy available on the agency website and another municipal building.

Guidance: Refer to POST General Notice 15-03 and the State Model Policy.
The agency has a policy concerning pursuit of motor vehicles which meets or exceeds the minimum standards as required by the Uniform Statewide Pursuit Policy.

Guidance: Refer to CGS 14-283a.
The agency has a policy concerning procedures for handling missing persons which meets or exceeds the minimum standards as required by the POST-C Model Policy.

Guidance: Refer to POST-C General Notices 11-01 & 12-06
The agency has a policy concerning the response to family violence policy which meets or exceeds the minimum standards as required by C.G.S. 46b-38b.

Guidance: Refer to POST-C General Notice 17-05 and POST-C General Notice 10-05
The agency complies with all Police Officer Standards and Training Council (POST-C) requirements for selection and testing of police officers.

If the agency utilizes body worn recording systems, the agency has a policy which meets or exceeds the minimum standards as required by the POSTC Model Policy.

Guidance: Refer to POST-C General Notice 15-05 and Model Policy.
The agency has a policy concerning Eyewitness Identification Procedures which meets or exceeds the minimum standards as required by the POST-C Mandatory Policy.
Guidance: Refer to POST-General Notice 12-08 and Model Policy
The agency has a policy concerning Notifications in Death and Related Events in which meets or exceeds the minimum standards as required by the POST-Mandatory Policy.

Guidance: Refer to POST-C General Notice 08-01
The agency has developed and implemented guidelines for the recruitment, retention and promotion of minority police officers as defined in section 7-291a of the general statutes. Such guidelines shall promote achieving the goal of racial, gender and ethnic diversity within the law enforcement unit.

Guidance: Refer to CGS 7-291b
The agency provides mandatory training regarding the handling of incidents involving individuals affected with a serious mental illness as part of the agency’s review training program.

Guidance: Although the state legislature did not define “Serious mental illness”, generally accepted serious mental illness include, but are not limited to: Schizophrenia, Paranoia and other psychotic disorders, Bipolar disorders (hypo manic, manic, depressive and mixed; Major disorders, Attention-deficit/Hyperactivity disorders (ADD/ADHD), Autism Spectrum disorders, Alzheimer’s Dementia disorders, etc..

Guidance: Refer to POST-C General Notice 15-01
The agency has a policy concerning response to sexual assault complaints which meets or exceeds the minimum standards as required state statute.

Guidance: The policy should include the statement that sexual assault victims’ names shall not be released to the public or press. Refer to CGS 54-86e.

The agency has a policy concerning the use of electronic defense weapons that meets or exceeds the minimum standards as required by the POST Model Policy.

Guidance: Refer to POST-C General Notice 14-02 and Model Policy
The agency complies with annual reporting requirements for Juveniles In Custody.

Guidance: The Juvenile Justice and Delinquency Prevention Act of 1974, as amended (JJDPA), assists states in efforts to prevent and control juvenile delinquency, provide proper and adequate treatment for troubled youth, and improve the juvenile justice system. To achieve these goals, the JJDPA has established certain core protections (mandates) with which the states must demonstrate compliance in order to be eligible for federal funding under the JJDPA Formula Grants Program. As part of this process, participating states are required to maintain a comprehensive statewide compliance monitoring system that inspects facilities, collects essential data and reports annually to the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) on the extent of compliance with the following three mandates: Deinstitutionalization of Status Offenders (DSO). The JJDPA provides for status offenders, civil-type offenders, and non-offenders not to be detained or confined in secure detention or correctional facilities.
Separation of Juveniles from Adult Offenders in Secure Facilities (Separation)
The JJDPRA provides for juvenile offenders, status offenders and non-offenders not to be detained or confined in any institution in which they have contact with adult inmates.

Removal of Juveniles from Adult Jails and Lockups (Jail Removal)
The JJDPRA provides for all juveniles not to be detained or confined in any jail or lockup for adults.

The Office of Policy and Management is the state agency responsible for maintaining the compliance monitoring system in Connecticut. All facilities in the state (both public and private) that have the potential to hold juveniles pursuant to public authority fall within the purview of the monitoring universe. This includes local and state police lockups, juvenile detention and correctional facilities, court facilities, adult jails and prisons, mental health hospitals and institutions, and all other public and private juvenile placement and residential facilities.

Annually, data is collected from all such facilities. A minimum of 10% of the facilities must be on-site inspected each year for verification and 100% of all the facilities must have an on-site inspection once every 3 years.

The agency complies with the required mandatory training in Human Trafficking.

Guidance: Refer to Public Act 17-32
The agency has a policy concerning the use of force including deadly force that complies with current state and federal law. The use of force policy must explicitly address a law enforcement officer's duty to intervene and report unreasonable, excessive, and/or illegal use of force. The policy shall include the following provisions:

A guideline, use of force response matrix or other continuum where an individual/suspect/offender's actions dictate responsive use of force levels;
A requirement that officers deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force when feasible;
A prohibition against the intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to, (1). Arm bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object is prohibited. The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.

A listing of the lethal and less lethal weapons authorized by the agency;

A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons;

Describes the initial training and in-service training requirements for all weapons;

A requirement that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency’s use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practicable;
A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;

A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and

A prohibition against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.