

<b>East Haven Police Department</b>  	Type of Directive: <b>Policies &amp; Procedures</b>	<b>No. 404.11</b>
	Subject/Title:  <b>Use of Force</b>	Issue Date:  <b>February 25, 2025</b>
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	Issuing Authority:  <b>Honorable Board of Police Commissioners</b>	Review Date:  <b>Annually</b>
References/Attachments:  Connecticut General Statutes: § 53a-3, 53a-8, 53a-165 to 53a-167 Policies & Procedures #: 302, 407 Appendix A – Critical Decision-Making Matrix	Rescinds:  <b>404.10</b>	Amends:  <b>N/A</b>

## I. PURPOSE

A. The purpose of this Directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding any use of force and the protocols that must be followed whenever an officer exerts any degree of force in the performance of his/her duties.

1. The East Haven Police Department recognizes and values the sanctity of human life and respect for every person's rights and dignity. As guardians of a lawful and ordered society, officers are vested with significant authority, the judicious use of which serves to protect public safety while fortifying public confidence in the legitimacy of the police.
2. The nature of officers' work requires them to make fine judgments, often in dangerous and confusing circumstances, usually by relying on their internalized values, knowledge, and skills rather than on direct oversight.
3. A peaceful resolution is the best, most desired outcome in all situations. To that end, officers must use only the level of force necessary to achieve legitimate, lawful purposes and resolve each situation they face fairly and safely. Acknowledging that circumstances may compel the use of physical force upon a person, up to and including lethal force, police officers must view the use of force as a last resort.
4. The use of force has a profound impact on the persons who are subject to it, the officers who deploy such force, and on the families and members of the community. How members of the Department use force affects how the community views the police and impacts the legitimacy of the Department in the eyes of the community.

5. While not an actual use of force, the mere presence of an officer can be intimidating to some. Therefore, officers should be mindful of their body language and tone of voice upon arrival at a scene and throughout their interaction with subjects, complainants, and witnesses.

## **II. POLICY**

- A. Valuing and protecting human life is the East Haven Police Department's highest priority. The public authorizes the police to use that force which is objectively reasonable for the protection of human life. As such, it is the policy of the Department that officers shall use only the minimum level of force necessary to achieve a lawful purpose.
  1. Officers may use lethal force in the performance of their duties only in those situations in which they must defend themselves or others from the use or imminent use of deadly physical force. Lethal force must be used as a last resort.
  2. Any use of force, including the use of lethal force, must be reasonable, proportionate to the threat, and employed in a manner consistent with this Directive.
- B. The Department shall maintain use of force policies and procedures, training, and review mechanisms that ensure the use of force by officers is in accordance with the rights, privileges, and immunities secured or protected by the United States Constitution and laws of the United States, and that any unreasonable uses of force are identified and responded to appropriately.
- C. The use of force policies and procedures shall ensure officers use non-force techniques, when possible, to facilitate compliance with police orders; use force only when necessary; use force in a manner that avoids unnecessary injury to officers and civilians; and de-escalate the use of force at the earliest possible moment.
- D. Officers shall evaluate all situations and the need to use force using the Critical Decision-Making Matrix as outlined in Appendix A of this Directive.
- E. Force shall never be used as punishment, regardless of the alleged offense.
- F. Duty to Intervene & Report
  1. Officers are prohibited from using force that is unreasonable, excessive or otherwise in violation of the Department's Use of Force Policies and Procedures and/or a violation of Federal and/or State laws.
    - a. Officers who use more force than objectively reasonable and necessary to gain control of a subject or to prevent harm to another person shall be subject to severe discipline and/or discharge from the Department.
  2. Any officer acting in a law enforcement capacity who witnesses another officer, regardless of rank or department, use force that the witnessing officer knows to be unreasonable, excessive or illegal, must intervene to attempt to stop such use of force.

3. The witnessing officer shall intervene in any manner necessary to stop any unreasonable, excessive or illegal use of force, including by verbal and/or physical means.
  - a. Unreasonable force is any force applied in a manner inconsistent with this Directive or applicable law.
4. Any officer who fails to intervene in an incident involving an unreasonable use of force that was witnessed by said officer(s) may be subjected to disciplinary action and criminal prosecution for the actions of the offending officer in accordance with the provisions of Connecticut General Statutes Section § 53a-8.
5. The requirements to intervene, however, do not apply to officers acting in an undercover capacity if intervening will significantly compromise their safety or the safety of another.
6. In rare cases, exigent circumstances may prevent an officer from complying with the intervention requirements such as the following.
  - a. An officer may be engaged in a simultaneous attempt to apprehend another person.
  - b. An officer may be actively engaged in rendering aid to a seriously injured person.
  - c. An officer may be separated by space, elevation, physical barriers, terrain or other hazards or impediments that prevent access necessary to intervene.
7. Circumstances that prevented or impeded an effective intervention shall be promptly reported to the on-duty supervisor and documented as outlined in Policies and Procedures # 407 – Use of Force Review and Investigations.
8. Any officer acting in a law enforcement capacity who witnesses another officer, regardless of rank or department, use force that the witnessing officer knows to be unreasonable, excessive or illegal, or otherwise becomes aware of such use of force shall notify the on-duty supervisor as soon as practicable.
  - a. The witnessing officer shall thoroughly document such use of force and how the force was used in a Department Use of Force Witness Report and, if necessary, incident report by the end of his/her tour of duty. The on-duty supervisor shall notify the Captain of the Patrol Division of such incidents, and documentation shall be in accordance with Policies and Procedures # 407 – Use of Force Review and Investigations.
  - b. Any officer who fails to report any unreasonable, excessive or illegal use of force as required by this Directive may be subjected to disciplinary action and criminal prosecution in accordance with the provisions of Connecticut General Statutes Sections § 53a-165 to § 53a-167.

#### G. Prohibition Against Retaliation

1. The Department and its employees are strictly prohibited from taking any retaliatory, discriminatory or punitive action against any officer who acts in good faith in

accordance with this Directive, intervenes against excessive uses of force, reports misconduct, or cooperates in any internal or criminal investigation related thereto.

H. All officers must comply with this Directive and uphold the legal, moral, and ethical obligations of their sworn service to the public.

### **III. DEFINITIONS**

A. The Directives governing use of force use certain major terms or phrases to describe and/or define various aspects of less lethal force and lethal force. For purposes of clarifying these terms, a glossary of major terms has been established as follows.

1. **Act Aggressively:** The subject displays the intent to harm the officer, himself/herself or another person and prevent an officer from placing the subject in custody and taking control. The aggression may manifest itself through a subject taking a fighting stance, punching, kicking, striking, attacks with weapons or other actions which present an imminent threat of physical harm to the officer or another.
2. **Acting in a Law Enforcement Capacity:** Any on-duty police officer or any off-duty police officer who identifies themselves as such and asserts their law enforcement authority.
3. **Active Resistance:** Any physical act undertaken by a subject against an officer that could reasonably impede or defeat the officer's lawful attempt to gain control of the subject. Verbal statements alone do not constitute active resistance. Examples include: fighting and breaking the officer's grip.
4. **Chief of Police Finding:** The Chief of Police or his/her designee report on the findings issued to the officer(s) under investigation and included in the file on the incident maintained by the Internal Affairs Officer (IAO).
5. **Chokehold/Neck Restraint:** A physical maneuver or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain.
6. **Critical Firearms Discharge:** A discharge of a firearm by an officer, including accidental discharges, discharges at animals, and discharges at persons where no one is struck, with the exception of range and training discharges.
7. **Deadly Weapon:** Any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.
8. **De-Escalation:** The use of strategies and/or techniques to reduce the intensity of or stabilize a conflict or potentially volatile situation.
9. ***De Minimis Contact:*** Physical interaction that is not expected to result in injury or alleged injury to another person.
10. **Firearm:** A pistol, revolver, shotgun, carbine or machine gun, as well as any

instrument capable of discharging a bullet or shot.

11. Force Review File: A compilation by the supervisor of the CT State Use of Force Forms, Department Use of Force Witness Reports, Supervisory Force Review Report and documented evidence for each use of force incident. The Force Review File is reviewed by a Division Head and submitted to the Chief of Police and IAO.
12. Hard-hand Control: Force involving the use of controlled knee strikes, elbow strikes, punches, kicks or other striking techniques; hard takedowns and strikes to pressure point areas to control a subject. Such force is impact oriented and presents a moderate chance of physical injury to the subject.
13. IAO Use of Force Report: The report submitted to the Chief of Police reporting the IAO's investigation and review of an incident. It shall include the Force Review File.
14. Imminent: Likely to occur at any moment; impending; imminent danger – an immediate threatened injury sufficient to cause a reasonable and prudent person to defend himself/herself.
15. Last Resort: A final course of action, used only when other reasonable options are unavailable or have failed.
16. Less Lethal Force: Any force that is not likely to cause serious physical injury or death. Less lethal force includes weaponless defensive and control techniques (such as open hand strikes, elbow or closed fist strikes, leg sweeps, kicks, and forcible restraint), weapons and munitions (such as OC Spray or chemical agents such as tear gas, CEW, projectiles like rubber bullets and bean-bag rounds, batons and other impact weapons, and flash bang devices), and/or K9.
17. Less Lethal Weapon: Any apprehension or restraint tool that, when used as designed and intended, is less likely to cause death or serious injury than a conventional lethal weapon (i.e., firearm). Nonetheless, use of a less lethal weapon may result in death or serious injury.
18. Lethal Force (Deadly Force): Refers to any use of force likely to cause death or serious physical injury, including, the use of a firearm, neck restraint (i.e., choke hold, arm bar hold, carotid artery hold, lateral vascular neck restraint, and neck restraint or hold with a knee or other object), or strike to the head, neck or throat with a hard object, including a fist.
19. Mitigation: The action of reducing the danger, severity, seriousness, or potential harmfulness of a condition or circumstance.
20. Necessary: An action chosen when, in an officer's judgement, no effective alternative exists.

21. Objectively Reasonable: The legal standard used to determine the lawfulness of a use of force is the Fourth Amendment to the U.S. Constitution. The U.S. Supreme Court established this standard in its ruling in *Graham v. Connor* (490- U.S. 386, 1989).

- The Court held, "...that all claims that law enforcement officers have used excessive force – lethal or not – in the course of an arrest, investigatory stop, or other seizure of a free citizen should be analyzed under the Fourth Amendment and its objective reasonableness standard...The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation."
- The force must be reasonable under the circumstances known to the officer at the time the force was used.

22. Officer Created Jeopardy: Refers to situations where, officers needlessly put themselves in a position where they must use lethal (deadly) force to protect themselves.

23. Officer Involved Shooting Incident: A line-of-duty incident where a shooting causes death or serious bodily injury to an officer or other person.

24. Passive Resistance: Refers to an unarmed, non-violent person's failure or refusal to cooperate with a police officer's lawful directions, such as in an act of civil disobedience or by a non-violent handcuffed person. Passive resistance generally involves lack of voluntary movement by the resister. Examples include: standing stationary and not moving upon lawful direction, falling limply and refusing to use their own power to move (becoming "dead weight"), holding onto a fixed object, or locking arms to another during a protest or demonstration.

25. Physical Force: Any intentional contact used upon or directed toward the body of another person, including restraint and confinement. Physical Force rises above *De Minimis Contact*.

26. Physical Injury: Refers to any impairment of physical condition or pain.

27. Police Officer: Refers to any Connecticut peace officer, as defined in Connecticut General Statutes Section § 53a-3, or otherwise not mentioned such as other Federal or State Agencies.

28. Positional Asphyxia: A condition where the supply of oxygen to a person's body is deficient because their body position prevents them from breathing adequately, usually as a result of an airway obstruction or limitation in chest wall expansion.

29. Probable Cause: Probable cause for arrest exists if, at the time of arrest, the facts within the knowledge of the arresting officer (or within the collective knowledge of the police) are reasonably trustworthy and are sufficient to cause a reasonable person to believe that the person being arrested has committed or is committing the crime for which the arrest is being made.
30. Proportional Force: Force that is reasonably necessary to overcome the level of resistance, aggression, or threat an officer confronts.
31. Reasonable: Refers to sound, sensible, and not excessive under the circumstances.
32. Reasonable belief that a person has committed an offense: Refers to a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the facts or circumstances would not legally constitute an offense, an incorrect belief that they do, even if reasonable, does not justify the use of physical force.
33. Resisting Arrest/Interfering with Police: Refers to the act of a person who knowingly prevents or attempts to prevent a police officer, acting under the color of his/her official authority, from effectuating an arrest. To resist arrest includes such things as using or threatening to use physical force or violence against a law enforcement officer, or the use of any other means to create a substantial risk of physical injury to a police officer.
34. Serious Physical Injury: Refers to physical injury that creates a substantial risk of death, serious protracted and obvious disfigurement, a serious health impairment, or an extended loss or impairment of any body part or bodily organ.
35. Soft-Hand Control: Force involving the use of pressure point techniques, grabs, holds, soft takedowns, and joint locks/manipulation to control a subject. Such force is not impact oriented and presents a minimal chance of physical injury to the subject.
36. Supervisory Force Review Report: The immediate supervisor's report on an incident involving use of force.
37. Unreasonable Force: Any force applied in a manner inconsistent with this Directive or applicable law.
38. Unreasonable Risk: Any unwarranted exposure to the possibility of a negative consequence.
39. Use of Force Report: CT State Use of Force Form to be completed by all officers who used force.
40. Use of Force Witness Report: Department Use of Force Witness Report to be completed by all officers who witnessed the use of force by other officers.

## IV. PROCEDURES

### A. De-escalation & Mitigation

1. When feasible, officers shall utilize de-escalation techniques and/or verbal warnings prior to using force.
2. Officers should use force as a last resort and employ de-escalation and mitigation techniques to the greatest extent practicable.
3. Officers are not required to delay taking protective measures that are immediately necessary. Furthermore, officers are not required to place themselves or others at imminent risk of harm in order to attempt de-escalation, but they should consider the following options that might minimize or avoid the use of force.
  - a. Using a non-threatening, non-confrontational tone of voice.
  - b. Listening carefully and expressing empathy.
  - c. Slowing down the pace of an incident.
  - d. Waiting to take action until the threat subsides.
  - e. Placing additional space or barriers between the officer and a person.
  - f. Permitting a person to move about.
  - g. Permitting a person to ask questions or engage in conversation.
  - h. Tactical repositioning or seeking cover.
  - i. Requesting additional resources.
4. De-escalation is most effective when done purposefully, with patience and flexibility. These techniques should only be employed when circumstances permit, and it is safe to do so.

### B. Use of Physical Force

1. Before resorting to physical force and whenever safe and feasible, officers should first make reasonable attempts to gain compliance through verbal commands and allow appropriate time under the circumstances for voluntary compliance. An officer should consider the following before deciding to use physical force.
  - a. The immediacy of the threat.
  - b. The nature and severity of the crime or circumstances.
  - c. The nature and duration of actions taken by the subject.
  - d. Whether the subject is actively resisting custody.
  - e. Whether the subject is attempting to evade arrest by flight.

- f. The number of subjects in comparison to the number of officers.
- g. The size and condition of the subject in comparison to the officer.
- h. The age, health, and condition of the subject.
- i. The subject's violent history, if known.
- j. The presence of a hostile crowd or agitators.
- k. Whether the subject is under the influence of drugs or alcohol to the extent it would affect their tolerance towards pain.

2. Officers shall use only that degree of force that is necessary, reasonable, and proportionate to the threat encountered. Physical force may only be used to achieve a lawful purpose such as making a lawful arrest, placing a person into protective custody, effectively bringing an incident under control, or defending themselves or others from the use or imminent use of physical force.

- a. Control is reached when a person either complies with an officer's directions, or the suspect is restrained or apprehended and no longer presents a threat to the officer or others. Since officers will encounter a wide range of behaviors, they must be prepared to utilize a range of force options to maintain and/or re-establish control by overcoming resistance to the officers' lawful authority while minimizing injuries, bearing in mind that the use of force must be reasonably necessary under the circumstances.
  - 1) Once under an officer's control, restrained persons shall be positioned so that their breathing is not obstructed. Restrained persons should be maintained in a seated position or placed on their side. Restrained persons should not be placed in a prone or other position that increases the risk of positional asphyxia.

3. When necessary and reasonable, an officer may use proportionate physical force to:

- a. Gain control of a subject who poses an imminent risk to the officer, themselves, or a third person.
- b. Effect an arrest of a person whom the officer reasonably believes to have committed an offense unless the officer knows the arrest is not authorized.
- c. Effect an arrest, pursuant to a warrant unless the officer knows the arrest warrant is invalid.
- d. Prevent the escape from custody of a person, unless the officer knows the custody is not authorized.
- e. Gain compliance to a lawful order.

C. The lawful and proper use of force is limited to only that which is necessary, reasonable, and proportionate to the threat encountered. This includes lethal and/or less lethal force, with lethal or less lethal weapons.

**D. Prohibitions & Restrictions on the Use of Physical Force**

1. The use of physical force included in the following actions are prohibited.
  - a. Using physical force against any handcuffed or restrained person except to the extent necessary to counter active resistance, prevent escape, prevent the person from sustaining injury, or prevent the person from injuring another.
  - b. Using physical force for the purpose of retaliation.
  - c. Using physical force against a person whose health, age, physical condition, or circumstances make it likely that serious physical injury will result.
  - d. Standing on or kneeling on the neck of another person.
2. The following are prohibited except under circumstances where lethal force is deemed reasonable and necessary, consistent with this Directive.
  - a. The intentional use of a chokehold or neck restraint including, but not limited to the following.
    - 1) Arm bar hold.
    - 2) Carotid artery hold.
    - 3) Lateral vascular neck restraint.
    - 4) Neck restraint or hold with a knee or other object.
  - b. Intentional strikes to the head, neck, spine, or sternum with an impact weapon (i.e. collapsible baton), improvised impact weapon, knee, kick, or hard object, or striking the head against a hard surface.
  - c. The intentional discharge of a less lethal launcher projectile at close range to the head, neck, or chest.

**E. Use of Less Lethal Force**

1. An officer may use less lethal force when it is reasonable and necessary to overcome the use or imminent use of force against an officer or a third person. The level of less lethal force used must be proportionate to the threat, perceived or existing. The use of less lethal force is permissible in the following cases to:
  - a. Protect themselves or others against the use of unlawful force, violence, or an attack by another person.
  - b. Prevent another from committing suicide or inflicting serious physical injury upon himself /herself.
  - c. Thwart the commission of a crime involving or threatening the use of physical injury, damage to, or loss of property, or a breach of the peace.
  - d. Effectuate a lawful arrest for any offense or crime under the laws and the subject is beyond being passive resistance.

2. Less lethal force may not be used against any person engaged in passive resistance.
3. An officer must immediately cease the use of less lethal force to effectuate an arrest once the suspect's resistance or physical force against the officer has ceased.
4. Authorized Less Lethal Weapons
  - a. Officers shall use all authorized less lethal weapons in the manner prescribed during Department training for that particular weapon, and consistent with the Department's Policies and Procedures. Further, no officer will be permitted to employ any Department issued weapon prior to successfully completing Department training courses or other courses of training required by the State of Connecticut Police Officers Standards and Training Council (CT POST). Authorized less lethal weapons are:
    - 1) Conducted Electrical Weapons (CEW): Taser 7 or X-26P
      - a) CEW – Department issued only, to be carried in a cross draw orientation on his/her person's duty belt or drop holster while on duty.
    - 2) Collapsible Baton and Holder – Department Issued Only
    - 3) Oleoresin Capsicum (OC) Spray – Department Issued Only
    - 4) 40MM Less Lethal Ammunition Launcher – Department Issued Only
  - b. Under no circumstances shall an officer carry any weapon on duty that has not been authorized by the Department.
  - c. Use of Conducted Electrical Weapon
    - 1) The Taser 7 or X-26P, hereinafter referred to as "the CEW": the CEW authorized and issued by the East Haven Police Department. They are less lethal force alternatives used to assist officers in the performance of their duties. The CEW is designed for self-defense and/or to temporarily immobilize a subject who is actively resisting arrest. Any other use of the CEW is prohibited.
    - 2) Officers shall report all CEW discharges, except for training discharges, to their supervisor and the East Haven Public Safety Communications Center (EHPSCC) as soon as possible.
    - 3) A supervisor shall respond to any scene at which a CEW is deployed, absent exceptional circumstances. If a supervisor cannot respond, they shall document the circumstances preventing their response.
    - 4) The CEW may be used in situations where time and conditions permit and in accordance with this Directive. It can be an extremely effective control device for close range incapacitation.
      - a) The CEW has a red dot laser and a built-in flashlight that activates as soon as the CEW is turned on. Once un-holstered, the officer's body worn camera shall be activated.

- b) When deploying a cartridge from the CEW, frontal shots are strongly discouraged except in situations of self-defense or defense of another. The CEW should never be aimed at an individual's head, neck, eyes, throat, chest/breast, or genitals. The preferred target area is the back of the individual actively resisting arrest.
- c) The CEW may be deployed on a suspect actively resisting arrest when there is probable cause to arrest the suspect, or to defend oneself or another from active aggression.
- d) An individual simply fleeing from an officer, absent additional justification, does not warrant the use of the CEW.
- e) Each application is a separate use of force.
- f) After each application an officer must assess the subject's ability to comply. Multiple applications are not justified just because the subject does not respond.
- g) Officers must allow subjects time to comply between subsequent applications.
- h) After one standard CEW cycle (5 seconds), the officer shall re-evaluate the situation to determine if subsequent cycles are necessary. Officers shall be trained in the risks of prolonged or repeated CEW exposure, including that exposure to the CEW for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious injury. Officers shall clearly articulate and justify each and every cycle used against a subject in the CT State Use of Force Form.
- i) Officers shall consider the following prior to utilization of the CEW as a force option.
  - i. The severity of the crime.
  - ii. The risk of danger posed to others if the suspect is not promptly apprehended.
  - iii. The potential risk of secondary injury to the suspect due to environmental conditions.
  - iv. Due to the high voltage electronic energy of the CEW, NEVER fire the CEW near flammable materials (such as chemical irritant with an alcohol-based propellant, gasoline, kerosene, or in a natural gas environment).
- j) Use the CEW for self-defense or to control subjects that are actively resisting arrest. When possible, give the subject a verbal warning that the

CEW will be deployed unless exigent circumstances exist that would make it imprudent to do so.

- k) A CEW shall never be used as a torture device. Use of the CEW in “horseplay” or in any manner not prescribed herein is prohibited.
- l) CEWs shall not be used in drive stun mode as a pain compliance technique. CEWs shall be used in drive stun mode only to supplement the probe mode to complete the incapacitation circuit, or as a countermeasure to gain separation between officers and the subject so that officers can consider another force option.
- m) Officers should avoid using the CEW on obviously pregnant females, elderly persons, children, visibly frail persons or persons with a slight build and persons in medical or mental crisis except where lethal force would be permitted, or where the officer has reasonable cause to believe there is an imminent risk of serious physical injury and lesser force options are not feasible.
  - i. Officers shall be trained in the increased risks CEWs may present to the listed vulnerable populations.
- n) Officers shall not use CEWs where such deployment will cause serious physical injury or death from situational hazards; including falling, drowning, losing control of a moving vehicle, or becoming ignited from the presence of a potentially explosive or flammable material or substance, except where lethal force would be permitted.
- o) Officers should, if possible, obtain backup before using the CEW to control the subject.
- p) Additional officers on the scene of an CEW deployment should attempt to restrain and handcuff a subject during an active CEW cycle. They should use other means to subdue the subject if the CEW is ineffective.
- q) Officers will use caution.
- r) Depressing the trigger on the CEW will propel two darts from the attached cartridge. Once the CEW is fired, it will automatically cycle for five seconds if the trigger is released. The CEW will continue to cycle if the trigger remains depressed. The officer can turn it off before the five-second cycle stops. However, it is recommended that officers permit the CEW to cycle for the full five seconds to maximize effectiveness. Officers should give commands to the suspect and attempt to gain compliance.
- s) It is necessary for both darts in a cartridge to hit some part of the suspect's clothing or body for total incapacitation. If only one dart penetrates the subject, the CEW is ineffective. Should this occur and the subject

continues to act aggressively, place the CEW against the subject's body to complete the circuit, causing complete incapacitation.

- t) Discharging the CEW at Animals.
  - i. The CEW is an effective tool for stopping the aggressive behavior of wild or potentially dangerous animals. The CEW is especially effective for vicious and/or dangerous dogs.
  - ii. Officers using an CEW on an animal may need to adjust their aim to ensure contact is made with both probes.
- 5) Potential Medical Concerns: In rare circumstances, there have been medical concerns raised about CEW barbs deployed to the chest region causing sudden cardiac arrest. According to the manufacturer of the CEW, the aforementioned preferred target areas increase the distance of the dart-to-heart safety margin. Qualified medical personnel, for example, EMTs or hospital staff, must be called upon to remove darts embedded in a subject's skin using the appropriate technique.
- 6) Individuals who are subjected to the use of the CEW shall be provided with medical attention as soon as practical in accordance with this Directive.
- 7) Activations Requiring Supervisor Documentation: When necessary, a supervisor will download the CEW information stored in the data chip of the CEW by connecting to the data port on the rear of the CEW and downloading the information to the Department's computer system.
  - a) All activations with the exception of daily spark tests, training applications, or other situations exempt by other sections of this Directive require the investigating supervisor to provide a written report in the Department review system reviewing the activation.
  - b) Following an CEW deployment, supervisors shall complete an Electronic Defense Weapon Report in addition to the Supervisory Force Review Report and attach the downloaded CEW Device Log. The report shall then be submitted to the Records Division.
  - c) Investigating supervisors will take special note of the following.
    - i. Activations not consistent with daily spark tests or previously documented use of force incidents.
    - ii. Multiple activations.
    - iii. Three or more consecutive activations with minimal time in between the activations.
- 8) All officers shall receive comprehensive training and annual in-service refresher training on the guidelines on when and how to use CEWs.

- a) Officers shall be trained in the increased risks CEWs may present to the listed vulnerable populations.
- 9) The Department will monitor its use of CEWs and will conduct periodic analyses of practices and trends. The Department shall include the number of CEWs in operation and the number of CEW uses as elements of the EIS. Analysis of this data shall include a determination of whether CEWs result in an increase in the use of force and whether officer and subject injuries are affected by the rate of CEW use. CEW data and analysis shall be included in the Department's Annual Use of Force Report.
- 10) All officers certified in its use will be required to carry the CEW while on duty in uniform working patrol or security details and overtime assignments. Officers working extra duty traffic details are not required to carry their CEW however, it is highly recommended that they do.
- 11) Officers shall receive annual CEW certifications, which should consist of physical competency, weapon retention; Use of Force Policies, including any policy changes, technology changes, and scenario-based training.
- 12) Officers authorized to deploy the CEW will be issued one spare cartridge. The spare cartridge shall be stored and carried in a manner consistent with training and the cartridge will be replaced consistent with the manufacturer's expiration requirements. Employees who are issued cartridges must notify the Head of the Administrative and Training Division ninety (90) days prior to the expiration of the cartridges issued to them, so they can be replaced.
- 13) At the end of every calendar year, the Internal Affairs Officer will prepare an annual report on all CEW usage and deployments.

d. Use of the Collapsible Baton

- 1) The collapsible baton is to be used for defensive and control purposes. It is to be used by officers to defend themselves or other persons when under attack and/or to control the person who is combative when the officer is trying to arrest him/her. The use of the baton is permitted when it is necessary to effect an arrest of a subject who is actively resisting; to prevent the escape of an actively resisting subject; in self-defense, or in the defense of others. Officers should take the following into consideration:
  - a) The severity of the crime involved.
  - b) The actions of the subject.
  - c) Whether the subject poses an immediate threat to the safety of the officers or of others.
- 2) There are three categories of target areas on the body for strikes relative to force exerted by an aggressive subject. The officers' use of force should take

into consideration escalating and de-escalating options based on the threat assessment, officer/subject factors and the probability of severe injury.

- a) The primary target areas on the body: when the subject is actively resisting an officer are the shoulder, upper arms, forearms and hands, buttocks, upper thighs, calf muscles, abdomen, shins, feet. EXCEPT FOR THE HEAD, STERNUM, NECK AND SPINE, AND SOLAR PLEXUS, the whole body is a primary target area for the application of control device blocking and restraint skills.
- b) The secondary target areas are for confrontations where the subject is assaulting an officer or another person, or when force applied does not correspond with the threat level. Secondary target areas consist of the collarbone, groin, knee joints, elbow joints, rib cage and upper abdomen.
- c) The third and last target areas are designed for confrontations where the subject is attempting to cause serious physical injury to an officer or another. These target areas are the head, neck, solar plexus, kidney, sternum, spine and tailbone. Physical force directed to these areas pose a greater risk of injury to the subject and in certain cases may result in unconsciousness, serious physical injury, or death.

- 3) All officers certified in its use will be required to carry the collapsible baton while on duty working patrol in uniform or any security details and overtime assignments.
- 4) Individuals who are subjected to the use of the collapsible baton shall be provided with medical attention as soon as practical in accordance with this Directive.

- e. Use of Oleoresin Capsicum (OC) Spray
  - 1) The use of OC Spray shall be accordance with this Directive and Department-approved training.
  - 2) The effects of OC Spray vary in the way the product has been manufactured and delivered. However, as a general rule a one to two-second burst to the face upon contact will affect three major areas: 1) the eyes, 2) the respiratory system, and 3) the skin and the upper and/or lower body. All effects are temporary and may subside within 30 minutes to 45 minutes.
  - 3) OC Spray is designed for use when persuasion, verbal commands and moderate physical control has been ineffective or would be futile to overcome the use or imminent use of force against an officer or a third person.
  - 4) OC Spray is used when it is necessary to defend against an unarmed aggressor or when physical force is required to apprehend or restrain an actively resisting subject.
    - a) OC Spray may not be used against any person engaged in passive resistance.

- b) OC Spray may be used against a dangerous animal.
- 5) All officers certified in its use will be required to carry the OC Spray while on duty working patrol in uniform or any security details and overtime assignments.
- 6) Deployment of OC Spray.
  - a) Ready the OC Spray canister for use: unholster and display when applicable.
  - b) Restate lawful order or notice of arrest, when feasible.
  - c) Warn the subject of intent to use OC Spray, when feasible.
  - d) Deploy OC Spray if necessary.
  - e) De-escalate to physical control (handcuffing).
- 7) Tactical Use of OC Spray.
  - a) The best tactic is to spray from a 4 to 6-foot distance. Spray directly in the center of the face (eyes, nose and mouth) with a one to two-second bursts in a circular motion.
  - b) Immediately create a safe distance between yourself and the subject by employing lateral movement, if possible. Spray and evade.
  - c) Avoid spraying other officers.
  - d) One officer should be the handcuffing officer; a second officer should act as the covering officer.
  - e) If resistance is expected, the covering officer should have his/her OC Spray in a ready position, and be positioned at an angle from the subject.
  - f) Whenever possible, if spray is necessary, either officer yells “OC Spray!” or “Spray!” before spraying.
  - g) OC Spray must be sprayed with the canister in an upright position. Be mindful of wind; in a heavy wind try to spray downwind if possible or utilize another less lethal force option if cross contamination is likely to occur.
  - h) OC Spray may not work against every subject.
  - i) OC Spray is never to be used against a restrained person.

- 8) Individuals who are subjected to the use of OC Spray shall be provided with medical attention as soon as practical in accordance with this Directive.
  - a) As soon as practical, a person who has been subjected to OC Spray shall be moved to an environment free of OC exposure; the person should be instructed not to rub his/her eyes, as this will only exacerbate the burning-like symptoms.
  - b) Each person subjected to OC Spray should be asked if he/she is wearing contact lenses. If so, the lenses must be removed. If the person is unable or willing to remove the lenses, then he/she should be taken to the hospital. Officers slightly affected by an OC Spray burst should also remove contact lenses.
- f. Use of the 40MM Less Lethal Ammunition Launcher
  - 1) The primary purpose of the 40MM less lethal ammunition launcher is to control dangerous subjects from a distance and to maximize officer and public safety. The less lethal force philosophy shall not preclude the use of lethal force.
  - 2) When officers respond to a scene where an individual or individuals is/are acting in a disruptive and tumultuous manner, and/or a danger to themselves, others or the general public, officers should immediately notify the on-duty supervisor prior to deploying the 40MM less lethal ammunition launcher.
  - 3) Once notified of a situation that meets the aforementioned criteria, the on-duty supervisor must:
    - a) Immediately respond to the scene, absent an exigent circumstance that would prevent the on-duty supervisor from responding.
    - b) Assume command of the scene.
    - c) Secure the perimeter.
  - 4) Only those officers who have completed the Department's approved training and qualification program will be authorized to utilize the 40MM less lethal ammunition launcher.
  - 5) The decision to use the 40MM less lethal ammunition launcher will also include the consideration of the following factors.
    - a) Distance, i.e., Extended Range.
    - b) Whether deployment is feasible given the stature, clothing and immediate surroundings of the subjects.
  - 6) Individuals who are subjected to the use of less lethal ammunition shall be provided with medical attention as soon as practical in accordance with this Directive.

## F. Use of Lethal Force

1. The use of lethal force must be used as a last resort. Any use of lethal force must be reasonable and necessary. When feasible and consistent with personal safety, an officer shall give warning of his/ her intent to use lethal force prior to using such force.
2. An officer is justified in using lethal force against another person only when his/her actions are objectively reasonable under the given circumstances at that time and the officer reasonably believed the use of lethal force was necessary to:
  - a. Defend himself or herself or another person from the use or imminent use of deadly physical force, or
  - b. Effect an arrest of a person if the following circumstances exist:
    - 1) The officer reasonably believes the person has committed or attempted to commit a felony that involved the infliction of serious physical injury and
    - 2) The officer has determined there are no available reasonable alternatives to the use of lethal force and
    - 3) The officer believes that the use of lethal force creates no unreasonable risk of injury to any other person.
  - c. Prevent the escape of a person if the following circumstances exist.
    - 1) The officer reasonably believes the person has committed a felony that involved the infliction of serious physical injury and poses a significant threat of death or serious physical injury to others.
    - 2) The officer has determined there are no available reasonable alternatives to the use of lethal force.
    - 3) The officer believes that the use of lethal force creates no unreasonable risk of injury to any other person.
  - d. An officer may use lethal force to euthanize an animal that presents a danger (i.e., attacks) to a person or represents a threat to public safety at the time lethal force was used.
3. Use of Firearms.
  - a. An officer is only authorized to use a firearm that he/she has been authorized to carry, and only to the extent that is required in the lawful execution of his/ her duties.
  - b. Whenever feasible to do so, an officer will always identify himself/herself as a "police officer" when pointing a firearm at another person and state his/her intentions to shoot prior to discharging a firearm.
  - c. The discharge of a firearm by an officer in any setting other than a training or testing exercise, or to dispatch an injured or ill animal, shall be considered a use

of lethal force. The discharge of a firearm against another person should be considered a last resort.

- d. An officer may be required to use his/her firearm to euthanize an animal for humane purposes. The use of lethal force under these circumstances is warranted when the officer reasonably believes the animal to be injured or ill and when there is no other viable way of dealing with the animal (i.e., capture, transport to veterinarian, or disposal of the animal by other means). Before discharging a firearm for the purpose of euthanizing an injured or ill animal, the officer must:
  - 1) Receive approval from the on-duty supervisor.
  - 2) Exercise extreme caution so as not to pose any risk to surrounding persons or property.
- e. If an officer uses a firearm to euthanize an injured or ill animal, the officer shall complete an incident report detailing his/her actions and reasons why an animal had to be euthanized. In addition, a State of Connecticut Deer Kill Report will be completed if the animal euthanized was a deer. No additional Use of Force Report is required under this circumstance.
- f. The production of a firearm or the pointing of a firearm at another individual, even if coupled with a threat to cause death or serious physical injury does not constitute the use of lethal force so long as its purpose is limited to creating an apprehension, rather than actual harm.
  - 1) The mere removal of a firearm from its holster does not constitute a use of force.
  - 2) The mere display of a long gun at the low ready does not constitute a use of force.
  - 3) If an officer unholsters/displays a firearm during an incident, interaction, or event that would require an incident report, the officer will document that a firearm was unholstered/displayed in that report.

#### G. Prohibitions & Restrictions on the Use of Lethal Force

1. Lethal force may not be used against any person for the purpose of protecting property.
2. Lethal force may not be used against any person who poses a threat only to themselves.
3. The discharge of a firearm is prohibited:
  - a. When, in the professional judgement of the officers, doing so will unnecessarily endanger an innocent person.
  - b. In the defense of property.

- c. To be used as a signaling device or to summon assistance, except in an emergency and no other reasonable means is available.
- d. When fired as a warning shot, or to threaten another.
- e. When fired at or into a moving or fleeing vehicle, except:
  - 1) To counter an imminent threat of death or serious physical injury from an occupant by means other than the vehicle.
  - 2) When a driver is intentionally placing others in the vehicle's path causing an imminent risk of serious injury, such as driving into a crowd of assembled persons or into an occupied area not intended for vehicular traffic.
  - 3) When an officer is unavoidably in the path of a vehicle and cannot move to safety. Officers are strongly discouraged from positioning themselves in the actual or potential path of travel of any vehicle.

#### H. Handling of Officers Involving Incidents of Lethal Force

- 1. Once notified of a lethal force, a supervisor shall respond to the scene of the incident and assume primary responsibility in caring for involved personnel. For purposes of this Directive, a supervisor will include any sworn member at the rank of Sergeant or above.
- 2. During any period where any involved officers are required to remain on scene, but have no immediate duties to fulfill, the officer(s) should be taken to a quiet area away from the scene of the incident. A peer stress counselor or other supportive friend or officer should remain with the officer, but should be cautioned not to discuss details of the incident.
  - a. All statements are discoverable and are not protected privileged communications.
- 3. The supervisor should handle the officer and all involved personnel in a manner that acknowledges the stress caused by the incident.
  - a. Involved officers, when possible, should notify their families about the incident as soon as possible.
  - b. When an officer is unable to do so, an agency official shall personally notify the employee's family, and when applicable, arrange for their transportation to the hospital.
- 4. When possible, the on-duty supervisor shall briefly meet with the involved officer(s) to obtain a basic summary of the incident.
  - a. Only minimal, preliminary questions should be asked about the incident. The officer should be advised that a more detailed debriefing will be conducted at a later time. This Directive shall not hamper an officer's obligation to provide a public safety statement regarding a work-related incident or activity.
    - 1) All officers' statements in incident reports, arrest reports, CT State Use of Force Reports and similar documents, and statements made in interviews such as those conducted in conjunction with routine use of force review and

investigation process, are part of each officer's routine professional duties and are not compelled statements.

- 2) Where an officer believes that providing a verbal or written statement will be self-incriminating, the officer shall affirmatively state this and shall not be compelled to provide a statement without prior consultation with an attorney who will then discuss this with the criminal investigative agency and the Chief of Police.
- 3) Any investigative procedure that will occur concerning the incident should be discussed with the officer.
- 4) The officer should be advised that he/she may seek union representation and/or legal counsel.
- 5) Officers should be advised they are not allowed to discuss the incident with anyone except a personal or agency attorney, medical professional providing them care or treatment for this incident, union representative, or investigator, until the conclusion of the preliminary investigation.

5. In a lethal force situation involving an officer's weapon, the supervisor shall discreetly take custody of all involved officers' duty weapons to be logged in as evidence or to be turned over to the assigned investigating agency.

- a. Replace the officer's weapon with another as soon as practical.

6. Administrative Procedures.

- a. The supervisor tasked with taking over as incident commander of a post-shooting or other lethal force incident is responsible for making sure that the Chief of Police is immediately notified in accordance with Departmental procedures.
- b. The Chief of Police or his/her designee shall notify the appropriate Office of the Chief State's Attorney/New Haven Chief State's Attorney Office.
  - 1) The Office of the Chief State's Attorney Inspector General shall investigate any incident in which an officer uses deadly force or in which a death occurs as a result of any use of force, and shall direct the completion of reports as deemed necessary.
    - a) Officers' weapons, ammunition, gun belts and clothing will be taken unless directed otherwise.
    - b) Members of the Department retain all of their Constitutional protections during the investigation.
    - c) The Department's use of force review may rely on the investigation by the State's Attorney report, which may take some time to complete.
  - c. With respect to the interactions with the affected officer(s) and/or other members of the Department, the following set of procedures should be observed.

- 1) Debriefings of all members involved shall be held as soon as feasible after the incident. The Department shall ensure that there is a designated supervisor on call or on-duty at all times so that someone is available shortly after an incident.
- 2) Any officer, acting in an official capacity, whose actions and/or use of force results in a death or serious physical injury shall be placed on paid administrative leave pending an administrative review/investigation. This is not a suspension and does not imply any wrongdoing. It is for the officer's benefit.
- 3) Upon being taken off of administrative leave, the involved officer may be assigned to administrative duties pending, evaluation and shall remain available for any necessary administrative review/investigation.
- 4) All officers acting in an official capacity whose actions and/or use of force results in a death or serious physical injury are highly recommended to contact the Department's designated specialist for counseling and evaluation as soon as practical after the incident. Involved support personnel should also be encouraged to contact such specialists after an incident that involved a death or serious physical injury. After the counseling sessions, the specialist shall advise the agency:
  - a) Whether it would be in the officers' best interest to remain on duty or to be placed on administrative leave and for how long.
  - b) The suggested course of counseling for the officers, if needed.
- 5) The Department strongly encourages the families of the involved officers to take advantage of available counseling services.
- 6) Any Department investigation of the incident shall be conducted as soon and as quickly as practical.
- 7) The Department should brief other employees concerning the incident. Department members are encouraged to show the involved officers their concern.
- 8) Personnel acting in an official capacity whose actions and/or use of force results in a death or serious physical injury should be advised that they are not permitted to speak with the media about the incident. Personnel shall refer inquiries from the media to a designated agency spokesperson, unless otherwise authorized to release a statement pertaining to the incident.
- 9) In order to protect against crank or abusive calls, members of the Department should be advised to have phone calls answered by another person for several days if their names are released to the public.

10) Officers directly involved in the shooting incident shall be required to re-qualify with their Department firearms.

d. Following an Incident – Supervisor’s Role.

- 1) Often the impact of a lethal force incident does not immediately present itself in terms of a change in an officer’s behavior. It may be days, weeks, or months before there is any evidence that the stress of such a traumatic incident could alter an officer’s behavior or performance. It is for this reason that it is vitally important that supervisors be cognizant of any symptomatic behaviors or change in work performance, which may suggest that an officer is feeling the delayed effects of such an incident.
- 2) As post-traumatic stress disorders may not arise immediately, or the officers may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit members for symptoms of the disorder.
- 3) Some symptoms of post-traumatic stress disorders include:
  - a) A feeling of being numb.
  - b) Feeling out of touch with what is going on around them.
  - c) A feeling that this is happening to someone else.
  - d) Withdrawing and avoiding anything to do with the traumatic situation or police work.
  - e) Avoiding other people, including one’s family.
  - f) Intrusive and recurring thoughts of the event and feeling that it may be happening again.
  - g) Irritability.
  - h) Sleep problems.
  - i) Difficulty in concentrating.
  - j) Hyper-vigilance.
- 4) A supervisor observing these symptoms should immediately confer with the Chief of Police or his/her designee.
- 5) A supervisor observing any deviations in behavior or performance should confer with the officer. It is imperative that an officer who may be suffering the after effects of a traumatic incident not be treated any differently than would be the case of any other similar supervisory counseling session.
  - a) If the officer reveals that he/she is experiencing problems stemming from an incident, the supervisor should be supportive and encourage the officer

to seek professional assistance either from his/her own physician or through the town's EAP.

- b) The supervisor should also encourage personnel who may be feeling the after effects of the incident, to take advantage of speaking with one of the Department's Peer Stress Counselors, EAP, or interfaith Chaplains.
- c) If the supervisor is made aware that personnel may be suffering from the after effects of a lethal force incident, that supervisor has an obligation to bring such matters to the attention of the Chief of Police (not necessarily through the appropriate chain of command, depending upon the circumstances).
- 6) Supervisors are responsible for making available to their unit members information about the agency's EAP group and mental health services.
- e. Officers will be returned to full duties at the discretion of the Chief of Police after the officers are cleared to return by a qualified psychiatrist or psychologist.
  - 1) Prior to return to full duty, officers may be assigned administrative work assignments.
- f. Family Notification.
  - 1) If a member of the Department is killed or seriously injured while on duty, it becomes the responsibility of the Department to notify the officer's next of kin. The Chief of Police or his/her designee shall make such notification in person.
    - a) At least one other member of the Department shall accompany the Chief of Police or his/her designee to make the notification.
    - b) If feasible, the Department's chaplain or other clergy member may accompany the Chief of Police or his/her designee.
  - 2) If a member of the Department is seriously injured while on duty and is receiving treatment at a local hospital, the Department will make arrangements for the personnel's spouse or next of kin to be brought safely to the hospital.
  - 3) Another member of the Department should be assigned to stay with the family and assist them in any way possible.
- 4) Family Support.
  - a) The Chief of Police or his/her designee will:
    - i) Assist the family with funeral arrangements and coordinate the Department's involvement according to the wishes of the family.
    - ii) Inform the family of financial assistance available from the Town, State and Federal Government.

- iii) Ensure EAP or other similar counseling service is available to the family.
- iv) Maintain contact with family to insure financial and emotional needs are being met.

**I. Medical Aid**

- 1. Following any law enforcement action in which injuries have been sustained, an officer on scene shall, as soon as practical, render aid and request an Emergency Medical Service (EMS) response to the scene for any person who:
  - a. Sustains an injury;
  - b. Complains of injury; or
  - c. Exhibits signs of medical distress including shortness of breath, altered mental status or loss of consciousness.
- 2. An EMS response shall be requested for any person subjected to the use of a firearm, impact weapon, impact projectile, CEW, OC Spray, or K-9 apprehension.
  - a. An on-duty supervisor shall be immediately notified of any EMS response initiated under these conditions, and injuries shall be documented and photographed whenever possible.
  - b. The request for EMS to respond following the use of force shall be communicated to the EHPSCC, and the on-duty supervisor shall immediately be notified.
- 3. No medication, prescribed or otherwise such as stimulants or depressants, should be given to anyone unless administered by EMS.

**J. Use of Force Reporting & Review**

- 1. Officers using, observing, or discovering a use of force that rises above *De Minimis Contact* or force that was alleged to have resulted in injury to another person shall notify their supervisor(s) of such reportable force as soon as possible and document such force in accordance with Policies and Procedures # 407 – Use of Force Review and Investigations. This includes, but is not limited to the following.
  - a. Striking another person with an open or closed hand, elbow, knee, club or baton, kicking another person.
  - b. Deploying OC spray, CEW cartridge, or less lethal ammunition against a person; or against an animal that presents a danger to a person or represents a threat to public safety at the time the force is used.
  - c. Using a chokehold or neck restraint.
  - d. Pointing a firearm, less lethal ammunition launcher, or a CEW red-dot laser sight at a person.

- e. The discharge of a firearm for other than training, testing, or dispatching an injured or ill animal.
  - 1) The Use of Force Reporting requirements shall be adhered to when an animal that presents a danger to a person or represents a threat to public safety at the time it was subjected to lethal force.
- f. Any action that results in, or is alleged to have resulted in injury or death of another person.

2. All uses of force shall be reviewed in accordance with Policies and Procedures # 407 – Use of Force Review and Investigations.
  - a. A post-event review regarding any use of force shall determine whether any involved officer acted in a manner consistent with or inconsistent with this Directive.
  - b. Officers must be aware that they are subject to the standards set forth by State Law. In accordance with State Law, evaluations of an officer's actions related to a use of lethal force will consider, but are not limited to, the following factors:
    - 1) Whether the person possessed or appeared to possess a deadly weapon.
    - 2) Whether the officer engaged in reasonable de-escalation measures prior to using lethal force.
    - 3) Whether any unreasonable conduct of the officer led to an increased risk of an occurrence of the situation that precipitated the use of lethal force.
  - c. Officers should be aware that the statutory language “but are not limited to” may mean that factors not specified in law or in this Directive are considered in the evaluation of an officer’s actions.
3. CT State Use of Force Forms, Department Use of Force Witness Reports, and Supervisory Use of Force Review Reports shall be completed in the timeframe outlined in Policies and Procedures # 407 – Use of Force Review and Investigations.
4. The Department shall document and maintain a record of any incident in which an officer reports or is aware of an unreasonable, excessive, or illegal use of force as specified in this policy. This record shall include, at minimum:
  - a. The name of the officer(s) involved.
  - b. The date, time, and location of the incident.
  - c. A description of the circumstances.
  - d. The names of any victims and witnesses present, if known.
5. Each year, but not later than February 1<sup>st</sup> of the proceeding year, the Department shall ensure a copy of each completed CT POST Use of Force Report and any other required documents that meet the reporting requirements of either Connecticut

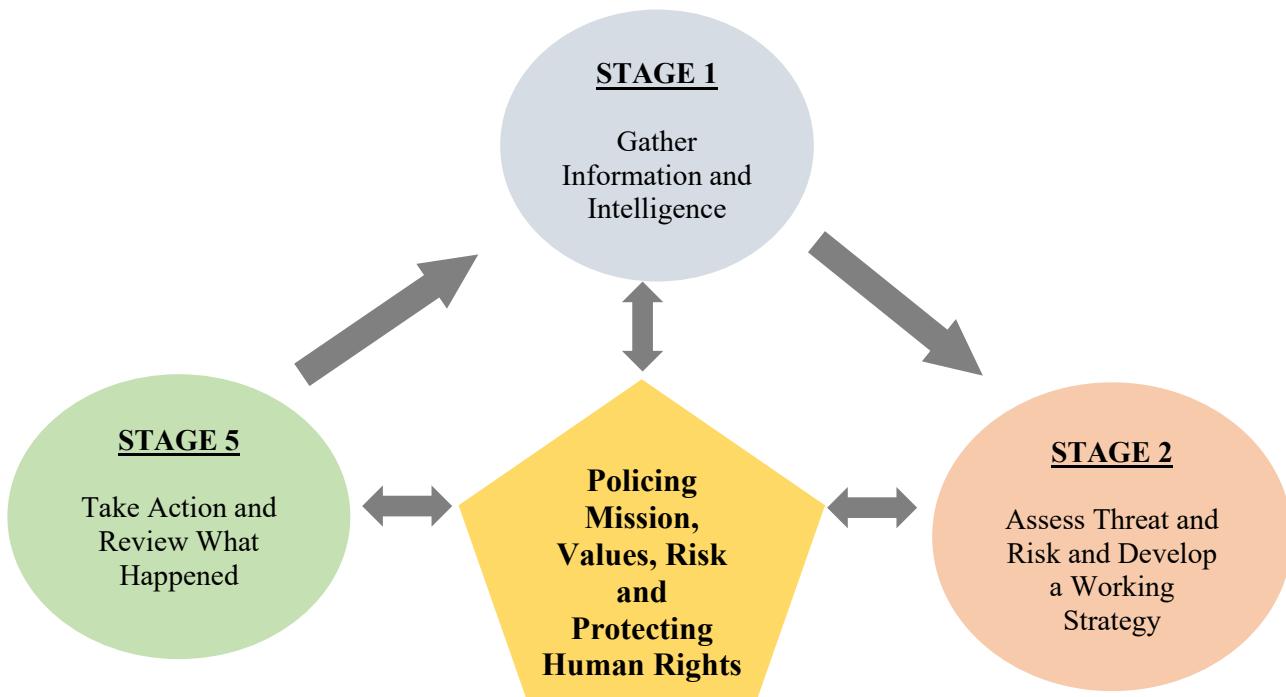
General Statutes Section §7-282e and/or Connecticut General Statutes Section §54-1t are submitted in electronic form to the Criminal Justice Policy and Planning Division of the Office of Policy and Management or its designee. Prior to the submission of these reports, the Department shall redact any information that may identify a minor, victim, or witness.

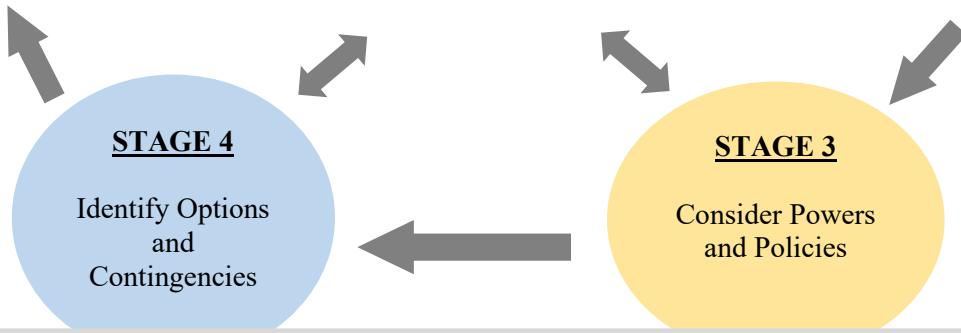
#### K. Use of Force Training

1. Officers shall be issued and be trained in the Department's Use of Force Policies and Procedures prior to being authorized to carry any lethal or less lethal weapon.
  - a. Training on weaponless control techniques, the proper use of the Department-authorized lethal weapon, and less lethal weapons shall be provided to all affected personnel in accordance with Policies and Procedures # 302 – Weapons and Weapons Storage.
  - b. All use of force training shall be delivered by a CT POST certified Use of Force Instructor.
2. The Department shall ensure all officers complete the CT POST Use of Force Training Module. Upon receiving the initial training, all officers shall thereafter complete the CT POST Use of Force Training Module at least once annually.
3. The Department may elect to offer additional training in any area of this Directive, but such training may not supplant any portion of the CT POST approved Use of Force Training Module.
  - a. Any additional training offered must be delivered by a CT POST certified Use of Force Instructor using a CT POST approved lesson plan.

#### APPENDIX A – CRITICAL DECISION-MAKING MATRIX

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## STAGE DETAILS

### STAGE 1: Identify Situation and Gather Information (and Intelligence if appropriate)

Ask yourself:

- What is happening? (or What has happened?)
- What do I know so far?

### STAGE 3: Consider Powers, Policies and Other Obligations

Ask yourself:

- What legal powers do I have or need to make this decision?
- Is there a formal force policy to follow in this instance or can I use my discretion?
- What other obligations might be applicable (e.g. multi-agency protocols)?

### STAGE 4: Identify Options and Consider Possible Contingencies

Ask yourself:

- What options are open to me?
- What am I trying to achieve?

Identify suitable responses, taking into consideration:

- The immediacy of any threat.
- Limits of information to hand.
- Amount of time available.
- Available resources and support.

Use PLANE to evaluate potential options, i.e., is each one:

PROPORTIONATE, LAWFUL, AUTHORIZED, NECESSARY, ETHICAL?

### STAGE 2: Assess Threats and Risks of the Situations

Ask yourself:

- Do I need to take action immediately?
- What do I know so far?
- Do I need to seek more information?
- What could go wrong?
- How probable is the risk of harm?
- How serious would it be?
- Is this a situation for the police alone to deal with?
- Am I trained to deal with this?

Determine a working strategy to mitigate threats and risks and maximize opportunities and benefits.

### STAGE 5: Take Action (and Review What Happened)

RESPOND:

- Select and implement the option that appears to have the greatest likelihood of success against the harm.
- Ensure those who need to know the decision (including the public) understand what you have decided and why.

RECORD:

- If appropriate, record the selected response and the reasoning behind it.

### Monitor and Review Decision

Ask yourself:

- What happened as a result of my decision?
- Did it achieve the desired outcome?
- Is there anything more I need to consider?
- What lessons can be taken from how things turned out?

If the incident is not over, go through the matrix again as required.

If the incident is over, review your decision(s) using the same 5-stage model as required.