

CONNECTICUT STATE POLICE



2020

Use of Force Report
Response to Resistance and/or Aggression Analysis

Submitted by the Bureau of Professional Standards and Compliance

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PURPOSE OF THIS REPORT

The purpose of this report is to provide a meaningful statistical analysis of the lethal, less-lethal and non-lethal force used by the Connecticut State Police. The creation of this report is also to allow the Connecticut State Police to recognize any trends developing with the use of force.

MISSION STATEMENT

“The Connecticut Department of Emergency Services and Public Protection is committed to protecting and improving the quality of life for all by providing a broad range of public safety services, training, regulatory guidance, and scientific services utilizing enforcement, prevention, education, and state of the art science and technology.”

CORE VALUES

The five Core Values of the Connecticut State Police are intended to guide and inspire us. Making sure that our values become part of our day-to-day work life is our mandate, and they help to ensure that our personal and professional behavior can be a model for all to follow. In striving to accomplish our mission, we embody our core values with great

PRIDE:

PROFESSIONALISM *through an elite and diverse team of trained men and women.*

RESPECT *for ourselves and others through our words and actions.*

INTEGRITY *through adherence to standards and values that merit public trust.*

DEDICATION *to our colleagues, our values, and to the service of others.*

EQUALITY *through fair and unprejudiced application of the law.*

Definitions

Application of Force: The use of any type of force.

Control Methods: Control methods can be defined as: Techniques/tactics used to effect an arrest, prevent escape or protect against active or perceived active resistance or violence or perceived violence. Control methods can be anything used to be able to take command of an incident or a person(s). Control methods could include, but not limited to, verbal commands, hands on techniques, or use of force tools/weapons such as TASER, baton, OC, handcuffs, firearms, K9, less lethal munitions', CS/CN gas or any other use of force tool.

De-escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Less Lethal Force: Any use of force other than that which is considered deadly physical force that involves physical effort to control, restrain, or overcome the resistance of another.

Deadly Physical Force: Physical force, which can be reasonably expected to cause death or serious physical injury. (C.G.S 53a-3(5))

Imminent: Impending; on the point of happening soon.

Objectively Reasonable: The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonable officer would use under the same or similar situations.

Physical Injury: Physical injury means impairment of physical condition or pain.

Serious Physical Injury: Physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ [C.G.S. § 53a-3(4)].

Choke Hold: Any hold that inhibits breathing or blood flow by compression of the airway in the neck, including a: (a) Carotid restraint hold, a hold that inhibits blood flow by compression of the blood vessels in the neck; (b) Lateral vascular neck constraint; or (c) Hold with a knee, elbow or other object to the neck of a prone subject. A choke hold is considered deadly physical force.

Executive Summary

The Connecticut State Police is completing its Use of Force self-analysis phase as a continuing improvement process through the Commission on Accreditation for Law Enforcement Agencies [CALEA]. Each accredited law enforcement agency must perform an internal Use of Force analysis (CALEA 4.2.4). The analysis is systematically structured to identify any patterns or trends.

Analysis should reveal patterns or trends that could predict or could indicate the need for an increase in Use of Force training, equipment purchases or upgrade and/or the necessity for policy modification. This Use of Force analysis completed by the Internal Affairs Unit provides a critical process in reviewing departmental policies and procedures. This analysis also provides a process for improvement in our policy language, records management system, capturing additional data in offenses and supervisor oversight in Use of Force incidents.

A report for Response to Resistance and/or Aggression is completed when force, as defined by policy and law is used in the performance of a Trooper and/or Police Officer's job. The statistics in the annual Use of Force Report are collected at the point of entry into the standardized Response to Resistance or Aggression/Injury or Complaint of Injury to Prisoner form created and used by the Connecticut State Police in the NEXGEN computer system. The data is readily available for analysis as these statistics are updated on a 24-hour basis and are accessible by Commanders and Administrators at any time. This process of collecting statistics allows our agency to monitor our response to resistance and/or aggression at any time. Furthermore, this allows our agency the ability to update policies, procedures and training quickly and efficiently based on true timely statistical information.

Analysis of this data enables the Connecticut State Police to track the number of incidents involving the use of force by a Trooper and/or Officer as well as the control methods utilized. In addition to tracking the number of incidents involving the use of force by a Trooper and/or Officer, the total applications of force utilized over multiple control methods is available for review. This enables the tracking of multiple applications and methods of force utilized during the same incident.

DESPP has a Personnel Early Awareness and Intervention System in place, which has served many purposes, one being a venue for targeting possible Use of Force concerns. By engaging in a systematic review of specific incidents, it assists in the

identification of employees who may exhibit signs of performance and/or stress related issues, and who may benefit from early intervention.

The Connecticut State Police has started to collect data detailing any incident during which a Trooper/Officer uses a chokehold or other method of restraint applied to the neck area of another person as well as the pointing of a firearm at a person. The Response to Resistance or Aggression/Injury or Complaint of Injury to Prisoner form was updated to include “Chokehold”, “Firearm Display at Subject ONLY (NO Discharge)”, “Baton Strike” and “Chemical Munitions” as control methods. This will enable the agency to accurately track any such use of the control method (chokehold or pointing of a firearm) for accurate data reporting and analysis. Additionally, the Connecticut State Police has expanded upon its robust Use of Force policy. Updates to the policy include but are not limited to employing de-escalation techniques our personnel have been trained in, and mandating Troopers to recognize and act upon the duty to intervene to prevent or stop any other trooper or police officer, regardless of department affiliation, from using excessive or unreasonable force.

The statistics for 2020 showed there were seven thousand, five hundred and eighty-two (7,582) arrests made and a total of eighty-four (84) reports for Response to Resistance or Aggression completed. In 2020, one point zero nine percent (1.1%) of all arrests resulted in a Use of Force incident.¹ When compared to the ninety-four (94) Use of Force incidents in 2019, and the eighty-eight (88) Use of Force incidents in 2018, the eighty-four (84) Use of Force incidents in 2020 were lower than the three year average of eighty-nine (89) incidents. In 2020, of the 7,582 arrests made by the Connecticut State Police, the agency received three (3) complaints from the public (.0004%) alleging excessive use of force.

It should be noted the number of total arrests has shown a steady decline from ten thousand four hundred and seventy-eight (10,478) in 2018 to nine thousand, eight hundred and twenty-nine (9,829) in 2019. The significant decrease in the number of arrests in 2020 [7,582] was believed to be a direct result of factors associated with the COVID-19 pandemic which swept through the country and the world. The change in the percentage of Use of Force incidents per number of agency arrests, when analyzed over a three-year period was negligible and showed no concerning trend.

It should be further noted that of the eighty-four (84) incidents involving a Response to Resistance and/or Aggression, in fifty-nine (59) of those incidents alcohol/drugs were involved, representing a rate of seventy percent (70%). Additionally, thirty (30) of the

¹ Refer to the data chart on page 30.

eighty-four (84) incidents required that the subject undergo a mental health evaluation via an Emergency Committal; representing a rate of thirty-six percent (36%).² During the eighty-four (84) incidents involving a Response to Resistance and/or Aggression, a total of one hundred and sixty-three (163) applications of force were utilized by Troopers and/or Police Officers in the field. The Committed category showed an increase of six (6) incidents when compared to the 2019 data.

A total of fifteen (15) Troopers and Officers were injured during a Use of Force incident during 2020. Of the fifteen (15) injured Troopers and Officers, ten (10) Troopers or Officers sustained injuries during an incident involving a subject who was under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. A total of fifty-one (51) subjects of a Use of Force sustained injuries. Of the fifty-one (51) injured subjects, forty-one (41) of the subjects of the Use of Force who sustained injuries were either under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. The data shows that subject impairment due to alcohol and/or drugs or an altered mental status, has a significant impact on the outcome of the Use of Force incidents, as it relates to whether any of the involved parties sustained injuries.

The total number of applications of force in 2020 showed a significant decrease of approximately thirty-one point five percent (31.5%) from the two hundred and thirty-eight (238) applications of force in 2019. Additionally, when compared to the three-year average encompassing data from 2018 to 2020, the one hundred and sixty-three (163) applications of force in 2020 was well below the three year average of two hundred and one (201) applications of force. A review of the 2020 Use of Force data revealed no apparent issues or trends that need to be addressed.

Taser Deployments and Taser Warnings:

The data was evaluated over a three-year period from 2018 to 2020. The 2020 data showed a seventeen point five percent (17.5%) decrease in the number of CEW (Taser) utilizations when compared to the data from 2019. When the CEW (Taser) data is evaluated over a three-year period, the number of CEW (Taser) utilizations in 2020 decreased to a three year low of thirty-three (33). Additional Taser data indicates that Troopers and/or Police Officers within DESPP show great restraint when deciding whether to deploy a Taser. Based upon the statistical data examined, Troopers and/or Police Officers are more likely to utilize de-escalation techniques to avoid using a Taser by a mere display of a Taser and/or warning a subject that a Taser is a viable option

² Refer to the data chart on page 31.

than they are to deploy the Taser. Taser Warning incidents in 2020 increased from four (4) in 2019, to eighteen (18) in 2020.

OC Spray:

The 2020 data showed the number of OC Spray utilizations decreased by six (6) when compared to the 2019 data. When the OC Spray utilization data is evaluated over a three-year period, the number of OC Spray utilizations in 2020 was one (1) less than the three-year average of eight (8). It should also be noted the number of OC Spray utilizations in 2020 was six (6) fewer than the previous 2019 calendar year.

K9 Utilization:

The 2020 data showed Canine utilizations increased by one (1) when compared to the 2019 data. When the Canine utilization is analyzed over a three-year period, the nine (9) Canine utilizations in 2020 were slightly below the three-year average of 9.6 incidents where a Canine was deployed. DESPP currently has twenty-eight (28) Canines assigned to patrol duties throughout the State of Connecticut.

Division Policy and Procedure

The Department of Emergency Services and Public Protection, Division of State Police, Administration and Operations Manual Section 13.04.01: **Use of Force** provides our personnel with guidelines on the Use of Force. Administration and Operations Manual Section 13.04.03: **Use of Force Investigation, Review and Analysis** provides our personnel with guidelines pertaining to the investigatory responsibilities and the requirements for review and analysis. The Connecticut State Police has expanded upon its robust Use of Force policy incorporated in the above stated sections. Updates to the policy took effect October 1, 2020 and include, but are not limited to employing de-escalation techniques our personnel have been trained in, and mandating Troopers to recognize and act upon the duty to intervene to prevent or stop any other trooper or police officer, regardless of department affiliation, from using excessive or unreasonable force.

The Connecticut State Police has started to collect data detailing any incident during which a Trooper/Officer uses a chokehold or other method of restraint applied to the neck area of another person as well as the pointing of a firearm at a person. The Response to Resistance or Aggression/Injury or Complaint of Injury to Prisoner form was updated to include “Chokehold”, “Firearm Display at Subject ONLY (NO Discharge)”, “Baton Strike” and “Chemical Munitions” as control methods. This will enable the agency to accurately track any such use of the control method (chokehold or pointing of a firearm) for accurate data reporting and analysis. Additionally, the Connecticut State Police has expanded upon its robust Use of Force policy.

The Connecticut State Police is an accredited law enforcement agency through the Commission on Accreditation for Law Enforcement Agencies (CALEA). The Connecticut State Police ensures the agency policies meet or exceed CALEA standards. Consistent with CALEA requirements, a written police report is submitted whenever a Connecticut State Trooper or a Police Officer under the State Police purview:

1. Discharges a firearm for other than training or recreational purposes.
2. Takes an action that results in, or is alleged to have resulted in, death or injury of another person.
3. Applies force through the use of lethal or less lethal weapons.
4. Applies weaponless physical force at a level as defined by this agency.

General Force Provisions – Responding to Resistance: The primary purpose for the use of force by law enforcement is to overcome resistance and/or establish control over the subject(s) who is resisting or creating the threat of physical harm to the trooper, themselves, or another person.

Use of Deadly Force: A Trooper is justified to use deadly physical force upon another person when he or she reasonably believes deadly physical force is necessary to:

1. Defend himself or herself or a third person from the use or imminent use of deadly physical force; or
2. Effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony which involved the infliction or threatened infliction of serious physical injury if, where feasible, the trooper has given warning of his or her intent to use deadly physical force; or
3. Prevent the escape from custody of a person whom he or she reasonably believes has committed a felony which involved the infliction of serious physical injury if, where feasible, the trooper has given warning of his or her intent to use deadly physical force.

Verbal Warnings Prior to Using Deadly Force: Whenever it is reasonable and feasible and doing so will not unreasonably increase the risk of injury to the trooper or any other person, a verbal warning shall be given before a trooper intentionally uses deadly force against a person.

Note: Warning shots are a substantial danger to Troopers and citizens alike and are not authorized by this department.

Shooting at or From Moving Vehicles: A Trooper should minimize placing himself/herself in a position of vulnerability when confronting a suspect in a vehicle. When confronted by deadly force either emanating from or by a moving vehicle, where possible, as a first course of action, a Trooper should attempt to remove himself/herself from the path of the moving vehicle or deadly force before considering to employ deadly force.

Note: Troopers are prohibited from shooting at or into a moving vehicle unless the occupants of the vehicle pose a deadly threat by means other than the vehicle. Deadly force shall not be directed at a motor vehicle merely to disable a vehicle.

Choke Holds and Certain Restraint Methods: The Connecticut State Police Training Academy does not advocate or teach troopers to utilize choke holds or similar types of restraints that rely on cutting off the flow of oxygen to the brain. Troopers are prohibited

from utilizing choke holds, strangleholds or any other methods of restraint applied to the neck area or that otherwise impede the ability to breathe or restrict blood circulation to the brain of another person unless the application of deadly physical force is justified.

General Reporting Regarding Uses of Force: All Use of Force incidents are investigated by a State Police supervisor. A written report prepared by the State Police supervisor are submitted through the chain of command according to departmental procedures whenever an employee:

1. Discharges a firearm for other than training or recreational purposes or to dispatch an animal.
2. Takes action that results in or is alleged to have resulted in the injury or death of another person;
3. Applies force through the use of lethal or less than lethal weapons including a department canine.
4. Applies weaponless physical force.
5. Points a firearm at a subject, or points a conducted electrical weapon (CEW), whether in arc mode or the illumination of a laser sight onto a subject, as a show of force.
6. Observes or receives a report of any injury or complaint of injury to a prisoner in State Police custody, a person otherwise under the control of the State Police, or a person who is in the process of actively being taken into custody or control by the State Police.
 - a. For instances in which troopers are jointly involved in the apprehension of a subject with officers from other non-DESPP law enforcement units, and the subject sustains injuries, and the State Police take or assume custody of the subject, a State Police supervisor shall investigate the injuries and document on form DPS-449-C the actions of department personnel as an injury to prisoner or use of force, as appropriate.

For department purposes, reportable physical force does not include the:

1. Reasonable holding, restraining or positioning of an individual necessary to apply handcuffs or other restraints unless injury or death occurs, or injury is alleged; or

2. Necessary physical touching or guiding of an individual intended to effect compliance with a lawful command, which is applied in such a manner as to be reasonable and which is not intended to cause physical injury, and does not cause injury or result in an allegation of injury.

Use of Force Complaints: It is the policy of this agency, specific to the Bureau of Professional Standards and Compliance, to accept and investigate all complaints of personnel misconduct or wrongdoing from any citizen or agency employee. Such complaints are investigated thoroughly, completely and impartially, following policies and procedures as set forth in the Agency's Administrative and Operations Manual.

When a complaint is filed, the assigned investigator files an appropriate report, which indicates the appropriate decision and disposition based upon the findings of fact. The decision shall be classified as one of the following:

1. **Unfounded** – *A determination that there was sufficient evidence to prove the complaint or incident is false or not factual and did not occur.*
2. **Exonerated** – *A determination that there is sufficient evidence which indicates the act or incident did occur, but was justified, lawful and proper.*
3. **Not Sustained** – *A determination that there is insufficient evidence to clearly prove or disprove the complaint or allegation.*
4. **Sustained** – *A determination that the allegations are supported by sufficient evidence to justify a reasonable conclusion of guilt or that sustained acts have been discovered that indicate misconduct not based on the original complaint.*

Mandatory Internal Affairs Investigations Involving Firearms: Per department policy, an Internal Affairs investigation shall be conducted in any shooting incident involving Troopers or Police Officers under DESPP supervision or control whenever:

- 1) A Trooper, a Police Officer serving under State Police jurisdiction in the Resident Trooper program, suspect or another person is shot.
- 2) Shots are fired by a Trooper or a Police Officer serving under State Police jurisdiction in the Resident Trooper program while affecting an arrest, engaging in a vehicle pursuit, or in defense of himself or others.
- 3) A department firearm or approved personal firearm is accidentally discharged.

Connecticut State Police Standard of Objective Reasonableness: The U.S. Supreme Court has expressed concern that a police officer should not be unduly constrained from protecting himself or others from the use of deadly force because of fear of the outcome of any administrative or judicial review process and has formulated a standard of "*objective reasonableness*" to be used when the propriety of an officer's use of deadly force is at issue.

(1) **Graham v. Connor:** In accordance with **Graham v. Connor**, 490 US 386, 395 (1989) claims against police officers alleging the use of excessive force, deadly or not, during the course of an arrest, investigative stop or other seizure of a person shall be analyzed under a Fourth Amendment standard of "objective reasonableness."

(2) **Reasonableness test:** The US Supreme Court observed that "[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application." in **Graham v. Connor**, 490 US 386, 396 (1989).

(a) The U.S. Supreme Court has further observed that the "*proper application [of the reasonable standard] requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others and whether he is actively resisting arrest or attempting to evade arrest by flight.*" Id. at 490 US 386, 396.

(b) The U.S. Supreme Court explained the application of objective reasonableness in these terms:

1. "*The question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them...The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight...the reasonableness' inquiry...is an objective one...*" Id. at 396-399.
2. The Supreme Court further stated that the Fourth Amendment is "*not violated by an arrest based on probable cause, even though the wrong person is arrested...nor by the mistaken execution of a valid search warrant on the wrong premises...With respect to a claim of excessive force, the same standard of reasonableness at the moment applies....*" Id. at 396 (1989)

Sworn Personnel have a range of force options available to them. These force options include:

- Social Control: Presence of Law Enforcement
- Verbalization / De-escalation
- Control Modes Without Weapons: Pain compliance / Kinetic impact joint manipulation (i.e. *Take downs, wrist locks, strikes, kicks, punches*)
- Control Modes with Weapons: Control instruments / Impact weapons (i.e. *Batons and projectile weapons such as a beanbag or shotgun*)
- Chemical Agents: OC Spray
- Canines
- Electrical Control Devices: Taser
- Firearms and other lethal force

Our personnel shall meet three general requirements:

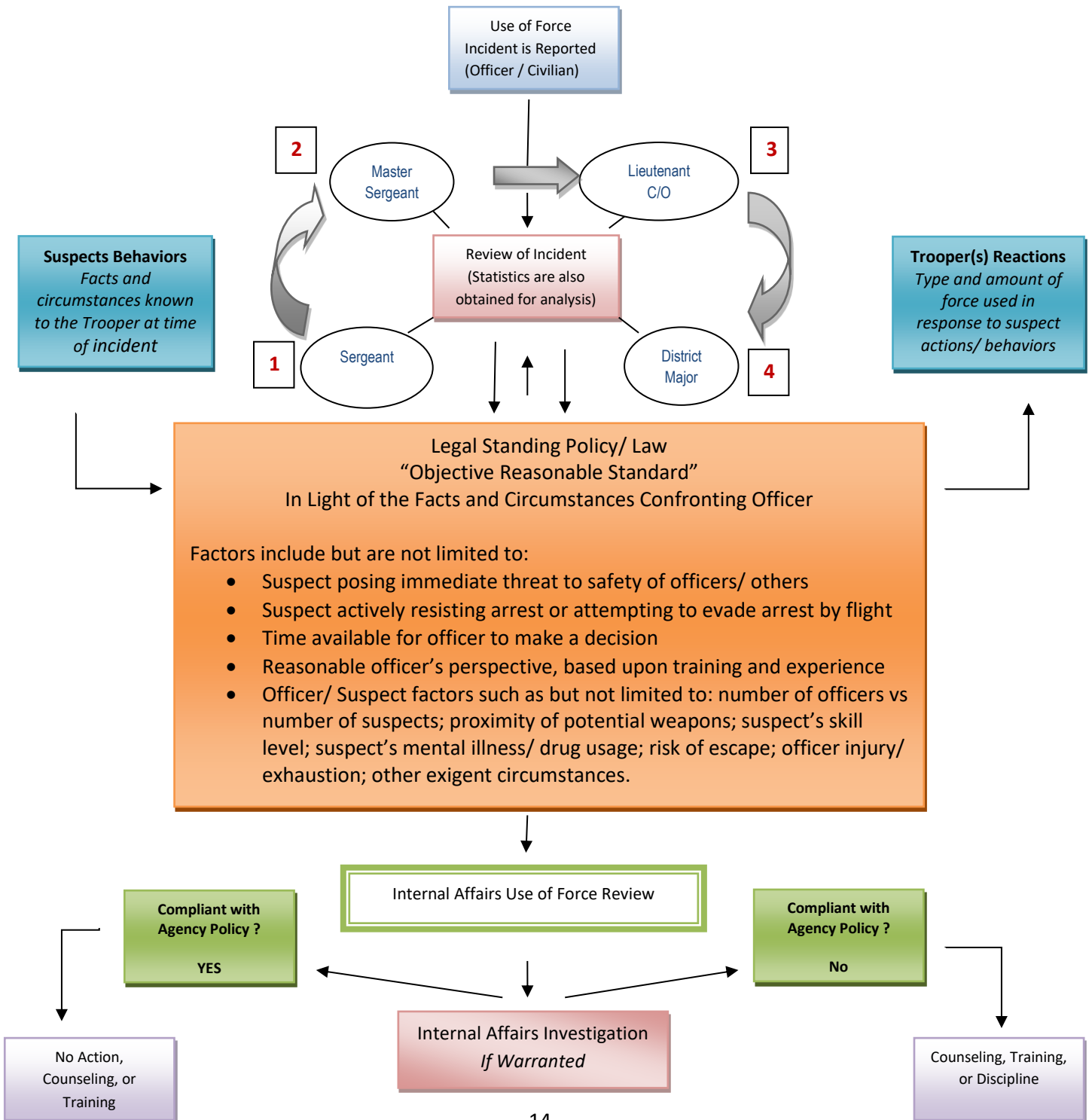
Knowledge of the law shall be current: Each employee shall be knowledgeable about current state and federal laws and department policy regarding the use of force.

Shall not exceed legal authority: An employee shall not exceed the scope and authority of applicable laws or policy regarding the use of force.

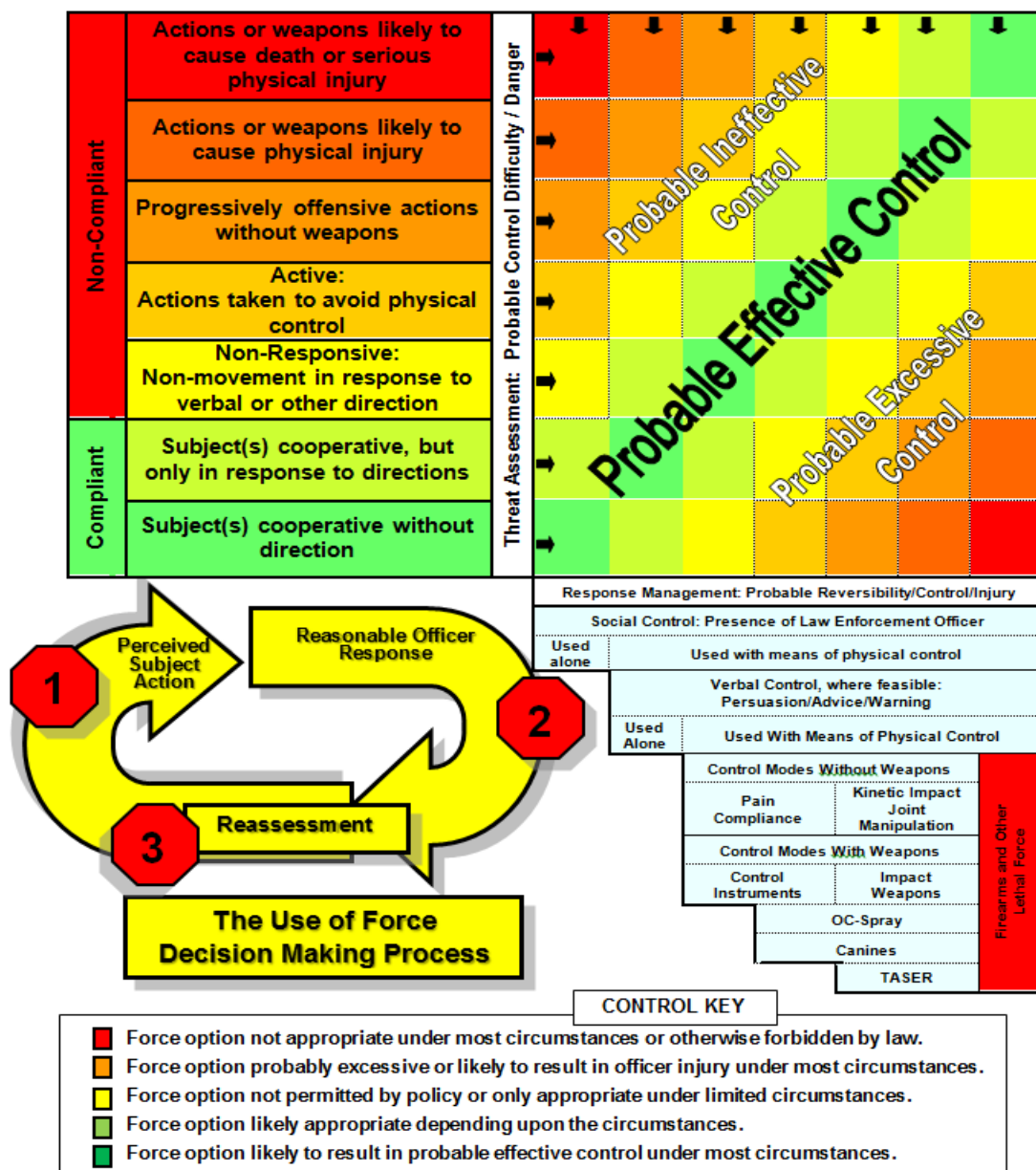
Obligation to perform duties: Each employee shall properly perform his/her required duties regarding the lawful use of force.

Professional Bureau of Professional Standards and Compliance
Internal Affairs Unit

Use of Force Analysis Procedure



The following figure illustrates the Connecticut State Police Use of Force: Threat Assessment and Response Management Matrix.



Department policy does not require that a Trooper consider or exhaust all available options before contemplating other options when a subject's behavior escalates. Troopers are, however, required to articulate the level of force used, based on an objective reasonableness standard to overcome resistance, affect an arrest, or to prevent an escape.

BASIC CONCEPTS UNDERLYING THE USE OF FORCE MATRIX

1. All legitimate uses of force in a law enforcement or custodial setting are ultimately justified by an articulable need to exert some level of control over another person.
2. It is the subject's actions which dictate the quality and quantity of force used by an officer in response thereto in order to exert control.
3. The need to exert control over another person in a law enforcement or custodial setting is often characterized by rapid and unpredictable changes requiring the officer to continually reassess a subject's actions as well as his or her response to those actions.
4. A proper application of force in any given set of circumstances is as much influenced by the quality of the force applied, and by the timeliness with which it is applied, as it is by the quantity of force applied.
5. The decision to use force in a tactical environment is not progressive in nature. Rather, the use of force inquiry focuses on the reasonableness of the force options actually employed.
6. The use of force inquiry focuses not on what the most prudent course of action may have been, but instead whether the seizure actually effectuated falls within a range of conduct which is objectively reasonable. There exists no legal requirement to choose the one "correct" means of gaining control over a subject through the use of force.
7. The appropriateness of a use of force decision is properly judged on the basis of the reasonableness of an officer's perception of the subject's actions with which

he was confronted at the time he or she made the decision to use force rather than upon absolute fact.

8. The appropriateness of a decision to employ a particular tool in response to a perceived threat depends on the degree of control which is reasonably likely to result based on all of the circumstances known to the officer at the time the tool is employed.
9. The degree of force which can be appropriately used to respond to a threat increases proportionally in relation to the degree of threat reasonably perceived by an officer, and to the immediacy of the response required.
10. The reversibility of a decision to use force is inversely proportional to the degree of force employed.
11. The greater the degree of force employed, the more likely it is that physical injury will result, and the resulting physical injury will be serious in nature.
12. The greater the probability of injury to a subject, the greater the potential for liability to the officer. The greater the probability that a particular technique will result in officer control, the greater the advantage for the officer.

Analysis

CONTROL METHOD - FIREARMS:

Annual qualification with the department firearm is required. All Troopers, including Auxiliary Troopers, shall fire a qualification course as required and shall demonstrate acceptable proficiency in the use of any firearm to be used.

A Trooper is justified to use deadly physical only in the performance of official duties, as follows to:

1. Defend himself or herself or a third person from the use or imminent use of deadly physical force; or
2. Effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony which involved the infliction or threatened infliction of serious physical injury if, where feasible, the trooper has given warning of his or her intent to use deadly physical force; or
3. Prevent the escape from custody of a person whom he or she reasonably believes has committed a felony which involved the infliction of serious physical injury if, where feasible, the trooper has given warning of his or her intent to use deadly physical force.
4. To appropriately dispatch, destroy or disable. (This references animals and inanimate objects.)

There was one (1) documented Use of Force incident in the "Firearms" category for the year 2020, which accounted for approximately one percent (1%) of the documented use of force incidents and (0.6 %) of the total applications of force utilized. The number has decreased by one (1) from 2019, where there was a reported number of two (2) Use of Force incidents in the "Firearms" category. The one (1) Use of Force incident in 2020 involving the use of a firearm included one (1) Trooper who discharged his firearm at a human target.³ The incident involved multiple Troopers who were involved in a pursuit with a suspect who was allegedly involved in carjacking a vehicle. The suspect engaged Troopers in a Pursuit on I-95 and the suspect then crashed the stolen vehicle under a bridge in West Haven. One (1) Trooper discharged his firearm during the incident. The suspect sustained fatal injuries.

³ Refer to the data charts on pages 32.

CONTROL METHOD - CONDUCTED ELECTRICAL WEAPON (CEW):

The Taser X2 model is the issued and approved department CEW device. The use of the CEW is authorized in situations where the subject is actively resisting a Trooper's/Police Officer's efforts to gain control of the incident, or imminently likely to do so, and where deployment of the CEW is reasonably likely to minimize the possibility of injury to the subject, all Troopers and Police Officers involved, and/or other members of the public. The Threat Assessment and Response Management Matrix is the guide by which Troopers and Police Officers respond to the resistance and/or aggression of all subjects. The concept of "objective reasonableness" applies in all instances where the subject's behavior requires Troopers and Police Officers to use force to gain control of the individual.

In instances when a CEW is deployed only to the extent that it is utilized in the arc mode as a warning and/or the illumination of the laser sight onto the subject, and no physical force was used in accordance with DESPP Policy, the incident is still be reported on the Response to Resistance or Aggression/Injury or Complaint of Injury to Prisoner form. The investigating supervisor completes a brief written investigation to determine the reasonableness of such non-force deployment of the CEW.

Not every State Trooper is issued a CEW as part of their assigned equipment. Starting in 2008, recruits began training with the CEW, but they were not issued one at graduation. Effective in 2010, with the graduation of the 121st Training Troop, recruits were issued the device prior to graduation. Currently, and throughout the history of issuing CEWs, the Office of Field Operations allocated CEWs to Troops and Units when they were available for purchase. The Connecticut State Police Training Academy has record of approximately seven hundred and thirty (730) Troopers having an assigned Taser unit in 2020.

There were a total of thirty-three (33) documented uses of force in the "Taser" category for the year 2020, which accounted for approximately twenty percent (20%) of the documented applications of force.⁴ The number of CEW uses has decreased by seven (7) from 2019, where there were a reported number of forty (40) applications of force in the "Taser" category. When the CEW (Taser) data is evaluated over a three-year period, the number of CEW (Taser) utilizations in 2020 was six (6) uses less than the three-year average of thirty-nine (39). The thirty-three (33) documented CEW (Taser) uses in 2020 occurred during twenty-six (26) separate incidents. This number accounts for incidents involving a Trooper/Officer who discharged the CEW (Taser) multiple times

⁴ Refer to the Data chart on page 33.

during a single incident. Additionally, there were a total of eighteen (18) documented incidents involving the use of “Taser – Warning Only” for the year 2020. The number has increased by fourteen (14) from 2019, where there were a reported number of four (4) documented incidents involving the use of a “Taser – Warning Only”.

CONTROL METHOD - OC SPRAY (from "Oleoresin Capsicum"):

OC Spray is an organically based (oleoresin capsicum) aerosol device designed to incapacitate an attacker without harmful side effects and is a force option to be used consistent with department training, manufacturer’s guidelines and consistent with the provisions of this policy. The current department issued OC Spray to Troopers is Sabre Red.

OC Spray is intended to allow a Trooper/Officer to gain a tactical advantage and aid in controlling a hostile subject by causing the subject’s eyes to close, the subject’s breathing to become inhibited and creating a distraction associated with the discomfort from the OC spray. The effectiveness of the OC Spray may reduce the need for an escalation to other force options.

There were a total of seven (7) documented uses of force in the “OC Spray” category for the year 2020, which accounted for approximately four percent (4%) of the documented applications of force.⁵ The number has decreased by six (6) from 2019, where there were thirteen (13) reported uses of force in the “OC Spray” category. When the OC Spray utilization data is evaluated over a three-year period, the number of OC Spray utilizations in 2020 was one (1) less than the three-year average of eight (8). It should also be noted that the number of OC Spray utilizations in 2018 was significantly lower than the three-year average and would drive the average number of utilizations to a lower number.

CONTROL METHOD - PATROL CANINE (K-9):

Each handler is responsible for the proper use and control of his/her assigned canine. Under the direction of its handler, force may be applied through a canine in any situation in which the use of non-deadly physical force is justified to accomplish the following objectives:

1. To arrest or prevent the escape from custody of any person the Trooper reasonably believes to have committed an offense; or

⁵ Refer to the data chart on page 33.

2. To defend the canine-handler or other person from the use or imminent use of physical force.

There were a total of nine (9) documented uses of force in the Canine category for the year 2020, which accounted for approximately six percent (6%) of the documented applications of force.⁶ The number of documented uses of force in the Canine category has increased by one (1) from 2019, where there were a reported number of eight (8) applications of force in the Canine category. When the Canine utilization is analyzed over a three-year period, the number of Canine utilizations in 2020 was equivalent to the three-year average of approximately nine (9).

CONTROL METHOD – BATON STRIKE:

The Monadnock Expandable Straight Baton is the department issued baton to troopers. The issued straight baton is designed as an impact weapon designed for blocking, jabbing, striking or to apply control holds. How the baton is used shall be based upon the dynamic circumstances of the incident. Issued and authorized batons can be an effective tool for crowd control, escort, and compliance when used properly and in the proper circumstances. The straight baton is authorized for use whenever a subject is combative, assumes a fight stance, or indicates aggressive intent by other means.

The agency has started tracking baton strikes as a control method independent of other control methods in 2020. The agency previously grouped the “Baton Strike” control method with the “Other” control method group (described in the next section) due to the low frequency of the utilization of the baton strike. There were zero (0) documented baton strikes in 2020.

CONTROL METHOD - OTHER:

The “Other” category consists of uses of force by Troopers without weapons, such as, but not limited to pressure points/control holds, takedowns, hand strikes, fist strikes, elbow strikes, knee strikes, hand-to-hand techniques and control modes with the use of the Kubaton.

There were a total of eighty-nine (89) documented uses of force in the “Other” category for the year 2020, which accounted for approximately fifty-five percent (55%) of the documented applications of force.⁷ This number has decreased by eighty-two (82) from

⁶ Refer to the data chart on page 33.

⁷ Refer to the data chart on page 33.

2019, where there were a reported number of one hundred and seventy-one (171) documented applications of force in the “Other” category. When the data concerning the “Other” category for Use of Force utilization is compared over a three-year period, the 2020 utilizations are well below the three-year average of one hundred and thirty-two (132).

CONTROL METHOD - DISPLAY OF A FIREARM:

The agency has started tracking the pointing of a firearm at a subject. The Display of Firearm control method is recorded any time a Trooper or Officer points a firearm at a subject. The drawing of the weapon is not counted as a control method unless the firearm is actually pointed at the subject. As 2020 was the first year this data was collected the analysis is limited to a review of incidents that occurred in 2020. There was a total of six (6) reported Firearms Displays in 2020.

CONTROL METHOD - CHOKE HOLD:

A Choke Hold is any hold that inhibits breathing or blood flow by compression of the airway in the neck, including a: (a) Carotid restraint hold, a hold that inhibits blood flow by compression of the blood vessels in the neck; (b) Lateral vascular neck constraint; or (c) Hold with a knee, elbow or other object to the neck of a prone subject. A choke hold is considered deadly physical force. The Connecticut State Police Training Academy does not advocate or teach troopers to utilize Choke Holds or similar types of restraints that rely on cutting off the flow of oxygen to the brain. Troopers are prohibited from utilizing choke holds, strangleholds or any other methods of restraint applied to the neck area or that otherwise impede the ability to breathe or restrict blood circulation to the brain of another person unless the application of deadly physical force is justified.

The agency started tracking the use of Choke holds on a subject in October of 2019. There were zero (0) Choke Holds reported in 2019 and zero (0) Choke Holds reported in 2020.

CONTROL METHOD	2018	2019	2020
Taser deployment	48	40	33
Taser – Warning only incidents	6	4	18
OC Spray	4	13	7
Canine	12	8	9
Deadly Force / Firearms	3	2	1
Firearm display	-	-	6
Choke Hold	-	0	0
Other Use of Force	136	171	89
Total Applications of Force	202	238	163
Total Use of Force Incidents	88	94	84
Total Arrests	10,478	9,829	7582

RACE/AGE/GENDER:

A review of the data pertaining to race, age and gender of the subject of a Use of Force incident was conducted. In 2020, seventy-seven (77) subjects of a Use of Force were identified as male while a total of seven (7) were identified as female. There was a total of sixty-four (64) documented Use of Force incidents where the subject of the use of force was identified as white (76%), fifteen (15) where the subject of the Use of Force was identified as black (18%), four (4) where the race of the subject of the Use of Force was documented as unknown (5%) and one (1) where the subject of the Use of Force was identified as Indian (1%), for the year 2020.

Of the sixty-four (64) incidents involving a White subject, fifty-eight (58) were identified as male and six (6) as female; therefore, White males were the subject of approximately seventy percent (69%) and White females were the subject of approximately seven percent (7%) of the Use of Force incidents in 2020. Of the fifteen (15) incidents involving a Black subject, fourteen (14) were identified as male and one (1) as female; therefore, Black males were the subject of approximately seventeen percent (17%) and Black females were the subject of approximately one percent (1%) of the Use of Force incidents in 2020. Of the four (4) incidents involving a subject where the race of the subject was Unknown, four (4) were identified as male and zero (0) as female; therefore, males of a race that was classified as Unknown were the subject of approximately five percent (5%) of the Use of Force incidents in 2020. Of the one (1) incident involving an Indian subject, one (1) was identified as male and zero (0) as female; therefore, Indian males were the subject of approximately one percent (1%) of the Use of Force incidents in 2020.⁸

⁸ Refer to the data chart on page 34.

A review was conducted to analyze the data pertaining to the age of a subject of a Use of Force at the time of the incident. The age ranges to include subjects twenty (20) years old to forty (40) years old accounted for forty-nine (49) of the Uses of Force. One (1) incident involved a subject sixteen years old or younger and two (2) subjects were sixty years old or older.⁹

DATE AND TIME OF INCIDENTS:

A review of the data pertaining to the date and time of day a Use of Force incident occurred was conducted. The 2020 data showed the highest frequency of Use of Force incidents occur between 1600 hours and 0100 hours. The time of day in which the most Use of Force incidents occurred was 1900 hours with ten (10) incidents. The time frame with the lowest number of Use of Force incidents was found to be between the hours of 0200 hours and 0800 hours, with a total of nine (9) incidents occurring during that timeframe throughout the course the entire year.

A review was conducted to analyze the data pertaining to the month in which a Use of Force incident occurred. The 2020 data showed the highest frequency of Use of Force incidents occurred between November and January with a total of thirty-four (34) incidents. This accounted for approximately forty percent (40%) of all Use of Force incidents for 2020 in those three months. April through June showed the lowest frequency with thirteen (13) incidents, accounting for approximately fifteen percent (15%) of the incidents.

A review was conducted to analyze the data pertaining to the day of the week in which a Use of Force incident occurred. The three-day span from Tuesday to Thursday was found to have the highest frequency of Use of Force incidents with a total of forty-five (45) incidents over the three-day span, accounting for approximately fifty-four percent (54%) of the incidents.¹⁰

SUBJECT UNDER THE INFLUENCE OR COMMITTED:

To identify trends related to the types of encounters resulting in a Use of Force incident, a review of the data identifying subject impairment and mental status were evaluated. The data showed that of the eighty-four (84) incidents involving a Response to Resistance and/or Aggression, in fifty-nine (59) of those incidents alcohol/drugs were involved, representing a rate of seventy percent (70%). Additionally, thirty (30) of the

⁹ Refer to the data chart on page 35.

¹⁰ Refer to the data chart on page 36

eighty-four (84) incidents required that the subject undergo a mental health evaluation via an Emergency Committal, representing a rate of thirty-six percent (36%). When the data from 2020 was compared with the data from 2019, there wasn't a significant change in the Under the Influence category as it decreased by two (2) incidents however; the Committed category showed an increase of six (6) incidents. ¹¹

INJURIES SUSTAINED BY THE SUBJECT OR TROOPER/OFFICER:

To identify trends related to injuries sustained by the subject of the Use of Force or the involved Trooper or Officer, a review of the data identifying injuries to involved parties was conducted. There was a total of fifteen (15) Troopers and Officers injured during a Use of Force incident during 2020. Of the fifteen (15) injured Troopers and Officers, ten (10) sustained injuries during an incident involving a subject who was under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. A total of fifty-one (51) subjects of a Use of Force sustained injuries. Of the fifty-one (51) injured subjects, forty-one (41) of the subjects of the Use of Force were either under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. The data shows that subject impairment due to alcohol and/or drugs or an altered mental status, has a significant impact on the outcome of the Use of Force incidents, as it relates to whether any of the involved parties sustained injuries. ¹²

NATIONAL USE-OF-FORCE DATA COLLECTION SYSTEM:

Our agency started reporting Use of Force incidents to the National Use-of-Force Data Collection system, effective with the data from January 2019. The National Use-of-Force Data Collection system is used by law enforcement agencies to report a law enforcement use of force that results in a fatality, serious bodily injury to a person, or the discharge of a firearm at or in the direction of a person. For the purposes of reporting, the definition of a serious bodily injury is defined as *"bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty."*

Based on the above stated criteria, the agency reported one (1) Use of Force incident to the National Use-of-Force Data Collection system in 2020. This incident is the same incident mentioned in the Control Method – Firearms section found above. The incident

¹¹ Refer to the data chart on page 31

¹² Refer to the data chart on page 37

involved the use of a firearm by one (1) Trooper who discharged his firearm at a human target. The incident involved multiple Troopers who were involved in a pursuit with a suspect who was allegedly involved in carjacking a vehicle. The suspect engaged Troopers in a Pursuit on I-95 and the suspect then crashed the stolen vehicle under a bridge in West Haven. The suspect sustained fatal injuries. The agency reported two (2) Use of Force incidents to the National Use-of-Force Data Collection system in 2019.

Training:

A trooper may use various weapons / less than lethal weapons within the scope of his or her Connecticut State Police duties only after receiving all the requisite training. At least annually, all troopers authorized to carry weapons shall receive in-service training on the department's use of force policies, along with any relevant statutory changes and significant court rulings. Periodic training that reinforces the importance of and provides techniques for de-escalation is conducted at least every two (2) years.

Subsequent to recent legislation, the Connecticut State Police Training Academy now falls under the purview of the Connecticut Police Officer Standards and Training Council, POSTC. All CSP personnel are POSTC certified and the Connecticut State Police Training Academy staff is working with POSTC to ensure our personnel maintain training requirements.

Based on the analysis of the data concerning subjects who were under the influence or committed, it is suggested that the Training academy continues its in-service training related to encounters with subjects under the influence of alcohol and/or drugs, with altered mental status, as well as dealing with individuals with mental health needs. If/when deficiencies are found during the review of a Use of Force incident, remedial instruction and/or counseling at either the Training Academy or the Troop level occurs.

The Bureau of Professional Standards and Compliance frequently liaisons with the Training Academy to ensure continued and appropriate Use of Force training for State Troopers as well as to update Use of Force policies and procedures.

Conclusion:

In 2020, one point zero nine percent (1.09%) of all arrests resulted in a Use of Force incident. When compared to the ninety-four (94) Use of Force incidents in 2019, and the eighty-eight (88) Use of Force incidents in 2018, the eighty-four (84) Use of Force incidents in 2020 were slightly lower than the three year average of eighty-eight (88) incidents. It should be noted the number of total arrests has shown a steady decline from ten thousand four hundred and seventy-eight (10,478) in 2018 to nine thousand, eight hundred and twenty-nine (9,829) in 2019. The significant decrease in the number of arrests in 2020 [7,582] was believed to be a direct result of factors associated with the COVID-19 pandemic which swept through the country and the world. The change in the percentage of Use of Force incidents per number of agency arrests, when analyzed over a three-year period was negligible and showed no concerning trend. In 2020, there were 7,582 arrests made by the Connecticut State Police with (3) complaints from the public (.0004%) alleging excessive use of force. As of the writing of this report two (2) were closed "Exonerated" and one (1) investigation is still open and is under investigation.

A review of the 2020 Use of Force data revealed no apparent issues or trends that need to be addressed. The following data segments were evaluated over a three-year period, from 2018 to 2020. The 2020 data showed a twenty-five percent (25%) decrease in the number of CEW (Taser) utilizations when compared to the data from 2019. When the CEW (Taser) data is evaluated over a three-year period, the number of CEW (Taser) utilizations in 2020 was nine (9) utilization less the three-year average of thirty-nine (39). Although the number of Tasers assigned to Troopers in the field has steadily increased from approximately six-hundred and sixty-one (661) in 2018 to approximately seven hundred and thirty (730) Troopers in 2020, the number of Taser deployments has decreased. Taser data indicates that Troopers and/or Police Officers within DESPP show great restraint when deciding whether to deploy a Taser. Based upon the statistical data examined, Troopers and/or Police Officers are more likely to utilize de-escalation techniques to avoid using a Taser by a mere display of a Taser and/or warning a subject that a Taser is a viable option than they are to deploy the Taser. Taser Warning incidents in 2020 increased from four (4) in 2019, to eighteen (18) in 2020.

The data showed that of the eighty-four (84) incidents involving a Response to Resistance and/or Aggression, in fifty-nine (59) of those incidents alcohol/drugs were involved, representing a rate of seventy percent (70%). Additionally, thirty (30) of the eighty-four (84) incidents required that the subject undergo a mental health evaluation

via an Emergency Committal, representing a rate of thirty-six percent (36%). The Committed category showed an increase of six (6) incidents when compared to the 2019 data. Ten (10) Troopers or Officers sustained injuries during an incident involving a subject who was under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. A total of forty-one (41) of the subjects of the Use of Force who sustained injuries were either under the influence or possibly under the influence of drugs or alcohol or a subject who required a mental health evaluation. The data shows that subject impairment due to alcohol and/or drugs or an altered mental status, has a significant impact on the outcome of the Use of Force incidents, as it relates to whether any of the involved parties sustained injuries.

In 2020, seventy-seven (77) subjects of a Use of Force were identified as male while a total of seven (7) were identified as female. There was a total of sixty-four (64) documented Use of Force incidents where the subject of the use of force was identified as white (76%), fifteen (15) where the subject of the Use of Force was identified as black (18%), four (4) where the race of the subject of the Use of Force was documented as unknown (5%) and one (1) where the subject of the Use of Force was identified as Indian (1%), for the year 2020. The age ranges to include subjects twenty (20) years old to forty (40) years old accounted for a majority of the Use of Force incidents. One (1) incident involved a subject sixteen years old or younger and two (2) subjects were sixty years old or older.

The 2020 data showed the highest frequency of Use of Force incidents occur between 1600 hours and 0100 hours and the lowest number of Use of Force incidents occurred between the hours of 0200 hours and 0800 hours. The highest frequency of Use of Force incidents occurred between November and January while April through June showed the lowest frequency of the incidents.

The data found within the charts on pages 30 to 40 was utilized to conduct the analysis for this report.