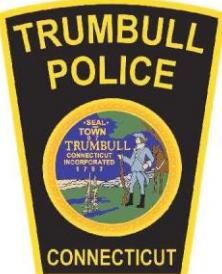


TRUMBULL POLICE DEPARTMENT POLICY

	POLICY TITLE: Use of Force Investigations	POLICY NUMBER: 7.5.4
	EFFECTIVE DATE: January 25, 2016	REVISION DATE(S): 06/01/2017, 10/15/2019, 08/28/2025
	ACCREDITATION STANDARD(S): 1.14.3, 1.14.9, 1.14.12,	
	APPROVAL AUTHORITY SIGNATURE:	

I. Purpose

The purpose of this policy is to provide Trumbull Police Department Officers and their Supervisors with guidelines for reporting and investigating use of force incidents. This policy prohibits retaliation against any officer that intervenes against any other officer that intervenes against excessive force, reports misconduct, or cooperates in an internal investigation.

II. Policy

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the Trumbull Police Department (“Department”), as well as the jurisdiction that provides this authority. To respect citizens and employees, the Trumbull Police Department is committed to documenting and investigating all use of force incidents. As such, it is this Department’s policy that officers report all use of force incidents, as designated herein, in a timely, complete, and accurate manner, as prescribed by this policy. Any officer, who uses force, is a witness to a use of force incident, or who authorizes conduct leading to the use of force incident, shall not be allowed to conduct the review/investigation.

III. Definitions

- A. **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.
- B. **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.
- C. **Authorized Weapons:** Weapons that meet Department specifications and officers are permitted to carry; and for which officers successfully complete proficiency and safety training.
- D. **Critical Firearm Discharge:** A discharge of a firearm by a Trumbull Police Department officer to the extent such discharges are authorized under this policy. Range and training discharges, and discharges at animals are not included under this section.
- E. **Deadly Force:** Any force that is likely to cause serious injury or death.

F. **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. Effective October 1, 2025, the definition of deadly weapon shall be deemed not to apply to section 29-38 or 53-206 and does not include an electronic defense weapon when used by a peace officer.

G. **De-escalation**: The use of strategies and/or techniques to reduce the intensity of or stabilize a conflict or potentially volatile situation.

H. **Electronic Control Weapon**: An incapacitating weapon used for subduing a person by administering an electric shock for the purpose of disrupting superficial voluntary muscle functions. This is an intermediate-range weapon and is classified as non-deadly. The weapon should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

I. **Exigent Circumstances**: Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

J. **Force**: Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes discharge of a firearm, or pointing a firearm at or in the direction of a human being, use of chemical spray, use of impact weapons, use of electronic control weapons (ECW), chokeholds or hard hands, taking of a subject to the ground, or deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is objectively reasonable under the circumstances to effect an arrest, or protect the officer or other person.

K. **Great Bodily Harm/Serious Physical Injury**: Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

L. **Hard Hand Control**: Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of the neck).

- Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen and head. Techniques in this category include pressure point controls, stunning or striking actions delivered to the subject's body with the hands, fists, forearms, legs, or feet. Those techniques target the major muscle groups and are delivered to create muscle cramping, thereby inhibiting muscle actions and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of neck restraints, chokeholds, or other similar weaponless control techniques, however, are prohibited unless the use of deadly force is authorized.

M. **Harm**: Injury inflicted upon a person, whether visible or not.

- N. **Imminent Threat**: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if they are not pointing a weapon at the officer but has; for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.
- O. **Impact Weapon**: Department-approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control.
- P. **Last Resort**: A final course of action, used only when other reasonable options are unavailable or have failed.
- Q. **Level of Control**: The amount of force that an officer uses to gain control of a subject.
- R. **Level of Resistance**: The amount of force used by a subject to resist compliance with the lawful order or action of an officer.
- S. **Mitigation**: The action of reducing the danger, severity, seriousness, or potential harmfulness of a condition or circumstance.
- T. **Necessary**: An action chosen when, in an officer's judgement, no effective alternative exists.
- U. **Neck Restraint/Hold**: Refers to one of the following types of holds: (a) arm-bar control hold, which inhibits breathing by compression of the airway on the neck; (b) carotid restraint hold, which inhibits blood flow by compression of the blood vessels in the neck; (c) a lateral vascular neck constraint; (d) a hold with a knee or other object to the back of a prone subject's neck. A neck restraint/hold shall be considered deadly force.
- V. **Non-deadly**: Any force used by an officer that would not reasonably be expected to cause death.
- W. **Non-Verbal and Verbal Non-Compliance**: When a subject expresses their intentions not to comply with an officer's directive through verbal and non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.
- X. **Objectively Reasonable Force**: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using an objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. In determining the appropriate level of force to be used, officers shall evaluate each situation in the light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the seriousness of the crime or suspected offense; level of threat or resistance presented by the subject; the risk or apparent attempt by the subject to escape; and whether the subject was posing an imminent threat to officers or others. (See *Graham v. Connor* (490- U.S. 386, 1989).

Y. Officer Created Jeopardy: Situations where officers needlessly put themselves in a position where they must use deadly force to protect themselves.

Z. Oleoresin Capsicum (OC) Spray: An inflammatory agent that irritates the mucus membranes and eyes to cause tears and pain. It is an intermediate range weapon that is classified as being non-deadly. It should only be used, however, when an officer is met with a certain degree of resistance or aggression through either words or actions.

AA. Passive Resistance: 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.

BB. Police officer: as used in this policy, means any Connecticut "peace officer," as defined in CGS 53a-3.

CC. 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.

DD. Proportional Force: Force that is reasonably necessary to overcome the level of resistance, aggression, or threat an officer confronts.

EE. Reasonable: Sound, fair, sensible, and not excessive under the circumstances.

FF. Reasonable Belief: Facts or circumstances that would cause a reasonable, similarly-trained police officer to act or think in a similar manner, under similar circumstances.

GG. Reasonable belief that a person has committed an offense: 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.

HH. Soft Hand Control: The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact orientated and include pain compliance pressure points, takedowns, joint licks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

II. Unreasonable Force: Any force applied in a manner inconsistent with this policy or applicable law.

JJ. Unreasonable Risk: Unwarranted exposure to the possibility of a negative consequence.

KK. Verbal Commands: The use of advice, persuasion, warnings, and clear direction prior to resorting to actual force. In an arrest situation, officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

LL. Weapon: An instrument, article or substance, including a vehicle, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or other serious bodily injury.

IV. Procedure

A. Responsibility for reporting

1. A reportable use of force incident is any force described below and includes, any incident in excess of non-compliant handcuffing, but specifically includes:
 - a. Striking another person with an open or closed hand, elbow, knee, club or baton, kicking another person;
 - b. Using OC spray, CEW, or less lethal projectile;
 - c. Using a chokehold or neck restraint;
 - d. Pointing a firearm, less lethal launcher, or CEW laser sight at a person;
 - e. The discharge of a firearm, for other than training, testing, or to dispatch an animal; and
 - f. Any action that results in, or is alleged to have resulted in, injury or death of another person.
2. Officers shall, as soon as possible, notify their shift supervisor of any Level 1 Reportable use of force. In all cases, the notification shall be made by the end of the officer's shift.
3. Officers shall immediately notify their shift supervisor of any Level 2 or Level 3 Reportable use of force.
4. Officers shall complete a Use of Force Report immediately following all reportable uses of force.
5. The completed Use of Force Report Form shall be submitted to the shift supervisor prior to the officer's completion of his/her shift. When completing the report, officers are required to provide a written report explaining the details of the event. The following additional procedures shall apply:
 - a. Each officer who uses force shall submit a separate written Use of Force Report. The officer must articulate, in specific details, the facts and circumstances surrounding the force used.
 - b. Any officer who witnesses a reportable use of force shall advise a shift supervisor, or appropriate commanding officer, and shall submit required reports.
 - c. If an officer uses force on more than one subject during the same event, the officer shall complete one Use of Force Report Form for each person.
 - d. If an officer is unable to complete the report due to injury, the officer's immediate supervisor will complete it to the extent possible, by the end of that shift.
 - e. A reportable use of force shall be reviewed and investigated by a supervisor of a higher rank than the officer using force (the reporting officer).
6. All use of force reports shall specify the actions of the suspect that necessitated the use of force, the reasons why the officer(s) used force, as well as any suspect or officer complaints of injury, medical treatment received, or refusal of medical treatment.

7. The arresting officer shall notify the transporting officers if force was used on the arrestee or if the arrestee has any injury or complains of pain.
8. Shift supervisors shall investigate and report any reportable use of force as directed in Section (D) of this policy.
9. Any officer(s) who engages in or witnesses a reportable use of force, but fails to notify a shift supervisor and/or fails to complete the form as outlined by this policy, shall be subject to disciplinary action.
10. A supervisor who uses force, authorizes the use of force, authorizes conduct leading to the use of force, or is a witness to the use of force shall not be allowed to conduct the investigation.
11. Officers who are the subject of an allegation of excessive force shall immediately notify a shift supervisor so that they may document the incident as a citizen complaint. The supervisor shall investigate the incident in accordance with applicable policies.

B. Force Levels

1. Level 1
 - a. A firearm is intentionally pointed at a person;
 - b. A weaponless defense technique is applied to a vulnerable area, excluding strikes (e.g., hair grab, pressure to mastoid or jaw line; and shoulder muscle grab); or
 - c. A weaponless defense technique control hold is applied:
 1. Escort (elbow);
 2. Twist lock;
 3. Arm-bar; or
 4. Bent wrist.

NOTE: Un-resisted handcuffing is not considered a reportable use of force.

2. Level 2
 - a. Chemical agent is applied to a person;
 - b. The use of an ECW involving any of the following circumstances:
 1. When one or more probes impact or penetrates the subject's clothing or skin;
 2. When the push stun arc touches the subject's clothing or skin; or
 3. An ECW is fired at a person, but misses.
 - c. An impact weapon, including specialty munitions, or any other instrument is used in an attempt to strike another person, but no contact is made.
 - d. The impact weapon is used for a non-striking purpose (e.g.; prying limbs, moving, or controlling a person).
 - e. A weaponless defense technique, other than control holds, excluding strikes to the head. Examples include:
 1. Hand/palm/elbow strikes;
 2. Kicks;
 3. Leg sweeps; and
 4. Takedowns.
 - f. An on-duty firearm discharge at an animal, other than to dispatch an injured animal.

- g. Any strike to the head (except for an intentional strike with an impact weapon).
- h. Use of impact weapons, including specialty impacts munitions or any other object, to strike a subject and contact is made, regardless of injury.
- i. A police canine bites the clothing or the skin of a subject, or otherwise injures a subject.
- j. Any use of force which results in injuries to the subject requiring emergency medical treatment (beyond first aid) or hospital admittance.

NOTE: For the purpose of this policy, an evaluation by a medical professional to assess a complaint of injury is not emergency medical treatment.

3. Level 3

- a. Any use of force resulting in death;
- b. Any critical firearm discharge regardless of injury;
- c. Any force which creates a substantial risk of causing death;
- d. Any force which causes serious bodily injuries as identified in this policy;
- e. Any intentional impact weapon strike to the head; and
- f. Any use of force investigation that is elevated to Level 3 by a Sergeant or other supervisory personnel.

C. Referral/Transport for Medical Attention

- 1. Arresting and transporting officers shall ask prisoners, against who force was used, whether they are injured or ill.
- 2. A suspect shall be examined by a physician or qualified health care provider prior to interrogation or prisoner processing for purposes of detention when suffering from, or complaining of, injury or illness or when, among other instances, the individual:
 - a. Is struck on the head or other body parts with an impact weapon or other hard object;
 - b. Is restrained about the neck or throat;
 - c. Is sprayed with a chemical agent;
 - d. Is subject to an ECW application;
 - e. Is struck with any non-lethal weapon projectile such as an ECW dart, beanbag, pepper ball, or string ball; or
 - f. Is bitten by a police canine.
- 3. An injured prisoner shall not be admitted to, or held in, detention without being examined and released by a physician or qualified health care provider.
 - a. Whenever there is doubt concerning the need for medical attention, it should be resolved through examination of the subject by a physician or qualified health care provider.
 - b. Refusal of treatment shall be documented and verified by the officer and attending physician or qualified health care provider.

D. Supervisory Responsibilities

1. General

- a. The supervisor, after being notified of a Level 2 or 3 use of force, shall immediately respond to the scene and conduct a preliminary investigation into the use of force.
- b. The supervisor, after being notified of a Level 3 officer involved shooting

will notify the Division Commander.

- c. While at the scene of a Level 2 or 3 use of force, the supervisor shall visibly inspect the subject(s) for injury, interview the subject for complaints of pain, and ensure the subject receives needed medical attention.
- d. While at the scene of a Level 2 or 3 use of force, the supervisor will photograph all claimed or visible injuries, and all areas where the officer reports striking the subject. Photographs of the subject shall be taken even when there are no signs of injury.
- e. The supervisor shall, within a reasonable amount of time after being notified of a reportable use of force, obtain a case number from dispatch.

2. Level 1 Use of Force

- a. When notified of a Level 1 use of force, the shift supervisor shall do the following:
 1. Document and review the officers Use of Force Report Form;
 2. Obtain, review, and sign the completed Use of Force Report Form from each officer prior to the end of their shift'
 3. Evaluate the basis for the use of force and determine whether the officer's actions were within Department policies; and
 4. Forward a copy of the signed completed Use of Force Report Form to Division Commander prior to the end of their shift.
- b. The Division Commander shall review the Use of Force Report and the supervisor's findings and:
 1. If necessary, return the report to the shift supervisor to correct any identified deficiencies; or
 2. Approve the report and forward to their Division Commander for review for filing within 15 calendar days.
- c. The Division Commander may in their discretion return the Level 1 use of force investigation to the supervisor for further review and investigation.
- d. Once reviewed by the Division Commander they will forward the approved Use of Force Report to the office of Professional Standards for filing.

3. Level 2 Use of Force

- a. When notified of a Level 2 use of force the supervisor will respond to the scene on a priority basis and shall do the following:
 1. Document, as necessary, the scene of the incident;
 2. Interview any physician or qualified health care provider concerning the injuries sustained and their consistency with uses of force reported;
 3. Collect or cause to be collected all evidence of use of force;
 4. Identify and interview witnesses other than officers as appropriate;
 5. Obtain, review, and sign the completed Use of Force Report Form from each officer prior to the end of the shift;
 6. Summarize his or her investigation and findings; and
 7. Forward a copy of the signed completed Use of Force Report Form to the Division Commander prior to the end of the shift.

- b. The Division Commander shall review a supervisor's Level 2 reports/reviews within 30 calendar days.
- c. Once reviewed by the Division Commander they will forward the approved Use of Force Report to the Office of Professional Standards.

4. Level 3 Use of Force

- a. In cases involving a Level 3 or a serious use of force as defined by this policy, the supervisor shall:
 1. Immediately respond to the scene;
 2. Ensure that officers and citizens receive appropriate medical attention;
 3. Notify dispatch that an officer has been involved in a confirmed Level 3 use of force;
 4. Document, as necessary, the scene of the incident;
 5. Secure, or cause to be secured, all evidence of use of force for appropriate processing by the investigating units;
 6. Identify witnesses, both officers and civilian, and ensure that they are segregated for interview by investigating units; and
 7. As soon as possible, secure the weapon(s) used by the involved officer(s).
- b. The supervisor, after being notified of a level 3 an officer involved shooting, shall follow the procedures set forth in Policy 7.10.1: Officer Involved Shooting.
- c. The Chief of Police or his designee shall notify the appropriate Chief State's Attorney/Bridgeport State's Attorney Office.
- d. The Office of the Chief State's Attorney Inspector General shall investigate any incident in which an officer uses deadly force or in which death occurs as a result of any use of force, and shall direct the completion of the reports as deemed necessary.

E. Operations Division Commander

- 1. Ensure that the supervisors respond to the scenes of reportable use of force as required.
- 2. Review use of force investigations submitted by the immediate supervisor, and:
 - a. Verify that all applicable Use of Force Report Forms and accompanying paperwork were submitted within the specified timelines;
 - b. Ensure that all Use of Force Report Forms and accompanying paperwork were reviewed and signed by the immediate supervisor; and
 - c. Verify that the use of force is reported accurately and completely, and that all information concerning the incident/arrest is consistent in all reports.
 1. Where there are discrepancies between reports, or the supervisor determines that further investigation is required, they shall return the investigation to the appropriate supervisor for correction, clarification, and additional investigation steps as needed.
- 3. Once the investigation is approved, determine the disposition for each allegation of use of force:
 - a. **Justified, Within Department Policy**- a use of force is determined to be justified, and during the course of the incident the subject officers did not violate a Department policy;

- b. **Justified, Policy Violation**- a use of force is determined to be justified, but during the course of the incident the subject officers violated department policy;
 - c. **Justified, Training Opportunity**- a use of force is determined to be justified, no Department policy violations occurred, but the investigation revealed tactical error(s) that could be addressed through non-disciplinary, tactical improvement training; or
 - d. **Not Justified, Not Within Department Policy**- a use of force is determined to be not justified, and during the course of the incident the subject officers violated Department policy.
- 4. The Division Commander shall submit findings and conclusions to the Office of Professional Standards within fifteen (15) days after receipt of the investigative case file from the investigating supervisor.
- 5. The Division Commander shall hold supervisors accountable for the quality of their performance reviews and investigations.
- 6. Appropriate non-disciplinary corrective action and/or disciplinary action will be taken when the supervisor fails to conduct a timely and thorough investigation, neglects to recommend appropriate corrective action, or neglects to implement appropriate corrective action.

F. Raid and Warrant Situations

- 1. Each officer that uses force will fill out a separate reportable Use of Force Report Form including pointing of firearms at subjects during raids, or execution of searches and/or arrest warrants.
 - a. Officers are advised that the reportable use of force does not take the place or substitute for the completion of an incident report. An incident report should be prepared and the incident report number must be included in the Use of Force Report Form.
 - b. The use of force investigation shall be conducted in accordance with and pursuant to applicable Department policies.

G. Training

- 1. The Department shall coordinate and review all use of force policies and training to ensure quality, consistency, and compliance with applicable law and Department policy. The Department shall provide the appropriate training that will enhance the abilities of supervisors to conduct effective, complete, and thorough use of force investigations.

H. State of Connecticut Reporting for each Use of Force Incident

- 1. The electronic State of Connecticut Police Officer Standards and Training Council Use of Force Report Form shall be completed for any incident that involves a reportable use of force. A separate form shall be completed for each person subjected to a reportable use of force. Officers involved shall complete the form as soon as practical. The required supervisory review of any use of force shall be completed in a timely manner.

I. Annual Report Review

- 1. The Office of Professional Standards is responsible for conducting an annual review of all use of force reports and providing the Chief of Police and with report findings.
- 2. Each year, but no later than February 1st of the following year, the Department

shall ensure that a copy of each completed State of Connecticut- Police Officer and Standards Training Council-Use of Force Report (POSTC Form- POUF) that meets the reporting requirements of either C.G.S. 7-282e and/or C.G.S. 51-1t and any other required document are submitted in electronic form to the Criminal Justice Policy and Planning Division of the office of Policy and Management or designee. Prior to the submission of these reports, the Department shall redact any information that may identify a minor, victims, or witnesses.

****Use of force reports that do not meet the State reporting requirements by statute, but are required by this policy, shall be stored in-house.***