

Police Officer Standards and Training Council



Compliance to Law Enforcement Standards and Practices (CLESP) Program

(Minimum Standards)

June 12, 2020

Revised 6/15/2020 with insertion of Public Act 18-161 Sec. 2. (Effective 1/1/2019)

CT Public Act No. 18-161 Sec. 2. (Effective January 1, 2019)

(a) The Police Officer Standards and Training Council, established under section 7-294b of the general statutes, and the Commissioner of Emergency Services and Public Protection or the commissioner's designee, shall, within available appropriations, jointly develop, adopt and revise, as necessary, minimum standards and practices for the administration and management of law enforcement units, as defined in section 7-294a of the general statutes. Such minimum standards and practices shall be based upon standards established by the International Association of Chiefs of Police and the Commission on Accreditation for Law Enforcement Agencies, Inc., and shall include, but need not be limited to, standards and practices regarding bias-based policing, use of force, response to crimes of family violence, use of body-worn recording equipment, complaints that allege misconduct by police officers, use of electronic defense weapons, eyewitness identification procedures, notifications in death and related events and pursuits by police officers. The council shall post such minimum standards and practices on the council's Internet web site and disseminate such standards and practices to law enforcement units. The council and commissioner or the commissioner's designee shall jointly develop a process to review a law enforcement unit's compliance with such minimum standards and practices and issue a certificate of compliance with law enforcement standards and practices to a law enforcement unit that meets or exceeds such standards and practices.

(b) On and after January 1, 2019, each law enforcement unit shall adopt and maintain (1) the minimum standards and practices developed by the council pursuant to subsection (a) of this section, or a higher level of accreditation standards developed by the council or the Commission on Accreditation for Law Enforcement Agencies.

1. *The agency has a policy concerning governing bias based policing and, at a minimum, includes the following provisions:*
 - a) *A prohibition against bias based policing in traffic contacts, field contacts and in asset seizure and forfeiture efforts; and*
 - b) *Training agency personnel in bias-based policing issues including legal aspects; and*
 - c) *Assuring all traffic stop data is collected and transmitted for analysis as required by law; and*
 - d) *Assuring that officers distribute the appropriate notice to the operator; and*
 - e) *Reporting complaints from motorists related to perceived profiling as required by law.*

Guidance: Refer to CGS 54-1m

2. *The agency has a policy concerning complaints that allege misconduct by law enforcement officers which meets or exceeds the minimum standards as required by the POST-C Model Policy and makes the policy available on the agency website and another municipal building.*

Guidance: Refer to POST General Notice 15-03 and the State Model Policy.

3. *The agency has a policy concerning pursuit of motor vehicles which meets or exceeds the minimum standards as required by the Uniform Statewide Pursuit Policy.*

Guidance: Refer to CGS 14-283a.

4. *The agency has a policy concerning procedures for handling missing persons which meets or exceeds the minimum standards as required by the POST-C Model Policy.*

Guidance: Refer to POST-C General Notices 11-01 & 12-06

5. *The agency has a policy concerning the response to family violence policy which meets or exceeds the minimum standards as required by C.G.S. 46b-38b.*

Guidance: Refer to POST-C General Notice 17-05 and POST-C General Notice 10-05

6. *The agency complies with all Police Officer Standards and Training Council (POST-C) requirements for selection and testing of police officers.*
7. *If the agency utilizes body worn recording systems, the agency has a policy which meets or exceeds the minimum standards as required by the POSTC Model Policy.*

Guidance: Refer to POST-C General Notice 15-05 and Model Policy.

8. *The agency has a policy concerning Eyewitness Identification Procedures which meets or exceeds the minimum standards as required by the POST-C Mandatory Policy.*

Guidance: Refer to POST-General Notice 12-08 and Model Policy

9. *The agency has a policy concerning Notifications in Death and Related Events in which meets or exceeds the minimum standards as required by the POST-C Mandatory Policy.*

Guidance: Refer to POST-C General Notice 08-01

10. *The agency has developed and implemented guidelines for the recruitment, retention and promotion of minority police officers as defined in section 7-291a of the general statutes. Such guidelines shall promote achieving the goal of racial, gender and ethnic diversity within the law enforcement unit.*

Guidance: Refer to CGS 7-291b

11. *The agency provides mandatory training regarding the handling of incidents involving individuals affected with a serious mental illness as part of the agency's review training program.*

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

Guidance: Refer to POST-C General Notice 15-01

12. *The agency has a policy concerning response to sexual assault complaints which meets or exceeds the minimum standards as required state statute.*

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

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

Guidance: Refer to POST-C General Notice 14-02 and Model Policy

14. *The agency complies with annual reporting requirements for Juveniles In Custody.*

Guidance: The Juvenile Justice and Delinquency Prevention Act of 1974, as amended (JJDP), assists states in efforts to prevent and control juvenile delinquency, provide proper and adequate treatment for troubled youth, and improve the juvenile justice system. To achieve these goals, the JJDP has established certain core protections (mandates) with which the states must demonstrate compliance in order to be eligible for federal funding under the JJDP Formula Grants Program. As part of this process, participating states are required to maintain a comprehensive statewide compliance monitoring system that inspects facilities, collects essential data and reports annually to the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) on the extent of compliance with the following three mandates: *Deinstitutionalization of Status Offenders (DSO)*. The JJDP provides for status offenders,

civil-type offenders, and non-offenders not to be detained or confined in secure detention or correctional facilities.

Separation of Juveniles from Adult Offenders in Secure Facilities (Separation)

The JJDPa provides for juvenile offenders, status offenders and non-offenders not to be detained or confined in any institution in which they have contact with adult inmates.

Removal of Juveniles from Adult Jails and Lockups (Jail Removal)

The JJDPa provides for all juveniles not to be detained or confined in any jail or lockup for adults.

The Office of Policy and Management is the state agency responsible for maintaining the compliance monitoring system in Connecticut. All facilities in the state (both public and private) that have the potential to hold juveniles pursuant to public authority fall within the purview of the monitoring universe. This includes local and state police lockups, juvenile detention and correctional facilities, court facilities, adult jails and prisons, mental health hospitals and institutions, and all other public and private juvenile placement and residential facilities. Annually, data is collected from all such facilities. A minimum of 10% of the facilities must be on-site inspected each year for verification and 100% of all the facilities must have an on-site inspection once every 3 years.

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

Guidance: Refer to Public Act 17-32

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

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

- carrying any lethal or less lethal weapons;*
- f) Describes the initial training and in-service training requirements for all weapons;*
 - g) A requirement that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practicable;*
 - h) A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;*
 - i) A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and*
 - j) A prohibition against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.*