

**INFRACTION TRAINING—
VIOLATIONS OF MASK REQUIREMENTS
AND GATHERING SIZE RESTRICTIONS**

TRAINING FOR LOCAL OFFICIALS

OCTOBER 23, 2020

INTRODUCTION

- James C. Rovella, Commissioner, Department of Emergency Services and Public Protection (DESPP)
- Deidre Gifford, Acting Commissioner, Department of Public Health (DPH)
- Doug Dalena, Esq., Deputy General Counsel, Office of the Governor
- Alexandra Daum, Deputy Commissioner, Department of Economic & Community Development (DECD)
- Brenda M. Bergeron, Esq., Division of Emergency Management and Homeland Security, DESPP
- Eric Scoville, Emergency Management Program Specialist, Div. of Emergency Management and Homeland Security, DESPP
- Trooper Matthew Kane, Staff Instructor, Connecticut State Police Training Academy
- Lori J. Mathieu, Chief, Environmental Health and Drinking Water Branch, DPH

AGENDA

- Purpose of Webinar
- Public Health Concern as COVID-19 Case Numbers Rise
- Executive Order No. 9G—Municipal Authority to Revert to the More Restrictive Pre-October 8, 2020 Rules
- Sector Rules
- Executive Order No. 7PP—Enforcement of Sector Rules
- Executive Order No. 9B—Authority to Issue Fines
- Process for Issuance of Fines
- Other Tools in the Toolbox
- Next Steps
- Question and Answer Session

PURPOSE OF WEBINAR

- Local Officials' Authority Under Executive Order Nos. 7PP and 9B
- Process for the Issuance of Fines

PUBLIC HEALTH CONCERN – COVID-19 CASE RATES

- There are 22 municipalities in the Orange-Level Alert category and 19 municipalities in the Red-Level Alert category, as indicated in DPH's weekly [COVID-19 Alert Map](#) published by DPH yesterday.
- Mask wearing, social distancing and enforcement of Sector Rules key to protecting public health

EXECUTIVE ORDER 9G—MUNICIPAL AUTHORITY TO REVERT TO THE MORE RESTRICTIVE PRE-OCTOBER 8, 2020 RULES

- Issued by Governor Ned Lamont on October 13, 2020
- Pursuant to [Executive Order No. 9G](#), within 96 hours of a “Red-Level Alert Category” designation, a municipality that has an Elevated Case Rate is required to send written notice to the DECD Commissioner at DECD.Covid19@ct.gov of the municipality’s election to revert to pre-October 8, 2020 rules or maintain the Phase 3 rules.

Industry	Phase 2	Phase 3
Restaurants	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers
Personal Services	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers
Libraries	Up to 50% capacity indoors	Up to 75% capacity indoors
Outdoor Event Venues (e.g. Amphitheaters, Race Tracks)	Up to 25% with social distancing and masks required	Up to 50% with social distancing and masks required
Indoor Performing Arts Theaters	Closed	Up to 50% capacity with 6 ft spacing between parties
Private, Social and Recreational Gathering Sizes – Commercial Venue	Indoor – Cap of 25 people Outdoor – Cap of 100 people	Indoor – Up to 50% capacity, capped at 100 people Outdoor – Cap of 150 people
Private, Social and Recreational Gathering Sizes – Private Residences	Indoor - Cap of 25 people Outdoor – Cap of 100 people	Indoor - Cap of 25 people Outdoor – Cap of 100 people
Graduations	Indoor – Not allowed Outdoor – One time exemption capped at 150 people with masks and social distancing required	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required
Religious Gatherings	Indoor – Up to 25% capacity capped at 100 people Outdoor – Capped at 150 people	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required

SECTOR RULES

www.ct.gov/coronavirus

EXECUTIVE ORDER NO. 7PP— ENFORCEMENT OF SECTOR RULES

- Issued by Governor Ned Lamont on May 18, 2020
- Section 2 of [Executive Order No. 7PP](#):
 - Modifies § 19-13-B1 of the Regulations of Connecticut State Agencies to include in the definition of public nuisance a violation of the Sector Rules.
 - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a local or district health director to order the closure of a Public Health Facility until such time as he or she determines that the Public Health Facility has abated the nuisance by coming into compliance with the Sector Rules. “Public Health Facility” is defined in the Executive Order to include hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, private clubs, or any locations licensed for on-premise consumption of alcohol, that are allowed to reopen pursuant to the Sector Rules.
 - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a Municipal Designee to order the closure of any business other than a Public Health Facility in violation of the Sector Rules until such time as the Municipal Designee determines that such business has abated the nuisance by coming into compliance with the Sector Rules.

EXECUTIVE ORDER NO. 9B— **AUTHORITY TO ISSUE FINES**

- Issued by Governor Ned Lamont on September 15, 2020.
- Section 2 of [Executive Order No. 9B](#) authorizes local health directors, district health directors, and their designees; municipal chief executive officers and their designees; and state and municipal police officers, among others, to issue fines for the following violations:
 - \$100 fine for failing to wear a mask or cloth face covering while in any public place or in any location where and for whom wearing a mask or face covering is required
 - \$100 for a business entity, rather than the employee, for any employee's failure to wear a required mask or cloth-face covering while at work
 - \$250 fine for any person who attends a gathering that violates the gathering size restrictions
 - \$500 fine for any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions

ISSUING AN INFRACTION

BUSINESS EXAMPLE

COMPLAINT TICKET				P.D. CASE NO.	
The undersigned officer complains that:					
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)	TOWN CODE		
10/16/2020	6:00 P.M.	Killingly	069		
NAME (Last, First, Middle Initial)					
Smith, Cody, P.					
ADDRESS (No., Street and City)					
52 Main Street, Killingly, CT					
STATE	ZIP + 4	DATE OF BIRTH	RACE	HISP.	SEX
06239		02/22/90	W	<input type="checkbox"/> Y	M
LICENSE AND MOTOR VEHICLE					
DRIVER'S LICENSE NO. <input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.				STATE	
1 9 0 3 4 3 3 3 7				CT	
REG. NO. <input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE	YEAR	COLOR	
OWNED BY (Last, First, Middle Initial) N/A					
ADDRESS (No., Street and City)					STATE
ON (Street or Highway; If intersection, specify)					
Main Street, Killingly, CT (May Add Business Name)					
TRUCK (14-260n)		OVER 15% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)		ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N			
DOT #	18,000 LBS. OR MORE (Overweight Violation)	ACTUAL SPEED	POSTED LIMIT	VIS.	AREA
	<input type="checkbox"/> Y <input type="checkbox"/> N				
COMMERCIAL/HAZARD. MAT.		ANSWER DATE (Month, Day, Year)			
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM		10/30/2020			
did commit the following INFRACTION(S)/VIOLATION(S)					
1. EMPLOYEE VIOLATION OF FACE COVER	STAT /ORD. NO.	AMOUNT			
2. REQUIREMENTS - BUSINESS	EO-9B-2a(2)	\$100			
SIGNATURE (Officer)					
Tpr. Matt Kane				AMOUNT DUE	\$100.00
SHIELD NO.	POLICE DEPARTMENT				
433	Connecticut State Police				
PHOTO I.D.	SIGNATURE (Person receiving this complaint)				
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>				
CONNECTICUT SUPERIOR COURT JD-CR-2 Rev. 8-08					

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf.pdf?1a=en>

Location of the Offense

Areas Crossed out are specific to Motor Vehicle Laws

Schedule answer date for second Friday after the date of the violation, even if such Friday is a Holiday

Designates if the violator's identity was confirmed by a photograph ID.

R024544

ISSUING AN INFRACTION

INDIVIDUAL EXAMPLE

COMPLAINT TICKET				P.D. CASE NO.	
The undersigned officer complains that:					
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)	TOWN CODE		
10/16/2020	6:00 P M	Killingly	069		
NAME (Last, First, Middle Initial)					
Smith, Cody, P.					
ADDRESS (No., Street and City)					
52 Main Street, Killingly, CT					
STATE	ZIP + 4	DATE OF BIRTH	RACE	HISP.	SEX
06239		02/22/90	W	<input type="checkbox"/> Y	M
LICENSE AND MOTOR VEHICLE					
DRIVER'S LICENSE NO. <input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.				STATE	
1 9 0 3 4 3 3 3 7				CT	
REG. NO. <input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE	YEAR	COLOR	
OWNED BY (Last, First, Middle Initial) N/A					
ADDRESS (No., Street and City)					STATE
ON (Street or Highway; If intersection, specify)					
Main Street, Killingly, CT					
TRUCK (14-260n)		OVER 15% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)		ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	ACTUAL SPEED	POSTED LIMIT	
DOT #	18,000 LBS. OR MORE (Overweight Violation)			VIS.	AREA
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N				
COMMERCIAL/HAZARD. MAT.			ANSWER DATE (Month, Day, Year)		
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM			10/30/2020		
did commit the following INFRACTION(S)/VIOLATION(S)					
1. VIOLATION OF FACE COVER REQUIREMENTS		STAT /ORD. NO.	AMOUNT		
2. - PERSON		EO-9B-2a(1)	\$100		
3.					
SIGNATURE (Officer)		AMOUNT DUE			
Tpr. Matt Kane		\$100 .00			
SHIELD NO.	POLICE DEPARTMENT				
433	Connecticut State Police				
PHOTO I.D.	SIGNATURE (Person receiving this complaint)				
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>				
CONNECTICUT SUPERIOR COURT JD-CR-2 Rev. 8-08					

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf.pdf?1a=en>

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ISSUING AN INFRACTION

OFFICER'S REPORT TO PROSECUTING AUTHORITY

Note facts and circumstances in addition to those recorded on face of complaint:

1. Any specific action of violator which increased the hazard of the violation;
2. Where violation observed and where contact made;
3. Total distance traveled during pursuit;
4. Statements by violator and general attitude.

COMPANION CASES (Names of defendants)

On 10/16/2020 at approximately 6:00pm
I was conducting an Inspection of

BUSINESS NAME. Upon Entry I saw
BUSINESS EMPLOYEE NAME (Date of

Birth) failing to wear a face mask while
working. I located manager / owner

BUSINESS OWNER NAME (Date of Birth).
OWNER stated. "We don't wear masks

here". Owner confirmed being aware of
current executive order 9B.

See report for further details.

WITNESSES (Names and addresses)

Health Inspector Jones

The Narrative of the Incident is the equivalent to a prosecutors report. It can be used in court for or against the charge.

A more in-depth narrative is useful if the case goes forward in court proceedings.

A list if corroborating witnesses

EXECUTIVE ORDER NO. 9B CITATIONS

Citation	Description of Violation	Fine Amount
EO-9B-2a(1)	Any person who, while in any public place or in any location falls to wear a mask or face covering as required by Executive Order 98, other than a person medically exempt or while outdoors maintains a distance of six feet from any other person	\$100
EO-9B-2a(2)	A business entity that fails to have employees wear a mask or cloth-face covering while at work as required by Executive Order 9B	\$100
EO-9B-2b	Any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions set forth in Executive Order 9B	\$500
EO-9B-2c	Any person who attends a gathering that violates the gathering size restrictions set forth in Executive Order 9B	\$250

HOW TO SUBMIT COMPLAINT TICKETS TO THE CENTRALIZED INFRACTIONS BUREAU

**Centralized Infractions Bureau
225 Spring Street
Wethersfield, CT 06109**

**DAILY TRANSMITTAL LIST
COMPLAINT TICKETS ONLY**
JD-CL-3a Rev. 7-2000

SEE INSTRUCTIONS ON REVERSE SIDE

www.jud.state.ct.us

For Judicial Branch use only

DATE RECEIVED	
BATCH NO.	NO. OF TICKETS
AGENCY CODE	

PAGE ___ OF ___ PAGES

FROM: [] Name and mailing address []

ENTER AGENCY CODE HERE: [] AGENCY CODE

NAME OF PREPARER		DATE PREPARED	This report covers the 24 hour period, starting at 12:01 A.M., of the following date →		DATE COVERED
COMPLAINT TICKET NO.	NAME OF DEFENDANT (Last, first, middle initial)	INFRACTION/VIOLATION (Gen. stat./reg. no.)	SEIZED PROP. INVENTORY		ADDITIONAL OFF. REPORT*
			Yes	No	Yes
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
TOTAL NO. TICKETS ENTERED ABOVE →		RECEIVED BY (Judicial employee)	DATE	ENTER TOTALS →	INVEN. REPTS.

* Refers only to reports which are in addition to the officer's report on the reverse side of the Complaint ticket.

DISTRIBUTION: Original - CLERK OF COURT Copy 1 - TRANSMITTING POLICE OFFICER Copy 2 - RETAIN IN POLICE DEPT.

HOW TO OBTAIN COMPLAINT TICKET BOOKS

- Local officials, other than local and district health departments, should send an email to: traffictickets@jud.ct.gov to request complaint ticket books.
- Local and district health departments should send an email to: DPH.LHD.E09B.violations@ct.gov to request complaint ticket books.

OTHER TOOLS IN THE TOOLBOX

- Infractions are just one tool in your toolkit to encourage compliance.
- Be proactive; use messaging as a tool to encourage voluntary compliance.
- Communicate; often and across all platforms.
 - Wear a mask, wash hands, maintain social distancing and stay home if you feel sick.
 - Traditional media, social media, video, in person etc.
 - Leverage all accounts (Local CEO, Fire, Police, EMS, Local Public Health, Emergency Management etc.)
 - Leverage local influencers with large following and strong community ties.
- State Resources:
 - Community Resource Templates: <https://portal.ct.gov/Coronavirus/CommunityResources>
 - ESF-15 Diverse Community Outreach Task Force Distribution List: <https://portal.ct.gov/diverseoutreach>

NEXT STEPS

Use your Unified Command structure and partners to set up a team and create a plan for “battle rhythm” of communications and to spell out the enforcement process. Partners may include:

- CEO
- Local Public Health (ESF 8)
- Local Law Enforcement (ESF 13)
- Emergency Management (ESF 5)
- Public Messaging partner (ESF 15)
- Who else might be an appropriate partner in your municipality?
- Plan may include:
 - Who is responsible for which enforcement actions (for example, local public health has very specific enforcement authority—the CEO designee is responsible for the rest--list out who is responsible for what)
 - How are complaints being transmitted to the right party and how are the enforcement actions in your community being tracked?
 - What is the communications flow between team members? What is the messaging that is being sent to the public?

QUESTIONS AND ANSWERS