


STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

Police Officer Standards and Training Council
Connecticut Police Academy

GENERAL NOTICE 20 – 07

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Karen Boisvert 
Academy Administrator

Date: September 25, 2020

Subject: Guidance Language
An Act Concerning Police Accountability
Section 30 of HB 6004
Duty to Intervene and Duty to Report
Effective October 1, 2020

The Use of Force Sub – Committee established by the Police Officer Standards and Training Council has provided guidance language to assist agencies in implementing Section 30 of HB 6004 “An Act Concerning Police Accountability” effective October 1, 2020; see attachment “Duty to Intervene”. This guidance language is for policy’s currently in place pertaining to use of force.

Note: The draft Use of Force Policy to be forwarded to the Council by the sub-committee in the near future will include Section 30 language, with edits, if any.

Questions or comments may be directed to my attention either by e-mail Karen.boisvert@ct.gov or phone 203 – 427 – 2601.

KB/kb

State of Connecticut
Police Officer Standards and Training Council
Use of Force Sub-Committee
An Act Concerning Police Accountability – Section 30

1. Use of Force

Law enforcement recognizes the sanctity of human life and respect for the dignity of all as core tenets of the law enforcement profession. As guardians of a lawful and ordered society, peace officers are vested with significant authority, the judicious use of which serves to reinforce public confidence in the legitimacy of the police. Acknowledging that circumstances may cause the use of physical force upon a person, up to and including deadly force, the law enforcement profession must view the use of force as a sometimes necessary but least desirable outcome. To that end, law enforcement must use only the minimum, reasonable and proportionate level of force necessary to achieve a lawful purpose.

2. Moral and Ethical Obligations Regarding the Use of Force

All Department members are obligated to ensure compliance with this policy and the legal, moral, and ethical obligations of service to the public, including:

Duty to Render Aid:

An officer shall immediately request an EMS response for any person having sustained a visible injury, complaining of injury, or otherwise exhibiting signs of medical distress including shortness of breath, altered mental status or loss of consciousness.

An EMS response shall be requested for any person subjected to an officer's use of force, to include the use of a firearm, an impact weapon or impact projectile, CEW, OC spray, K-9 apprehension, etc., or complaining of any injury resulting from the use of force. A supervisor shall be immediately notified of any EMS response initiated consistent with this policy. Whenever possible, injuries shall be documented and photographed.

Duty to Intervene:

Any police officer acting in a law enforcement capacity who witnesses a use of force by another officer (regardless of rank), that the witnessing officer knows to be unreasonable shall intervene and attempt to stop such use of force. 'Unreasonable force' is any force applied in a manner inconsistent with this policy or applicable law. The level of intervention should be that level necessary to stop said use of unreasonable force and may involve verbal and/or physical intervention.

The provisions of this section do not apply to officers acting in an undercover capacity if the intervention will significantly compromise their safety or the safety of another.

There may be exigent circumstances preventing an officer from complying with these requirements, e.g.,

- an officer engaged in a simultaneous attempt to apprehend another person;

- an officer actively engaged in rendering aid to a seriously injured person;
- an officer separated by space, elevation, physical barriers, terrain or other hazards or impediments preventing intervention.

Circumstances preventing or impeding effective intervention shall be promptly reported and documented.

Any officer that who fails to intervene in any such use of force incident may be subjected to disciplinary action and criminal prosecution for the same acts as the offending officer.

Duty to Report:

Any police officer acting in a law enforcement capacity that witnesses or otherwise becomes aware of, a use of force by another officer (regardless of rank), that the witnessing officer knows to be unreasonable shall report, as soon as is practicable, such use of force to a supervisor in a manner prescribed by the Department. ‘Unreasonable force’ is any force applied in a manner inconsistent with this policy or applicable law. The reporting officer shall also complete a written report, in a manner prescribed by the Department, detailing such use of force.

Any officer failing to report such use of unreasonable force as required by this policy may be subjected to disciplinary action and criminal prosecution.

Retaliation Prohibited:

The Department and its employees are strictly prohibited from taking any retaliatory, discriminatory or punitive action against any officer that acts in accordance with this policy or cooperates in any internal or criminal investigation related thereto.