



DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION

POLICE OFFICER STANDARDS & TRAINING

Comment Summary and Response

The Police Officer Standards and Training Council (hereafter the “Council”) received 1 Public Comment concerning the proposed Uniform Crowd Control and Management Policy regulations. The Public Comment did not express opposition to the regs but suggested modifications and clarifications. The Council addresses each section as follows:

- 1. Comment:** Page 2 (New) Sec. 7-294hh-4 - "Departments shall facilitate training to every police officer during their recertification cycle in Crowd Control and Civil Disorder that includes a review of policy as well as all relative state laws" *How frequent is this? Yearly or once during a certification cycle?*

Response: The Council has added additional language clarifying that the training shall be required during an Officer’s recertification cycle, which is currently three years per POSTC regulations.

- 2. Comment:** (NEW) Sec. 7-294hh-5. Procedures - "10. Comprehensive documentation of the basis for the incident and the response to the incident shall be included in an After Action Report." *Is this documentation an internal report or documented through a case number?*

Response: The Council declines to identify whether an after action report shall be deemed an internal report or through a case number. Law enforcement units should defer to their own policies and procedures as to how After Action Reports are classified.

- 3. Comment:** (NEW) Sec. 7-294hh-5. Procedures (c) Responses to Crowd Situations: *Would add in staging area for Command Post*

Response to Comment: The Council added the following language to the identified section: “(C) Identify the staging area for responding personnel including a Command Post”

- 4. Comment:** *There is mention of mutual aid. Does there need to be a section on Unified Command? Would be for mutual aid purposes as well as larger events that require use of FD, EMS, DPW, etc.*

Response to Comment: The Council declines to adopt a section on Unified

Command as it may exceed statutory authority.

5. **Comment:** *Sec. 7-294hh-5. Procedures (c) Responses to Crowd Situations: Declaration of Unlawful Assembly **Dispersal order: Need a warning for chemical agents if they are anticipated to be used. It is mentioned later under Chemical Munitions, but would add in below the order "If you refuse to move, chemical agents will be used."***

Response to Comment: The Council added the additional warning language as follows: "If chemical agents such as OC or CS is to be used, the following warning shall be added to subparagraph A: "If you refuse to move [insert either OC Spray or CS Gas] will be used."

6. **Comment:** *(f) Tactics and Weapons (Non-compliant Crowd) - (E) Specialty Impact Less-Lethal Weapon: The State Model Use of Force policy does not specifically mention the term "Specialty Impact." Under the definition of Less-Lethal Force it says "weapons and munitions (such as OC spray or chemical agents such as tear gas, CEW, projectiles like rubber bullets and bean-bag rounds, batons and other impact weapons, and flash bang devices)." Does this include PepperBall? Does it need the phrase "such as, but not limited to"*

Response to Comment: The Comment exceeds the scope of the regulation suggested language shall be forwarded to the POSTC Council for consideration with regards to the Model Use of Force Policy. However, the Council does define Specialty Impact Munition for the purposes of the identified subparagraph.

7. **Comment:** *(H)Chemical Munitions: (i) CS: Is CS the only authorized chemical munition? There are other chemical agents, such as OC and smoke. OC is not just a spray. It is also available in a powder form and can be dispensed the same way as CS.*

Response to Comment: The Council added additional language to distinguish between CS/CN Chemical Agents (Tear Gas/Mace) and Oleoresin Capsaicin (Spray/Powder). The Council also clarifies that CN gas shall not be used under any circumstance.

Additional Notes:

1. The Council made technical, grammatical, and stylistic corrections throughout the regulation as appropriate.
2. The Council updated definitions for clarification purposes.

If you have any questions or concerns please contact Colin Milne, DESPP Assistant Legal Director, serving as counsel to POSTC, 860-685-8676 or email Colin.Milne@ct.gov.