



**BOR ACADEMIC AND STUDENT AFFAIRS COMMITTEE - AGENDA**

**Friday December 7, 2012, 9:30 a.m. to 11:30 a.m.**

**61 Woodland St., Hartford, CT 06105**

**3<sup>rd</sup> Floor Board Room**

**1. Approval of November 2, 2012 Minutes**

**CONSENT CALENDAR**

**2. Academic Program Approvals**

a) Program Modifications

- Physical Education (MS) – Specializations in Exercise Science and Teaching Physical Education [Central CSU]
- Communication Sciences (BA) –Name Change to Communication [University of Connecticut]
- Communication Sciences (BA) –Name Change to Speech, Language, and Hearing Sciences [University of Connecticut]
- Communication Sciences (MA) – Name Change to Communication [University of Connecticut]
- Communication Sciences and Audiology (MA) – Name Change to Speech, Language, and Hearing Sciences [University of Connecticut]
- Communication Sciences (PhD) –Name Change to Communication [University of Connecticut]
- Communication Sciences and Audiology (PhD) –Name Change to Speech, Language, and Hearing Sciences [University of Connecticut]
- Audiology (AuD) –Name Change to Speech, Language, and Hearing Sciences [University of Connecticut]

**ACTION ITEM**

**3. Issues related to the Transfer and Articulation Policy (TAP)**

**DISCUSSION ITEM**

**4. Authorization to arm certified police officers at Manchester Community College**

**UPDATES**

**5. Progress on program review**

**DISCUSSION ITEM**

Discussion of request from Manchester Community College to arm its Police Officer Standards and Training (POST) certified police officers with firearms

**BACKGROUND**

Manchester Community College has requested authorization to arm its Police Officer Standards and Training (POST) certified police officers with firearms. The former governing body for the community colleges issued a weapons policy for the Central Naugatuck Valley Region Higher Education Center, and a similar policy would likely be needed to authorize police at MCC to carry firearms:

4.20 Weapons Policy - Central Naugatuck Valley Region Higher Education Center  
All employees at the Central Naugatuck Valley Region Higher Education Center having been trained at the Connecticut state police academy and certified as police officers, pursuant to Connecticut general statutes section 29-18,<sup>1</sup> are hereby empowered to carry firearms while on duty at the CNVRHEC. Adopted February 26, 1990 (Connecticut Community Colleges

In a preliminary legal determination, BOR staff observed that MCC police officers have been granted special police powers by the Commissioner of Public Safety under C.G.S., Section 29-18; these special police powers, when coupled with POST certification, should constitute the requisite authority for arming; in turn, the jurisdiction of these officers would presumably be the MCC Campus under C.G.S., Section 54-1f. This preliminary determination needs to be confirmed by BOR Counsel, as well as the Attorney General's Office.

**FINANCIAL IMPACT**

The College estimates that the financial impact of the proposal is negligible; costs for weapons and the qualification program will be offset by cancelling an armored car contract. No additional personnel costs are anticipated.

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<sup>1</sup> Sec. 29-18. Special policemen for state property. The Commissioner of Public Safety may appoint one or more persons nominated by the administrative authority of any state buildings or lands including, but not limited to, state owned and managed housing facilities, to act as special policemen in such buildings and upon such lands. Each such special policeman shall be sworn and may arrest and present before a competent authority any person for any offense committed within his precinct. (1949 Rev., S. 3660; 1969, P.A. 468; P.A. 77-614, S. 486, 610.)

History: 1969 act specifically included state-owned and managed housing facilities as eligible to be served by special policemen; P.A. 77-614 replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

See Sec. 4b-13(a) re enforcement of regulations concerning state-owned parking areas by special policemen.

See Sec. 29-8a re indemnification of state policemen and State Capitol police in civil rights actions.

See Sec. 53-39a re indemnification of state police and State Capitol police in cases where criminal charge is dismissed.

University police have all the powers of state policemen and are entitled to all the protections afforded such policemen. 166 C. 81.

Determination of whether special policeman under this section is considered a "policeman" for purposes of Sec. 31-275(1)(A) depends on facts in case. 60 CA 707

The College estimated one-time costs to implement its proposal as:

• Firearms Equipment and Supplies	\$5,000
• Officer Qualification Program including Psychological Exams	\$2,500
Total Initial Implementation Costs	\$7,500
Less: Annual savings from canceling armored car contract for bank deposits	\$(6,500)
Net Year 1 Cost	\$1,000

The college has partnered with the Manchester Police Department to provide the required ongoing training program at no cost. The cost of ammunition is already a current budget line item to qualify for P.O.S.T. Certification.

The College has provided a justification and several other supporting documents. These are included for background.

**JUSTIFICATION PROVIDED BY THE COLLEGE**

The Manchester Community College Police Department has primary jurisdiction on the college campus and has complete police authority to apprehend and arrest anyone involved in illegal acts on campus. They are the first responders to all incidents on campus.

The MCC Police Department personnel include a Master Sergeant and four Police Officers. (Additionally we have four Buildings and Grounds Patrol Officers, two Telecommunications Operators, and three student workers).

The Master Sergeant and police officers are P.O.S.T. certified (i.e. certified by the State of Connecticut's Police Officers Standards & Training Council) and have full powers of arrest. These are all veteran officers who have attended the P.O.S.T. Police Academy and maintain their certification by completing 60 hours of review training every three years.

MCC's police officers are required to qualify with handguns every year to maintain their P.O.S.T. certification. Current Board policy requires approval for our officers to carry arms.

If an incident involving violence and a weapon occurs on campus, MCC police officers would not be able to respond and would need to rely on the State police or the local police department – a response time that could put the college and our students in a very dangerous situation. The Chief of Police for the Manchester Police Department indicated that he is in support of arming our police department and will work with us to ensure proper training and assessment. The Chief is concerned that even if his department is responding, that our facility is complex and that our officers could not assist in identifying entrance ways, etc., putting any responding officer at additional risk.

College discussions about the possible arming of MCC's police officers began during the 2010 academic year with informational sessions with various groups including the President's Advisory Council, College Senate, Academic Senate, and Student Senate. In April 2010, a college-wide survey on arming was conducted with a majority of the responses in support of "asking the Board of Trustees for permission to arm MCC's Police Officers with firearms." Responses from a second student survey in 2012 indicated that 67% of those students responding supported the arming of MCC police officers.

**COLLEGE'S ANALYSIS**

Public safety and crisis preparedness are concerns at all our colleges and universities. Manchester Community College has addressed these concerns in several ways. The President's Emergency Management Team has a detailed Emergency Response Plan and has conducted a comprehensive Active Shooter Table-top drill with the Manchester Police Department ("MPD") and a college-wide Shelter-In-Place drill. A multi-disciplinary risk and threat assessment team (TABI -Threat Assessment and Behavior Intervention) has been created which meets bi-weekly. Mass notification technologies and procedures have been upgraded and expansion of these technologies is planned. There have also been improvements to the physical security on campus.

One area that must be addressed is the arming of MCC's police officers. MCC's officers are the first responders to all incidents on campus and can arrive on the scene of an emergency incident within two or three minutes. But if that incident involves violence and a weapon, there is nothing that the MCC officers can do. They cannot protect themselves and they cannot protect

others. They must wait for the MPD to be called and those armed officers to arrive and handle the situation. MCC officers cannot even assist or accompany the MPD officers without jeopardizing the MPD personnel.

If there is a violent incident on campus, MCC PD will call the MPD for assistance and MPD will dispatch officers to the campus. Depending upon MPD's manpower and case load at the time of such a call, officers will begin arriving on campus within five to twelve minutes. Additionally, other police departments and the State Police will be called by MPD and officers from surrounding jurisdictions will respond.

An armed response to the actual scene of the violence will take considerably longer because these officers will be operating under two handicaps. First, they do not know the campus and its physical layout. Second, they do not know the college community and its members.

The most direct solution to these problems is for MCC police officers to be armed. They know the campus. They know the constituency. And they can respond within minutes. Their response would identify the situation; contain it, if possible; and have MPD and its resources available to assist as needed.

Arming requires a comprehensive implementation program to ensure that all effective safeguards, policies, procedures, training, and supervision are in place. This implementation program includes new general orders on firearms and use of force; oversight and review protocols; establishment of specific requirements for authorization to be armed; acquisition of equipment; and rigorous firearms training.

MCC's police officers are fully qualified, POST-certified, experienced professionals who take their duty to protect very seriously. They should be provided with the same tools police officers nationwide have to protect themselves and others. To fail to do so place these officers and the college community they protect at risk, and places unnecessary liability for safety on the college and the Board.

## Proposal: To arm MCC's Police Officers



### Recent Shooting Tragedies

#### On campuses

Virginia Tech (2007 and 2011)  
Northern Illinois University (2008)

#### In the workplace

Hartford Distributors Inc. (2010)

#### By community college student

Tucson in 2011

### Actions Taken at MCC

- President's Emergency Management Team
  - Active Shooter Table-top Drill with MPD
  - College-wide Shelter-in-place drill
- Emergency Response Plan
- TABI – a multi-disciplinary risk and threat assessment team
- Mass notification technologies and procedures
- Improvements to physical security on campus

### Proposed Next Step

**Arm the College's  
Police Officers**



### Columbine High School – April 20, 1999

Police responded with traditional SWAT tactics – “establish outer perimeter, establish inner perimeter, make contact with perpetrators and negotiate.”


#### Hour-long rampage

12 students and 1 teacher killed  
27 others wounded

Police tactics have changed in response to Columbine and other school shootings

First officers on scene:  
**Engage** and **STOP** the  
shooter

August 3, 2010  
Hartford Distributors, Inc.  
Manchester, Connecticut



Shooter killed 8 people and wounded 2.

Police officers arrived on scene 3 minutes after first 911 call and entered the building 7 minutes later searching for the shooter.

**No one died after police arrived on scene.**

“Given the enormous consequences of a campus shooting coupled with the nationally recognized and proven best response requiring the first officers on the scene to neutralize the shooter aggressively, it is highly recommended that all [sworn] police officers on campus be armed and trained in the use of personal and specialized firearms.”

Applied Risk Management, "Campus Violence Prevention and Response: Best Practices for Massachusetts Higher Education, Report to Massachusetts Department of Higher Education," June 2008

International Association of Campus Law Enforcement Administrators (IACLEA)

Position Statement:

Arming: The decision whether or not to arm campus officers is one related to program. If the campus provides a full service law enforcement agency to members of the campus community, the officers should be armed.

**Connecticut Community Colleges**

	Police Officers	Buildings and Grounds Patrol Officers	Contract Guards	Police Officers Armed
Asnuntuck Community College	0	0	Yes	n/a
Capital Community College	1	8	0	NO
Gateway Community College	0	0	Yes	n/a
Housatonic Community College	2	6	0	NO
Manchester Community College	5	4	Yes	NO
Middlesex Community College	0	0	Yes	n/a
Naugatuck Valley Community College	5	4	0	YES
Northwestern Community College	0	0	Yes	n/a
Norwalk Community College	0	5	0	n/a
Quinebaug Valley Community College	0	0	0	n/a
Three Rivers Community College	0	0	Yes	n/a
Tunxis Community College	0	0	Yes	n/a

College/University	Police Officers	Armed
University of Connecticut	Yes	Yes
<b>Connecticut State Universities</b>		
Central Connecticut State University	Yes	Yes
Eastern Connecticut State University	Yes	Yes
Southern Connecticut State University	Yes	Yes
Western Connecticut State University	Yes	Yes
<b>Connecticut Community Colleges</b>		
Naugatuck Valley Community College	Yes	Yes
Manchester Community College	Yes	No
Housatonic Community College	Yes	No
Capital Community College	Yes	No
8 Community Colleges	No	No
Yale University	Yes	Yes
University of New Haven	Yes	Yes
U. S. Coast Guard Academy	Yes	Yes
University of Bridgeport	No	Yes
Fairfield University	No	Yes
All other private colleges and universities in CT	No	No

Massachusetts

Five of the State's nine state universities have armed campus police officers. (Bridgewater State University, Fitchburg State University, Salem State University, Westfield State University, and Worcester State University)

- Framingham State is pursuing certification with the Massachusetts Police Accreditation Commission and plans to then request arming
- Massachusetts College of Liberal Arts - Director of Public Safety has asked for his police officers to be armed (June 2011)

Rhode Island

The decision to arm campus police rests with the Rhode Island Board of Governors for Higher Education.

RI State Senator Shibley has introduced a bill (Bill # 401), the "Maintenance of Order on Campus Act", to require an armed campus police force at all of Rhode Island's higher education institutions.

Brown University

2004 – President Ruth Simmons authorized arming Brown's police officers

State University of New York (SUNY)

The decision to arm officers is made on a campus-by-campus basis by each college's President.

Final two SUNY campuses armed in 2004

SUNY/Cortland and SUNY/Geneseo

Arming Requires a Comprehensive Implementation Program

Must ensure that all effective safeguards, policies, procedures, training and supervision are in place

Implementation Program

- General Orders on Firearms and Use of Force
- Oversight and Review protocols
- Requirements for authorization to be armed
  - New criminal background check
  - Psychological evaluation
  - Successful completion of firearms qualification course
- Acquisition of equipment
- Change in Uniforms for unarmed uniformed personnel

MCC Uniformed Personnel (two-tier system)



Five Police Officers

- P.O.S.T. certified
- Full powers of arrest
- Must qualify with firearm annually
- "Sworn duty to protect"



Four Buildings & Grounds Patrol Officers

- Non-sworn
- Enforce College rules and regulations

MCC's P.O.S.T.-certified Police Officers

Master Sergeant Michael Davis    MCCPD – 7 years  
 Middletown Police Department – 20 years  
 Connecticut DMHAS Police – 3 years

Officer Wilfredo Agudo    MCCPD – 25 years

Officer P. Thomas Clark    MCCPD – 20 years

Officer Eric Page    MCCPD – 3 years  
 Vernon Police Department – 20 years

Officer Bryan Mulligan    MCCPD - 2 years  
 East Hampton Police Department – 20 years

Only those Police Officers who are authorized to carry a firearm will be armed

To be authorized, the officer must:

- ✓ Pass a criminal background check
- ✓ Pass a psychological examination on overall psychological stability
- ✓ Pass the Town of Manchester Police Department's 90-hour Firearm Certification Program

Training

Manchester PD - 90 hour Transition Program

- Legal Updates (State and Federal Laws)
- MCCPD General Orders on Use of Force and Weapons
- Decision Making in critical incidents
- Firearm Safety
- Marksmanship
- Combat course with physical obstacles
- Weapon retention

MCCPD Officers will be held to same high standards of performance and qualifications as MPD officers

Our first priority must be to do all we can to assure the safety of our students, faculty, staff, and visitors.

Our police officers are fully qualified, POST-certified, experienced professionals who take their duty to protect very seriously.

We should provide them with the same tools police officers nationwide have to protect themselves and others. To fail to do so places these officers and the college community they protect at risk.



MANCHESTER  
COMMUNITY  
COLLEGE

## Police Department

To: Gena Glickman, President  
From: Susan Gibbens, Director of Public Safety and Environmental Health  
Date: July 12, 2011  
Re: Report on Manchester Police Department assessment of MCC's security liability

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The Manchester Police Department's Chief, Command Staff, and personnel, are very supportive of the MCC police officers being armed. The question for them is not "Should the officers be armed?" but rather "Why aren't these P.O.S.T. certified police officers armed?"

Prior to 1999 and the school shooting at Columbine High School, police tactics for such an active shooter incident dictated that responding officers contain the incident by establishing a perimeter and then wait for the SWAT (Special Weapons and Tactics) team to respond and handle the shooter(s).

After Columbine, police tactics in response to an active shooter situation were critically reviewed and new response protocols were developed. It was recognized that officers cannot wait for local SWAT teams to arrive and assemble but must stop an active shooter immediately with the first officers at the scene. "Rapid armed intervention by first responders" is now the strategy used by police responding to an active shooter situation. This means that the first two or three officers at the scene are to "search out and stop" the shooter.

The effectiveness of this "rapid armed intervention" strategy was graphically demonstrated at the Hartford Distributors Inc. tragedy in August 2010. As soon as police officers arrived on the scene, the shootings stopped.

MCC's officers are the first responders to all incidents on campus and can arrive on the scene of an emergency incident within two or three minutes. But if that incident involves violence and a weapon, there is nothing that the MCC officers can do. They cannot protect themselves and they cannot protect others. They must wait for the Manchester Police Department to be called and those armed officers to arrive and handle the situation. And because they are unarmed, MCC officers cannot even assist or accompany the MPD officers without jeopardizing the MPD personnel.

If there is a violent incident on campus, MCC PD will call the Manchester Police Department for assistance and MPD will dispatch officers to the campus. Depending upon MPD's manpower and case load at the time of such a call, officers will begin arriving on campus within five to twelve minutes. Additionally, other police departments and the State Police will be called by MPD and officers from surrounding jurisdictions will respond.

But that armed response to the actual scene of the violence will take considerably longer because these officers will be operating under two handicaps. First, they do not know the campus and its physical layout. Second, they do not know the college community and its members.

MPD clearly recognizes these problems for which there are no easy fixes. While detailed maps of the college and its buildings are available, finding one's way through hallways and classrooms by reading a map is time-consuming and disorienting, especially in an emergency situation. Not knowing the MCC people also creates problems for responding officers. Who's who? Whose information is reliable? Can this person be depended upon to carry out a task? These are questions for which MPD officers would have no answers.

The most direct solution to these problems is for MCC police officers to be armed. They know the campus. They know the constituency. And they can respond within minutes. Their response would identify the situation; contain it, if possible; and have Manchester PD and its resources available to assist as needed.

The Manchester Police Department has always been supportive of MCC and its Police Department. Its officers respond to the campus when MCC officers need assistance. Its dispatchers conduct C.O.L.L.E.C.T., NCIC, and DMV checks and send teletype messages for MCCPD and advise when there's an incident in the neighborhood that might impact the College. Its training officers provide in-service classes to MCC Police and Buildings and Grounds Patrol Officers in their use of handcuffs, batons, and pepper spray.

In August, MPD officers will assist MCC in conducting its first table top drill. The scenario will be of an active shooter on campus. This table top drill will enable the College and its Emergency Management Team to realistically test the MCC procedures and protocols currently in place for such an event. Additionally, MPD will be conducting a full-scale "active shooter" drill with other town and state agencies on the MCC campus during the Fall Semester.

If the decision were made to arm the MCC police officers, the firearms training of its officers would be conducted by Manchester Police Department Firearms Instructors. Its MCC police officers would carry the same handguns as Manchester PD and their firearms and tactical training would be conducted with MPD.

Chief Montminy strongly believes that the police officers at MCC should be armed. He understands the position in which MCC finds itself. As Chief Montminy stated to a Journal Inquirer reporter in March 2010, "Right now, they're in the worst of all situations. They have police officers, but they're not able to respond as police officers." Montminy has also spoken with the President's Advisory Committee (PAC) about his concerns and about the arming of campus police.

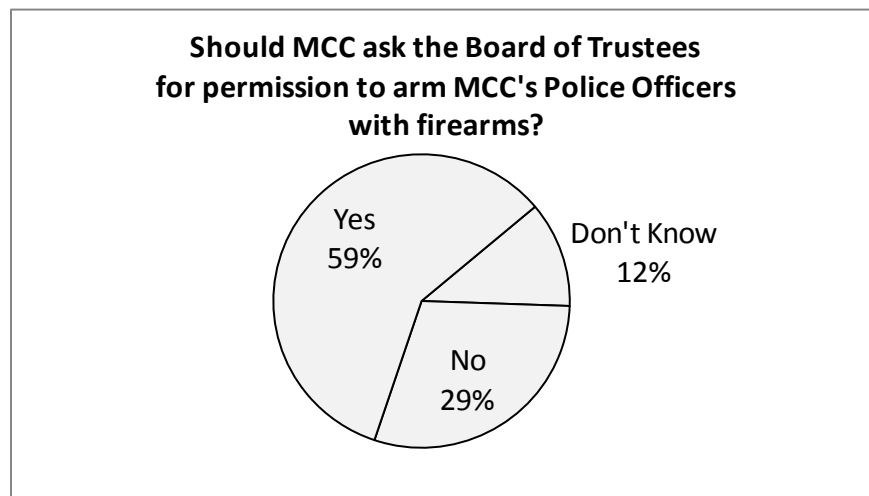
A final issue raised by Chief Montminy, and others who've researched and written about the arming of campus police, is the liability issue. MCC PD has five P.O.S.T.-certified police officers who are required to qualify with handguns every year to maintain that certification. But they are not properly equipped with handguns. What would be the liability should someone be injured on campus as a result of these police officers being unable to respond promptly to a violent incident? In light of the tragedy at Virginia Tech and the subsequent shootings at other schools and colleges, not arming its officers is a clear "failure to protect" condition. As Montminy has said, "the presence of uniformed officers on campus provides an illusion of safety when none exists."

**Manchester Community College  
Arming Survey Results  
Spring 2010**

In April 2010 MCC sent via allpoints email an invitation to participate in a brief survey on arming MCC police officers. The survey was available for two weeks at SurveyMonkey.com. We received 206 responses, most coming from faculty and staff.

About 60% of the responses were in favor of “asking the Board of Trustees for permission to arm MCC's Police Officers with firearms.”

- If we limit the base to those who responded either yes or no (exclude 24 don't know responses), 66% were in favor of pursuing arming.
- Among respondents who reported attending one of the information sessions on this topic, 66% were in favor of arming; excluding the don't know responses, the share in favor rises to 72%.
- There was little difference in the responses of faculty (n=89) and staff (n=101), although staff were more likely to indicate they “don't know” if MCC should pursue arming.



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The comments from respondents were very helpful, and are available unedited in public folders: [Outlook:\\Public Folders\\All Public Folders\\Manchester\\Committees & Working Groups\\Strategic Planning Committee \(G\)](#).

At risk of oversimplifying the opinions shared, the following themes emerged.

Comments from those in favor of arming most often referred to campus safety, the need for protection, and/or our need to be prepared for an emergency (n=39):

- “With the threat of violence on college campuses increasing, officers need to have the ability to promptly respond and react with arms, if necessary, to protect the campus community.”
- “The officers should be able to pursue the carrying of firearms if they believe that doing so makes them safer and more able to protect themselves (and the rest of us) in the event of a crisis. The safety of the campus police is a primary concern. They are the ones in harm's way.”
- “I don't feel safe knowing that our officers are not armed. We need well-trained, armed officers on this campus.”

Many others in favor of arming referred to providing police officers with the proper tools to do their job (n=13):

- “Give our protectors the tools they need to be effective in case of violent threats to the MCC community.”
- “If there ever were to be a hostile situation on campus, I want the first responders, the MCC Police Officers, to have the training and tools necessary to be able protect the college community.”

Many others provided general support for arming (n=16), or had questions about implementation (n=7):

- “If the officers are regularly trained in firearms, firearm safety, etc, I think they should have that option.”
- “What type of training and requirements would be needed for each individual and would all be armed?”
- “Who provides the training and the guidelines to use the weapons?”

Comments from those opposed to arming most often questioned the need for firearms (n=13):

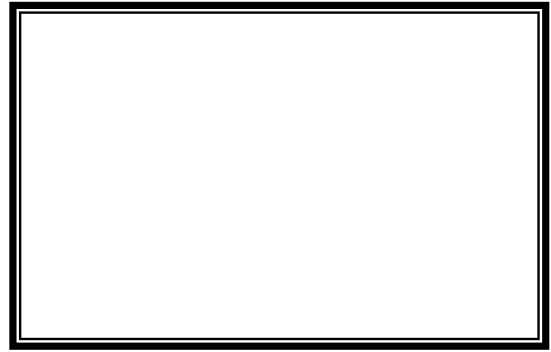
- “... I remain unconvinced that this proposal meets the high burden necessary for such a drastic action.”
- “I feel the Manchester PD can respond quickly enough in the event of an emergency and I object strongly to the campus police having firearms on campus.”

Others opposed to arming referred to a negative impact on campus culture (n=6) or a concern that firearms may escalate a situation (n=6):

- “Reason and not force should be the emphasis in a college community.”
- “... I don't believe that our police officers should be armed, as I think it would set a negative learning environment for all.”
- “I feel that having more guns out there raises the chances that there will be a violent occurrence, possibly with innocent bystanders unwillingly involved.”

Several comments from those opposed to arming were more general in nature (n=6) or suggested tasers instead of firearms (n=4):

- “I'm alarmed that this is being discussed as a possibility. It is a step backward at a time when our institution is really moving ahead. Bad feeling about this. I'm sure the advocates mean well... but it is kind of a surrender to base instincts. Let's lead with our strengths!”
- “I suppose that I would not mind if police officers on campus were armed with tasers, but I am definitely against arming officers with guns.”



## POLICE DEPARTMENT

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### WEAPONS POLICY

**PURPOSE:** To establish the policies and procedures which govern and authorize the use, carrying, training in, and handling of Manchester Community College Police Department issued less-lethal and lethal weapons and personally-owned lethal weapons by personnel of the Manchester Community Police Department when on and off-duty.

**POLICY:**

- Personnel of the Manchester Community College Police Department issued lethal and less lethal weapons shall be instructed on and issued the MCCPD policies governing lethal and less lethal weapons and the use of force. This training will be conducted by certified instructors from the Town of Manchester Police Department. All weapons training shall be documented by the MCCPD Master Sergeant.
  - Personnel of the Manchester Community College Police Department shall follow all guidelines governing the carrying, training, and use of weapons issued to them.
  - Weapons shall not be carried, stored, or used in a negligent or reckless manner.
  - Only MCCPD personnel who have been trained and have demonstrated proficiency are authorized to carry weapons.
  - The Town of Manchester Police Department will provide the firearms training for MCCPD sworn personnel. MCCPD officers will adhere to all the requirements of the Manchester Police Department's Firearms Program.
- A. **Department Authorized Weapons:** Members of the Manchester Community College Police Department will only use or carry those weapons (firearms and less-lethal weapons) authorized by the MCC Director of Public Safety and Environmental Health and issued to them by the Master Sergeant.
1. **Sidearms and Ammunition:** Sidearms and ammunition carried by police officers on duty will conform to the following specifications, unless granted a specific exemption by the Director of Public Safety and Environmental Health.
    - a. Sworn police personnel will carry the **Glock 21sf** issued by the MCCPD.
    - b. Officers will be issued Winchester .45 cal Ranger-T series ammunition for duty use
      - The only ammunition to be carried on duty and/or in the issued duty weapons is this department's approved and issued ammunition.
      - Officers may be issued other ammunition (Winchester .45 cal 230 grn ball ammo) for training purposes. However, the use of any ammunition, on duty or in the issued duty weapon, other than that issued by the department, is prohibited.
    - c. Holster: Officers will be issued Safariland 6360 ALS Level III Retention duty holsters and Safariland 6378 ALS paddle holsters for plainclothes and off-duty carry and magazine pouches.
    - d. A Streamlight TLR weapon-mounted light will be used with the Glock 21 sf.
    - e. While on duty, police officers will be armed with their approved duty firearm.

- f. Personal firearms (firearms other than department issued service weapon) will not be carried or used while on duty.
  - g. Police officers are permitted, but not mandated, to carry their duty weapon or an approved personal firearm while off duty.
    - Sworn personnel in civilian clothes who carry a sidearm while off-duty will keep the sidearm concealed from public view and secured at all times and will carry their badge and MCCPD ID card.
    - An officer who elects not to carry a firearm while off duty will not be subject to disciplinary action if an occasion should arise in which he/she could have taken police action if he/she was armed.
    - Personal firearms to be carried off duty must be approved by the Director of Public Safety and Environmental Health. The officer must demonstrate proficiency to the Firearms Instructor with each personal firearm he/she intends to carry off duty and must adhere to the provisions of MPD SOP 8-3. Records for the approved personal firearms will be maintained by the Master Sergeant.
    - Officers who carry a firearm off duty are governed by all MCC Police Department regulations regarding the use of force and/or the discharge of a firearm.
    - Any off duty firearm practice using the department-issued firearm will be at an established police, commercial or sporting club range only.
  - h. Officers will secure, carry, and store weapons on and off duty in such a way as to ensure no unauthorized person will have access to, or gain control over, the weapon. Officers will comply with Connecticut Statutes 29-37i and 53a-217a.
2. **Less-Lethal Weapons:** Less-lethal weapons authorized and issued by the MCC Director of Public Safety and Environmental Health are as follows:
    - a. Oleoresin Capsicum
    - b. Police Baton
  3. **Restraint Devices - Handcuffs:**
    - a. Personnel shall not use handcuffs as an implement of force.
    - b. Personnel shall only use handcuffs as a restraint device and not as a control device.
    - c. When using handcuffs, personnel shall ensure that the handcuffs are not applied so tightly as to cause injury.

**B. Inspections:**

1. The Master Sergeant will inspect uniformed personnel at roll-call and any other time deemed necessary to ensure that officers are carrying only those weapons which they are authorized to carry
2. Any weapon experiencing operational problems will be immediately removed from service and a replacement will be issued. If the weapon in question is a firearm, the firearm will be repaired by a department-approved certified armorer.
3. All department authorized firearms are subject to review and inspection by a department-approved certified firearms instructor or armorer prior to issuance and on an annual basis thereafter.
4. The Master Sergeant is responsible for ensuring and documenting these inspections.

**C. Control of Department Authorized Weapons**

1. The Master Sergeant is responsible for the storage, control, and issuance of all department issued weapons.

2. A log shall be maintained by the Master Sergeant to identify all weapons issued to MCCPD personnel.

**D. Safety and Care of Authorized Weapons**

1. Officers shall maintain their department issued weapons in clean and serviceable condition.
2. Under no circumstances will weapons be left where they may fall into the hands of unauthorized persons, especially children.
3. Firearms
  - a. Quick draw practice, pointing a firearm at another without cause, and any other irresponsible acts will not be tolerated. Individuals engaging in such practices will be subject to disciplinary action.
  - b. Officers will not make any modifications, repairs or adjustments to their department firearm. Any need for repair or adjustment of a department firearm will be brought to the attention of the Master Sergeant who will have the Manchester Police Department armorer check the firearm. Any repair not able to be made by this certified armorer will be forwarded to the firearm manufacturer.
4. Firearms Clearing Station – Officers will utilize the “clearing station” for the safe loading and unloading of firearms. Failure to use the provided clearing station when loading or unloading a firearm will result in disciplinary action being taken.
5. Securing firearms at home: Firearms should be stored in a manner that makes them inaccessible to, or inoperable by, unauthorized persons, especially children. (C.G.S. 29-37i)
  - A trigger lock will be issued with each firearm. This trigger guard is to be utilized to secure the firearm any time that firearm is not being carried on the officer’s person.

**E. Proficiency in the Use of Weapons: Only employees who demonstrate proficiency in the use of department authorized weapons are approved to carry such weapons. The proficiency will include:**

1. Department approved instruction/training in the use of said weapons;
2. Certification/qualification in the use of said weapons from a department approved course or training program;
3. Demonstrated knowledge of the laws concerning the use of force and the General Orders of this department relating to the use of force;
4. Demonstrated familiarity with the safe handling of such weapons.

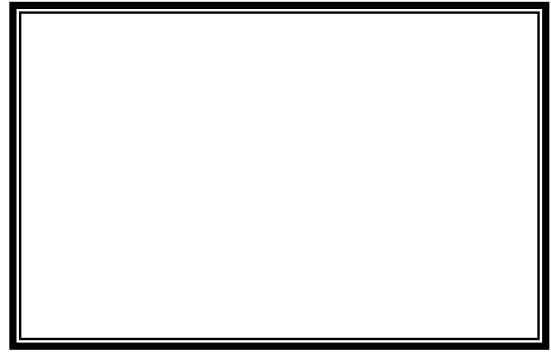
**F. In-Service Training**

1. All sworn personnel shall have access to, and acknowledge receipt of, this and related General Orders and shall receive instruction on these orders both prior to being authorized to carry any department authorized weapon and subsequently on an annual basis.
2. It will be the responsibility of the Master Sergeant to maintain the records of all authorized weapons training.
3. Firearms: Department issued firearms qualification will be as follows:
  - a. Police Officers will be required to qualify and/or train with their department issued firearm annually, with every effort made to shoot two (2) times a year. All such training will be monitored by department-approved certified firearms instructors.

- b. The firearms instructors will be responsible for preparing the lesson plans for each training session. The instructors will insure Manchester Community College Police Department complies with minimum State requirements for firearms training. The firearms instructors will ensure that training sessions include topics such as:
    - Shooting decisions
    - Malfunctions
    - Firearms and range safety
    - Statute refresher
  - The firearms instructors will certify whether or not an officer is proficient in the handling and use of a department firearm, utilizing the standards set and approved by P.O.S.T.
  - If an officer fails to achieve a qualification score, the officer will be placed on “firearms probation.” While on firearms probation, the officer(s) will be restricted to carrying the department weapon for firearms training only.
    - 1) The officer will be scheduled for one retry opportunity to reach qualification score.
    - 2) If the officer fails to qualify with his/her firearm on the scheduled retry, that officer will receive remedial firearms training. The officer will then be given another opportunity to reach qualification score.
    - 3) An officer who fails to qualify after remedial training will be in danger of losing his/her P.O.S.T. Certification.
4. Non-Firearms Weapons
- a. Officers issued the Oleoresin Capsicum Spray training will receive four (4) hours of initial training and receive in-service training annually thereafter.
  - b. Officers issued the Police Baton will receive four (4) hours of initial training and receive in-service training annually thereafter.

References/State Statutes:

1. Sec. 29-37i Responsibilities re storage of loaded firearms with respect to minors. No person shall store or keep any loaded firearm on any premises under his control if he knows or reasonably should know that a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor unless such person (1) keeps the firearm in a securely locked box or other container or in a location which a reasonable person would believe to be secure or (2) carries the firearm on his person or within such close proximity thereto that he can readily retrieve and use it as if he carried it on his person. For the purposes of this section, "minor" means any person under the age of sixteen years. (Sec. 29-37i. Formerly Sec. 29-37c).



## POLICE DEPARTMENT

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### USE OF FORCE

**PURPOSE:** To establish guidelines on the use of physical and deadly physical force by members of the Manchester Community College Police Department. This directive is not to inhibit or deter officers from exerting the lawful force necessary to carry out their legal responsibilities, but rather to guide them in the use of force and to ensure that the use of force is properly documented.

**POLICY:** It is the policy of the Manchester Community College Police Department to use only that force absolutely necessary to affect lawful objectives and to use that force only in accordance with Connecticut's General Statutes.

#### **DEFINITIONS and CONCEPTS:**

##### A. Definitions:

1. **Force:** In the performance of his/her duties, "force" refers to an officer's legal attempt, using appropriate physical means, to subdue, restrain, or stop a subject.
2. **Use of Physical Force:** The use of a dangerous instrument or the use of actual physical force or violence or superior physical strength against an individual. CGS 53a-65(7)
3. **Deadly Physical Force:** A force which can reasonably be expected to cause serious physical injury or death. CGS 53a-3(5)
4. **Lethal Force:** Physical force, which can be reasonably expected to cause death or serious physical injury of a human being.
5. **Less Lethal Force:** That force which has the potential to cause bodily harm (physical injury) or hurt.
6. **Non-Deadly Force:** A degree of force which is neither intended nor likely to cause serious physical injury. This includes any physical effort used to control or restrain another or to overcome the resistance of another. It is used by an officer to control a situation or the actions or behavior of a person(s).
7. **Serious Physical Injury:** Physical injury which creates a substantial risk of death or which causes disfigurement or serious impairment of health or loss or impairment of the function of any body organ. CGS 53a-3(4)
8. **Reasonable Belief:** When facts and circumstances the officer reasonably believes, knows, or should know are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
9. **Reasonable Belief That a Person Committed a Crime:** A reasonable belief that a person committed an offense means a reasonable belief in facts or circumstances, which if true, would in law constitute an offense. 53a-22(a)
10. **Objectively Reasonable:** This term means that, in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances,

including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community.

11. Imminent: On the point of happening.

## B. Types of Resistance

1. Non-Verbal and Verbal Non-Compliance: The subject expresses his intentions not to comply through non-verbal cues in attitude, appearance, demeanor, gestures, stance or subconscious mannerisms that indicates an unwillingness to cooperate or a threat; verbal responses indicating an unwillingness to comply with officer's directions or a threat to injure a person; statements by a subject ranging from pleading to physical threats.
2. Passive Resistance: The subject does not cooperate with an officer's lawful commands, and does not take action to prevent being taken into custody. An example of this would be a protestor who lies down in front of a doorway, and must be carried away upon arrest.
3. Defensive Resistance: Subject's engaging in defensive resistance take action to prevent being taken into custody. The goal of this action is escape, and not injury to the officer. This action may include twisting, pulling, holding onto to fixed objects, or running away.
4. Active Aggression: A threat or overt act of an assault, coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. At this level of resistance, the subject is attempting to injure the officer either directly, or as a means to escape.
5. Aggravated Active Aggression: Deadly force encounter. Aggravated Active Aggression includes actions that are likely to result in the death or serious bodily injury to an officer. These actions may include discharge of a firearm, use of a blunt or bladed weapon, and extreme physical force.

## C. Factors to determine "objectively reasonable" force options.

1. The reasonableness of an officer's use of force is based upon the totality of the circumstances known by the officer at the moment the force is used.
2. The following five (5) basic factors are considered when determining "reasonableness". Bearing in mind that the standard is "totality of the circumstances," these five (5) factors are not the only factors to be considered. The following have not been placed in a specific order of priority.
  - a. Imminent threat of injury to an officer(s) and/or others. The greater the level of the threat is, the greater the level of force that may be used.
  - b. If the person is actively resisting seizure, the officer may escalate the justified (reasonable) level of force.
  - c. Circumstances are tense, uncertain, and rapidly evolving. Some incidents take hours to resolve, while others are over in seconds. The tenser, uncertain and rapidly evolving the incident is, the higher the level of force that may be reasonable.
  - d. The more severe the crime, the more force that may be justified.
  - e. Attempting to evade seizure by flight may justify escalating the level of force.
3. Each situation is unique. Sound judgment and the circumstances of each situation will dictate the force option the officer deems necessary. Depending on the circumstances, officers may find it necessary to escalate or de-escalate the use of force. It is not the intent of this policy to require officers to attempt to exhaust each option before moving to the next, so long as the level of force used is reasonable and appropriate under the circumstances

## STANDARDS AND PRACTICES:

- A. MCC Police Department personnel are authorized to use only that amount of force which is both reasonable and necessary to achieve lawful objectives, effectively bring an incident under control, while

protecting the lives of the officer and others. Circumstances permitting such reasonable use of force include:

1. Overcome resistance to a lawful arrest or a lawful search
2. Prevent escapes from custody
3. Prevent the commission of a crime
4. Prevent self-inflicted injury
5. Defend one's self or a third person from the use or imminent use of physical force

#### B Use of Force/Control Options:

The value of all human life should be appropriately weighed in the decision process for the use of force. Above all, the safety of the public and the officer must be the overriding concern whenever the use of force is considered.

The level of force employed must be commensurate with the threat posed by the suspect and the seriousness of the immediate situation. It is recognized and understood that circumstances are fluid and may change rapidly. Officers should rely on their training, experience, and assessment of the situation, to decide the appropriate level of force.

It is the actions of the subject, the threat facing the officer (or others) and the totality of circumstances that dictate what is reasonable.

The following list of Use of Force/Control Options is descriptive and is not intended to suggest the order in which the various categories of force should be used in any specific situation.

1. Professional Presence/Officer Identification: The mere presence of a uniformed officer may be sufficient to deter crime. Officers not in uniform at the time of citizen contact must identify themselves as officers and clearly display the badge of authority when attempting to gain compliance.
2. Verbalization: The manner in which an officer speaks to a person may often effectively manage a situation. Verbalization includes advice, persuasion, commands, orders, and warnings
3. Soft Control Techniques: If verbal persuasion fails, it may become necessary to further direct the subject using a firm, but non-violent, touch or grasp to clearly indicate what the officer wants the subject to do. (Note: An officer should continue to give verbal instructions to the subject when employing physical touching.)
4. Oleoresin Capsicum (O.C./Pepper Spray): An officer may deploy OC spray immediately if faced with a combative subject (will not comply with lawful directions and the potential for violence and/or resistance is increasing or if soft control techniques fail and the situation continues to escalate).
5. Hard Empty Hand Control: If verbal persuasion and/or touching fail and the subject is combative or uncooperative, physical strength and/or defensive tactics/maneuvers, including the taking of the subject to the ground, may be employed to overcome the resistance and control the subject. (Note: Only that amount of force which is reasonable and necessary to overcome the subject's resistance is authorized. Additionally, an officer continues to give verbal instructions to the subject.)
6. Baton: The issued police baton is a multi-purpose weapon that may be used to control someone through leverage, or to inflict pain to overcome resistance, or protect someone. (Note: It may also be a means of deadly force – depending upon how it is used.) The baton must be used in strict compliance with departmental training.
7. Lethal Force (Deadly Physical Force): The use of a firearm or any other means of force that can be reasonably expected to cause death or serious physical injury is a most extreme measure and should only be used as a last resort. Officers will only use the force necessary to effect lawful

objectives. Officers will constantly weigh the advantages and disadvantages of the use of deadly physical force and will ensure that any use of deadly physical force meets the test of reasonableness.

A sworn officer is justified in using deadly physical force in order to:

- a) defend him/herself or a third person from the use, or imminent use, of deadly force,
- b) effect an arrest or prevent the escape from custody of a person whom the officer reasonably believes has committed or attempted to commit a felony which involved the infliction or threatened infliction of serious physical injury,
- c) where practical, the officer has given warning of his/her intent to use deadly physical force,
- d) the officer reasonably believes that the person still poses a significant threat to the officer or a third person.

C. Edged Weapons: When confronted by a suspect armed with a deadly weapon, including edged weapons, an officer should weigh the totality of the facts and circumstances of each situation. Practical considerations may include, but are not limited to, the proximity of the suspect to the officer(s) and other persons; how rapidly the circumstances are evolving; and the use of force options that may be necessary, appropriate, and available. Officers should recognize that, when reasonable to do so with safety to officers and other persons in the vicinity, disengagement, repositioning, cover, concealment, barriers, or retreat, although not required by law, may be a tactically preferable police response to a confrontation.

D. Use of Lethal Force and Less Lethal Force

1. Members of the Manchester Community College Police Department **will only use** the force necessary to effect lawful objectives.

- Sworn officers are authorized to use Lethal Force.
- Buildings and Grounds Patrol Officers (non-sworn personnel) are not generally allowed to use lethal force.
- Pursuant to the Connecticut General Statutes on use of force, a Buildings and Grounds Patrol Officer may use less lethal force upon another person when and to the extent they reasonably believe it necessary to defend themselves, officers, or third persons from the imminent use of less lethal force.

E. Restrictions on the Use of Firearms: Officers are **not permitted to use deadly physical force under the following circumstances:**

1. To fire warning shots.
2. Where the lives of innocent person would clearly be endangered by such use of force.
3. Firing at a moving vehicle is prohibited except where the officer reasonably believes that:
  - a) An occupant of the other vehicle is using, or threatening to use, deadly force by a means other than the vehicle;
  - b) A vehicle is operated in a manner deliberately intended to strike an officer or a citizen and all other reasonable means of defense have been exhausted (or are not present), including moving out of the path of the vehicle, and the safety of innocent persons would not be unduly jeopardized by the officer's action.

F. An officer may put to death an animal which presents an immediate serious physical threat to the officer or a third party or one that is so badly injured that humaneness demands its immediate removal from further suffering.

#### G. Rendering Medical Aid:

1. When officers use physical force upon a subject and an injury is observed or the subject complains of discomfort, pain, or injury, officers shall ensure that appropriate medical aid is rendered.
2. Medical aid may be provided through, but not limited to, the following:
  - a. Self initiated,
  - b. Paramedic, and/or
  - c. Hospital.
3. All injury and medical aid information will be clearly documented in an incident report.

#### H. Reports for the Use of Lethal and Less-Lethal Force

1. When any officer of the Manchester Community College Police Department, in the performance of his/her duties, employs force against another person, that officer will complete a detailed case report of the incident. This report will document the necessity, instrumentalities, and related circumstances of the use of force. The officer will also complete a "Use of Force Report." In most cases, this report will be completed prior to the officer ending his/her tour of duty.
2. All reports of the use of force will be reviewed by the Master Sergeant who will determine whether the use of force conforms to current MCCPD policy and procedures and will document his findings in writing concerning policy compliance. The Master Sergeant will then forward said report to the Director of Public Safety.
3. The Director of Public Safety will conduct a second review of the use of force incident to determine whether department rules, policies, and procedures were followed. The Director of Public Safety will in turn advise the President of the College and the Dean of Administrative Affairs of the use of force incident.

- I. Annual Analysis: Annually, the Manchester Community College Police Department will review all use of force incidents. The purpose of the review will be to analyze trends in the use of force by members of the department to determine the need for policy modifications and/or training. The Master Sergeant is responsible for this review.

#### REFERENCES:

##### A. STATE STATUTES

1. Use of Physical Force When Arresting Pursuant To a Warrant: An officer who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using physical force. 53a-22(b)(1)
2. Use of Physical Force In a Warrantless Arrest: An officer is justified in using physical force to prevent the escape from custody of a person whom the officer reasonably believes to have committed an offense, or to defend himself/herself or a third person from the use or imminent use of physical force which effecting an arrest or preventing an escape from custody. CGS 53a- 22(b)
3. A person acting under the reasonable belief that another person is about to commit suicide or to inflict serious physical injury upon himself/herself may use reasonable physical force upon such person to the extent that he/she reasonably believes such to be necessary to thwart such result. CGS 53a-18(4)
4. Deadly Force (deadly physical force): The use of a firearm or any other means of force that can be reasonably expected to cause death or serious physical injury is authorized when officers:
  - Reasonably believes that such force is necessary to defend himself/herself or a third person from the use or imminent use of deadly physical force, or

- To effect an arrest or prevent the escape from custody of a person/suspect whom the officer reasonably believes has committed a felony which involved the infliction or threatened infliction of serious physical injury; and the Officer reasonably believes this person still poses a significant threat of death or serious physical injury to the Officer or other persons; and if, where feasible, the officer has given warning of his intent to use deadly physical force. 53a-22(c)
5. Section 51-277a of the General Statutes provides that, whenever a peace officer in the performance of his or her duties, uses deadly physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause an investigation to be made and shall determine whether the use of deadly physical force was appropriate under section 53a-22 of the General Statutes.

B. COURT DECISIONS: Officers are confronted daily with situations requiring the use of force to effect an arrest or ensure public safety. The degree of force used depends on what the officer perceives as reasonable and necessary under the circumstances. Facts or circumstances unknown to the officer will not be considered in later determining whether the force was justified. In Graham v. Connor, the United States Supreme Court stated, “the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, however, its proper application requires careful attention to the facts and circumstances of each particular case including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others or whether he is actively resisting arrest or attempting to evade by flight.” In addition, an officer should take into account his or her own abilities.