



Professional Reference Directory

Chapter: 7 Use of Force

Section: 7.1

Title: Protocol & Procedure for Investigation of the Use of Deadly Physical Force

Date: 3/15/16, 07/14/20

Purpose: The purpose of this policy is to set forth the protocol and procedure for the investigation of the use of deadly physical force by a peace officer pursuant to General Statutes 51- 277a.

The following protocol has been adopted by the State of Connecticut Division of Criminal Justice. It applies whenever a peace officer in the performance of his/her duties, uses deadly physical force upon another person and such person dies as a result. Such protocol also should be utilized where death is likely, but has not occurred immediately:

1. The law enforcement agency having primary jurisdiction of the geographical area where the use of force occurred shall have immediate responsibility over controlling and securing the scene.
2. The scene shall be preserved without the removal or relocating of evidential material including motor vehicles, unless such would detract from the evidential value of the material. Medical needs of the victim, if alive, shall be accommodated.
3. The appropriate State's Attorney Office (Hartford Judicial District) shall be immediately notified and a member of such office shall promptly respond to the scene and/or police department.
4. Search and seizures issues shall be immediately addressed by involved agencies.
5. The Office of the Chief Medical Examiner shall be notified when death has occurred.
6. Other police agencies having a direct interest in the law enforcement officers involved in the use of force shall be notified.
7. The department having jurisdiction of the geographical area shall contemporaneous to securing the scene, freeze the scene and take names of potential witnesses, note vehicle registration numbers where appropriate and conduct interviews and perform other appropriate investigation activities to the extent that the passage of time would inhibit this function. Such investigative activities shall be under the direction of the State's Attorney's Office. Also, the officer(s) weapon used in the shooting, ammunition and clothing shall be secured without altering the condition of such weapon, unless such is required for the safety of the seizing officer.
8. The State's Attorney or his designee shall, after discussing the situation with the involved agency or agencies, determine which agency or agencies shall be responsible for processing the scene, analyzing evidence and if necessary, reconstructing the event and scene. A ranking officer shall notify the next of kin of the death and the availability or resources and services for a decedent's family.

9. The involved officers should be interviewed separately. The State's Attorney's representative shall be in charge of the interview process. The police department Peer Support Unit should be notified per departmental procedures.
10. The office of the Chief State's Attorney shall be notified of the death as soon as reasonably possible. (Pursuant to Public Act No. 15-4, the Chief State's Attorney will appoint a prosecutor from a Judicial District other than the one where the incident occurred to conduct the investigation into the use of force incident.)
11. The State's Attorney's Office shall, pursuant to statute, direct the investigation and request appropriate law enforcement agencies to provide such assistance as necessary to determine the circumstances of the incident.
12. In cases where concurrent investigations are done by more than one law enforcement agency, investigative activities shall be coordinated under the direction of the State's Attorney.
13. News releases by the agency having primary investigative jurisdiction shall be authorized by the State's Attorney.

The State's Attorney is required pursuant to General Statutes 51-277a to file a report with the Chief State's Attorney who shall submit a copy to the head of the police agency and the chief executive officer of the location wherein the death occurred, and thereafter to the Police Officer Standards and Training Council. Every effort shall be made to prepare and submit the report as quickly as possible.

It is recognized that a police agency may wish to conduct an internal non-criminal investigation with respect to circumstances surrounding the use of deadly physical force. Every effort shall be made by the State's Attorney to accommodate the needs of the involved department; however, the primary objective is the statutory duty of the State's Attorney pursuant to General Statutes 51- 277a.